

METROPOLITAN BOROUGH OF SEFTON

COUNCIL SUMMONS

To Members of the Metropolitan Borough Council

Dear Councillor

You are requested to attend a Meeting of the Sefton Metropolitan Borough Council to be held on **Thursday 9th July, 2009 at 6.30 pm at the Town Hall, Southport** to transact the business set out on the agenda overleaf.

Yours sincerely,

Legal Director

Town Hall,
Southport

1 July 2009

Please contact Steve Pearce, Head of Committee and Member Services
on 0151 934 2046 or e-mail steve.pearce@legal.sefton.gov.uk

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AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.

3. Minutes

(Pages 5 - 24)

Minutes of the meetings held on 7 and 14 May 2009

4. Mayor's Communications

Public Session

5. Matters Raised by the Public

To deal with matters raised by members of the public within the Borough, in accordance with the procedures relating to Petitions, Public Questions and Motions set out in Rule 11 of the Council and procedure Rules.

(Details of any further Petitions notified or Questions submitted to the Legal Director by members of the public in accordance with Rule 11 will be circulated at the meeting).

Council Business Session

6. Questions Raised by Members of the Council

To receive and consider questions to Cabinet Members, Chairs of Committees or Spokespersons for any of the Joint Authorities upon any matter within their portfolio/area of responsibility, of which notice has been given in accordance with Rule 12 of the Council and Committee Procedure Rules.

7. Implementation of Web Based Procurement Portal

(Pages 25 -
32)

Report of the Finance and Information Services Director

8. Member Allowances - Independent Remuneration Panel

(Pages 33 -
92)

Joint report of the Legal Director and Finance and Information Services Director

9. Overview and Scrutiny Annual Report 2008/09

(Pages 93 -

- Report attached. The Chairs of the four Overview and Scrutiny Committees' will present the report to Council. 112)
- 10. Councillor Call for Action and Scrutiny of Crime and Disorder** (Pages 113 - 128)
Report of the Legal Director
- 11. Regulation of Investigatory Powers** (Pages 129 - 134)
Report of the Legal Director
- 12. Membership of Committees 2009/10** (Pages 135 - 138)
Report of the Legal Director
- 13. Matters dealt with in accordance with Rule 16 of the Access to Information Procedure Rules (Special Urgency) of the Constitution** (Pages 139 - 140)
Report of the Leader of the Council.
- 14. Matters dealt with in accordance with Rule 17 of the Scrutiny Procedure Rules (Call-In and Urgency) of the Constitution** (Pages 141 - 142)
Report of the Legal Director.

THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

COUNCIL

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 7TH MAY, 2009

PRESENT: The Mayor (Councillor Tweed) (in the Chair)
The Deputy Mayor (Councillor Doran) (Vice Chair)

Councillors Barber, Bigley, Blackburn, Booth, Brady, Brennan, Brodie - Browne, Byrne, Cluskey, Connell, Cummins, Cuthbertson, Dodd, M Dowd, P Dowd, Fairclough, Lord Fearn, M Fearn, Fenton, Friel, Gibson, Glover, Griffiths, Hands, D Hardy, P Hardy, Hill, Hough, Ibbs, D Jones, T Jones, Maher, C Mainey, S Mainey, McGinnity, McGuire, Moncur, Papworth, Parry, Pearson, Platt, Porter, Preston, D Rimmer, Roberts, Robertson, Shaw, Sumner, Tattersall, Tonkiss, Veidman, Sir Ron Watson, Weavers and Webster

101. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bradshaw, Byrom, Colbert, Howe, Larkin, Mahon, B. Rimmer and Storey.

102. DECLARATIONS OF INTEREST

No declarations of interest were made.

103. MINUTES

That the Minutes of the Council Meeting held on 26 March 2009 be confirmed as a correct record.

104. MAYOR'S COMMUNICATIONS

Death of Mr. Philip Berrill

The Mayor reported on the sad death of Mr. Philip Berrill whose funeral took place on 29 April 2009. Mr Berrill served as a Sefton Councillor from 1998 to 2000.

Councillor Porter paid tribute to Mr. Berrill and the Council then stood in silence for one minute as a mark of respect.

Mr. Stan Mercer

The Mayor reported that Mr. Stan Mercer - Mayoral Attendant continues to undergo treatment for his illness with commendable courage and humour.

Agenda Item 3

COUNCIL- THURSDAY 7TH MAY, 2009

Stan and his wife Sharon have asked for their thanks to be passed on for all the cards and messages of support they have received over the past few weeks, and for the many visits they have received from friends and colleagues, which have helped to sustain them over a very difficult period.

PUBLIC SESSION

105. MATTERS RAISED BY THE PUBLIC

The Mayor reported that members of the public had not submitted any petitions or questions.

COUNCIL BUSINESS SESSION

106. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Mayor reported that no questions had been submitted by Members of the Council.

107. APPOINTMENT OF THE LEADER OF THE COUNCIL, THE CABINET, COMMITTEES AND SPOKESPERSONS FOR 2009/10

The Council considered a draft motion and schedule indicating the nominations submitted by the three political groups for the Membership of the Cabinet, Committees, Chairs, Vice-Chairs and Spokespersons for 2009/10 which had been circulated prior to the meeting.

It was moved by Councillor Blackburn, seconded by Councillor Robertson and

RESOLVED: That

- (1) Councillor Robertson as the Leader of the Liberal Democrat Group, be appointed as the Leader of the Council;
- (2) Councillors P. Dowd and Parry as the Leaders of the Labour and Conservative Groups, be appointed as Deputy Leaders of the Council;
- (3) the Cabinet and Spokespersons comprising the Members indicated below be appointed for 2009/10, to take effect from the date of this meeting:

CABINET (10)

(Lib Dem 4 Lab 3 Con 3)

Portfolio	<u>Member</u>
Leader of the Council	Cllr. Robertson
Cabinet Member - Children's Services and Deputy Leader	Cllr. P. Dowd
Cabinet Member - Communities	Cllr. Griffiths
Cabinet Member - Corporate Services and Deputy Leader	Cllr. Parry
Cabinet Member - Environmental	Cllr. Tattersall
Cabinet Member - Health and Social Care	Cllr. Porter
Cabinet Member - Leisure and Tourism	Cllr. Lord Fearn
Cabinet Member - Performance and Governance	Cllr. Brodie-Browne
Cabinet Member - Regeneration	Cllr. Maher
Cabinet Member - Technical Services	Cllr. Fairclough

CABINET URGENT BUSINESS COMMITTEE (3)

The 3 Party Leaders or their nominees (who must be Cabinet Members).

Councillors Robertson, P. Dowd and Parry

CABINET MEMBER - CHILDREN'S SERVICES

<u>Member</u>	<u>Substitute</u>
Cllr. P. Dowd	Cllr. Fairclough

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. M. Fearn	Cllr. Howe
Cllr. Platt	Cllr. Sir Ron Watson

The Education Added Members - Mr. A. Bell and 1 Vacancy (Church Diocesan Representatives); Mrs. S. Roberts and 1 Vacancy (Parent Governor Representatives) are invited to attend the Cabinet Member - Children's Services Meetings.

Mr. R. Gregson (Sefton Governors Forum) is also invited to attend the meetings.

Agenda Item 3

COUNCIL- THURSDAY 7TH MAY, 2009

CABINET MEMBER - COMMUNITIES

<u>Member</u>	<u>Substitute</u>
Cllr. Griffiths	Cllr. Porter

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. Booth	Cllr. Weavers
Cllr. Veidman	Cllr. Friel

CABINET MEMBER - CORPORATE SERVICES

<u>Member</u>	<u>Substitute</u>
Cllr. Parry	Cllr. Griffiths

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. McGuire	Cllr. Hands
Cllr. Tweed	Cllr. McGinnity

CABINET MEMBER - ENVIRONMENTAL

<u>Member</u>	<u>Substitute</u>
Cllr. Tattersall	Cllr. Brodie-Browne

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. P. Hardy	Cllr. Friel
Cllr. D. Jones	Cllr. Ibbs

CABINET MEMBER – HEALTH AND SOCIAL CARE

<u>Member</u>	<u>Substitute</u>
Cllr. Porter	Cllr. Parry

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. Brennan	Cllr. Friel
Cllr. D. Rimmer	Cllr. Preston

COUNCIL- THURSDAY 7TH MAY, 2009

CABINET MEMBER - LEISURE AND TOURISM

<u>Member</u>	<u>Substitute</u>
Cllr. Lord Fearn	Cllr. Robertson

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. Cummins	Cllr. Webster
Cllr. Glover	Cllr. D. Jones

CABINET MEMBER - PERFORMANCE AND GOVERNANCE

<u>Member</u>	<u>Substitute</u>
Cllr. Brodie-Browne	Cllr. Lord Fearn

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. Barber	Cllr. Cuthbertson
Cllr. Friel	Cllr. Brennan

CABINET MEMBER - REGENERATION

<u>Member</u>	<u>Substitute</u>
Cllr. Maher	Cllr. P. Dowd

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. Hough	Cllr. McGuire
Cllr. Ibbs	Cllr. Pearson

CABINET MEMBER - TECHNICAL SERVICES

<u>Member</u>	<u>Substitute</u>
Cllr. Fairclough	Cllr. Maher

<u>Spokespersons</u>	<u>Substitute</u>
Cllr. T. Jones	Cllr. Ibbs
Cllr. Tonkiss	Cllr. Sumner

Agenda Item 3

COUNCIL- THURSDAY 7TH MAY, 2009

- (4) the Committees, Chairs, Vice-Chairs and Spokespersons for the following Committees indicated below be appointed for 2009/10 to take effect from the date of this meeting:

(In seconding the motion, Councillor Robertson indicated that he would like the issue of proportionality for the allocation of Committee Chairs to be considered as part of the current Governance Review)

OVERVIEW AND SCRUTINY COMMITTEE (CHILDREN'S SERVICES) **(10)**

(Lib Dem 4 Lab 4 Con 2)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Hands	Cllr. Colbert
2.	Vice-Chair: Cllr Gibson	Cllr. Booth
3.	Cllr. Bradshaw	Cllr. Moncur
4.	Cllr. Byrom	Cllr. Kerrigan
5.	Cllr. Connell	Cllr. McGuire
6.	Cllr. Cummins *	Cllr. Veidman
7.	Cllr. Cuthbertson	Cllr. Ibbs
8.	Cllr. Hough	Cllr. Hill
9.	Cllr. T. Jones*	Cllr. Glover
10	Cllr. Larkin	Cllr. McGinnity

* Spokesperson

1. Education Added Members:- Father D. Seddon and 1 Vacancy
(Church Diocesan
Representatives);

Mrs. S. Roberts and 1 Vacancy.
(Parent Governor
Representatives)
2. Cabinet Members must not sit on the Overview and Scrutiny Committee.

OVERVIEW AND SCRUTINY COMMITTEE (HEALTH AND SOCIAL CARE) (10)

(Lib Dem 4 Lab 3 Con 3)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Hill	Cllr. Colbert
2.	Vice-Chair: Cllr. McGuire	Cllr. Blackburn
3.	Cllr. Barber	Cllr. D. Jones
4.	Cllr. Fenton	Cllr. S. Mainey
5.	Cllr. Howe	Cllr. C. Mainey

6.	Cllr. Larkin	Cllr. Cluskey
7.	Cllr. McGinnity*	Cllr. Mahon
8.	Cllr. Pearson	Cllr. Bigley
9.	Cllr. Platt*	Cllr. T. Jones
10.	Cllr. Webster	Cllr. Bradshaw

* Spokesperson

1. Cabinet Members must not sit on the Overview and Scrutiny Committee.

OVERVIEW AND SCRUTINY COMMITTEE (PERFORMANCE AND CORPORATE SERVICES) (10)

(Lib Dem 4 Lab 4 Con 2)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. D. Hardy	Cllr. Brady
2.	Vice-Chair: Cllr. Tweed	Cllr. M. Dowd
3.	Cllr. Bigley	Cllr. Platt
4.	Cllr. Byrne*	Cllr. C. Mainey
5.	Cllr. Byrom	Cllr. Veidman
6.	Cllr. Gibson	Cllr. Tonkiss
7.	Cllr. Howe	Cllr. Shaw
8.	Cllr. McGinnity	Cllr. Larkin
9.	Cllr. Papworth*	Cllr. Roberts
10	Cllr. Weavers	Cllr. S. Mainey

* Spokesperson

1. Cabinet Members must not sit on the Overview and Scrutiny Committee.

OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND ENVIRONMENTAL SERVICES) (10)

(Lib Dem 4 Lab 3 Con 3)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Papworth	Cllr. Platt
2.	Vice-Chair: Cllr. Pearson	Cllr. Sir Ron Watson
3.	Cllr. Booth	Cllr. Hill
4.	Cllr. Cluskey*	Cllr. D. Hardy
5.	Cllr. P. Hardy	Cllr. Tweed
6.	Cllr. C. Mainey*	Cllr. D. Rimmer
7.	Cllr. S. Mainey	Cllr. Howe
8.	Cllr. Roberts	Cllr. Cuthbertson
9.	Cllr. Weavers	Cllr. B. Rimmer
10.	Cllr. Webster	Cllr. Gustafson

Agenda Item 3

COUNCIL- THURSDAY 7TH MAY, 2009

* Spokesperson

1. Cabinet Members must not sit on the Overview and Scrutiny Committee.

APPEALS COMMITTEE

All Members of the Council (other than Cabinet Members) to form a Panel from which 3 Members are selected to form a politically balanced Committee.

AUDIT AND GOVERNANCE COMMITTEE (10)

(Lib Dem 5 Lab 3 Con 2)

(10 Members of the Authority to form a politically balanced committee (3 Executive Members (one from each party) and 7 Non Executive Members). The Chair should not be an Executive Member.)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Brady	Cllr. D. Hardy
2.	Vice-Chair: Cllr. Moncur	Cllr. Mahon
3.	Cllr. P. Dowd	Cllr. Maher
4.	Cllr. C. Mainey	Cllr. Blackburn
5.	Cllr. S. Mainey	Cllr. Fenton
6.	Cllr. Parry*	Cllr. Porter
7.	Cllr. Roberts	Cllr. Pearson
8.	Cllr. Robertson	Cllr. Brodie-Browne
9.	Cllr. Shaw*	Cllr. Howe
10.	Cllr. Tonkiss	Cllr. Byrne

* Spokesperson

Membership is the Leader of the Council and the other 2 Party Group Leaders (or their nominees who should be Cabinet Members) and 7 Non-Executive Members of the Council.

EMPLOYMENT PROCEDURE COMMITTEE

All Members of the Council to form a panel from which a minimum of 3 Members are selected to form a politically balanced Committee. At least one member of the Cabinet to be included on the Committee.

COUNCIL- THURSDAY 7TH MAY, 2009

LICENSING AND REGULATORY COMMITTEE (15)

(Lib Dem 6 Lab 5 Con 4)

	<u>Member</u>
1.	Chair: Cllr. Bigley
2.	Vice-Chair: Cllr. Papworth
3.	Cllr. Blackburn
4.	Cllr. Bradshaw
5.	Cllr. Dodd
6.	Cllr. Fenton
7.	Cllr. Friel
8.	Cllr. Gustafson
9.	Cllr. Hands*
10.	Cllr. Kerrigan
11.	Cllr. Mahon*
12.	Cllr. Pearson
13.	Cllr. Platt
14.	Cllr. B. Rimmer
15.	Cllr. D. Rimmer

*Spokesperson

LICENSING AND REGULATORY (URGENT REFERRALS) COMMITTEE (3)

(Lib Dem 1 Lab 1 Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Bigley	Cllr. Papworth
2.	Cllr. Hands	Cllr. Dodd
3.	Cllr. Mahon	Cllr. Friel

LICENSING SUB-COMMITTEE

All Members of the Licensing and Regulatory Committee to form a Panel from which 3 Members are selected to form a Sub-Committee.

PAY AND GRADING COMMITTEE (6)

(Lib Dem 2 Lab 2 Con 2) Including Cabinet Member - Corporate Services

	<u>Member</u>
1.	Chair: Cllr. Parry
2.	Cllr. Fairclough
3.	Cllr. D. Rimmer
4.	Cllr. Robertson
5.	Cllr. Tweed
6.	Cllr. Sir Ron Watson

Agenda Item 3

COUNCIL- THURSDAY 7TH MAY, 2009

PLANNING COMMITTEE (15)

(Lib Dem 6 Lab 5 Con 4)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Moncur	Cllr. Brady
2.	Vice-Chair: Cllr. Veidman	Cllr. Friel
3.	Cllr. Barber	Cllr. Pearson
4.	Cllr. Byrne	Cllr. Hough
5.	Cllr. Colbert	Cllr. Hands
6.	Cllr. Connell*	Cllr. Gibson
7.	Cllr. M. Fearn	Cllr. Dodd
8.	Cllr. Glover	Cllr. Bigley
9.	Cllr. Gustafson	Cllr. Kerrigan
10.	Cllr. Mahon	Cllr. Webster
11.	Cllr. Preston	Cllr. Shaw
12.	Cllr. Roberts	Cllr. T. Jones
13.	Cllr. Storey*	Cllr. Platt
14.	Cllr. Sumner	Cllr. Tonkiss
15.	Cllr. Tweed	Cllr. Brennan

*Spokesperson

PLANNING (URGENT REFERRALS) COMMITTEE (3)

(Lib Dem 1 Lab 1 Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Moncur	Cllr. Veidman
2.	Cllr. Connell	Cllr. Preston
3.	Cllr. Storey	Cllr. Glover

PLANNING (PETITIONS) COMMITTEE (15)

The Committee comprises of the Members of the Planning Committee.

PLANNING VISITING PANEL (15)

The Committee comprises of the Members of the Planning Committee.

STANDARDS COMMITTEE (6) (plus 3 Independent Members* and 2 Parish Council Members)**

(Lib Dem 2 Lab 2 Con 2 - including 1 Cabinet Member +)

	<u>Member</u>	<u>Substitute</u>
1.	Cllr. Bigley	Cllr. Barber
2.	Cllr. Brady	Cllr. Moncur
3.	Cllr. Fairclough+	Cllr. Maher
4.	Cllr. M. Fearn	Cllr. Booth

5	Cllr. Hill	Cllr. D. Rimmer
6	Cllr. Papworth	Cllr. Storey

***Independent Members:**

Chair - Mr N. Edwards 3 year term until May 2010
 Vice-Chair - Mr. E. Davies }
 Mr. J.R. Fraser } 3 year term until May 2011

**** Parish Council Members:**

Mrs B. O'Brien
 Mr. D. Warren

ASSESSMENT SUB-COMMITTEE OF STANDARDS COMMITTEE

All Members of the Standards Committee will form a Panel from which one Independent Member and two other Members will be selected to form a Sub-Committee.

HEARINGS SUB-COMMITTEE OF STANDARDS COMMITTEE

All Members of the Standards Committee will form a Panel from which one Independent Member and two other Members will be selected to form a Sub-Committee.

REVIEW SUB-COMMITTEE OF STANDARDS COMMITTEE

All Members of the Standards Committee to form a Panel from which one Independent Member and two other Members will be selected to form a Sub-Committee.

AREA COMMITTEES

The Members of the Wards included in the Area of the Committee.

(Local Advisory Groups are appointed by the respective Area Committee).

INDEPENDENT REMUNERATION PANEL (3 members)

Canon R. Driver 4 year term until May 2010
 Mr. S. Dickson }
 Mrs. S. Lowe } 4 year term until 23.10.12.

(To advise and make recommendations to the Authority about the allowances to be paid to Elected Members).

Agenda Item 3

COUNCIL- THURSDAY 7TH MAY, 2009

LOCAL JOINT CONSULTATIVE COMMITTEE FOR TEACHING STAFFS

(9 Council Members plus teacher representatives)

(Lib Dem 4 Lab 3 Con 2)

Lib/Dem Group Councillors Blackburn, M. Fearn, Fenton and Howe
(Substitutes – Councillors Booth, Gibson, Hough
and Connell)

Labour Group Councillors Cummins, P. Dowd and P. Hardy
(Substitutes - Councillors Moncur, Brennan and
Tweed)

Conservative Group (Councillors D. Jones and Platt
(Substitute Councillors Barber and Glover)

LOCAL JOINT CONSULTATIVE COMMITTEE

(12 Council Members plus 12 Trade Union Representatives) (i.e. Equal number of Council Members to the number of seats which the Trade Unions are entitled to).

(Lib Dem 5 Lab 4 Con 3)

Lib/Dem Group Councillors Brodie-Browne, Connell, Hands,
McGuire and Robertson,
(Substitutes - Councillors Lord Fearn, Weavers,
M. Fearn, Byrne and Tattersall)

Labour Group Councillors Brady, P. Dowd, Fairclough and Moncur
(Substitutes - Councillors Friel, M. Dowd, Tweed and
Mahon)

Conservative Group (Councillors Griffiths, Platt, and Sir Ron Watson
(Substitute Councillors Porter, Parry and Pearson)

STRATEGIC SERVICE PARTNERSHIP BOARD

Leader of the Council (Councillor Robertson) and two Deputy Leaders
(Councillors P. Dowd and Parry) (or their nominees).

FINANCE AND INFORMATION SERVICES OPERATIONAL BOARD

Cabinet Member - Corporate Services (Councillor Parry).

TECHNICAL SERVICES OPERATIONAL BOARD

Cabinet Member - Technical Services (Councillor Fairclough).

COUNCIL- THURSDAY 7TH MAY, 2009

MEMBERS' DEVELOPMENT STEERING GROUP (7)

(Lib Dem 2 Lab 2 Con 2) plus one Cabinet Member

1. Chair: Cllr. Griffiths
2. Cllr. Colbert
3. Cllr. Cluskey
4. Cllr. Moncur
5. Cllr. T. Jones
6. Cllr. Platt
7. Cllr. Shaw

MEMBERS ICT STEERING GROUP (6)

(Lib Dem 2 Lab 2 Con 2)

1. Chair: Cllr. Parry
2. Cllr. Barber
3. Cllr. Brady
4. Cllr. Dodd
5. Cllr. Fairclough
6. Cllr. McGuire

Membership to include the Cabinet Member - Corporate Services.

108. APPOINTMENT OF REPRESENTATIVES ON JOINT AUTHORITIES 2009/10

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne and RESOLVED:

That the following Members be appointed to serve on the following Joint Authorities in 2009/10:

<u>Joint Authority</u>	<u>Representative</u>
Merseyside Fire and Rescue Authority	Councillors Barber (Con), Blackburn (LD), Colbert (LD) and Mahon (Lab)
Merseyside Passenger Transport Authority	Councillors Dodd (LD), M. Dowd (Lab), Roberts (Con) and Sumner (LD)
Merseyside Waste Disposal Authority	Councillors Cluskey (Lab) and Tattersall (LD)
Merseyside Police Authority * (* Nominations only - Appointed by the Merseyside Police Authority Appointments Committee)	Councillors Shaw (LD) and Kerrigan (Lab)

Agenda Item 3

COUNCIL- THURSDAY 7TH MAY, 2009

109. CHURCHTOWN AND NORTH MEOLS CONSERVATION AREAS APPRAISAL

Further to Minute No 317 of the Cabinet meeting held on 16 April 2009, the Council considered the report of the Planning and Economic Regeneration Director which provided details of the Churchtown and North Meols Conservation Areas Appraisal and the proposed amendments to the Churchtown Conservation Area boundaries.

It was moved by Councillor Robertson, seconded by Councillor Blackburn and RESOLVED: That

- (1) the Churchtown and North Meols Conservation Areas Appraisal be adopted as a material consideration in the determination of planning applications; and
- (2) the proposed amendments to the Conservation Area boundaries be approved as set out in Annex 1 to the report under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

110. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 16 OF THE ACCESS TO INFORMATION PROCEDURE RULES (SPECIAL URGENCY) OF THE CONSTITUTION

The Council received a report of the Leader of the Council setting out details of those matters dealt with in accordance with Rule 16 of the Access to Information Procedure Rules (Special Urgency).

111. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 17 OF THE SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY) OF THE CONSTITUTION

The Council considered a report of the Legal Director setting out details of those matters dealt with in accordance with Rule 17 of the Scrutiny Procedure Rules (Call-In and Urgency).

112. NOTICE OF MOTION BY COUNCILLOR T JONES

It was moved by Councillor T. Jones, seconded by Councillor Bigley and RESOLVED:

That the following motion be approved and submitted to the Cabinet, in accordance with Rule 15.14 of the Council and Committee Procedure Rules for formal consideration by the financial implications, in advance of any budgetary commitment and prior to any action being taken to implement the decision:

- “(1) that in order to assist Sefton residents, with limited financial means to purchase grave plots (currently costing £618), this Council requests the Cabinet to agree to the establishment of a ‘payment by instalments plan’ by which grave plots can be purchased by residents in affordable stages, subject to the Council being satisfied that any remaining outstanding balance due would be met from the deceased’s estate; and
- (2) that the motion set out in (1) above be referred to the Overview and Scrutiny Committee (Regeneration and Environmental Services) and the Cabinet Member - Leisure and Tourism, prior to consideration by the Cabinet.”

(In accordance with Rule 15.7 of the Council and Committee Procedure Rules, the Council gave consent without discussion to the consideration of the additional wording set out in (2) above, which was not included in the Notice of Motion submitted to the Legal Director).

113. EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Robertson, seconded by Councillor Blackburn and RESOLVED:

That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public.

114. PAY AND GRADING REVIEW - IMPLEMENTATION STRATEGY

Further to Minute No. 326 of the Cabinet meeting held on 16 April 2009, the Council considered the report of the Personnel Director seeking approval for arrangements to enable the conclusion of the Pay and Grading review that is required to realise single status employment as provided for in the National Joint Council (NJC) agreement for Local Government Services’ employees.

It was moved by Councillor Robertson, seconded by Councillor Blackburn and RESOLVED:

That the Legal Director be authorised to amend the Council’s Constitution in order to establish a Pay and Grading Sub-Committee with delegated authority as described in Section B(ii) of the report.

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THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

COUNCIL

ANNUAL MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 14TH MAY, 2009

PRESENT: The Mayor (Councillor Tweed) (in the Chair)
The Deputy Mayor (Councillor Doran) (Vice Chair)

Councillors Barber, Bigley, Booth, Brady, Brodie -
Browne, Byrom, Colbert, Cummins, Cuthbertson,
P Dowd, Fairclough, Lord Fearn, M Fearn, Gibson,
Glover, Griffiths, Hands, D Hardy, P Hardy, Hill,
Hough, Ibbs, D Jones, T Jones, Larkin, Maher,
McGinnity, Moncur, Papworth, Parry, Pearson, Platt,
Porter, Preston, B Rimmer, D Rimmer, Roberts,
Robertson, Shaw, Storey, Sumner, Tattersall,
Tonkiss, Veidman, Sir Ron Watson, Weavers and
Webster

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blackburn, Bradshaw, Brennan, Byrne, Cluskey, Connell, Dodd, M. Dowd, Fenton, Friel, Gustafson, Howe, Kerrigan, McGuire, Mahon, C. Mainey and S. Mainey

2. ELECTION OF MAYOR

It was moved by Councillor Parry, seconded by Councillor Porter and unanimously

RESOLVED:

- (1) that Alfred Doran, a Councillor of the Borough, be elected Mayor of the Borough for the ensuing Municipal Year and until the acceptance of office by his successor; and
- (2) that the Council do place upon record its sincere appreciation of his services in the capacity as Deputy Mayor during the Municipal Year 2008/09.

Councillor Doran then made a Declaration of Acceptance of Office and took the Chair for the meeting.

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3. ELECTION OF DEPUTY MAYOR

It was moved by Councillor Robertson, seconded by Councillor Brodie-Brown and unanimously

RESOLVED:

that Maureen Fearn, a Councillor of the Borough, be elected Deputy Mayor of the Borough for the ensuing Municipal Year and until the acceptance of office by her successor.

Councillor M. Fearn then made a Declaration of Acceptance of Office.

4. VOTE OF THANKS TO RETIRING MAYOR

It was moved by Councillor Fairclough, seconded by Councillor P. Dowd and unanimously

RESOLVED:

- (1) That the Council do hereby place on record its appreciation of the ability, courtesy and impartiality, shown by Councillor Paul Tweed in his capacity as Mayor of the Borough and Chairman of the meetings of the Council, during the Municipal Year 2008 - 2009, and for his attendance at many civic and public functions, both inside and outside of the Borough.
- (2) That the Council also desires to extend its thanks to Mrs. Claire Tweed for the support and encouragement given to her husband.
- (3) That the Council wishes to record its appreciation of the excellent effort and involvement by both Councillor and Mrs Tweed, in connection with the Mayor Sefton's Charity Fund.
- (4) That the Council further desires to extend its sincere thanks to Councillor Paul Tweed for the hospitality extended to overseas visitors, civic dignitaries, twinning officials and members of the public especially during the occasion of the 2008 Open Championship hosted by this Borough.
- (5) That a copy of the Resolution be passed under the Corporate Seal and presented to Councillor Paul Tweed.

Councillor Tweed and Mrs Clare Tweed were then presented with a framed copy of the Vote of Thanks, a Past Mayor's Badge and a bouquet of flowers as tokens of the Council's appreciation of the manner in which they had undertaken their duties in the Office of Mayor during the past twelve months.

Councillor Tweed responded to the Vote of Thanks and expressed his appreciation to the members of the public, various organisations

and Council officers who had supported him during his Year of Office and he extended special thanks and best wishes to Stan Mercer - Mayoral Attendant, who continues to undergo treatment for leukaemia with commendable courage and humour.

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Agenda Item 7

REPORT TO: Cabinet Member Corporate Services
Cabinet
Council

DATE: 24 June 2009 (Corporate Services)
9 July 2009 (Cabinet & Council)

SUBJECT: Implementation of Web Based Procurement Portal

**WARDS
AFFECTED:** All

REPORT OF: Paul Edwards - Finance & Information Services Director
Tel: 0151 934 4082

**CONTACT
OFFICER/S:** Tommy Crawford - Head of Procurement
Tel: 0151 934 4067

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To gain approval from Council to proceed with the implementation of a web based portal for procurement contracts.

REASON WHY DECISION REQUIRED:

To inform members of the background relating to the proposed implementation of the Pro Contract procurement portal.

To obtain Cabinet approval for Sefton to implement the procurement portal across the authority and to amend the Council's Contract Procedure Rules within the Constitution accordingly.

RECOMMENDATION(S):

The Cabinet Member for Corporate Services is recommended to note the content of this report.

The Cabinet is requested to recommend Council to approve the implementation of the Pro Contract electronic procurement portal solution, across the authority; and to amend the Contract Procedure Rules of the Constitution accordingly.

KEY DECISION: No

FORWARD PLAN: Not appropriate

IMPLEMENTATION DATE: Following the Council meeting

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ALTERNATIVE OPTIONS: The hosting of a portal contract solution becomes a mandatory requirement on all public sector bodies in 2010.

IMPLICATIONS:

Budget/Policy Framework: N/A

Financial:

<u>CAPITAL EXPENDITURE</u>	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure		11,400	5,400	5,400
Funded by:				
Sefton funded Resources				
Funded from External Resources		11,400	5,400	5,400
Does the External Funding have an expiry date? Y/N	When? 2011			
How will the service be funded post expiry?	Corporately; from revenue savings generated as identified in this report			

Financial:

Implementation will result in revenue savings in respect of expense claims and advertising costs.

Legal:

The exercise fulfils the authority's obligations within the current European Procurement Directive 2004/18/EC Public Sector, and will enable the authority to fulfil mandatory requirements driven by central government.

Risk Assessment: Consultations have taken place at a senior level across the authority.

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS

Procurement and Regeneration colleagues have consulted senior officers across the authority informing them of the current situation and potential solution. The supplier of the procurement portal solution also hosted an overview session which was attended by senior representatives from all internal directorates.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity	✓		
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy	✓		
8	Children and Young People		✓	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

N/A

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1. Background - External Issues

- 1.1 Suppliers competing for public sector business opportunities have consistently commented that current processes are cumbersome, costly and that a lack of transparency is evident regarding opportunities arising. Ultimately such processes are viewed by suppliers as a 'barrier to entry'. This is a common theme consistent with the supply base across the UK in respect of its perception of competing for public sector contracts.
- 1.2 Supplier feedback to the authority indicates that the same issues are prevalent in respect of Sefton.
- 1.3 Such issues were recognised as having potentially serious implications on the capability of Small Medium Enterprises (SME's) to successfully compete for public sector contracts. Therefore the government appointed Anne Glover CBE to undertake an investigation into potential barriers within public sector procurement.
- 1.4 As a result, the Glover Report was issued in November 2008, with the following key recommendations:
 - By 2010, contract opportunities above £20,000 across the public sector should be advertised electronically and be accessible to SME's through a single, free, easy to search online portal.
 - Government should issue all tender documentation electronically by 2010. Businesses should be permitted to tender electronically for all public sector contracts by 2010. No 'paper' tenders should be required after this date.
 - Details of contract awardees should be published online in standard format within 48 days of contract signature, accessible via electronic portal by 2010.

2. Background – Internal Issues

- 2.1 Currently within Sefton paper processes govern procurement and commissioning activity in respect of advertising opportunities and awarding business to suppliers. Such processes have governed procurement activity for some time across the authority.
- 2.2 Current processes generate hefty documents and huge amounts of paper which are costly for both the authority and its suppliers to undertake and administer.
- 2.3 The current paper driven procedure also requires officers from internal departments to physically open tender bids at Southport Town Hall alongside colleagues from the legal department. Within the last twelve months 88 tender exercises have been administered by the authority's legal staff in Southport. This generates expense claims given that circa 80% of opportunities require advertising officers to travel to Southport Town Hall from

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Booth to open tender bids. These processes are in line with current Contract Procedure Rules.

- 2.4 There is a lack of a corporate overview of all procurement/commissioning activity undertaken across the authority. This has risk implications from an audit perspective.
- 2.5 Feedback and comments from SME's across the borough have often focused on the difficulty of knowing where and when opportunities are advertised. This is due to the fact that combinations of sources are currently used, including the Chamber of Commerce, the authority's external website and local press.
- 2.6 There have also been instances where tenders have been disallowed due to having been received after the due time, because of errors by couriers.
- 2.7 The Constitution currently has a form of words relating to the potential implementation of an electronic solution to govern the sourcing and contracting process. The form of words is as follows:

'Electronic Tenders:- when an appropriate system is available which meets the satisfaction of both the Legal and Information Services Directors.....Requests for Quotations and Invitations to Tender may be submitted by electronic means' (Contract Procedure Rules, 7. (4)).

3. Proposal

- 3.1 A solution known as '**Pro Contract**', supplied by a company named 'Due North', has been adopted as the preferred solution by north-west authorities following a tender exercise conducted by the North West Improvement and Efficiency Partnership (NWIEP). This solution has also been adopted across authorities within the north-east region. To date within the north-west the portal has been rolled out across authorities in Cumbria and will imminently be adopted within authorities in greater Manchester.
- 3.2 The portal enables Council staff to advertise all business opportunities electronically and allows the supply base to respond accordingly. This replaces the current costly paper led process. In practical terms the portal will guide officers through the tendering process in a step-by-step manner. This process also results in the retention of a full audit trail of all tenders conducted and business awarded across the authority.
- 3.3 Registration to the portal is free for all suppliers. Once registered, suppliers are alerted to all opportunities posted, and can respond to subsequent opportunities electronically. Registered suppliers will subsequently gain access to business opportunities advertised by all members of the Merseyside Collaborative Procurement Group.

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- 3.4 The system incorporates dynamic security features which prevent unauthorised officers accessing the portal and meets Council legal requirements in respect of receiving and opening tenders. An electronic 'seal' facility is available to authorised officers only. Therefore officers with current responsibility for physically opening tenders will retain this ownership within the electronic portal.
- 3.5 It is proposed that Sefton will join other partners in the Mersey Collaborative Procurement Group and implement the Pro Contract solution in a phased approach beginning within the central procurement department during August 2009. It is envisaged the solution will be fully embedded across the authority by the end of the current financial year.
- 3.6 The solution is funded by the 'Stepclever' project within the Regeneration directorate. This project is designed to work with local SME's to help them compete for public sector generated contracts. Funding is in place for three years and total cost over this period will be £22,200. Following this ongoing costs of £5,400 per annum will be met by revenue savings generated as a result of full implementation. These are detailed below.
- 3.7 The Procurement Team will liaise with legal colleagues to ensure that the Constitution is updated to reference the new requirements regarding the electronic portal.

4. Financial Implications

- 4.1 The solution is to be funded by the 'Stepclever' project within the Regeneration directorate. This project is designed to work with local SME's to help them compete for public sector generated contracts. The product cost consists of a one-off fee of £6,000. Annual hosting charges beyond this total £5,400. Funding is in place for a three year period for total charges of £22,200. Following this ongoing cost will be met by revenue savings generated as a result of full implementation. These are detailed below:

Cashable Savings (Annual)

Advertising Costs	£35,200
Expense Claims (Mileage)	£ 1,460
Total	£36,660

Assumptions

Cost of Advert	£400 x 88 exercises in last twelve months.
Mileage	70 Journeys (80% of total) x 36 miles (Bootle-Southport-Bootle) x mileage rate of £0.58 per mile.

Non Cashable Savings (Annual)

Officers Time Costs

Committee Clerk Costs

Cost of Paper

Sustainability improvements arising from the reduced use of paper

Reduced carbon impact regarding officer journeys between Bootle
– Southport – Bootle.

Releasing senior officer time to allow concentration on core activities

5. Next Steps

- 5.1 An overview session has been hosted by the provider, Due North. This was attended and positively received by senior personnel from across the authority. Detailed training will take place during June and July for central procurement staff.
- 5.2 It is envisaged that the central procurement unit will begin to use the electronic portal during August 2009.
- 5.3 Following this a phased roll-out will be undertaken in agreement with senior colleagues across internal departments. This will be supported by central procurement staff and colleagues from within regeneration's Stepclever project team.
- 5.4 A communications plan will be agreed in respect of informing the supply base and ensuring the supplier registration process is seamless.

6. Recommendation

- 6.1 The Cabinet Member for Corporate Services is recommended to note the content of this report.

The Cabinet is requested to recommend Council to approve the implementation of the Pro Contract electronic procurement portal solution, across the authority; and to amend the Contract Procedure Rules of the Constitution accordingly.

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Meeting: STANDARDS COMMITTEE
COUNCIL

Date of Meeting: 9th July, 2009

Title of Report: REVIEW OF MEMBERS ALLOWANCES –
INDEPENDENT REMUNERATIONAL PANEL

Report of:

Mrs C J Elwood
Legal Director

Contact Officer:
(Telephone No.) 0151 934 2032

This report contains	Yes	No
CONFIDENTIAL Information/		√
EXEMPT information by virtue of paragraph(s).....of Part 1 of Schedule 12A to the Local Government Act, 1972 (If information <u>is</u> marked exempt, the Public Interest Test must be applied and favour the exclusion of the information from the press and public).		√
Is the decision on this report DELEGATED?		

Purpose of Report

To advise Members of the recommendations made by the Independent Remuneration Panel and to make recommendations to Council.

Recommendation(s)

That Members consider the report of the Independent Remuneration Panel and make recommendations to Full Council in relation to the review of the Members Allowance Scheme.

Corporate Objective Monitoring

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1.	Creating a Learning Community		√	
2.	Creating Safe Communities		√	
3.	Jobs and Prosperity		√	
4.	Improving Health and Well-Being		√	
5.	Environmental Sustainability		√	
6.	Creating Inclusive Communities		√	
7.	Improving the Quality of Council Services and Strengthening local Democracy	√		
8.	Children and Young People		√	

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Financial Implications

<u>CAPITAL EXPENDITURE</u>	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				19,900
Funded by:				
Sefton funded Resources				19,900
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Departments consulted in the preparation of this Report

Legal
Finance

List of background papers relied upon in the preparation of this Report

Report to the Independent Remuneration Panel

1.0 Background

- 1.1** The three Members of the Council's Independent Remuneration Panel met on the 3rd December 2008 to review the Council's current Members Allowance Scheme. The report to the Panel is attached in full at **Annex 1** to this report. The report of the Panel setting out their findings and recommendations is set out at **Annex 2**.
- 1.2** At their meeting on 22nd January 2009, Members considered the report of the Panel with a view to making recommendations to full Council on 26th February, 2009. After some discussion it was resolved that the report of the Independent Remuneration Panel be deferred to enable the views of the three Political Groups to be sought on the Members Travel & Subsistence Scheme and a report thereon be submitted to the Independent Remuneration Panel for consideration.
- 1.3** The three Political Groups have now considered this matter and it has been agreed not to refer the issue back to the Panel. Accordingly, Members of the Standards Committee are requested to consider the report and to make recommendations to full Council on 9th July 2009. A copy of the minutes of the meeting will accordingly be tabled at Council.
- 1.4** The date recommended by the Panel for implementing the changes to the Special Responsibility Allowances was May 2009 and would cost an additional £19,900 in 2009/10. (Full year costs would be £22,150).
- 1.5** These additional costs cannot be met from the existing Members' Allowance budgets, and therefore resources would need to be requested from Cabinet.
- 1.6** Alternatively, Members may wish to consider amending the proposals to remain within existing resources. As an illustration, for every month the implementation is delayed the additional costs reduce by £1,850.

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ANNEX 1

<u>Meeting:</u>	Independent Remuneration Panel
<u>Date of Meeting:</u>	3rd December 2008
<u>Title of Report:</u>	Member Allowances
<u>Report of:</u>	Caroline Elwood – Legal Director Paul Edwards – Finance Director
<u>Contact Officer:</u>	Caroline Elwood – 0151 934 2032 Paul Edwards – 0151 934 4082

1.0 INTRODUCTION AND BACKGROUND

- 1.1** All Councils must establish an Independent Remuneration Panel (IRP) which has responsibility for making recommendations to the Council in relation to the level of allowances paid to Elected Members. The Council has 66 Members all of whom receive a Basic Allowance, which is currently £8,850 for 2008/09. In addition a certain number of Members receive a Special Responsibility Allowance for additional responsibilities (for example, as a Cabinet Member or Chair of a Committee). The Allowance varies dependent upon the position and specific responsibilities which are carried out but is calculated based upon a multiplier of the Basic Allowance. As an example the Leader receives a Special Responsibility Allowance of £26,550 in addition to his Basic Allowance which is based upon a multiplier of 3 x the Basic Allowance of £8,850. In a small number of instances Members receive a daily rate for undertaking ad hoc duties by way of a Special Responsibility Allowance. Details of the current scheme are set out at paragraph 2.1.
- 1.2** The Panel last met on 14th June 2007 and the information provided to the Panel together with the report and findings of the Panel is attached at **Appendix A** as background information. The report was accepted and approved by Full Council at its meeting on 6th September 2007.
- 1.3** At their meeting in September 2007 the IRP undertook a full and comprehensive review of the Members Allowance Scheme and recommended that:-
- (i)** **The Basic Allowance** be reviewed and increased to a figure which is comparable to the Merseyside average (currently £8,850 for 2008-09) with future increases linked to the Local Government Annual Pay Settlement (using scp 33).
 - (ii)** **Special Responsibility Allowances** should continue to be calculated based upon a multiplier of the Basic Allowance.
 - (iii)** **Merseyside Waste Disposal Authority** – since the WDA itself has no authority to make payments to their Board Members it was recommended that if a Sefton Spokesperson was appointed as Chair (as is currently the

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case) then he/she should receive a Special Responsibility Allowance equivalent 100% of the Basic Allowance (ie. £8,850)

- (iv) **One Vision Housing Board (OVH)** – although it was recognised that following the transfer of the Council's housing stock those Elected Members serving on the new One Vision Housing Board were making a considerable commitment it was felt that this was a matter for OVH to address and not the Council itself.
- (v) **Standards Committee – Independent Chair** – it was noted that there was no common approach to the payment of Special Responsibility Allowances for Independent Chairs of Standards Committees and it was recommended that the Chair continue to receive travel and subsistence allowance only but that position be kept under review given the new role of the Local Standards Committee to become responsible for the sifting and investigation of complaints.
- (vi) **Travel & Subsistence Scheme** – it was agreed that the Council should no longer continue to make separate payments to cover travel expenses for duties undertaken by Members within Sefton but that an enhanced level of Basic Allowance would reflect the discontinuance of separate travel expenses.
- (vii) **Dependent Carers Allowance** – it was agreed that this allowance should remain and increases be linked to the minimum hourly wage.
- (viii) **Further Review** – it was recommended that a further full review of the scheme should be undertaken prior to the beginning of the Municipal Year for 2010/11.

2.0 THE CURRENT SCHEME

2.1 Members Allowances

The current Members Allowance Scheme for 2008/09 is set out below:-

In order to recognise additional time and expenses incurred by Councillor's who have significant additional responsibilities in carrying out their duties for Sefton Council, subject to paragraph 4, the following Special Responsibility Allowances shall be paid:

Leader of the Council	£26,550	
Party Leaders (with Cabinet position)	£22,125	
Other Members of the Cabinet	£17,700	
Chair of Planning Committee	£8,850	
Chairs of Overview & Scrutiny Committees	£4,425	
Chair of Licensing and Regulatory Committee	£8,850	
Chair of Audit and Governance Committee	£4,425	
Party Spokespersons for Cabinet & Planning Portfolio	£4,425	
Waste Disposal Authority - Spokesperson	£2,213	
Waste Disposal Authority - Chair	£8,640	
Members of Licensing Sub Committee	£35.00	Daily Rate
Members of Planning Visiting Panel	£35.00	Daily Rate

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Members of Adoption Panel
Members of Fostering Panel

£35.00 Daily Rate
£35.00 Daily Rate

2.2 Mayoral Allowances

The allowances paid to the Mayor and Deputy are linked to the Scheme of Members Allowances and for the Municipal year 2007/08 the following shall be paid:

Mayor	£13,275
Deputy Mayor	£ 4,425

NB. It will be noted that all Special Responsibility Allowances are based upon a multiplier of the Basic Allowance.

3.0 SCRUTINY & REVIEW CHAIRS

- 3.1** There are currently four Chairs of the Council's Overview & Scrutiny Committees who each receive a Special Responsibility Allowance based on a multiplier of 50% x the Basic Allowance (ie. £4,425). This can be contrasted with the Chair of both Planning and Licensing Committees both of whom receive a Special Responsibility Allowance based on a multiplier of 100% x the Basic Allowance (ie. £8,850).
- 3.2** Historically the Planning Committee always met twice within the normal cycle of Committee meetings and meetings were lengthy and at times dealt with sensitive and controversial issues. There was also a need for the Committee to make site visits on a regular basis, all of which was taken into account when the Members Allowance Scheme was revised in May 2002 resulting in a higher Special Responsibility Allowance for the Chair of the Planning Committee.
- 3.3** The Special Responsibility Allowance for the Chair of the Licensing Committee was reviewed in October 2005, after the Council took over the responsibility for issuing liquor licenses from the Magistrates Court. This led to a greatly increased workload for the Committee and its Sub-Committees as a result of which the Special Responsibility Allowance was increased in line with the figure for the Chair of Planning on the recommendation of the Independent Remuneration Panel.
- 3.4** Scrutiny Committees were originally established in 1998 prior to the formal introduction of the Leader and Cabinet System. Originally they tended to concentrate undertaking best value reviews, meeting once a cycle and tending to be conducted as if they continued to be 'an old style Committee'. Overview & Scrutiny Committees were formally introduced under the Local Government Act 2000 with a view to scrutinising the work of the Council's Executive (Cabinet) and undertaking in depth reviews in relation to policy issues or other matters of local concern. Chairs of the Committees received a Special Responsibility Allowance of 50% x Basic Allowance following recommendations from an external consultant.

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- 3.5** It has taken some time to embed the scrutiny function within Sefton Council. In 2006 Dr Stephanie Snape of the Local Government Centre, Warwick Business School, was asked to undertake an external evaluation of the overview and scrutiny arrangements. The report was hard hitting in its assessment of the difficulties with the scrutiny function at Sefton. This had been previously highlighted within external inspection reports such as the CPA and JAR. Dr Snape found that generally scrutiny had a low status within the organisation, which was affecting the performance of the function. The report identified a distinct 'hierarchy' of roles within Sefton that was viewed generally by Members which were as follows:-

"Member of Cabinet, Chair of Planning, Chair of Licensing, Cabinet Spokesperson, Chair of Area Committee and finally, at the bottom, Chair of Scrutiny and Review".

(However it should be noted that the Chairs of Area Committees are not paid a separate Special Responsibility Allowance)

Dr Snape's report made a number of very detailed recommendations which were subsequently considered by a Cross Party Working Group resulting in a detailed improvement plan. (see **Annex B** for the detailed improvement plan).

- 3.6** The Member Working Group held on the 5th December 2007 held a specific discussion regarding the perception of Scrutiny and Review Chairmanship in comparison to other roles. It was noted that the level of Special Responsibility allowance had a great impact on the perception of the function, and ultimately affected the performance of the function. It was recommended that in order to acknowledge the importance of the role of scrutiny and review that the Independent Remuneration Panel be requested to examine the Members allowances for Scrutiny and Review Chairmanships. This recommendation was subsequently approved by Cabinet on the 13th December 2007 and Full Council on the 28th February 2008. (see **Annex B** for the detailed improvement plan).

- 3.7** In recent years and particularly following Dr Snape's review the scrutiny function has evolved significantly with a resulting impact upon the workload of the Chairs. Although each Overview & Scrutiny Committee still meets once a cycle much more work is now done in Working Groups undertaking in depth reviews on a variety of topics. These reports have been welcomed and well received by Cabinet. Chairs generally are far more proactive, involved in many issues related to the work of the Committee. This includes the strategic overview of the function through the creation of an Overview & Scrutiny Management Board, and its related activities. Given the important role that is undertaken by Overview & Scrutiny Chairs and the strengthening of that role envisaged in Government White Papers/legislation the authority would need to be able to demonstrate the value placed on its activities during any corporate and service inspections. It is particularly required as overview and scrutiny will in the near future need to act as a critical friend to service providers outside of the Council in monitoring the achievement of the ambitions for the area and will require more innovative and imaginative scrutiny enquiries, providing effective accountability arrangements for partners, wider engagement with service users, and closer relationships with neighbourhood structures.

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3.7.1 The level of Special Responsibility allowance demonstrates the value that the Council places upon the function of Overview & Scrutiny, and Dr Snape's review highlighted best practice in other authorities where the Chairmanships of Overview & Scrutiny was comparable to the Chairmanship of Licensing Committees, and in some cases Planning Committees in order to clearly value the function and ensure effective participation and involvement from Members, officers and partners (for example Tameside MBC). This view is evident within the national research commissioned by the LGA and IDeA in 2006/07 which clearly demonstrates that the average allowance of Overview & Scrutiny Chairmanships is comparable, or higher than the chairmanships of Licensing, and sometimes, Planning Committees (see **Annex C**).

3.8 In undertaking research for the Panel 18 other Authorities were contacted and the attached table (**Annex D**) shows that 17 of these pay a higher amount of Special Responsibility Allowance than Sefton. This research also demonstrates the value, placed upon the Chairmanship of Overview & Scrutiny Chairs when compared against the Chairmanships of Planning, and in particular Licensing Committees. Overall the survey showed that the average amount paid to Scrutiny and Review Chairs is £7,482 which equates to 75% of the average Basic Allowance). When looking at Chairs of Planning, Sefton pays £8,850 (which equates to 100% Basic Allowance) the average amount paid across the survey is £8,288 (which equates to 83% Basic Allowance).

4.0 COST IMPLICATIONS FOR SCRUTINY & REVIEW COMMITTEES

Sefton currently has four Chairs of Overview & Scrutiny. To increase the Special Responsibility Allowance to 75% of the Basic Allowance (£6,639) would cost an additional £10,893 including on-costs, to increase the Special Responsibility Allowance to 100% of the Basic Allowance (£8,850) would cost an additional £21,771 including on-costs.

5.0 CHAIRS OF AUDIT & GOVERNANCE

At the meeting of the IRP on the 26th September 2006 it was resolved that 'the allowance to the new Chair of Audit & Governance be approved and linked to the current multiplier payable to Chairs of Overview & Scrutiny (namely half of the Basic Allowance)". Accordingly the Audit & Governance Committee Chair is currently paid the same rate as Overview & Scrutiny Chairs (£4,425). The survey undertaken at **Annex D** shows that the average amount paid to Audit & Governance Chairs is £4,647 (which equates to 43% of the Basic Allowance). Any increase to link the payment to an increased payment to Overview & Scrutiny Chairs would have the following cost implications:-

- SRA increased to 75% (£6,639) would cost an additional £2,723 including on-costs
- SRA increased to 100% Basic (£8,850) would cost an additional £5,443 including on-costs

6.0 JOB AND ROLE DESCRIPTIONS

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As part of its Member Development Programme the Council has developed job and role descriptions for Elected Members. The job and role descriptions for Chairs of Planning, Licensing, Overview & Scrutiny and Audit & Governance are attached at **Annex E** as background information. **Annex F** sets out examples of work undertaken by Overview & Scrutiny Chairs.

7.0 VISITS TO CHILDRENS HOMES

It will be noted that at the previous meeting of the Independent Remuneration Panel it was agreed that in order to save administrative time, in future Members would not be paid individual travelling expenses for travel within Sefton Borough. Instead an amount would be incorporated within the increased Basic Allowance which all Members received. Sefton is required to undertake statutory visits to Children's Homes within the borough and these visits are over and above Member's regular commitments. At present only a small number of Members actually undertake the visits. In these circumstances the Leader of the Labour Group has suggested that the Panel should consider providing those Members who do additional mileage an appropriate internal mileage allowance. The details of the visits undertaken since 2006 are attached (**Annex G**)

8.0 STANDARDS COMMITTEE CHAIR

At the last meeting of the Panel it was agreed not to pay a Special Responsibility Allowance to the Independent Chair of the Committee but to keep the position under review. In recent months two additional Independent Members have been appointed to the Standards Committee and with the introduction of the local assessment of complaints against Members the workload has increased. However the new regime only commenced in May of this year and so it is considered that it is still relatively early and that a formal report is not appropriate to the Panel at the present time.

9.0 CONCLUSION

The views of the Panel are sought specifically in relation to:-

- (a) The appropriate figure for the Special Responsibility Allowance for Overview & Scrutiny Chairs.
- (b) The appropriate figure and level of Special Responsibility Allowance for the Audit & Governance Chair.
- (c) Whether it is appropriate to pay travelling expenses to those Members who undertake statutory visits to Childrens Homes.

ANNEXES TO REPORT

Annex A	Report of the Independent Remuneration Panel – 14 th June 2007
Annex B	Improvement Plan for Overview & Scrutiny Committee
Annex C	Local Government Analysis and Research 2006/07
Annex D	Survey of Neighbouring and Other Authorities
Annex E	Job and Role Descriptions for Chairs of Planning, Licensing, Overview & Scrutiny and Audit & Governance
Annex F	Examples of work undertaken by Overview & Scrutiny Chairs
Annex G	Visits to Children's Homes 2006/07 – date

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SEFTON METROPOLITAN BOROUGH COUNCIL

REPORT OF THE INDEPENDENT REMUNERATION PANEL

14TH JUNE 2007

1. INTRODUCTION

1.1 We last met as a Panel in September 2006 when we requested Officers to further investigate how other Local Authorities and Public Bodies arrived at the recommended figure for both the Basic Allowance and Special Responsibility Allowances which are paid to Elected Members. We re-convened on the 14th June 2007 and had the benefit of a full report from the Council's Finance Director, which provided the comparative information we requested. Also present were Paul Edwards – Finance Director, Caroline Elwood – Legal Director and Viv Swale – Claims and Administration Manager. The three Political Groups on the Council had been given the opportunity to make representations to us and Councillor David Rimmer represented the Liberal Democrat Group, Councillor Ian Maher represented the Labour Group and Councillor Mrs Parry represented the Conservative Group. We heard submissions on behalf of all three Parties.

1.2 This report outlines our recommendations to the Council in respect of the current Members Allowance Scheme.

2.0 BASIC ALLOWANCE

2.1 Sefton Council's Member Allowances Scheme is based on a standard Basic Allowance. In 2000, when the initial scheme was introduced, the allowance was calculated using the LGA's National Daily Rate (NDR) for 1998. Since 2002, with the agreement of the Independent Remuneration Panel, the Basic Allowance has been increased annually based upon the pay award received by a specified level of Officers (ie. SCP 33 on the National Joint Council rates). Nevertheless this has not kept pace with the LGA National Daily Rate and as a result the current Sefton rate has fallen behind and is lower than the national guideline figure for 2007.

2.2 Additional information was obtained from comparator Authorities and submitted to us. This included information from the 2006 Survey of Members Allowances carried out by the Local Government Analysis & Research Centre together with additional information from eleven other Authorities in Merseyside and Greater Manchester, Merseyside Police, Merseyside Fire & Rescue and Merseyside Passenger Transport Authorities. The annual Basic Allowance paid by

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Sefton was lower than the average paid by other Authorities and having heard submissions from the Council's Elected Members we recommend that the Basic Allowance should be increased to £8,430 which is a figure comparable to the Merseyside average (excluding Sefton). We further recommend that any future increases in the Basic Allowance should continue to be linked to the Local Government pay settlement each year (using SCP 33) and that the revised figure should be implemented with effect from 1st April 2007.

3.0 SPECIAL RESPONSIBILITY ALLOWANCES

3.1 The Council pays Special Responsibility Allowances based on a multiplier of the Basic Allowance. Accordingly any review of the Basic Allowance will result in proportionate increases in the Special Responsibility Allowance. At the last meeting of the Panel we had asked Officers to investigate how other Authorities arrived at and calculated the figure for Special Responsibility Allowances since it was apparent that not all schemes used the multiplier based on the Basic Allowance. From the information provided to us and research undertaken at our request it was evident that although some Authorities continued to use the multiplier mechanism other Authorities arrived at a particular figure which they felt in all the circumstances was appropriate to their local circumstances. There appeared to be no common formula or calculation involved. Members made representations to us that they felt the current system was fair and equitable. On balance we felt that the multiplier mechanism was appropriate and should continue to be the basis for calculation of Special Responsibility Allowances within Sefton.

3.2 At our last meeting our attention had been drawn to the fact that one of Sefton's two representatives had recently been appointed as Chair of the Waste Disposal Authority. The WDA have no authority to make payments to their Board Members and Sefton Council pays a Special Responsibility Allowance equal to approximately 25% of the Basic Allowance for its two nominated representatives on the WDA. We noted there was no recognition within the scheme of the additional responsibilities that the role of the Chair brought and we asked Officers to investigate the matter and present a further report to our next meeting. We recognised that the role of the Chair of WDA was a demanding appointment. We were advised that in the previous financial year the WDA had met on six occasions but that the Chair had attended at least 34 meetings. We therefore recommended that if a Sefton spokesperson is appointed as Chair of the Merseyside Waste Disposal Authority then his/her Special Responsibility Allowance should be increased from 25% to 100% of the Basic Allowance.

3.3 We were advised that in October 2006 the public sector housing functions of the Council were transferred to a newly formed registered social landlord, One Vision Housing (OVH). Elected Members have been nominated to represent the Council at OVH Board and Committee Meetings. There are approximately six

meetings per month. Due to its charitable status OVH's options were limited to make payments to Board Members and we were asked to consider the possibility of payment of a Special Responsibility Allowance to reflect these additional duties. Although we recognised that there is a considerable time commitment involved for Members of the OVH Board we were of the opinion that this was a matter for One Vision Housing to address particularly since they would have other Trustees and Board Members who were not being remunerated either.

4. STANDARDS COMMITTEE – INDEPENDENT CHAIR

4.1 We were advised that in the past an Elected Member had been nominated to Chair the Council's Standards Committee. The Local Government and Public Involvement in Health Bill will require the Council to appoint an Independent Member as Chair of the Committee and although the Bill is not yet in force Full Council had agreed at its meeting on the 10th May 2007 to appoint one of the Committees Independent Members as Chair of the Standards Committee. At the same time Council also requested the Panel to consider payment of an allowance for undertaking these duties. In the past the Chair has received a Special Responsibility Allowance of 50% of the Basic Allowance or £3,510. We noted that current proposals were for the role of the National Standards Board to become far more strategic, with Local Standards Committees becoming responsible for sifting initial complaints against local Councillors and also having responsibility for any subsequent investigation and hearing. This was therefore likely to result in an increased workload for the Standards Committee and in particular its Chair.

4.2 We received details of comparative allowances from a number of other Authorities and noted that there appeared to be no common approach towards payment of Special Responsibility Allowances for Chairs of Standards Committees. After detailed consideration our view was that the Chair, as a Co-opted Member, should continue to receive travel and subsistence allowances but we did not recommend paying any further additional allowance at the present time. We felt that people volunteered and gave freely of their time to serve on a number of bodies throughout the community and we had reservations about the payment of an allowance particularly given the need to be seen to maintain independence from the Council. We were however mindful of the likely increase in workload and responsibilities of this post and would like to review the position once the impact of the new legislation can be assessed.

5.0 TRAVEL AND SUBSISTENCE PAYMENT

5.1 At our last meeting we noted that the payment of travel and subsistence expenses was discretionary. It has been suggested to us that Sefton might consider adopting the approach followed by a number of other local Authorities whereby there is no separate payment for travel within the Borough but that Members

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receive an enhanced level of Basic Allowance which reflects the discontinuance of separate travel expenses. We indicated that we would like to review the position at this meeting. We noted that the processing of travel claims carries an administrative cost. The total payments made for car mileage in 2006/07 amounted to £17,640 of which £15,350 related to travel within Sefton. This was a figure of less than £270 on average for each Member. Given that we are recommending an increase in the Basic Allowance we recommend that the Council no longer continues to make separate payments to cover travel expenses for duties undertaken by Members within Sefton. Although we are recommending that the increase in Basic Allowances should be backdated to the 1st April 2007 we recognise that claims for travel expenses must be submitted on a monthly basis. In the circumstances we recommend that the entitlement to claim travel expenses should cease from the date when our recommendations will be considered by Full Council, ie. 6th September 2007.

6. DEPENDANT CARERS ALLOWANCE

6.1 We noted the scheme provides for a Dependant Carers Allowance, although there have been no claims for this Allowance to date. The current rate is £5.35 per hour with a maximum amount of £60 per week. We felt it was important that this Allowance should remain and we recommended that increases should be linked to the minimum wage hourly rate.

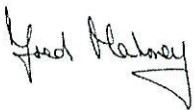
7. FURTHER REVIEW

7.1 We recommended that a full review of the scheme should be undertaken prior to the beginning of the Municipal Year for 2010/2011.

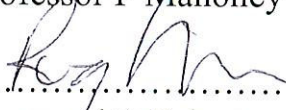
8. CONCLUSIONS

8.1 We recommend the above amendments to the Council's current scheme of Members Allowances and that all other details of the scheme remain unchanged.

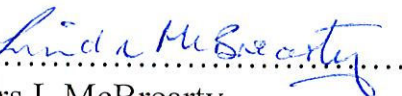
June 2007



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Professor F Mahoney (Chair)



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Reverend R Driver



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Mrs L McBrearty

SCRUTINY & REVIEW AT SEFTON COUNCIL – DR STEPHANIE SNAPE– IMPROVEMENT PLAN				
	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
1	<p><u>Scrutiny in a Hung Authority</u></p> <p>A further review be undertaken of the Cabinet Member system to assess whether this is providing sufficient cross party and non-executive challenge.</p> <p>NB. If it is considered that this is a robust and effective process then:-</p> <ul style="list-style-type: none"> Cabinet Member spokespersons to be viewed as part of the scrutiny system. Scrutiny protocols handbook and constitution to be amended accordingly. The role of Scrutiny & Review be adjusted to focus on in-depth policy development and review investigations. Systems to be developed to ensure effective communication between the Scrutiny Chairs and Cabinet Spokespersons (eg, regular meetings, standing agenda item for Cabinet Spokespersons reports etc). 	<p>A Further review to be undertaken in consultation with Cabinet Members and Spokespersons to identify whether the Cabinet Member system is an effective forum for pre-Scrutiny of Executive decisions.</p> <ul style="list-style-type: none"> Scrutiny Protocols and the Council's Constitution, etc to be amended to reflect that spokespersons are part of the Scrutiny Function. Scrutiny Review Committees to focus on policy development and task and finish reviews. Pre Scrutiny no longer to be within the remit of S & R Committees Consideration of mechanisms to ensure appropriate two- way communication between the Scrutiny Chairs and Cabinet Spokespersons so that Executive Members are held properly to account. 	<p>The Working Group considered the proposals and recommended that it was essential that the role of Scrutiny/Pre-Scrutiny remains with the Scrutiny and Review Committee's. (Agreed by Member Working Group 24.10.07). The Member Working Group 05.12.07 agreed to strengthen the communication between Cabinet Spokespersons and S&R Committees and that a further report be brought back for further discussion.</p> <p>Not agreed – see above.</p> <p>Not agreed – see above.</p> <p>The Working Group also agreed that a protocol should be developed to strengthen the communications between Cabinet and Scrutiny. (Agreed by Member Working Group 24.10.07).</p>	<p>The Scrutiny Team has begun a review of the S&R handbook that will include this protocol. This will be ready for January 2008.</p>

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	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
2	<p>Poor Awareness of Role of Scrutiny</p> <ul style="list-style-type: none"> Clarify and communicate the system for Scrutiny within Sefton Produce and publish widely a summary of the Scrutiny system. Explore other avenues for increasing understanding and awareness of the role of Scrutiny. Scrutiny awareness workshops to be organised for Cabinet and Senior Managers. 	<ul style="list-style-type: none"> Develop appropriate mechanisms to raise awareness of the system within Sefton of Scrutiny so that there is a clear understanding at both Officer and Member level. Use of briefing notes and the intranet to be explored. Workshops to be commissioned to enhance and raise awareness of the profile of the Scrutiny function for all Cabinet Members and Senior Management. Organise Management Networks to increase awareness of the Scrutiny Function. Include information on Scrutiny in Induction Packs for new starters 	<p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p>	<p>Communications Strategy & Plan is currently being developed which will incorporate the development of web pages and dissemination of key issues</p> <p>Arrangement in place for Govern-It session (Jan 08)</p> <p>Induction now covers Scrutiny arrangements</p>

	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
3	<p>Chairing Scrutiny</p> <ul style="list-style-type: none"> Each Party Group Leader to consider the chairing arrangements for Scrutiny. Scrutiny Chairs to be provided with a tailored development package to develop Scrutiny leadership skills. Personal development plans to be in place for each Scrutiny Chair. Scrutiny Chair Role Descriptions to be developed for each Committee. Scrutiny Chairs to produce an annual report setting out their achievements for the year and the goals for the year ahead. 	<ul style="list-style-type: none"> Party Group Leaders have been requested to consider this issue for the 2007/08 Municipal Year. Engage with North West Employers to develop tailored development packages for Scrutiny Chairs. Personal development plans are already available for Elected Members under the North West Charter for Member Development. An assessment of leadership skills to be undertaken and built into the Scrutiny Chairs Personal Development Plans. Role Descriptions for Scrutiny Chairs were approved by Council in September 2006. Role Descriptions to be reviewed and revised as appropriate in the light of Dr. Snape's recommendations. Scrutiny Chairs to liaise with Scrutiny Support Officers in producing informative annual reports, setting out the Committee's achievements over the last 12 months and goals for the year ahead. Reports to be widely available on the internet. 	<p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07 – although it was recommended that PDPs should be rolled out to vice-chairs and other members when possible.</p> <p>It was agreed by Member Working Group 05.12.07 that current role descriptions are adequate.</p> <p>It was agreed by Member Working Group 05.12.07 that further development of annual reports would be beneficial. It was also agreed for Chairs to formally present Annual Reports at full council, and submit quarterly updates which members may wish to debate.</p>	<p>Chairing arrangements have been considered and changes have been implemented as a result</p> <p>Training has been offered to Scrutiny Chairs via Member Development Officer – work ongoing to provide PDPs</p> <p>New format annual report was recently produced</p> <p>Further amendments to role descriptions will be made, dependent upon outcome of Working Group recommendations</p>

	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
4	<p>Member Engagement</p> <ul style="list-style-type: none"> • Group Leaders to consider the selection / election process for Scrutiny & Review Committees and where possible ensure continuity of membership. • Role Descriptions to be developed for ordinary Scrutiny Members. • An audit of the knowledge, skills and experience of Scrutiny Members to be undertaken annually on a Committee-by-Committee basis to ensure Scrutiny Committees are aware of Member strengths. • The annual audit to be used to help identify Chairs for Working Groups and Member Champions. • Ensure some Working Groups are chaired by ordinary Scrutiny Members. • Experiments to be conducted in developing a small number of individual Member Champions for Scrutiny & Review. 	<ul style="list-style-type: none"> • Party Group Leaders have been requested to consider current arrangements for selection of Membership for Scrutiny & Review Committees in the 2007/08 Municipal Year. • A Role Description for Scrutiny Members was approved by full Council in September 2006. Role Descriptions to be reviewed and revised as appropriate. • Members be requested to assist in the preparation of an audit of the skills, knowledge and experience within each Committee. • Audit details to be made available to assist in identifying key roles for Scrutiny Members. Scrutiny members to be encouraged to chair individual working groups. • Volunteers to be sought to Chair Working Groups • Volunteer Members to be sought to act as Member Champions for Scrutiny & Review on a trial basis. 	<p>Agreed by Member Working Group 05.12.07 – it was noted that continuity would help to improve the effectiveness of S&R.</p> <p>It was agreed by Member Working Group 05.12.07 that current role descriptions are adequate.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07 – although it was noted that this was occurring on a frequent basis.</p> <p>Agreed by Member Working Group 05.12.07 – although it was noted that this was occurring on a frequent basis.</p> <p>Agreed by Member Working Group 05.12.07.</p>	<p>Group leaders have given consideration to membership arrangements</p> <p>Further amendments to role descriptions will be made, dependent upon outcome of Working Group recommendations</p> <p>Member Development Officer has been requested to provide an audit of training undertaken by Scrutiny members</p> <p>Volunteers have been identified to chair recent Working Groups</p>

<p>5 Service Committee Mode</p> <ul style="list-style-type: none"> Officers providing reports to S&R should consider the specific role and nature of S&R. Specifically the Officers should provide one side of A4 which summarises the main issues in the report and explicitly states what is expected from the Committee. No Officer report to go to S&R which asks the Committee to "note the report" or that the report is provided "for information". No general briefings or general reports to go to every Committee without considering the particular role of the Committee. Ensure that agenda, minutes and reports are in an appropriate format for S&R Committee including the development of pro-formas or "model" reports. S&R Committees to experiment with holding meetings in different venues. A pre-meeting briefing to determine the strategy for the meeting (including a questioning strategy) to be held prior to every Committee meeting. The Authority to consider changing the title of S&R Committee to Panel to re-emphasise the change from the Committee culture. Layout of tables for S&R to be given greater consideration and varied according to the purpose of the meeting. Nameplates to be provided and a separate but distinct public seating area with spare copies of the agendas and papers. 	<ul style="list-style-type: none"> Officers writing reports to be mindful of the Scrutiny function and role. Guidance to be produced on the production of Executive Summaries and clear recommendations for Committees. Members and Officers to be advised that Scrutiny and Review is not an old style Committee and should not be receiving information reports on a regular basis. All reports recommending 'to note' be rejected by Scrutiny Officers. Agendas, minutes and reports to be reviewed and drafted in an appropriate house style more appropriate for Scrutiny & Review Committees. Consideration to be given to holding some meetings outside of Bootle or Southport Town Halls. Other venues to be explored. Members to consider whether a pre-meeting briefing would be beneficial, particularly prior to meetings where witnesses are giving evidence. Council be requested to approve the change of title from Scrutiny & Review Committee to Panel as the new look S & R's are launched. Guidance to be available on appropriate layout of meeting rooms for S&R Committees in order to reflect the varying roles of the Committee. Arrangements to be put in hand to ensure nameplates are available and appropriate areas are made available for the public 	<p>Agreed by Member Working Group 05.12.07 – it was also agreed that S&R Chairs would approve reports before circulation of agendas.</p> <p>Not agreed by Member Working Group 015.12.07, although it was agreed that reports should change the terminology used and officers should replace the term 'to note' with 'to refer'. Scrutiny Officers to liaise with Chairs re: information items.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed in principle by Member Working Group 05.12.07, subject to individual circumstances and requirements.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Not agreed by Member Working Group 05.12.07, however it was recommended that Sefton adopt the national terminology of 'Overview & Scrutiny'.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>ADDITIONAL: It was recommended by the Member Working Group 05.12.07 that the council explore the introduction of P.A / microphone systems to enable members of the public to clearly hear the debate.</p>	<p>Communications Strategy & Plan is currently being developed which will incorporate the development and dissemination of guidance</p> <p>List of alternative venues has been compiled</p> <p>Nameplates have been ordered and received and will be introduced at Committees</p> <p>Re-visit of the handbook has begun, but amendments will be subject to any outcomes of the Working Group</p>
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	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
6	<p style="text-align: center;"><u>Direct Officer Support</u></p> <ul style="list-style-type: none"> • A Head of Scrutiny to be appointed at a more senior level. • Return to the three full-time equivalent level of support at least for Scrutiny unit (excluding Committee Clerking support). • Scrutiny unit to be physically separated from the Committee & Member Services and not to be line managed within the Service. • Committee Clerking role and functions to be provided by Committee Clerks from within Committee & Member Services and not Scrutiny Support Officers. • Consideration to be given to the appropriate location of the Scrutiny unit within the officer structure. • Nature of officer support from unit to change and move to research and general policy support. • The skills mix and experience of Scrutiny Officers to be addressed (possibly through training and development). 	<ul style="list-style-type: none"> • Create new post of Head of Scrutiny and commence recruitment. Revenue funding in place for 2007/08 (budget sufficient to appoint from October 2007). • Review of Scrutiny Team to be undertaken with a view to identifying appropriate resources to support the Scrutiny function. • Plans have been made to relocate the Scrutiny Unit within Southport Town Hall. Review of Line Management of the Service to be undertaken. • The resources made available by Council do not permit the Committee Clerking role to be separated from that of Scrutiny Support. Further review in 2007/08, with a view to making bid for growth in 2008/09. • Review of the Scrutiny Support Unit to consider the location of the team within the Officer structure. • Officer Support to focus on research and general policy support, with the caveat that the role of Committee Clerk will need to continue to be performed given existing resources. • The skills mix of Scrutiny Officers to be considered as part of the overall review of the Unit and appropriate training and development to be put in place as necessary. 	<p>Agreed by Member Working Group 05.12.07 – noted that these actions have already been implemented and that resource issues have so far prevented the committee clerking role to be separated from that of scrutiny support.</p>	<p>Head of Scrutiny took up post on 10th September</p> <p>Re-structure of Scrutiny Support Team has taken place</p> <p>The Team Action Plan will contain specific learning & development plan to improve policy research skills of all staff, as well as addressing specific learning needs highlighted in recent PRDs</p>

<p>7</p>	<p>Management of Scrutiny Process</p> <ul style="list-style-type: none"> • Committees develop realistic and achievable work programmes based on undertaking a small number of in-depth reviews (no more than two to three per Committee p.a). Other items to be kept to a minimum. Work programmes to be selected through a rigorous criteria based system. • Reason for including an item in a work programme to be set out clearly. Work programmes to be established at the beginning of each Municipal Year. Only urgent and unforeseen items to be included in the work programme after the commencement of the Municipal Year or on early completion of work programme. • Work programmes to be established in draft form through a half day workshop involving the whole Committee. Input to be received and considered from Cabinet, Area Committees, Service Managers and Key Corporate Officers. • Progress on work programmes to be an item on each Scrutiny & Review Committee Agenda. Chairs to debate progress. • In-depth reviews to be undertaken by "Task & Finish" Groups. Reviews to be rigorously managed and monitored. Reviews to be completed within a six month period and tightly project managed. Reviews should produce an evidence based substantive report with concise written recommendations. • Officers within relevant services to be asked to provide information for the review. Requests to be made in sufficient time for Managers to plan their contribution in advance. • advance. 	<ul style="list-style-type: none"> • Members and Officers to be disciplined in developing realistic and achievable work programmes based on no more than two or three each Municipal Year. Criteria for selection currently set out in the S & R Handbook to be used as the basis for selection. • Members to clearly state the reasons for including an item within the work programme. No additional matters to be included during the Municipal Year, other than on an exceptional basis. • Commitment required from key officers and Members in establishing the work programme through half-day workshops. This will assist in commitment to an interest in identifying items to be reviewed. • Progress reports to be standing item on all S & R agendas. Chairs to be requested to allow time for debate. • Members and Officers to be rigorous in completing reviews within the six month time frame. Reports to be written in plain English with concise and clear recommendations. Scrutiny staff to undertake Project Management Training (PDR's). • Awareness to be raised amongst Officers within relevant services of the importance of the Scrutiny process and to prioritise requests for information for the review. Lead in times to be sufficient to enable Managers to respond. 	<p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p>	<p>Workshop sessions for development of work programmes currently being arranged for March 2008</p> <p>Re-visit of the handbook has begun, but amendments will be subject to any outcomes of the Working Group</p> <p>Committees currently receive updates of working groups' activities</p> <p>Scrutiny Support Team to receive specific Project Management Training (identified through recent PRDs)</p>
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	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
8	<p><u>Relationship to Service Officers</u></p> <ul style="list-style-type: none"> Guidance to be provided to Service Managers to cover the role of Scrutiny; the type of information needed for Scrutiny; the role of Service Managers in Scrutiny meetings; the role of Service Managers in Working Group reviews; acting as a witness to Scrutiny investigations etc. 	<ul style="list-style-type: none"> Scrutiny & Review Handbook to be widely available. Guide to the role of Scrutiny for Officers to be prepared as part of awareness-raising of Scrutiny function. 	<p>Agreed by Member Working Group 05.12.07 – awareness raising was seen as a fundamental issue to be addressed.</p>	<p>Re-visit of the handbook has begun, but amendments will be subject to any outcomes of the Working Group</p> <p>Communications Strategy & Plan is currently being developed which will incorporate awareness raising of Scrutiny function</p>

<p>9</p>	<p>Cabinet Scrutiny Relationship</p> <ul style="list-style-type: none"> Regular meetings to be held between Cabinet and Chairs of Scrutiny at least six monthly to discuss respective forward work plans. Individual Cabinet Members and respective Scrutiny Chairs to consider regular information exchange meetings. Cabinet Members to attend S&R meetings more regularly, both as observers and occasional participants. Scrutiny Chairs to present the findings and recommendations of Working Groups to Cabinet. Cabinet Members to consider selecting issues for Scrutiny Committees to investigate in-depth. A formal procedure for responses to Scrutiny reports by Cabinet be introduced setting out the length of time for a written response to be made to include an explanation for the decision. Cabinet Members to be held to account by Scrutiny. In-depth reviews to call the relevant Cabinet Member for questioning. 	<ul style="list-style-type: none"> Regular meetings to be timetabled between the Cabinet and Chairs of Scrutiny to discuss relevant issues. Arrangements to be made for individual Cabinet Members and Scrutiny Chairs to exchange information. Cabinet Members be requested to attend S&R Meetings more regularly in order to assist in the flow of information between the two Bodies. Scrutiny Chairs to attend Cabinet to present the results and findings of relevant reviews and the recommendations (NB this only happens on an ad-hoc basis at present). Cabinet Members to be involved in the workshop to establish work programmes, as appropriate (addressed elsewhere in the Plan). Scrutiny & Review Handbook and Constitution be amended to establish a formal procedure for responses to reports from Cabinet from individual Scrutiny Committees. Cabinet Members to be requested to respect and appreciate the role of Scrutiny and holding the Executive to account. Awareness raising of the Scrutiny function is addressed elsewhere in the action plan. 	<p>Agreed by Member Working Group 24.10.07 (quarterly meetings) The Working Group also agreed to hold meetings of the Chairs prior to the quarterly meeting.</p> <p>Agreed by Member Working Group 24.10.07. It was also recommended at the Member Working Group on 05.12.07 that Cabinet Members share work plan issues, in addition to the Forward Plan, with the S&R Chairs in order to facilitate more effective pre-scrutiny.</p> <p>Agreed by Member Working Group 24.10.07.</p> <p>Agreed by Member Working Group 24.10.07.</p> <p>Agreed by Member Working Group 24.10.07.</p> <p>Agreed by Member Working Group 24.10.07.</p> <p>Agreed by Member Working Group 24.10.07.</p> <p>Agreed by Member Working Group 24.10.07.</p>	<p>Cross Party Member Working Group – Terms of Reference</p>
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ITEM NO. 12

	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
10	<p><u>Scrutiny of Childrens' Services</u></p> <ul style="list-style-type: none"> The Council to urgently address the serious weaknesses exhibited by the Childrens' Services Scrutiny & Review Committee 	<p>The comments in this report are also reflected in the recent JAR Report on Children's Services. Many of the recommendations in relation to the Scrutiny function, as a whole, will address the concerns identified by Dr. Snape. Members of Children's Services Committee are asked to support a style of working which more properly reflects the focus of the Committee and the requirement to move to an effective Scrutiny function.</p>	<p>Agreed by Member Working Group 05.12.07.</p>	<p>A new Chair is now in place</p> <p>Follow up feedback from the JAR has been positive to changes made within the Scrutiny function</p>

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11	<p><u>Relationship to the Performance / Improvement Agenda</u></p> <ul style="list-style-type: none"> In the short term Head of Performance to provide information to Scrutiny on performance services to assist in the appropriate selection of work programme items. In the medium term the Council needs to link Scrutiny to the Performance and Improvement Agenda through specialist training for the Performance & Corporate Services Committee; developing a small number of Member Champions; producing clear guidance on how the Scrutiny function links to the Performance and Improvement Agenda; transferring best practice on the relationship from other Authorities, eg, exception reporting and traffic light systems. 	<p>The Corporate Assessment states that the Council provides a successful challenge to Performance; but not within the Scrutiny Function. There is a need therefore to review the relationship/arrangements for scrutiny of performance including:-</p> <ul style="list-style-type: none"> Awareness to be raised amongst Scrutiny Committees of how Performance has progressed within Sefton. The Scrutiny Committees need to be provided with an opportunity to consider how they can bring added value to the performance work within the Council. With this in mind, a Working Group of Scrutiny Champions to be established to consider a mechanism for identifying the exact specification of information for the Scrutiny Committees, in bringing added value and to further enhance and develop the performance function within Sefton. ACE (Performance) to continue to take performance data to Scrutiny, including the 2006/07 Outturn of Performance in accordance with the new criteria developed by the Working Group. Performance Management training to be included in the tailored Scrutiny Members Personal Development Plans. 	<p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p>	<p>Performance information is circulated to Committees</p> <p>Current discussion between ACE Performance and Head of Scrutiny on further development</p>

	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
12	<p><u>Working within Financial Constraints and Financial Scrutiny</u></p> <ul style="list-style-type: none"> All Scrutiny reports to state the financial implications of their recommendations and wherever possible different options to be provided in terms of financial implications, eg. increase, neutral cost or savings. Financial issues to be fully considered when selecting issues for Scrutiny work programmes, eg. poor performing services or high spending services. Some Scrutiny work to be focused on VFM studies and identifying savings. Finance Director to provide information on spending of services to aid the selection of issues for Scrutiny work programmes. 	<ul style="list-style-type: none"> Members to ensure that Scrutiny reports set out clearly the financial implications of any recommendations. Links to be made to the Finance Department to assist in this process as necessary. Members to have an awareness of financial considerations when selecting topics for Scrutiny Work Programmes so that targeted reviews can be undertaken. Scrutiny Members to liaise with Director of Finance on appropriate topics for VFM studies and identification of efficiencies and savings. Closer liaison to be established with Director of Finance to enable information on service spending to be available at the workshop to select items for Scrutiny programmes (referred to earlier in the Action Plan). <p>During the 2006/07 budget process, Officers were asked to broaden the involvement of Members in the MTFP and it was agreed that all four S&R's would receive briefings. During the consultation on the 2007/08 budget, the Finance Director was thanked for the additional support provided to Members and asked to develop the information further. Scrutiny Chairs are asked to consider the approach suggested by Dr Snape and whether S&R wishes to adopt the following or a more all embracing approach:</p> <ul style="list-style-type: none"> Finance reports to be targeted to the appropriate S & R Committee. Finance Director to assist in providing additional information and training for volunteers/champions from Scrutiny Members of Performance & Corporate Services to enable them to lead on financial scrutiny work. 	<p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p>	<p>Re-visit of the handbook has begun, but amendments will be subject to any outcomes of the Working Group – the handbook will contain guidance on financial issues</p> <p>Finance Dept to be invited to attend work programme sessions in March 2008</p>

	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
13	<p>Public & Partner Engagement</p> <ul style="list-style-type: none"> S&R to develop specific measures to publicise its work more widely amongst partners and the public to ensure they contribute and participate more fully in S&R processes. Initiatives could include development of Scrutiny web-pages; production of information leaflets; inclusion of S&R column in Council newspaper / staff newsletter; production of S&R newsletter; S&R roadshows at supermarkets and shopping centres; co-operation of partners; users and community representatives on Task & Finish Groups; stakeholders analysis to determine who could provide oral or written evidence; expansion of use of expert witness from Universities, other Authorities, Consultancies etc. Scrutiny Support Officers to develop P&R and communication strategy for S&R. Health S&R Committee to include the opinions of service users more fully in their activities. 	<ul style="list-style-type: none"> New Head of Scrutiny to consider how best to raise the profile of Scrutiny more widely amongst the Council's partners and the public. To consider the various initiatives already progressed by a number of Authorities including the development of Scrutiny Web Pages, information leaflets. etc. Assistant Chief Executive (Communication) be requested to develop a P&R and Communication Strategy for S&R for approval by the Scrutiny & Review Chairs to assist in raising the profile of the function. Health S&R Committee to consider best practice from other Authorities on how to include the opinions of Service Users more effectively. 	<p>Agreed by Member Working Group 05.12.07.</p> <p>A Communications Strategy & Plan is currently being drafted by the Head of Scrutiny who will liaise with the Corporate Communications Team - Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07 – it was noted that Health S&R do have mechanisms in place to facilitate service users' involvement.</p>	<p>Communications Strategy & Plan is currently being developed which will incorporate awareness raising of Scrutiny function</p> <p>Ideas for simple 'branding' designs have been developed</p> <p>As part of the learning & development plan for the Scrutiny Team all officers will be identifying best practice and making contact with other authorities through established networks and specific visits where appropriate</p>

	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
14	<p><u>Scrutiny Outputs</u></p> <ul style="list-style-type: none"> S&R Support Officers to develop a robust system for measuring outputs and outcomes of Scrutiny based upon good practice within other Authorities. S&R Committees to work to ensure recommendations from its reports or meetings are SMART. Information on impact and performance to be included in a re-vamped annual report for S&R. 	<ul style="list-style-type: none"> Head of Scrutiny to identify best practice within other Authorities and develop a more robust system for measuring outputs and outcomes of Scrutiny. S&R Committees to be mindful of the need to ensure recommendations within reports or from meetings are not too generalised but are specific, measurable, accurate, realistic and timely Format for annual report to be reviewed by new Head of Scrutiny. 	<p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p> <p>Agreed by Member Working Group 05.12.07.</p>	<p>Cross Party Member Working Group – Terms of Reference</p> <p>Research outcomes to be presented to the Working Group by the Head of Scrutiny regarding performance measurement</p> <p>New format annual report was recently produced but the Communications Strategy & Plan is currently being developed which will revisit the format</p>

	<u>SUMMARY OF RECOMMENDATIONS</u>	<u>IMPROVEMENT ACTION PLAN</u>	<u>DECISIONS OF MEMBER WORKING GROUP</u>	<u>PROGRESS</u>
15	<p><u>Structure of Scrutiny and Radical Alternatives</u></p> <ul style="list-style-type: none"> Scrutiny Management Board to be created. 	<ul style="list-style-type: none"> A Scrutiny Management Board to be established, comprising the Chairs of all Committees. The intention would be for the Board to meet regularly with Cabinet to ensure an effective Scrutiny/Cabinet relationship. It would also have a role in ensuring there were no gaps or duplications across the work of the four Committees and to ensure that each Committee had a realistic and appropriate work programme. The Board would monitor the implementation of work programmes, share learning and good practice across the four Committees, co-ordinate the production of the Annual Report and ensure that reviews and recommendations are widely disseminated. Need to consider how this will be resourced and the role of and impact on Officers supporting the Board. 	<p>Agreed by Member Working Group 05.12.07 on a trial basis initially.</p>	<p>Cross Party Member Working Group – Terms of Reference</p>

ADDITIONAL:

The Member Working Group held on 05.12.07 held a specific discussion regarding the perception of Scrutiny & Review chairmanship in comparison to other roles. It was noted that S&R Chairs received the lowest members allowance. It was recommended that in order to acknowledge the importance of the role of Scrutiny & Review that the independent remuneration panel be requested to examine the Members Allowances for S&R chairmanships.

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Data Release

Friday, 23 March 2007

Members' Allowances the latest figures according to a Local Government Analysis and Research survey

- In winter 2006, the survey of all 388 local authorities in England was conducted and a total of 257 authorities responded (66.2%).
- The survey collected information on basic allowance, special responsibility allowances, dependant/carers allowance, travel allowance, bike allowance, subsistence allowance and access to pension schemes.
- All local authorities in England have independent remuneration panels that review their allowances and provide advice on authorities' schemes. Allowances are intended to recompense properly the time necessary and the level of responsibility of the roles of councillors, whilst incorporating a strong public service discount.
- All data are ungrossed and relate to the figures reported by authorities. Response rates for individual questions vary.

Key findings

All 19,689 councillors in office in 2006 are entitled to a basic allowance and those councillors who hold offices of special responsibility, as set by their authority, are also entitled to a special responsibility allowance. Authorities also have the discretion to pay additional allowances such as dependant/carers allowance, travel allowance and subsistence allowance, and to allow councillors access to pension schemes.

Where the cost of living is highest, so are the allowances. Where the responsibilities and time taken to do the job are greatest, so are the allowances. Strong public service elements are incorporated into the rates and, again, variations take into account distinctions between types of authority and geographical location.

Basic allowance:

- Overall, councillors' basic allowance for 2006 averaged £5,648 per annum, ranging from £3,991 in shire districts to £9,512 in metropolitan districts. There was also wide variation regionally, from £4,729 in the East Midlands to £9,227 in London.

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2

Special responsibility allowance:

- The average leaders' allowance was £16,356, ranging from £11,065 in shire districts to £31,784 in London boroughs. Regionally, the average allowance ranged from £12,632 in the East Midlands to £21,685 in Yorkshire and Humberside.
- Cabinet/executive members received an average allowance of £9,243, ranging from as little as £5,994 in shire districts to £17,634 in London boroughs. There were also regional variations, ranging from £6,273 in the North East to £12,262 in Yorkshire and Humberside.
- Overall, the average number of cabinet/executive members per authority was 6.9; it was highest in metropolitan districts, unitary authorities and authorities in the North East (7.9, 7.8 and 8.3 respectively) and lowest in shire districts and the East of England (6.4 and 5.9).
- The overall average allowance for Chairs of Overview and Scrutiny was £5,686, ranging from as little as £3,721 in shire districts to £10,738 in London boroughs. There were also regional variations, ranging from £4,299 in the South East to £9,967 in Yorkshire and Humberside.
- Overall, the average number of Chairs of Overview and Scrutiny per authority was 2.6; it was highest in unitary authorities, metropolitan districts and authorities in the North West (3.8, 3.7 and 3.5 respectively) and lowest in shire districts and the East of England (2.1 and 1.6).
- Chairs of planning committees receive an average allowance of £5,172, ranging from £3,824 in shire districts to £9,978 in London boroughs, and Chairs of licensing committees receive an average allowance of £4,064, ranging from £3,034 in shire districts to £8,066 in London Boroughs.

Other allowances:

- 84.0% of authorities offered dependent carers' allowance and 64.2% offered childcare allowance. The overall average hourly rate was £6.84 and £5.96 respectively.
- The majority of authorities also offered both travel (92.6%) and subsistence allowance (87.9%); however, fewer authorities offered a bike allowance (54.1%).
- Less than half of authorities (42.4%) offered their councillors access to a pension scheme.

National Census of Local Authority Councillors in England 2006 – extracts from the Executive Summary:

- 86.9% of councillors cited wanting to serve the community as their reason for wanting to become a councillor and 93.5% thought that listening to local views was the most important thing for them to do.
- Councillors spent an average of 21.9 hours per week on council/political business, with the largest proportion (20.7%) spending between 16 and 20 hours and the smallest (1.4%) spending between 41 and 45 hours. There were variations between types of authority, with the average number of hours per week spent on council and political business varying from 17.8 hours in shire districts to 29.3 hours in metropolitan districts.
- Councillors holding a position of leading responsibility spent on average 25.1 hours per week, compared to 18.1 hours for those not holding a senior position
- 53.7% of councillors held one or more positions of leading responsibility within the council. Of those, most were Cabinet/Executive members (15.1%), Chair/Vice-Chair of Overview and Scrutiny (12.6%) and Chair/Vice-Chair of Regulatory (10.6%).
- 49.5% of councillors reported that they received a special responsibility allowance. The figure ranged from 44.8% in shire districts to 57.7% in shire counties. Regionally, the proportion of councillors receiving a special responsibility allowance varied from 46.2% in the South West to 54.5% in the North East.

Notes:

1. The Survey was conducted by Local Government Analysis and Research on behalf of the Local Government Association and Improvement and Development Agency.
2. Full survey results are available:
www.lgar.local.gov.uk
3. For further details, please contact Jonathan Evans: jonathan.evans@lgar.local.gov.uk
4. Further reading:

National Census of Local Authority Councillors in England 2006:
<http://www.lgar.local.gov.uk/lgv/core/page.do?pageld=23372>

Independent Members' Remuneration Panels and the Basic Allowance:
<http://www.laria.gov.uk/content/features/70/feat8.htm>

Key questions and answers about councillor allowances:
<http://www.lga.gov.uk/Briefing.asp?lsection=761&id=SX3D65-A780DDA5&ccat=120>
5. Summary results:

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Summary Table

Type	Sample size	Average allowance:												
		Basic		Leader of the authority		Cabinet/Executive members		Chair of Overview and Scrutiny		Chair of Planning Committee		Chair of Licensing Committee		
		£pa	No.	£pa	No.	£pa	No.	Avg. No.	£pa	No.	Avg. No.	£pa	No.	
London Borough	22	67%	£9,227	21	£17,634	22	7.3	£10,738	22	3.4	£9,978	21	£8,066	17
Met District	19	53%	£9,512	18	£12,161	19	7.9	£8,394	19	3.7	£7,787	18	£6,001	17
shire County	23	68%	£8,941	23	£14,912	23	7.4	£9,929	22	3.2	£6,070	17	£4,074	2
shire District	165	69%	£3,991	153	£5,944	132	6.4	£3,721	160	2.1	£3,824	157	£3,034	144
itary	28	60%	£7,406	26	£11,748	26	7.8	£7,853	27	3.8	£6,962	27	£5,818	27
egion														
East Midlands	28	62%	£4,729	27	£7,181	21	6.8	£4,481	27	1.8	£3,936	27	£2,816	22
East of England	37	69%	£4,917	34	£8,593	31	5.9	£5,181	37	1.6	£4,702	35	£4,227	30
London	22	67%	£9,227	21	£17,634	22	7.3	£10,738	22	3.4	£9,978	21	£8,066	17
North East	13	52%	£5,777	11	£6,273	12	8.3	£4,892	12	2.9	£3,772	13	£3,295	11
North West	37	80%	£5,720	37	£8,126	35	7.8	£4,775	37	3.5	£4,604	35	£3,682	31
South East	50	68%	£4,824	49	£7,884	43	6.5	£4,299	48	2.5	£4,256	43	£2,778	40
South West	33	65%	£5,263	28	£9,368	25	6.9	£5,636	31	2.7	£4,500	32	£3,596	24
West Midlands	27	71%	£5,526	25	£8,486	24	6.6	£6,021	26	2.6	£6,088	25	£4,695	23
Yorkshire & Humberside	10	45%	£8,164	9	£12,262	9	7.1	£9,967	10	2.7	£7,952	9	£6,628	9
Grand Total	257	66%	£5,648	£16,356	241	£9,243	222	£5,686	250	2.6	£5,172	240	£4,064	207

Summary Table Cont.

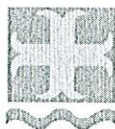
Type	Other allowances:									
	Dependent carers'	Childcare	Travel	Bike	Subsistence	Pension scheme	No.	£/hr	No.	£/hr
London Borough	18	£5.75	10	£5.56	18	9	20	14		
Met District	14	£5.27	10	£5.17	17	8	13	13		
Shire County	22	£7.15	19	£5.84	22	17	22	13		
Shire District	136	£6.96	104	£6.05	155	89	146	56		
Unitary	26	£7.40	22	£6.07	26	16	25	13		
Region										
East Midlands	21	£6.82	21	£5.89	28	12	26	13		
East of England	33	£7.38	27	£6.22	36	29	31	14		
London	18	£5.75	10	£5.56	18	9	20	14		
North East	10	£6.38	6	£5.77	12	5	12	4		
North West	29	£6.09	23	£6.15	35	17	33	19		
South East	46	£7.97	34	£5.72	46	33	45	16		
South West	30	£6.09	24	£6.38	30	16	29	11		
West Midlands	20	£5.97	14	£5.47	25	13	23	13		
Yorkshire & Humberside	9	£7.14	6	£6.18	8	5	7	5		
Grand Total	216	£6.84	165	£5.96	238	139	226	109		

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Survey Results - Metropolitan Borough Councils

Authority	No	Basic	Planning	Licensing	Audit & Gov	S & R	No	Basis for S&R	Basis for Audit & Governance
Sefton	66	£8,850	£8,850	£8,850	£4,425	£4,425	4	50% Basic	
Where approx % entered - No formula used - IRP based on No days attendance expected in a year									
Wigan	75	£11,532	£10,394	£6,929	£3,460	£5,189	4	app 45% Basic	app 30% Basic
Stockport	63	£9,206	£7,811	£5,338	£7,254	£7,254	5	app 79% Basic	app 79% Basic
St Helens	48	£7,356	£7,356	£4,659	£0	£4,659	6	app 63% Basic	Do not pay - generally Leader
Salford	60	£10,011	£8,109	£8,109	£8,109	£8,109	6	app 81% Basic	app 81% Basic
Man City	96	£16,136	£9,936	£9,936	£9,936	£9,936	8	app 63% Basic	app 63% Basic
Leeds	99	£14,243	£12,891	£6,929	£6,929	£19,311	7	app 136% Basic	app 49% Basic
Bury	51	£7,659	£6,067	£6,067	£6,067	£6,067	10	app 79% Basic	app 79% Basic
Birmingham	120	£16,024	£16,024	£13,735	£6,264	£13,780	11	app 86% Basic	app 39% Basic
Knowsley	63	£8,712	£6,534	£6,534	£6,534	£6,534	5	app 75% Basic	Do not pay - Leader/other Chair
Bolton	60	£9,872	£7,319	£6,928	£0	£4,680	7	50% Basic	Do not pay - generally Leader
Calderdale	51	£9,994	£8,999	£5,996	£5,996	£7,496	5	75% Basic	Based on Licensing
Kirklees	69	£12,272	£6,138	£4,911	£3,684	£6,138	6	50% Basic	Introducing for 2009/10
Liverpool	90	£9,879	£9,156	£9,156	£0	£9,156	6	75% Basic	Do not pay - very few meetings
Newcastle u tyne	78	£8,518	£4,259	£4,259	£2,130	£4,259	6	50% Basic	Chair - Indept Member - pay VC
Rochdale	60	£7,644	£7,644	£7,644	£0	£7,644	3	100% Basic	Do not pay
Solihull	51	£7,000	£5,600	£2,800	£5,600	£5,600	5	80% Basic	80% Basic
Trafford	63	£6,121	£9,794	£9,794	£7,324	£7,344	5	120% Basic	120% Basic
Wirral	66	£9,474	£4,585	£4,585	£4,585	£4,585	10	50% Basic	50% Basic
Totals		£181,653	£148,616		£83,872	£137,741			
Total incl Sefton		£190,503	£157,466		£88,297	£142,166			
Conclusions									
LA contacted		18			18			Planning	
Average payment		£7,482			£4,647			18	
Average % of Basic		75%			43%			£8,288	
No of LA paying above Sel		17			11			83%	
								7	
NB - Birmingham also pay a specific SRA to the Chair of Co-ordinating Committee which oversees S&R Cmtees									

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Chair of a Regulatory Committee, Area Committee and Standards Committee Role Description

1 Accountabilities

- To Full Council
- To the members of the Regulatory, Area or Standards committee

2 Role Purpose and Activity

- **Provide leadership and direction**
 - Provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - Demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
 - Delegate actions to sub committees as appropriate
- **Promoting the role of the regulatory committee, area or standards committee**
 - Act as an ambassador for the regulatory, area or standards committee, facilitating understanding of the role
 - Act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
 - Ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings
- **Internal governance, ethical standards and relationships**
 - Develop the standing and integrity of the committee and its decision making
 - Promote and support good governance by the Council

Regulatory Committee Chairs

- Understand the principles of national justice and the quasi judicial decision making role of the Committee
- Ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process
- Understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility

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Area Committee Chairs

- Ensure that any functions which the Area Committee is responsible for are carried out in a manner consistent with the policies approved by Full Council.
- Ensure any applications to expend any Budgets delegated to Area Committee are approved in accordance with the Committees guidelines.

Standards Committee Chair

- Act as champion for ethical standards within the Authority liaising closely with the Council's Monitoring Officer.

(NB. Any local determination hearings will be chaired by an independent member of the Committee)

3 Values

- To be committed to the Council's vision and strategic aims and objectives and the following principles of public office:
 - Selflessness
 - Honesty and Integrity
 - Objectivity
 - Accountability
 - Openness
 - Personal Judgement
 - Respect for others
 - Duty to uphold the law
 - Stewardship
 - Leadership



Chair of Regulatory Committee, Area Committee or Standards Committee Person Specification

To fulfil his or her role as set out in the role description, an effective committee chair requires:

- **Providing leadership and direction**
 - Ability to conduct meetings to ensure that applicants feel that they have been dealt with fairly and fully even if their application is refused
 - Understanding of the Council's role and ability to ensuring that stake holders are aware of that role
 - Communication skills
 - Knowledge of local issues
 - Ability to manage the work of the committee
 - Ability to support and develop necessary skills in fellow members of the committee
- **Promoting the role of the regulatory committee and quasi-judicial decision making**
 - Understanding and appreciation of the regulatory framework
 - Ability to inspire and enthuse committee members for the work of the committee
 - Integrity and the ability to set aside own views and act impartially
 - Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them
- **Promoting the role of the Area/Standards Committee**
 - Good knowledge of local issues
 - An understanding of the importance of consultation and local views
 - Knowledge and understand of the Ethical Standards agenda and the ability to promote and champion high ethical standards
- **Internal governance, ethical standards and relationships**
 - Knowledge and understanding of the Code of Conduct and protocols
 - Knowledge of and commitment to the Council's vision and strategic aims and objectives

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Scrutiny and Review Chair Role Description

1. Accountabilities

- Full Council
- The Public
- External Regulatory Bodies

2. Role purpose & activity

- **Provide leadership and direction**
 - Provide confident and effective management of the member team
 - Promote the role of Scrutiny and Review within and outside the council, liaising effectively both internally within the council and externally with the Council's partners
 - Develop a balanced work programme of the committee which includes pre decision scrutiny, policy development and review, investigative scrutiny, and performance monitoring
 - Ensure the programme takes account of relevant factors such as: the work programmes of the cabinet and other committees, strategic priorities and risks, and relevant community issues
 - Demonstrate an objective and evidence based approach to scrutiny
 - Evaluate the impact and added value of scrutiny activity and identify areas for improvement
- **Manage the work programme**
 - Ensure that the work programme is delivered
 - Report on progress against the work programme to Council, and others as appropriate
 - Liaise with officers, other members and community representatives to resource and deliver the work programme
- **Hold the Cabinet to account**
 - Evaluate the validity of executive decisions and challenge inappropriate decisions through call in

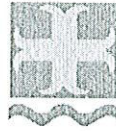
- **Effective meeting management**
 - Set agendas containing clear objectives and outcomes for the meeting
 - Manage the progress of business at meetings, ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to
 - Ensure that the necessary preparation is done beforehand
 - Ensure that all participants have an opportunity to make an appropriate contribution

- **Community leadership**
 - Act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function
 - Build understanding and ownership of the scrutiny function within the community
 - Identify relevant community based issues for scrutiny
 - Involve fully external stakeholders for example, service users expert witnesses and partners in scrutiny activity

- **Involvement and development of committee members**
 - Encourage high performance from all committee members in both committee and task and finish groups
 - Assess individual and collective performance within the committee and facilitate appropriate development
 - Ensure members adhere to and promote the Scrutiny and Review Committees agreed values

- **Scrutiny & Review Values**
 - Adopt an informal, friendly and non-confrontational approach
 - Be open, transparent and fair to all involved in the Scrutiny process
 - Share information and seek consensus
 - Allow preparation and thinking time to all witnesses
 - Allow witnesses to submit their evidence in a form they feel comfortable with (Oral/Written)
 - Make any necessary arrangements to facilitate or assist witness attendance in line with the Council's Equality Policy.
 - Provide feedback, written or verbal, to all witnesses involved in the process.
 - Look for continuous improvement through a positive process
 - Value diversity and ensure equality is built into all our processes

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Scrutiny and Review Chair Person Specification

To fulfil his or her role laid out in the role description an effective Scrutiny Chair requires:

Provide leadership and direction

- Understanding of council role and functions
- Understanding of role of scrutiny, terms of reference for the committee, role of chair, and other aspects of the democratic arrangements
- Understanding of member support functions
- Understanding of council priorities and risks
- Ability to develop work programmes
- Understanding of community issues
- Objectivity
- Negotiation and consensus building
- Ability to build constructive and 'critical friend' relationships with the Executive

Manage the work programme

- Ability to manage projects and resources
- Ability to manage people
- Ability to prioritise
- Ability to report progress to different groups in different styles

Holding the Executive to account

- Understanding of arrangements for call in

Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate effective discussions
- Ability to listen and question effectively

Community leadership

- An understanding of the community leadership role
- Knowledge of local issues and expectations
- Ability to work effectively with all members of the community and build understanding and ownership of scrutiny
- Knowledge of the individuals and organisations in the community especially those traditionally excluded

Involvement and development of committee members

- Understanding of role and skills of the scrutiny committee and its individuals
- Ability to support members and the committee in assessing their performance
- Ability to identify any training and development needs and procuring appropriate learning and development

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Annex F

Examples of work undertaken by Overview & Scrutiny Chairs

May 2008 – November 2008

Work Programme sessions – May 2008

At the beginning of this Municipal Year each Overview and Scrutiny Committee held a workshop session to determine individual work programmes for 2008-09. These sessions involved Council Officers and LSP Partnership Managers, who were invited to present information on current priorities and issues on their thematic and service areas. Following these sessions the Overview & Scrutiny Committees agreed to focus on the following areas for in-depth reviews:

Overview & Scrutiny Committee (Performance & Corporate Services)

- Perception of Crime, with particular focus on the budgetary aspects of communication and marketing (with a link to the Street Scene agenda).
- Equality of access to services provided to members of the public

Overview & Scrutiny Committee (Children's Services)

- Extended Schools Agenda
- Fostering – Recruitment and Retention Linked to Agency Staff
- Corporate Parenting – Member Visits to Care Homes

Overview & Scrutiny Committee (Regeneration & Environmental Services)

- Community Involvement – Licensing Act
- Watercourse Maintenance and Flooding
- Asset Management Review of Library Service

Overview & Scrutiny Committee (Health & Social Care)

- Supported Housing Needs
- Analysis and Evaluation of Early Mechanisms in Health & Social Care Systems
- Core Standards Working Group (NHS Declarations to the Healthcare Commission)

Review of work programme sessions – November December 2008

Following the work programme session at the beginning of the Municipal Year each Overview and Scrutiny Committee held / are holding a workshop session to review current priorities and performance areas within their remit, in order to ensure that Members are focusing resources on the correct areas of work. Review of work programme sessions follow a similar format to the setting of work programmes at the beginning of the year, with informative presentations from Council and partnership officers.

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**As Lead Members of Working Groups there is a requirement to undertake a lot of research and commit a certain level of time to undertaking an in-depth review. For example the ongoing Children's Services Working Group concerning fostering recruitment has resulted in the Chair working very closely with the O&S Team to identify research, draw out key issues, interview service users, visit service users at home, site visits at other authorities and drafting the final report and recommendations to Cabinet **

Chairing of Committees – normal committee cycle of meetings

Agenda setting meetings with O&S officers – in order to ensure information is not submitted to Committee for information only, that the items meet those criteria set out in the work programme and that the Chair, and Members, have clear ownership of the agenda.

Management Board meetings – Meetings have scheduled from June 2008 to March 2009 on a cycle of once every 4 – 6 weeks.

O&S Chairs Network – Chairs and Vic-Chairs are invited to the North West Chairs Network, where active participation is expected, for example recently one of our Chairs undertook a new training course and provided feedback to Members of the Network.

Learning & Development seminars – As Chairs of a developing function, with growing Government guidance and legislation regarding its future role, the Chairs of the O&S Committees are expected to participate in learning & development and ensure they are kept up to date with the growth of requirements for the function.

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Regulation 33 Visits Children's Homes 2008/09

Home	Cllr	Party	Date
Cherry Road	Cummins	Labour	April 2008
	Ms Ibbs	Conservative	June 2008
	Cummins	Labour	July 2008
	Ms Ibbs	Conservative	September 2008
Kirwan House	Cluskey	Labour	May 2008
	Platt	Conservative	November 2008
Knowsley Road	Ms Ibbs	Conservative	April 2008
	Kerrigan	Labour	August 2008
	Ms Ibbs	Conservative	October 2008
Melrose House	Kerrigan	Labour	June 2008
	Cummins	Labour	August 2008
	Ms D Jones	Conservative	November 2008
Springbrook	Cluskey	Labour	June 2008
	Cluskey	Labour	September 2008

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Home	Cllr	Party	Date
Cherry Road	Mrs Porter	Conservative	July 2007
	Mrs Ibbs	Conservative	September 2007
	Clusky	Labour	October 2007
	Platt	Conservative	December 2007
	Clusky	Labour	January 2008
	Mrs Porter	Conservative	March 2008
Kirwan House	Mrs Ibbs	Conservative	May 2007
	Cluskey	Labour	May 2007
	Cluskey	Labour	Aug 2007
	Pearson	Conservatives	April 2007
	Mrs Porter	Conservative	July 2007
	Mrs Ibbs	Conservative	21/01/08
Knowsley Road	Mrs Kerrigan	Labour	Aug 2007
	Mrs Kerrigan	Labour	Nov 2007
	Pearson	Conservative	July 2007
Melrose House	Mrs Kerrigan	Labour	June 2007
	Mrs Kerrigan	Labour	December 2007
	Clusky	Labour	September 2007
Springbrook	Mrs Porter	Conservative	May 2007
	Cummins	Labour	June 2007
	Clusky	Labour	September 2007
	Pearson	Conservative	November 2007
	Mrs Porter	Conservative	February 2008
	Cluskey	Labour	March 2008

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Home	Cllr	Party	Date
Cherry Road	Clusky	Labour	April 2006
	Mrs Porter	Conservative	June 2006
	Clusky	Labour	July 2006
	Ms Ibbs	Conservative	September 2006
	Clusky	Labour	October 2006
	Cummins	Labour	November 2006
Kirwan House	Pearson	Conservative	April 2006
	Clusky	Labour	May 2006
	Cummins	Labour	August 2006
Knowsley Road	Platt	Conservative	April 2006
	Ms Kerrigan	Labour	May 2006
	Pearson	Conservative	July 2006
	Ms Kerrigan	Labour	August 2006
	Clusky	Labour	November 2006
Melrose House	Mrs Porter	Conservative	May 2006
	Clusky	Labour	24 th May 2006
	Clusky	Labour	29 th May 2006
	Platt	Conservative	August 2006
	Pearson	Conservative	November 2006
	Ms Kerrigan	Labour	December 2006
	Ms Ibbs	Conservative	February 2007
	Cummins	Labour	March 2007
Springbrook	Mrs Porter	Conservative	May 2006
	Clusky	Labour	June 2006
	Mrs Porter	Conservative	August 2006
	Clusky	Labour	September 2006

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SEFTON METROPOLITAN BOROUGH COUNCIL
REPORT OF THE INDEPENDENT REMUNERATION PANEL
DECEMBER 2008

1. INTRODUCTION

1.1 The Panel was convened specifically to consider:-

- (a) The appropriate figure for the Special Responsibility Allowance for Overview & Scrutiny Chairs.
- (b) The appropriate figure and level of Special Responsibility Allowance for the Audit and Governance Chair.
- (c) Whether it is appropriate to pay travelling expenses to those Members who undertake statutory visits to childrens homes.

1.2 We met on the 3rd December 2008. Unfortunately Steve Dickson, the third member of the Panel, was unable to join us. In the circumstances we agreed to proceed in his absence but requested the Legal Director to circulate the draft report on the Panel's findings to Mr Dickson on the understanding that if he has any concerns about the findings then the Panel be reconvened to discuss the matter further.

1.3 The three Leaders of the Council had been given the opportunity to attend and make representations to us or send a nominee. The four Scrutiny Chairs had also been invited to attend to make representations. We therefore had the opportunity to hear directly from three of the Scrutiny Chairs, namely Councillor Hardy, Councillor Papworth and Councillor Hands. In addition Councillor Mrs Parry and Councillor P Cummins addressed us in relation to the issue of travelling expenses. We were advised by Paul Edwards (Finance Director), Caroline Elwood (Legal Director) and Viv Swale (Claims & Administration Manager).

1.4 This report outlines our recommendations to the Council in respect of the current Members Allowance Scheme.

Agenda Item 8

2.0 BACKGROUND

2.1 The Panel last met on the 14th June 2007 and undertook a full and comprehensive review of the Members Allowances Scheme. This was subsequently accepted and approved by the Full Council in September 2007. We had recommended that the Basic Allowance should be reviewed and increased to a figure comparable to the Merseyside average, with future increases linked to the Local Government annual pay settlement (using scp 33) and that the Special Responsibility Allowances should continue to be calculated based upon a multiplier of the Basic Allowance. We also recommended that the Council should no longer continue to make separate payments to cover travel expenses for duties undertaken by Members within Sefton, on the basis that the enhanced level of Basic Allowance would reflect the discontinuance of separate travel expenses. We also recommended that a further full review of the Scheme should be undertaken prior to the beginning of the Municipal Year 2010/2011.

3.0 OVERVIEW & SCRUTINY CHAIRS

3.1 The Cross Party Working Group which was originally established to implement the detailed recommendations made by Dr Snape into improvements to the scrutiny function at Sefton requested that the Panel should formally review the level of Special Responsibility Allowance (SRA) currently paid to the Overview & Scrutiny Chairs. The Working Group felt that the level of the SRA demonstrated the value placed upon the function and Dr Snape herself expressed concern that generally scrutiny had a low status within the organisation which was having an adverse effect upon the performance of the function. The recommendation that the allowance should be reviewed was subsequently approved by Cabinet on 13 December 2007 and Full Council on 28 February 2008.

3.2 We noted that there are currently four Overview & Scrutiny Chairs each of whom receives a Special Responsibility Allowance based on a multiplier of 50% x the Basic Allowance (ie. £4,425). This can be contrasted with the Chair of both Planning and Licensing Committees, both of whom received a Special Responsibility Allowance based on a multiplier of 100% x the Basic Allowance (ie. £8,850).

3.3 We were advised that in recent years the scrutiny function had evolved significantly with a resulting impact upon the workload of the Scrutiny Chairs. Although each Overview & Scrutiny Committee still meets once a cycle much more work is now done in Working Groups undertaking in-depth reviews on a variety of topics. Working Group reports have been well received and welcomed by Cabinet. The Chairs and Committees are supported by a dedicated Scrutiny Team with

Chairs generally kept briefed and informed and becoming involved in a wide range of issues related to the work of the Committee.

3.4 We heard from three of the Scrutiny Chairs who explained the far more proactive role which had now developed and we noted the proposed expansion and strengthening of the roles envisaged by the government, particularly in acting as a critical friend to partner organisations requiring the Council to adopt more innovative and imaginative scrutiny enquiries and wider engagement with service users. We also noted the pro-active role of the Scrutiny Chairs in protecting the integrity and propriety of the decision making process by their guardianship of the Forward Plan of Key Decisions.

3.5 We noted that national research commissioned by the LGA and IDeA in 2006/07 demonstrated that the average allowance of O&S chairmanships is comparable or higher than chairmanships of Licensing and sometimes of Planning Committees. We were also provided with information from 18 other areas and noted 17 of these paid a higher amount of Special Responsibility Allowance than Sefton. Overall the summary showed the average amount paid to Overview & Scrutiny Chairs is £7,482 which equates to 75% of the average Basic Allowance.

3.6 We considered it was important to send out the clear message that as an organisation Sefton does value its scrutiny function and the important role it plays not only in holding the Executive to account but also as a guardian of the constitution particularly in relation to the Forward Plan. We therefore recommend that the Special Responsibility Allowance for Chairs should be increased to 100% of the current Basic Allowance ie. £8,860 with effect from the new Civic Year in May 2009.

4.0 Audit & Governance Chair

4.1 At the meeting of the Panel on the 26th September 2006 it was resolved that "the allowance to the new Chair of Audit & Governance be approved and linked to the current multiplier paid to Chairs of Overview & Scrutiny (namely half of the Basic Allowance)". Accordingly we noted the Audit & Governance Committee Chair is currently paid the same rate as Overview & Scrutiny Chairs (£4,425). We were provided with information from the survey of 18 Authorities undertaken on our behalf which shows that the average amount paid to Audit & Governance Chairs is £4,647 (which equates to 43% of the Basic Allowance). In those circumstances we felt that the current allowance to the Audit & Governance Committee Chair continued to be appropriate and that the current link to Chairs of Overview & Scrutiny should be discontinued.

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5.0 Visits to Childrens Homes.

5.1 As previously noted at the last Panel Meeting it was agreed that, in order to save administrative time in future Members would not be paid individual travelling expenses for travel within the Borough of Sefton. Instead an amount was incorporated within the increased Basic Allowance which all Members received. However Sefton is required to undertake statutory visits to childrens homes within the Borough and these visits are over and above Members regular commitments. At present only a small number of Members actually undertake the visits and in these circumstances the Leader of the Labour Group had suggested the Panel should consider providing those Members who do additional mileage an appropriate internal mileage allowance. We heard from Councillor Paul Cummins who is in favour of this proposal and Councillor Paula Parry who did not favour any alteration to current payments for travelling expenses.

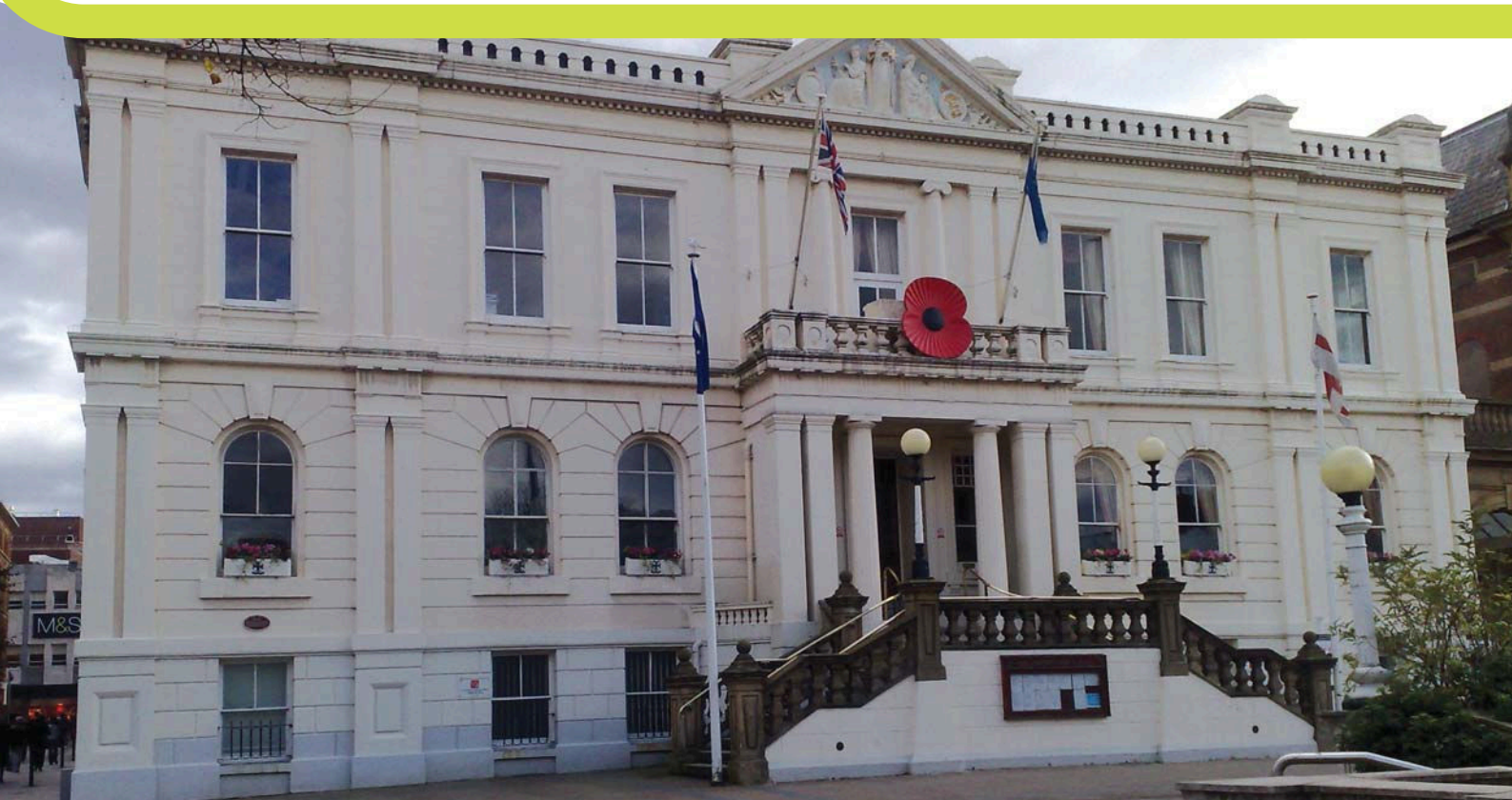
5.2 We received details of visits undertaken since 2006/07 and wished to express our concern that Sefton may not be fulfilling the required number of statutory regulatory visits to childrens homes. However, we did not consider that the payment of travelling expenses to undertake such visits was a suitable way to remedy this issue. Accordingly, we do not recommend that it is currently appropriate to pay travelling expenses to those Members who undertake statutory visits to childrens homes. We are aware that this issue has been drawn to Members attention and note that Childrens Overview & Scrutiny Committee are shortly to commence a review of the Council's Corporate Parenting Role which will include the statutory requirement to visit childrens homes. Once the report has been concluded and considered by Cabinet we would be prepared to reconsider the issue of whether and how this function should be recognised in the Allowance Scheme.

6.0 Conclusions

We recommend the above amendments to the Council's current Scheme of Members Allowances and that all other details of the Scheme remain unchanged.

December 2008

Canon R Driver (Chair)
Mrs S Lowe
Mr S Dickson



Agenda Item 9

Valuing Improvement - Overview & Scrutiny

In its first year the Overview & Scrutiny Management Board (which is all the Chairs and Vice-Chairs of our Overview & Scrutiny Committees) has overseen the development of the function and achieved the aspirations that were set out in our 2008/09 Improvement Plan. During this Municipal Year the Management Board has succeeded in:

- addressing issues related to the Key Decision Forward Plan
- further developing the relationship with our Cabinet Members
- undertaking a review of Elected Member Support
- establishing a robust process of agreeing work programmes and reviews
- co-ordinating Member responses to Government policy, including the consultation on the Government White Paper
- hosting a self-assessment workshop for all Members, and developing an Improvement Plan for 2009/10, based on Members' feedback
- participating in the Council-wide governance review

Challenges remain in 2009/10 for the Members of the Management Board and the following is only an example of the issues that will be addressed during next year:

- Engaging our partners with the scrutiny process and acting as a 'critical friend' for partner organizations
- Introduction, and review, of the Councillor Call for Action
- Implementing the outcomes of the Council-wide governance review
- Participating in corporate activities (such as the CAA process)

We are continuing to focus upon 'valuing improvement' across the Authority and will constantly monitor our Improvement Plan for 2009/10 in order to reflect any necessary changes and to make a difference to the people of Sefton.

Councillor Richard Hands
Chair of the Overview & Scrutiny Management Board

June 2009

Overview
& Scrutiny



What are the objectives of the Overview & Scrutiny Committees?

Holding the Cabinet and Cabinet Members to account

Scrutiny of planned decisions – through consideration of the Key Decision Forward Plan (KDFP) at every Committee meeting. Scrutiny of decisions that have been made, but not yet implemented, through the process of ‘call-in’, which gives Members of the Committees the opportunity to make further suggestions for improvement.

Undertaking Policy Development and Review

Scrutiny of decisions that have been implemented and which may require further investigation through more in-depth review, and consultation with Committees during the development of new policy.

Performance Management and Improvement

Monitoring performance of the Council and its partners, including the aims and objectives of the Community Strategy, the Local Area Agreement (LAA) and the Council’s Corporate Plan.

Promoting Community Leadership

Providing a forum for local concerns to be raised. Engagement with local partners and stakeholders.

Following a review in 2006, Sefton’s Overview & Scrutiny Committees have been organised in the following way:

Overview & Scrutiny Committee

PERFORMANCE & CORPORATE SERVICES

The Members of this Committee consider the performance management function of the Council and issues relating to corporate resources and strategy. They consider the performance of the Council, and its partners, in delivering a Sustainable Community Strategy and monitor and review the delivery of services that impact upon community safety and general strength of communities within Sefton.

Overview & Scrutiny Committee

CHILDREN’S SERVICES

The Members of this Committee consider all aspects of lifelong learning with particular relation to education and social care services for children and their families. They consider the performance of the Council, and its partners, in delivering effective services for children and young people.

Overview & Scrutiny Committee

REGENERATION & ENVIRONMENTAL SERVICES

The Members of this Committee consider all issues relating to regeneration, environment, transport, leisure and tourism. They consider the performance of the Council, and its partners, in delivering effective economic development and sustainability for the Borough.

Overview & Scrutiny Committee

HEALTH & SOCIAL CARE

The function of this Committee is slightly different to the others in that it has been empowered by the Health and Social Care Act 2001, which ensures the cooperation of NHS bodies with the local authority. The Members of this Committee consider all issues relating to health and adult social care issues with a view to improving the health of local people. They consider the performance of the Council, and its partners, in delivering effective services for achieving healthier communities.

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Performance and Corporate Services



Councillor Darren Hardy
Chair of the Overview and Scrutiny Committee
Performance and Corporate Services

On behalf of the Members of the Overview & Scrutiny Committee (Performance & Corporate) it gives me great pleasure to introduce the 2008/09 Annual Report to the Council.

The year has seen some major steps in the developing role of the Committee as we have expanded our focus on the Communities agenda within the Council and begun to build positive working relationships with both Merseyside Police and Merseyside Fire and Rescue Service.

Both of these key partner agencies are now meeting with the Committee on a regular basis and engaging Elected Members in shaping service provision across the Borough for the benefit of residents. In conjunction with our continuing work around the Safer, Stronger Community agenda this

relationship will help make Sefton a better, safer place to live.

In a similar vein the Committee has also had a greater focus on assessing the performance of both the Council and partner agencies in achieving our Local Area Agreement targets and in ensuring we are all meeting our duties under the new Comprehensive Area Assessment framework.

As part of that process the Committee has taken the lead in establishing proposals for a strategic and effective investment of Area Based Grant. Ensuring a clear linkage between the investment of Area Based Grant and the priority indicators agreed with Government in the Local Area Agreement will be key in ensuring a positive Comprehensive Area Assessment score is possible. Elements of that work will help lay the foundations for the new strategic budget setting process being established by the Chief Executive and Cabinet.

The Committee has also continued its work in supporting the development of the Equalities Agenda within the Authority helping to review and implement the Race Equality Scheme, the Disability Equality Scheme, the Gender Equality Scheme and, more latterly supporting the Single Equality Scheme and Comprehensive Equality Policy.

Can I thank Cllr Papworth for taking the lead on our Equality of Access to Services working group which

Agenda Item 9

has proactively been helping the Council achieve Level 4 in the Equalities Standard.

Equally my thanks go to those committee members who prompted a review of the Council's use of Regulation of Investigatory Powers Act 2000 (RIPA) that allowed the Council to develop best practice ahead of the Government's own consultation on the future of RIPA.

The Committee has continued to play a key role in supporting the Medium Term Financial Plan, helping to keep the Authority's finances on track and building cross-Party understanding and consensus which helped the Council agree an all-Party budget again in 2009/10.

Our corporate responsibilities have also included undertaking a review of the service areas for which we have a responsibility including the Personnel Department and the Legal and Administrative Services Department.

We are also continuing to help develop the Council's Governance Review, shaping the future of the Council as a whole.

And of course a year in the life of the Overview & Scrutiny Committee (Performance & Corporate) would not be complete without a review of the Specialist Transport Unit. The Committee's deliberations over Charges for Service Users was an excellent example of effective, cross-Party scrutiny and produced a series of recommendations that were both supportive and critical in equal measure.

The Year Ahead

The Committee has a clear set of priorities over the coming year:

- The continued review and development of the LAA which should help build effective relationships between non-executive members and partner agencies such as Merseyside Police and Merseyside Fire and Rescue Service
- The continuing review of the Medium Term Financial Plan to ensure our future financial security
- Developing and mainstreaming the Safer, Stronger Communities agenda within the Authority and completing the work started in our Perception of Crime working group
- Continuing our work in embedding the Equalities agenda in the Council

On behalf of the Committee I would like to thank everyone who has contributed to our work over the past year.

And finally, as Chair I would like to express my thanks to all Members and to the Overview & Scrutiny Team for their hard work, commitment and real sense of partnership which has made the Committee such an honour and a pleasure to Chair.

Councillor Darren Hardy
June 2009

Overview
& Scrutiny



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Children's Services



Councillor Richard Hands
Chair of the Overview and Scrutiny Committee
Children's Services

It gives me great pleasure to introduce Sefton Council's Overview and Scrutiny Committee's (Children's Services) Annual Report to the Council.

This year, the Committee has continued to fulfil all of its functions in scrutinising and reviewing the Council's activities in relation to life long learning for children, young people and their families.

During the course of the year two Working Groups and one Focus Group have carried out investigations into particular areas of the Children's Services Portfolio. The Committee have also completed one review that was carried over from the previous years Work Programme along with numerous reports and pre scrutinised several key decisions

The Fostering Service:

The above Working Group set about scoping its review in the Summer 2009, after it was reported at the Committee's Work Programme session that the Fostering Service had received an "inadequate" score from Ofsted. Members were keen to investigate this service in order to look at ways it could be improved. Working Group Members gathered an immense amount of information to assist them throughout the Review. They met with Foster Carers as a group and also visited them individually in their homes, interviewed Social Workers, Officers from Children's Services, representatives from the National Fostering Agency and Sefton Advocacy. It became apparent very quickly that some radical changes were required and Officers addressed some of those issues as they emerged which were welcomed by the Working Group. The Review took ten months to complete, this illustrates the complexity of the service we were reviewing. I think all Members would agree that this was an emotionally challenging piece of work.

The review resulted in a Final Report which contained 18 recommendations, some of which had financial implications for the Council. The Committee will monitor the progress of the recommendations through regular update reports from the Strategic Director Children's Services.

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Extended Schools Agenda Working Group:

The Extended Schools Agenda Working Group was one which was carried over from the previous years Work Programme. Everybody the Working Group spoke to about the Extended Schools Agenda believed it to be worthwhile and positive for children and families. Extended schools in Sefton are successful, working well and ahead of many other parts of the country, and thanks are due to Officers of the local authority, staff in schools and children's centre for making things happen.

The Working Group heard much about the range of activities on offer and encountered great enthusiasm for delivering effective Extended Schools. Members are concerned, however, about the level of sustained funding available for the programme following the end of grant funding in 2011 and have recommended that mainstream funding is available post 2011 to sustain the work being undertaken. It has also been requested that proposals for post 2011 be reported to our Committee in 2010/11.

Admissions Policy:

During the course of the year the Cabinet Member Children's Services requested the Committee to carry out a small piece of work investigating in more detail the Admissions Policy for the Hightown Area. Members of the Committee agreed to include this into the Committee's Work Programme on the basis that representations had been made at a public meeting by the Hightown Action Group. The review had to be carried out and the issue needed to be

addressed before the consultation period ended, which gave Working Group Members around 4 weeks to conduct and complete the review. The Hightown Action Group had raised concerns in relation to an inequality in the Schools Admissions Policy which directly impacted upon Hightown residents. They believed the inequality was due to the "unique" geographical base within Sefton and that there was no primary school in Hightown. The Committee set up a Working Group of four Members and began its work immediately by examining the geographical location of schools in the area.

This resulted in a final report being presented to the Committee early in December 2008 which contained 6 recommendations.

Litherland High School – One School Pathfinder Project:

The Committee set up a Focus Group to pre-scrutinise the evaluation process of the Litherland High School – One School Pathfinder Project new contract. The Focus Group looked in more detail at:-

- the reasons why stage 1 invitation attracted a single bidder;
- if it was safe to continue with a single bidder;
- the factors to be examined whilst scrutinising a single bidder;
- value for money issues; and
- Cost certainty and funding.

The pre-scrutiny process undertaken by the Focus Group illustrated that there are advantages to having a single bidder thus being Kier have been

Agenda Item 9

under tighter scrutiny due to Officers meeting regularly with Kier making amendments to design, ensuring that the attention to detail remains in the forefront of designers minds and aiming to achieve zero defects on the end product. If, on the other hand the Council had two bidders at this stage, the partnership working would not have been as intense as it has been. The Focus Group were impressed with the level of commitment already shown from Kier at that stage.

The Committee, over the forth coming year, will monitor and review the recommendations of those Working Groups above.

The Committee had also scheduled an enquiry into “Corporate Parenting” in their Work Programme, this will begin towards the end of May 2009.

In addition to the Working Groups, the following topics were identified for review by members and were the subject of reports to the Committee:

- Special Educational Needs Funding;
- Special Educational Needs – Placements Outside the Borough;
- Sefton’s Young Carers;
- Dual Projects carried out between the Authority and the Fire and Police Services;
- Baby A

The Overview and Scrutiny Committee has also been given the opportunity to pre-scrutinise items from the Council’s Key Decision Forward Plan. The Forward Plan is submitted to the Overview and

Scrutiny Committee as part of the Work Programme update. The pre-scrutiny process assists the Cabinet and Cabinet Members to make effective decisions by examining issues beforehand and making recommendations prior to a determination being made.

The Year Ahead

The Committee and I look forward to the new Municipal Year, and the challenges ahead. We look forward with working as a critical friend to our Cabinet Member and partners. The Committee will be examining Key Priorities for the Council and examining areas for us to investigate in order that the services we provide are continually improved to benefit all who live and work in Sefton.

As Chair I would like to thank the officers who have contributed to the work of this Committee specifically for their assistance and support whilst conducting the reviews. In particular I would like to thank all the people who contributed to the various Working Parties. Also a big thanks to our support officer Ruth Harrison and the rest of the Overview & Scrutiny Team.

I would also like to take this opportunity to thank Committee Members for their hard work throughout the year and in particular the Lead Members of the reviews.

Councillor Richard Hands
June 2009

Overview
& Scrutiny



Regeneration and Environmental Services



Councillor Peter Papworth
Chair of the Overview and Scrutiny Committee
Regeneration and Environmental Services

It gives me great pleasure to introduce Sefton Council's Overview and Scrutiny Committee's (Regeneration & Environmental Services) Annual Report to the Council.

During this first year of my Chairmanship the Committee has continued to fulfil its functions in scrutinising and reviewing the wide and diverse range of services within the remit of the Regeneration and Environmental Services Portfolio.

During the course of the year three Working Groups have completed in-depth reviews (two of which had continued from the previous year and proved to be very challenging and complex pieces of work) and there has been considerable activity undertaken during the Overview & Scrutiny Committee

Meetings. There has also been a great deal of commitment towards developing the relationship between the work of this Committee and our Cabinet Members and involvement of the Committee Members in the policy development process which we hope to continue and develop further in the year ahead.

Community Involvement - Licensing Act:

The above Working Group was one which was carried over from the previous years Work Programme. This review has taken some time to complete, being of a particular technical and complex nature and is currently out for consultation with all those who have participated in the review. The Committee will receive the final report and recommendations at its meeting on 11th August 2009.

I extend my thanks to the Lead Member, Councillor Cliff Mainey, for the commitment demonstrated in completing this review.

Watercourse Maintenance and Flooding:

The Watercourse Maintenance and Flooding Working Group was one which was carried over from the previous years Work Programme. This review has proved to be very timely with the publication of the Government's response to the Pitt Review in December 2008, and the Flood and Water Management Bill, which identifies the new role and

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responsibilities of local authorities as the lead partner in dealing with local flood risk management. The Working Group has undertaken site visits, met with partner organisations (including the Environment Agency and United Utilities) and engaged with all the Parish Councils across the Borough. There has also been significant contribution from officers within the Council, including the Drainage Services Manager, Planning Department, Coastal Defence Officer and the Emergency Planning Team. The report is currently out for consultation with all those who participated in the review and the final report will be taken to the Committee meeting on 11th August 2009 with a number of recommendations for the Cabinet to consider.

As Lead Member for this Working Group I would like to extend my thanks to the Members of the Working Group for their dedication and knowledge which has contributed to what we consider to be a robust and timely report, and particular thanks to John Baker, Drainage Services Manager for sharing his expertise and knowledge of the subject area.

Libraries Assets Management:

This Working Group completed their review during a matter of weeks and a final report was taken to the Committee on 14th April 2009. Members visited all of the libraries across the Borough and met on a regular and intensive basis during a short period of time. The recommendations from this review have been approved by the Committee and include a Stage 2 of the review that will form part of the

Committee's work programme in 2009/10. Members of this Working Group and the Committee are particularly aware of the sensitive aspects that may arise from Stage 2 of the review and are working closely with officers to ensure that future work will be conducted in a robust manner.

I would like to extend particular thanks to the Lead Member, Councillor David Pearson, for the work carried out.

This Committee will monitor the progress of the recommendations made by these Working Groups through regular update reports during 2009/10.

In addition to the Working Groups, the Committee has received numerous reports throughout the year on a variety of issues that fall under its remit and has taken a particular interest in the impact of the global economic events upon Sefton residents (including the effect upon tourism and leisure facilities, small businesses and Council income). The Committee has sought to engage with organisations outside of the Council and there was a particularly useful dialogue between Members and the Chief Executive of Sefton Chamber of Commerce.

The Committee has been fully engaged with the Council-wide Parking Services Review, at the direct request of the Cabinet Member (Technical Services) and this has proved very valuable in the policy development process.

The Committee has also received regular updates concerning the progress of the Alternative Weekly Refuse and Recycling Service and consequently will play an important role in the process for negotiating the new contract for the services.

The Year Ahead

This Committee is looking forward to the new Municipal Year, and the challenges that it will bring. We are working to further develop our involvement with Council officers and partners in the policy development process and to strengthen our role as a 'critical friend'. Our main concern continues to be achieving improvement in the delivery of services for the benefit of the people who live and work in Sefton.

I would like to thank all Members of the Committee and officers who have contributed to the work of this Committee throughout the year. Also particular thanks to our Support Officers who are based within the Overview and Scrutiny Team.

Councillor Peter Papworth
June 2009



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Health and Social Care



Councillor Anthony Hill
Chair of the Overview & Scrutiny Committee
Health and Social Care

It gives me great pleasure to introduce the 2008/09 Overview and Scrutiny Committee (Health & Social Care) Annual Report to the Council.

During the year, the Committee held nine formal meetings and people from local organisations that deliver healthcare to Sefton residents attended these meetings to provide information to notify and update Members of current issues impacting on (health and social care) provision in Sefton. This has involved the Committee receiving a wide array of information, including developments within the primary care and acute trusts, results of Sefton Council's Supporting People Inspection, the Annual Review of Performance and Star Rating for Adult Social Care, the annual Public Health Report, updates from Sefton's Local Involvement Network

and proposals for changes to local NHS services such as a new Royal Liverpool University Hospital.

Members of the Committee have also gained first hand experience into how local NHS trusts are managed and issues they encounter in the day-to-day running of these services, by visiting health venues that are used by the residents of Sefton. This has included the Committee visiting the North West Ambulance Services NHS Trust new Control Centre in Preston; the Clatterbridge Oncology Centre, which offers state-of-the-art facilities for patients undergoing cancer treatment; the Alder Hey Children's Hospital and the Aintree University Hospital NHS Foundation Trust. Each visit has enabled Members to become better informed and to develop relationships with key health care partners.

Throughout the year, the Committee has continued to receive regular updates and presentations from NHS Sefton (the Primary Care Trust (the PCT)). The Committee has continued to work closely with the senior management of the PCT to shape the consultation arrangements for the reconfiguration of services. The wide range of topics presented by the PCT included:

- Sefton's Health launch;
- New Horizons for health and healthcare in the North West;
- Planning for better health in Sefton;

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- The improvement and equitable access to primary care;
- Better Life Better Health events;
- Lord Darzi' report on High Quality Care for All;
- The NHS Constitution;
- World Class Commissioning Assurance;
- New Sexual Health Services;
- Updates on the Children's Walk-in Centre for Southport; and
- The North West Public Health and Marketing Awards.

The Committee have also received reports and presentations from departments within Sefton Council, including the Health and Social Care Directorate, Technical Services, Housing market Renewal, Finance, Planning and Economic Regeneration and the Energy Team, which are involved in healthcare matters impacting on Sefton residents.

The Committee continues to develop strong working relationships with all our health partners and has continued to benefit from access to our own 'on call doctor' Dr Janet Atherton (Director of Sefton Public Health). Partners also include officers and members of hospital and primary care trusts, Sefton Social Care services and members of the public, all who have all made an important contribution to our work.

Sefton's Local Involvement Network (LINK), which replaced the Patient and Public Involvement network (PPI) in 2007, aims to strengthen the NHS

duty to involve and put in place a new NHS duty to report. Sefton LINKs have attended the Committee and contributed, as appropriate on their work updates and the implementation on the new LINKs.

LINKs are made up of individuals and community groups who work together to improve local services. The role of LINKs is to find out what people like and dislike about local services and work with the people who plan and run them to help make them better. The Council and LINKs are developing their relationship to work more closely and together review what work is going on locally and sharing information. This will support the Committee in working more closely with members of the public and users of health and social care in the future.

The Committee also received a presentation from the National Institute of Clinical Excellence (NICE) to highlight their core principles, how they develop their NICE guidance and the team involved in their implementation strategy. This was very informative and gave Members an insight into this independent organization that is responsible for providing national guidance on promoting good health and prevention and treatment of ill health.

The Committee also requested presentation and updates about public access to Southport and Ormskirk Hospitals through the public transport system. This involved cross-boundary working between Southport and Ormskirk Hospital the PCT, Sefton Council, ARRIVA and Mersey Travel.

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The work towards improvement is ongoing and the Committee will expect improvement updates in the coming year

During the course of the year, using dedicated Working Groups, the Health and Social Care Committee undertook a number of in-depth reviews into the improvement of supported housing needs, and the access to social care services in Sefton. Additionally for the fourth year running, Members also provided comment to the Healthcare Commission on the annual declarations of local trusts, as part of their annual inspection that provides their star ratings.

Members have continued to sit on a Joint Health and Well Being Scrutiny Committee with Knowsley and Liverpool Members examining the North Mersey Future Healthcare Programme.

In 2008/2009, the Overview and Scrutiny function has been working towards our Improvement Plan and has experienced some changes through the implementation of recommended improvements.

The Year Ahead

The Committee and I look forward to the new Municipal Year and the many challenges ahead for Scrutiny Members arising from monitoring the priorities for the refreshed Local Area Agreement, Adult Health and Social Care, and the Local Involvement Network.

The Scrutiny of Health and Social Care will again

look towards some revision and improvements to our practices. Building on reforms proposed by the Department of Health in relation to the newly formed LINKs and the duty of scrutiny to continue to expand its role to include 'Councillor Call for Action', to cover all local government matters, including social care issues.

This range of power for the Overview and Scrutiny Committee includes the right to require local service providers to provide evidence when requested, and for the Committee to recommend independent inspection, if it feels there has been a failure to adequately address local concerns. The Committee will therefore, continue to scrutinise the response of both the local authority itself and the PCT to the reports of Directors of Public Health on improving the health and social care of Sefton residents.

As a Committee, we again look forward to working in partnership with our Health and Social Care providers, to improve service provision for the people of Sefton. The challenge is for the Committee to effectively meet the ever-increasing demands of central government, the health sector and local authority. The opportunity is to be able to use its powers to help to make a real difference to the health and social care of our Sefton Community to reduce health inequalities in Sefton and to involve the Sefton Community in the process.

I would like to thank Members of the Committee for their hard work and enthusiasm shown throughout the year in scrutinising, and often

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challenging, to ensure the people of Sefton have a quality health service.

In particular, I would like to pay tribute to the work done by the Lead Members of the Working Groups, Councillors Cummins, and McGuire, and to thank Caroline Elwood, the Legal Director and Scrutiny Champion, and the Overview and Scrutiny Team for their support and advice.

My special appreciation goes to Janet Borgerson our Overview and Scrutiny Officer for her enthusiasm and dedication.

Councillor Anthony Hill
June 2009

Overview
& Scrutiny



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During 2008-09, the following Councillors have comprised the Overview & Scrutiny Management Board:

Overview and Scrutiny Members – Management Board'

Hands (Chair)	Lib Dem
Brennan	Labour
Griffiths	Conservative
Hill	Lib Dem
D. Hardy	Labour
Howe	Lib Dem
Papworth	Conservative
McGuire	Lib Dem

During 2008-2009, the following Councillors have undertaken the Overview & Scrutiny role for Children's Services:

Overview & Scrutiny Committee Members – Children's Services

Councillor Hands (Chair)	Lib Dem
Councillor Howe (Vice-Chair)	Lib Dem
Councillor Barber	Conservative
Councillor Booth	Lib Dem
Councillor Bradshaw	Labour
Councillor Cummins (Spokesperson)	Labour
Councillor Doran (Spokesperson)	Conservative
Councillor Glover	Conservative
Councillor Hough	Lib Dem
Councillor Larkin	Labour

During 2008-2009, the following Councillors have undertaken the Overview & Scrutiny role for Performance and Corporate Services:

Overview & Scrutiny Committee Members – Performance & Corporate Services

Councillor D. Hardy (Chair)	Labour
Councillor Brennan (Vice-Chair)	Labour
Councillor Larkin	Labour
Councillor Byrne	Lib Dem
Councillor Cuthbertson	Conservative
Councillor Gibson (Spokesperson)	Lib Dem
Councillor McGinnity	Labour
Councillor Papworth	Conservative
Councillor Shaw	Lib Dem
Councillor Weavers	Lib Dem

During 2008-2009, the following Councillors have undertaken the Overview & Scrutiny role for Regeneration and Environmental Services:

Overview & Scrutiny Committee Members – Regeneration & Environmental Services

Councillor D. Hardy (Chair)	Labour
Councillor Brennan (Vice-Chair)	Labour
Councillor Larkin	Labour
Councillor Byrne	Lib Dem
Councillor Cuthbertson	Conservative
Councillor Gibson (Spokesperson)	Lib Dem
Councillor McGinnity	Labour
Councillor Papworth	Conservative
Councillor Shaw	Lib Dem
Councillor Weavers	Lib Dem

During 2008-2009, the following Councillors have undertaken the Overview & Scrutiny role for Health and Social Care:

Overview & Scrutiny Committee Members – (Health & Social Care)

Councillor Hill (Chair)	Lib Dem
Councillor McGuire (Vice-Chair)	Lib Dem
Councillor Friel	Labour
Councillor Griffiths (Spokesperson)	Conservative
Councillor P. Hardy (Spokesperson)	Labour
Councillor Ibbs	Conservative
Councillor T. Jones	Conservative
Councillor C. Mainey	Lib Dem
Councillor S. Mainey	Lib Dem
Councillor Webster	Labour

Overview
& Scrutiny



Terms of Reference

Overview & Scrutiny Management Board

MEMBERSHIP:

Membership of the Overview & Scrutiny Management Board will comprise of the Chair and Vice-Chairs of the Overview & Scrutiny Committees.

ROLE:

The role of the Board shall be to oversee the work of the Overview & Scrutiny Committees. The Board shall receive officer support led by the Head of Overview & Scrutiny.

1. To keep informed of current and forthcoming key strategic issues that are likely to impact on the work of the Council.
2. To receive and consider requests from the Cabinet and / or the full Council for reports from Overview & Scrutiny, and to allocate them to the appropriate Overview & Scrutiny Committee.
3. Where matters fall within the remit of more than one Overview & Scrutiny Committee, to determine which Committee will assume responsibility for any particular issue, and to resolve any issues of dispute between Overview and Scrutiny Committees.
4. To meet with relevant Cabinet Members twice a year to exchange information concerning work programmes.
5. To foster close working between appropriate Cabinet Members and Overview & Scrutiny Committees.
6. To monitor the progress of Working Groups established by each of the Overview and Scrutiny Committees, and in particular to ensure that the resources of Overview & Scrutiny are appropriately applied and there is no duplication of effort.
7. To monitor the progress of recommendations put forward by Overview & Scrutiny to the Cabinet and / or full Council.
8. To ensure continuous improvement in the Overview & Scrutiny systems and processes so as to maximise value to the authority.
9. The Board shall have power to establish time-limited Working Groups to consider a report on any priority issues or cross-cutting work. The membership of such groups need not be limited to the members of the Overview & Scrutiny Management Board.
10. To provide support in the development of tailored Personal Development Plans for Members participating within the Overview & Scrutiny function.
11. To be mindful of government guidance and respond to any guidance as appropriate.
12. To establish a formal mechanism for engaging Area Committees, and therefore the general public, with the work of Overview & Scrutiny.
13. To receive Councillor Calls for Action and determine whether they should be referred to the appropriate Overview & Scrutiny Committee for consideration.

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Terms of Reference

Performance and Corporate Services

To fulfil all the functions of a Overview and Scrutiny Committee as they relate to performance management, corporate resources and strategy and in particular (but not limited to):-

1. to assist the executive in the development of the Council's annual budget and to review and scrutinise the Council's performance in relation to budgetary management;
2. to assist the Council in the development of a three year budget strategy;
3. to review and scrutinise the provision and management of the Council's resources in relation to financial, land and property, information technology and personnel and training services;
4. to review and scrutinise the provision and management of the Council's legal, democratic (including elections, land charges and registrars) health and safety and corporate policy and research services;
5. to assist the executive in the development of a Council wide property and asset strategy;
6. to promote procedures which ensure proper custodianship of Council finances, making recommendations to the executive for best financial practice across the Council;
7. review and scrutiny of community safety;
8. recommendations to Cabinet for matters to be included in the annual Performance Plan, and/or for Service Improvement reviews to be conducted;
9. reviewing and reporting to Cabinet on the targets within Local Authority's performance against the Performance Plan;
10. to assist the Cabinet in developing a performance management framework and to receive regular reports on key monitoring and performance issues;
11. responsibility for public service agreements, comprehensive performance assessment and other related issues;
12. Service Improvement reviews and consider the Review Programme for relevant linked services or activities;
13. the community strategy to promote the wellbeing of the area;
14. Social Inclusion and the Council's specific initiatives to promote it;
15. licensing and registration;
16. in particular to fulfil the scrutiny and review role in relation to the employment of the Council's Corporate Plan, Performance Plan, Community Strategy, Crime Reduction and Community Safety Strategy and any other cross-cutting corporate plans or strategies.
17. Scrutiny of the Medium Term Financial Plan.

Terms of Reference

Children's Services

To fulfil all the functions of a Overview and Scrutiny Committee as they relate to lifelong learning and in particular (but not limited to) education and social care services for children and their families.

1. all of the functions of the Council as an education authority under the Education Acts, Schools Standards and Framework Act 1998 and all other relevant legislation in force from time to time;
2. all functions of the Council insofar as they relate to the provision of opportunities for education, training, youth issues and learning outside the school environment including pre-school, adult and community learning;
3. social care services for children and young persons;
4. youth offending services;
5. Best Value reviews and consideration of the Review Programme for relevant linked services or activities;
6. in particular to fulfil the Scrutiny and Review role in relation to the development of the Council's Education Development Plan and the Early Years Development Plan, Lifelong Learning Plan and all other statutory plans relating to education and social care services for children.

Terms of Reference

Regeneration and Environmental Services

To fulfil all the functions of a Overview and Scrutiny Committee as they relate to regeneration, environment, transport, leisure and tourism and in particular (but not limited to):

1. all aspects of development control and planning (except planning applications);
2. highways, traffic management and transport;
3. public protection, including trading standards and environmental health services;
4. environment and Local Agenda 21;
5. all aspects of the regeneration of communities in the area;
6. the economic development and physical regeneration of the area;
7. neighbourhood renewal and the single regeneration budget;
8. the housing market renewal initiative;
9. Service Improvement reviews and consider the Review Programme for relevant linked services or activities;

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10. in particular to fulfil the scrutiny and review role in relation to the Council's Plans and Strategies comprising the Development Plan, Land Regeneration Strategy, the Food Law Enforcement Service Plan, the Local Agenda 21 Strategy, the Local Transport Plan and Annual Library Plan.
 11. the development of partnerships with external organisations to meet housing need and regenerate unsatisfactory housing (in respect of planning and regeneration);
 12. the improvement of private sector housing within the HMRI area.
 13. grants and loans to owner occupiers, tenants landlords, and/or developers;
 14. all of the Council's functions in relation to leisure, arts, sport and recreational activities to enhance the qualities of life for local people;
 15. the provision and management of museums, art galleries, theatres, archives and local library activities, libraries, leisure centres, swimming pools, parks and open spaces, allotments and other like facilities;
 16. tourism.
9. To make reports and recommendations to NHS Trusts, patient representatives, the Council and its Cabinet, and to other relevant bodies and individuals.
 10. To seek and to take account of the views of the people of Sefton on health and social care issues.
 11. residential and day care, home support, intermediate care, respite care for adults;
 12. social care services for elderly people, people with physical disabilities, people with mental health problems and learning difficulties;
 13. staffing and emergency response for elderly persons in sheltered housing, hospital social workers;
 14. transport service for client groups;
 15. meals production and distribution service;
 16. the management of the Council's housing stock until the Housing Stock Transfer.
 17. the development of partnerships with external organisations to meet housing need and regenerate unsatisfactory housing (in respect of Social Care);
 18. the improvement of private sector housing;
 19. grants and loans to owner occupiers, tenants landlords, and/or developers;
 20. homelessness and rehousing;
 21. special needs housing;
 22. Service Improvement reviews and to consider the Review Programme for relevant linked services or activities;
 23. to fulfil the Scrutiny and Review role in relation to the development of corporate plans and strategies comprising the Housing Investment Programme and all other statutory plans relating to Social Care Services for adults.

Terms of Reference

Health and Social Care

To fulfil all the functions of a Overview and Scrutiny Committee in relation to health and adult social care issues, including the Scrutiny of Strategic Health Authorities, Primary Care Trusts and NHS Trusts under powers contained in the Health and Social Care Act 2001 and in particular (but not limited to):-

1. Any matter relating to the planning, provision and operation of health services within the Sefton area.
2. The response to consultation on any proposal by a local NHS body which will result in either substantial service development or a substantial variation in the existing service.
3. To make recommendations to PCTs and Strategic Health Authorities as to how the planning and delivery of primary health care services might be shaped to improve access and reduce inequalities.
4. To improve partnership working on health and health scrutiny between the Council, health services and the voluntary sector.
5. To increase awareness of health issues and the NHS way of working.
6. To scrutinise matters relating to the health of the Borough's population and contribute to the development of policy to improve health and reduce health inequalities.
7. To review and scrutinise the impact of the Authority's own services and key partnerships and others on the health of the people of Sefton.
8. To work with neighbouring Authorities, as appropriate, to review services which relate to more than one local authority.

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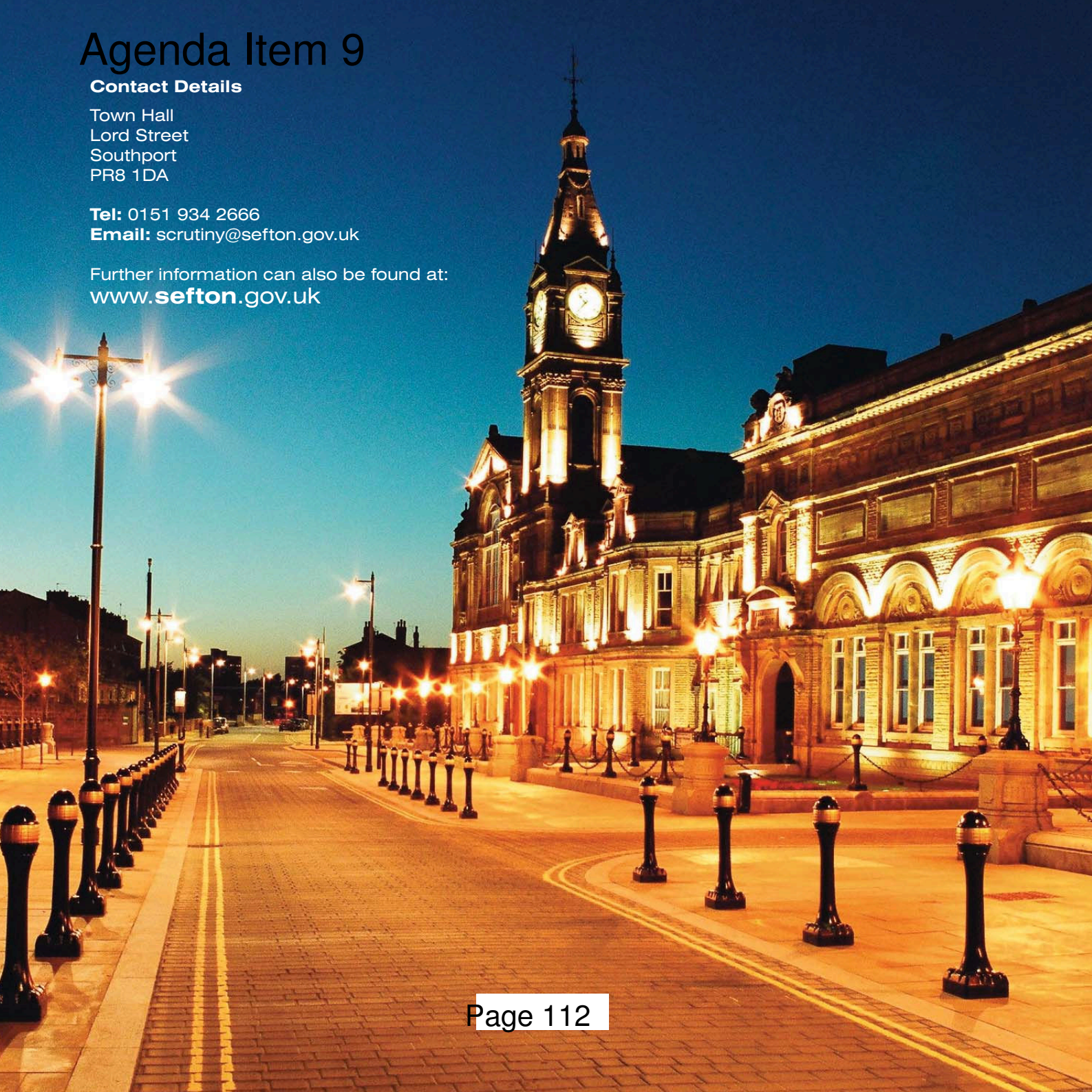
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REPORT TO: CABINET
COUNCIL

DATE: 9 JULY 2009

SUBJECT: COUNCILLOR CALL FOR ACTION &
SCRUTINY OF CRIME AND DISORDER

WARDS AFFECTED: ALL

REPORT OF: CAROLINE ELWOOD, LEGAL DIRECTOR

CONTACT OFFICER: MICHELE WAINWRIGHT, EXTN. 2666 / DEBBIE CAMPBELL, EXTN.
2254

**EXEMPT/
CONFIDENTIAL:** NO

PURPOSE/SUMMARY:

To seek the authority to implement the Councillor Call for Action protocol and to designate the Overview and Scrutiny Committee (Performance and Corporate Services) as the Council's "Crime and Disorder Committee".

REASON WHY DECISION REQUIRED:

In accordance with the legislation introduced under the Local Government and Public Involvement Act 2007, and Section 19 of the Police and Justice Act 2006 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

RECOMMENDATION(S):

1. That the Councillor Call for Action Protocol be approved for implementation; and the terms of reference within the Council's Constitution for three of the four Overview & Scrutiny Committees be amended accordingly; and
2. That the Overview & Scrutiny Committee (Performance & Corporate Services) be designated the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act and the Crime and Disorder (Overview & Scrutiny) Regulations 2009, and its terms of reference within the Council's Constitution be amended accordingly.

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Following the meeting of the Council on 9th July 2009.

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ALTERNATIVE OPTIONS:

None

IMPLICATIONS:

Budget/Policy Framework: None arising from this report.

Financial:

CAPITAL EXPENDITURE	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

There are no financial implications arising as a result of this report.

Legal: Reflected within the attached protocols.

Risk Assessment: Risks have been addressed within the protocol developed for this function.

Asset Management: None arising from this report.

CONSULTATION UNDERTAKEN/VIEWS

Overview and Scrutiny Management Board
Overview & Scrutiny Committee Members

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None

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BACKGROUND:

1. Councillor Call for Action (CCfA) has been introduced by the Government under the Local Government and Public Involvement in Health Act 2007, to strengthen the role of the ward councillor. The CCfA is a process for a Councillor to take action on behalf of residents to resolve a local issue of concern, acting as a last resort for people who cannot get issues resolved through any other means.
2. Issues relating to Crime and Disorder are not dealt with through the CCfA, as Section 19 of the Police and Justice Act 2006 requires every local authority to have a "Crime and Disorder Committee", with the power:-
 - to review or scrutinise decisions made, or action taken, in connection with the discharge by the "Responsible Authorities," who comprise the Crime and Disorder Reduction Partnership of their crime and disorder functions;
 - to make reports and recommendations to the Council with regard to the discharge of the Responsible Authorities' function.
3. The "Responsible Authorities" means the bodies and persons who are responsible authorities within the meaning given by section 5 of the Crime and Disorder Act 1998 (c. 37) (authorities responsible for crime and disorder strategies) in relation to the local authority's area, namely:-
 - Local Authority
 - Police Authority
 - Police Force
 - Fire and Rescue Authority
 - Primary Care Trust
 - Registered Social Landlords

TERMS OF REFERENCE

In order to implement the Councillor Call for Action protocol and designate a "Crime and Disorder Committee", certain amendments will be required to the Council's Constitution and these are detailed below.

Overview and Scrutiny Committee (Performance and Corporate Services)

That, in accordance with Section 19 of Part 3 of the Police and Justice Act 2006, this Committee be designated as the Council's "Crime and Disorder Committee", with power to:-

- (a) *review and scrutinise decisions made or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions;*

(b) make reports or recommendations to the Council with respect to the discharge of these functions.

Overview and Scrutiny Committee (Children's Services)

Overview and Scrutiny Committee (Health and Social Care)

Overview and Scrutiny Committee (Regeneration and Environmental Services)

That, in accordance with Section 119 of the Local Government and Public Involvement in Health Act 2007, these Committees consider a Councillor Call for Action which has been referred by the Overview and Scrutiny Management Board.

RECOMMENDATIONS:

1. That the Councillor Call for Action Protocol be approved for implementation; and the terms of reference within the Council's Constitution for three of the four Overview & Scrutiny Committees be amended accordingly; and
2. That the Overview & Scrutiny Committee (Performance & Corporate Services) be designated the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act and the Crime and Disorder (Overview & Scrutiny) Regulations 2009, and its terms of reference within the Council's Constitution be amended accordingly.

Councillor Call for Action

Guidance for Councillors
APRIL 2009

Councillor Call for Action – Protocol

The Councillor Call for Action (CCfA) process provides ward members with a means of escalating matters of ward concern (any local government matter or any crime and disorder matter) to an Overview and Scrutiny Committee (OSC), for possible onwards recommendations to the Council's executive and / or other agencies. The power to refer a matter to Overview & Scrutiny is available only where the matter is of direct concern to the ward which the councillor represents. A councillor can refer a matter even if no citizen has asked him/her to consider it, and there is no requirement for councillors in multi-member wards to agree – any of them can refer a matter.

However it is very important to note that a CCfA is intended to be a measure of “last resort” and may not be used until all other avenues have been exhausted. The CCfA may not be used in relation to individual planning and licensing decisions or where other avenues of appeal exist.

A ward member requesting a call for action will be asked to demonstrate that they have sought to address the issue through all existing means and the call will not be considered unless the Overview & Scrutiny Management Board is satisfied that:

- the councillor has made all reasonable efforts to resolve the matter via dialogue with council officers and / or relevant partner agencies;
- the issue of concern is a matter in respect of which the Council has a statutory power or duty to deal with which is not precluded by legislation; and
- the issue of concern has a demonstrable impact on a part of, or the whole of, a councillor's ward.

Before a CCfA can be progressed to scrutiny, the member must provide documentation to show that they have taken the following steps:

- If a local crime and disorder matter, raise the issue through the Crime and Disorder Reduction Partnership to find a way to resolve the issue. (Crime & Disorder issues are referred to the Overview & Scrutiny Committee (Performance & Corporate Services) which acts as the Crime & Disorder Scrutiny Committee).
Made the relevant service request / members' enquiry/ letter to the relevant partner agencies and given enough time for them to resolve it.
- Ensure that all relevant internal routes have been exhausted – for example discussions with Cabinet Members, Officers, questions at committees, motions on the agenda at full Council as appropriate.
- Raised the issue of concern at area level.
- Ensure that this is not an issue that is currently being, or should be, pursued via the Council's complaints procedure.

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How to make a Councillor Call for Action Referral

As a “last resort” a ward councillor may submit a signed referral form to the Head of Overview and Scrutiny. This form is available on the Council’s website or from the Overview & Scrutiny Team. The form for a CCfA includes:

- The name of the councillor and ward they represent;
- Title of the CCfA and date of submission;
- Whether the CCfA relates to a local government matter or a crime and disorder matter;
- Background – including details of attempts to resolve matter via other means;
- Evidence in support of the CCfA;
- Desired outcomes; and
- Any deadlines associated with the CCfA of which the Overview & Scrutiny Management Board / Committees needs to be aware.

The Head of Overview & Scrutiny will receive the referral form, log it to track its progress and will submit the request to the next available Overview & Scrutiny Management Board for consideration.

The Head of Overview and Scrutiny will, within five working days of the Overview & Scrutiny Management Board notify the sponsoring councillor that the CCfA is considered, and will refer the item to the appropriate Overview & Scrutiny Committee agenda. A valid CCfA will be considered at the next available meeting, in public session unless the consideration of the issue involves the disclosure of exempt or confidential information as defined by the Access to Information Procedure Rules, of the Constitution.

Alternatively if the CCfA is rejected the Overview & Scrutiny Management Board may give advice and / or signposts on other appropriate ways forward to help resolve the issue. The lead councillors and relevant Cabinet Members will be advised accordingly.

The Overview & Scrutiny Management Board may reject any Call for Action if it entails:

- Individual complaints concerning personal grievances or commercial issues.
- Any matter relating to an individual or entity where there is already a statutory right to a review or appeal (other than the right to complain to the Local Government Ombudsman), for example:
 - Planning and licensing applications and appeals;
 - Council Tax/Housing Benefits complaints and queries; or
 - Issues currently under dispute in a court of law.
- Any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the relevant Overview and Scrutiny committee.

- Substantially the same as a Councillor Call for Action which has been put to any meeting of the Council in the past 6 months.

The ward councillor's role in the consideration of the CCfA, as with any formal council business, is subject to compliance with the Members' Code of Conduct.

Referral to the Overview & Scrutiny Committee

If the Overview & Scrutiny Management Board decides that the matter should be taken to the relevant Overview & Scrutiny Committee then the appropriate Overview & Scrutiny Officer will liaise with the Chair of the Committee to decide how the matter should be taken forward and included within the work programme. This could include:

- asking the service area (s) / partner organisation (s) to respond to the CCfA;
- setting up a working group to undertake a more in-depth review;
- asking for further evidence and / or witnesses to be brought to a future meeting then making recommendations to the Cabinet / partner organisations.

Potential Outcomes

Following referral to the Overview & Scrutiny Committee there are a number of potential outcomes:

- The Committee could determine not to make a report or recommendations with the ward councillor notified in writing;
- The Committee could determine that it is a complex issue that requires further investigation and undertake a mini-investigative review or in-depth review of the issue;
- The Committee could write a report and make recommendations on the CCfA to the Cabinet and/or relevant partners.

Once the Committee has completed its work on the CCfA referral the member who made the CCfA referral will receive a copy of the report or recommendations made. The report / recommendations will also be made available on the Council's website, unless the matter is an exempt item, in which case the report cannot be made public.

Once a CCfA has been assessed as not being a matter which is excluded from referral to Overview and Scrutiny Committee, the item will be included on the next OSC agenda. If the Committee agrees to take the matter forward, the hearing will usually be held as an item on the next available agenda. In exceptional circumstances, for example where there are unavoidable time constraints, a separate meeting may be convened.

Should a CCfA hearing result in recommendations to the Cabinet being made, the Cabinet will usually respond to the recommendations, setting out any action it intends to take, within 28 days of the date of the Cabinet agenda within which the recommendations are included.

Should a CCfA hearing result in recommendations to partner organisations, such organisations will also be requested to make a response to the recommendations.

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Although they are under no legal obligation to do so, they are obliged to “take it into consideration”.

Explanatory Notes

Definition of a local government matter and a local crime and disorder matter:

Local government matter

For the purpose of the Act a local government matter, in relation to a member of a local authority is one which:

- relates to the discharge of any function of the authority;
- affects all or part of the electoral area for which the referring member is elected or any person who lives or works in the area (ie it must be specific to a particular locality); and
- is not an excluded matter.

However, the guidance produced by the Centre for Public Scrutiny and Improvement and Development Agency advises that, to give full effect to **CCfA** the interpretation of “local government matter” needs to be broader. This includes issues relating to the Council’s partners, in line with the area focus of Comprehensive Area Assessment (CAA), and the fact that an authority’s duties increasingly impact on other organisations, and involve partners within and outside the Local Strategic Partnership (LSP).

Local crime and disorder matter

A local crime and disorder matter, in relation to a member of a local authority, has been defined to mean a matter concerning:

- (a) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment); or
- (b) the misuse of drugs, alcohol and other substances that affects the electoral area represented by the member, or the people who live or work in that area.

Definitions of “vexatious”, “persistent”, “discriminatory” and “not reasonable”

Statutory regulations deal with matters that can be excluded from **CCfA**, stating that “any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the overview and scrutiny committee is to be excluded”.

Vexatious/Persistent

Deciding whether a request is vexatious is a flexible balancing exercise, taking into account all the circumstances of the case. There is no rigid test or definition, and it will often be easy to recognise. The key question is whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause. Issues around persistency are implied by this definition. However, a persistent request may well be entirely valid – it may relate to a systematic problem that has not been effectively resolved.

CCfAs need to be looked at on their merits, rather than on the basis of who is bringing them, or whether somebody thinks there is an ulterior motive for them being

brought. Where a request for a **CCfA** is clearly vexatious, detailed reasons for coming to this decision will be given to the councillor concerned. There could, however, be instances where changes to the scope of the **CCfA**, or its focus, could make it more acceptable while still meeting the councillor's requirements.

Discriminatory

A modern interpretation of the word "discrimination" is provided at Section 45 of the Equality Act 2006, in relation to religion and belief, as follows:

A person (A) discriminates against another (B) if on the grounds of the religion or belief of B or of any other person except A, A treats B less favourably than he treats others. This definition can easily be amended to deal with other forms of discrimination, such as discrimination for reasons of sex and/or race. So a discriminatory **CCfA** might be one which implies or states that a group of people or an area receives better, or worse, services on account of that group's predominant religion, race, sex or other characteristic, as covered by discrimination legislation.

Not reasonable

It is suggested that, in the interests of transparency, authorities do not interpret "not reasonable" as being the same as the legal word "unreasonable". It is best to consider it as a qualifier to the word "vexatious", as a vexatious request is likely not to be reasonable and a request that is not reasonable is likely to be vexatious.

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Councillor Call for Action Request Form

This form should be used by any Councillor who would like the Overview and Scrutiny Committee to consider a Councillor Call for Action in their ward

Councillor:
The ward you represent:
'Is this referral related to a local government matter or crime and disorder matter?'
Title of your Councillor Call for Action:
Date of Submission:
Have you approached the Overview and Scrutiny Commission on the same issue in the past six months? If yes, please give details:
Why you think the issue should be referred to the Overview and Scrutiny Committee:
What evidence do you have in support of your CCfA (please enclose any supporting information)
How have you tried to resolve the issue:
Is the CCfA currently the subject of legal action by any party (to your knowledge) or being examined by a formal complaints process? If yes, please give details:
Are there any deadlines associated with the CCfA of which the Overview and Scrutiny Committee needs to be aware:
Would you like your response by Email or Letter:

Please complete and return the form to:
Head of Overview & Scrutiny
Sefton MBC
Town Hall
Lord Street
Southport
PR8 1DA

Or an electronically signed form to:
scrutiny@sefton.gov.uk

SEFTON M.B.C. SCRUTINY OF CRIME AND DISORDER MATTERS - PROCEDURE RULES

Introduction

These procedure rules have been produced in accordance with Part 3 of the Police and Justice Act 2006 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

The legislation requires every local authority to have a “Crime and Disorder Committee”, with the power:-

- to review or scrutinise decisions made, or action taken, in connection with the discharge by the “Responsible Authorities” of their crime and disorder functions;
- to make reports and recommendations to the Council with regard to the discharge of the Responsible Authorities’ function.

Councillor Calls for Action (CCfA) regarding crime and disorder issues and community safety issues are addressed within these rules.

A separate CCfA has been produced, outlining how CCfA’s that do not relate to crime and disorder issues will be dealt with.

Scrutiny of Crime and Disorder

The Overview and Scrutiny Committee (Performance and Corporate Services) is designated as the Council’s “Crime and Disorder Committee” (referred to as “the Committee” below).

Role of the “ Crime and Disorder Committee”

The role of the Committee should be focused on the work of the Partnership as a whole and its joint responses to issues of community safety. If issues arise which relate specifically to a particular partner organisation, it may be appropriate to refer such issues to the governing body of that organisations for action e.g. the Police Authority

Option to Co-Opt Additional Members

1. The Crime and Disorder Committee may co-opt additional members, in accordance with the Regulations, to serve on the Committee where it is considered appropriate for the exercise of its functions
2. A co-opted person’s membership may be limited in relation to the Committee’s discharge of its functions in relation to a particular matter or type of matter.
3. The Committee shall not co-opt any person to consider a matter where that person was wholly or partly responsible for a decision or action, or otherwise directly involved.

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4. A person co-opted to serve on the Committee has the same entitlement to vote as any other member.
5. The number of any additional co-opted members shall not be greater than the number of permanent Committee members (10 as at 2009/10).
6. The Committee shall not co-opt any person who is:-
 - a member of the Executive (i.e. the Cabinet);
 - not an employee or officer of the responsible authority / body
7. The Committee will consult the relevant authority / body as to the most appropriate person before co-opting an additional member.

Co-option and Police Authorities

Police Authorities have a clear statutory role to hold to account the police. The police authority should play an active part at committee when community safety issues are being discussed – particularly when the police are to be present.

The Committee should co-opt a member of the police authority onto the committee when policing matters are being considered. The police authority shall decide the most appropriate member to appoint. This can be independent or a councillor member.

Frequency of Meetings

The Committee will meet to review / scrutinise decisions / actions taken in connection with crime and disorder functions, not less than twice in a 12 month period.

Responsible Authorities

- “Responsible Authorities” are those defined in Section 5 of the Crime and Disorder Act 1998, namely:-the Council;
- the Police Force
- the Police Authority;
- the Fire and Rescue Authority; and
- the Primary Care Trust.

Co-operating Bodies

Responsible Authorities have a duty to work in co-operation with the “Co-operating Bodies” who are Probation, parish councils, NHS Trusts, NHS Foundation Trusts, proprietors of independent schools and governing bodies of an institution within the further education sector.

Request for Information

1. Where the Committee requires information in relation to the discharge of its functions, the Partnership and/or the responsible authority, or co-operating bodies must provide that information no later than the date requested or as soon as reasonably possible.

2. Information requested shall not identify an individual unless identification is deemed necessary / appropriate.
3. Information requested shall not prejudice legal proceedings or current or future operations carried out by the responsible authorities or co-operating bodies.
4. All requests for information should be notified to the Partnership Manager (Assistant Chief Executive Safer Stronger Communities) who will seek to coordinate an appropriate response by the date requested.

Attendance at Committee Meetings

1. The Committee may require attendance of a representative of the Partnership and /or a responsible authority in order to answer questions or provide information, giving reasonable notice to that representative. Notice shall be at least two weeks unless the representative agrees shorter period of notice.
2. All requests for attendance at Committee should be notified to the Partnership Manager (Assistant Chief Executive Safer Stronger Communities) who will seek to ensure appropriate attendance on the date requested.

Reports & Recommendations

1. When the Crime & Disorder Scrutiny Committee makes a report or recommendations which have an impact on community safety issues the committee will send a copy of the report and recommendations to the responsible authorities or co-operating bodies as are affected by the report or recommendations, the Partnership Manager, or as otherwise appropriate in accordance with section 19(8) of the Police and Justice Act 2006
2. the responses to such report or recommendations shall be in writing and within one month from the date of the report or recommendations, or if this is not reasonably possible, as soon as possible thereafter
3. The Crime & Disorder Committee shall review such responses and agree with the relevant partner(s) how the actions will be monitored, in accordance with its powers under section 19(1) of the 2006 Act.

Councillor Call for Action

Issues relating to Crime & Disorder shall follow the Council's process for Councillor Call for Action, with the exception that the request would be directed to the Chair of the Crime and Disorder Committee, rather than the Overview & Scrutiny Management Board, who would then make the decision about the validity of the request.

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REPORT TO: CABINET
COUNCIL

DATE: 9 JULY 2009
9 JULY 2009

SUBJECT: REGULATION OF INVESTIGATORY POWERS (RIPA)

WARDS AFFECTED: NONE DIRECTLY

REPORT OF: CAROLINE ELWOOD, LEGAL DIRECTOR

CONTACT OFFICER: DEBBIE CAMPBELL, EXTN 2254

**EXEMPT/
CONFIDENTIAL:** NO

PURPOSE/SUMMARY:

To amend the Council's Constitution to allow RIPA activities to be reported to the Overview and Scrutiny Committee (Performance and Corporate Services)

REASON WHY DECISION REQUIRED:

Article 15 of the Constitution provides that changes to the Constitution will only be approved by the full Council after consideration of the proposal and report of the Monitoring Officer.

RECOMMENDATION:

That the Constitution be amended to include the following in the Terms of Reference of the Overview and Scrutiny Committee (Performance and Corporate Services):

"18. That with reference to the management of covert activities under the Regulation of Investigatory Powers Act 2000 (RIPA):-

- (a) a report on RIPA activities be received by this Committee on an annual basis;
- (b) any applications for authorisation under RIPA be reported to this Committee within three Months;
- (c) any significant changes to the number of applications for authorisation under RIPA be reported to this Committee."

KEY DECISION: No

FORWARD PLAN: N/A

IMPLEMENTATION DATE: Following the date of the Council meeting.

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ALTERNATIVE OPTIONS:

None

IMPLICATIONS:

Budget/Policy Framework: N/A

Financial:

<u>CAPITAL EXPENDITURE</u>	2009 2010 £	2010/ 2011 £	2011 2012 £	2012 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

There are no financial implications arising as a result of this report.

Legal: Legal obligations will be fulfilled by agreeing this report.

Risk Assessment: N/A

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS

Peter Cowley, Senior Solicitor

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None.

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BACKGROUND:

At its meeting on 28 April 2009, the Overview and Scrutiny Committee (Performance and Corporate Services) considered the latest of a series of reports / presentations it had received on the Regulation of Investigatory Powers Act (RIPA) 2000.

This report concerned the Inspection Reports issued by the Office of Surveillance Commissioners, with regard to the Council's management of covert activities under RIPA.

Details of an announcement issued by the Home Secretary on 17 April 2009, for plans to prevent the use of RIPA powers for trivial purposes, were circulated for consideration by the Committee. The announcement also included a review of R.I.P.A. and would invite public consultation.

The Committee resolved:

“That

- (1) all applications for authorisation under R.I.P.A. be forwarded to the Legal Director to satisfy requirements that they are necessary and proportionate to the alleged offence, prior to being signed by an authorising officer;
- (2) the Legal Director be authorised to monitor the progress of reviews, renewals and cancellations of all authorisations under R.I.P.A.;
- (3) a report on R.I.P.A. activities be received by this Committee on an annual basis in future;
- (4) any applications for authorisation under R.I.P.A. be reported to this Committee within three months;
- (5) any significant changes to the number of applications for authorisation under R.I.P.A. be reported to this Committee;
- (6) a report be submitted to the next meeting setting out a suggested response to the announcement by the Home Secretary.”

CONCLUSION

An amendment is required to the Council's Constitution in order to reflect the above resolution in the Terms of Reference for the Overview and Scrutiny Committee (Performance and Corporate Services).

RECOMMENDATION:

That the Constitution be amended to include the following in the Terms of Reference of the Overview and Scrutiny Committee (Performance and Corporate Services):

“18. That with reference to the management of covert activities under the Regulation of Investigatory Powers Act 2000 (RIPA):-

- (a) a report on RIPA activities be received by this Committee on an annual basis;
- (b) any applications for authorisation under RIPA be reported to this Committee within three months;
- (c) any significant changes to the number of applications for authorisation under RIPA be reported to this Committee.”

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Meeting: COUNCIL

Date of Meeting: 9 July 2009

Title of Report: MEMBERSHIP OF COMMITTEES 2009/10

Report of: Mrs. C.J. Elwood
Legal Director

Contact Officer: Steve Pearce
Head of Committee
and Member Services
(Telephone No.
0151 934 2046)

This report contains	Yes	No
CONFIDENTIAL Information/		√
EXEMPT information by virtue of paragraph(s).....of Part 1 of Schedule 12A to the Local Government Act, 1972 (If information <u>is</u> marked exempt, the Public Interest Test must be applied and favour the exclusion of the information from the press and public).		√
Is the decision on this report DELEGATED?	√	

1.0 Purpose of Report

To advise the Council that Councillor Larkin has given formal notice of his membership of the Liberal Democrat Group with effect from 29 May 2009, which has changed the Political Balance on the Council and to inform the Council that the change in proportionality affects the entitlement to formal Committee Places. The Political Groups on the Council were notified of the change to their entitlement and have been asked to report orally at the meeting, the changes that they wish to make to their Committee Places.

2.0 Recommendation(s)

- (1) That the Political Groups indicated below report orally on the changes to the following Committees in order to effect the revision to the allocation of Committee Places resulting from the change in proportionality.
 - Overview and Scrutiny Committee (Children's Services) - Liberal Democrat Group to nominate one Member: Labour Group to lose one Member;
 - Overview and Scrutiny Committee (Performance and Corporate Services) - Conservative Group to nominate one Member: - Labour Group to lose one Member;
- (2) That Political Groups report orally on any other changes that they wish to make to their allocation of Committee Places and appointments on Outside Bodies; and

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- (3) That the Council endorse the changes reported orally by Political Groups on the Council in accordance with their revised allocation of Committee Places and appointments on Outside Bodies.

Corporate Objective Monitoring

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1.	Creating a Learning Community		√	
2.	Creating Safe Communities		√	
3.	Jobs and Prosperity		√	
4.	Improving Health and Well-Being		√	
5.	Environmental Sustainability		√	
6.	Creating Inclusive Communities		√	
7.	Improving the Quality of Council Services and Strengthening local Democracy		√	
8.	Children and Young People		√	

Financial Implications

	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
<u>CAPITAL EXPENDITURE</u>				
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Departments consulted in the preparation of this Report

None

List of background papers relied upon in the preparation of this Report

Calculation of Committee Places 2009/10

3.0 Background

3.1 Councillor Larkin has given notice that he no longer wishes to be a Member of the Labour Group and he formally became a Member of the Liberal Democrat Group from 29 May 2009. This has changed the balance on the Council and following a request from Councillor Robertson, Leader of the Liberal Democrat Group, a recalculation of the entitlement to formal Committee Places has been undertaken, which results in the Labour Group having to lose two Committee Places, one to the Liberal Democrat Group and one to the Conservative Group.

3.2 The change in proportionality is as follows:

POLITICAL GROUP	NUMBER OF SEATS ON COUNCIL	ENTITLEMENT TO COMMITTEE PLACES	
		FROM JULY 09	PRIOR TO JULY 09
Liberal Dem	28	34 places (33.94*) 42.42%	33 places (32.73*) 40.91%
Labour	21	25 places (25.45*) 31.82%	27 places (26.67*) 33.33%
Conservative	17	21 places (20.61*) 25.76%	20 places (20.61*) 25.76%
TOTAL	66	80	80

*rounded up or down to give actual entitlement to committee places shown.

3.3 The impact on the change in proportionality is that the Labour Group will lose two Committee places and the Liberal Democrat and Conservative Groups will each gain one Committee place.

3.4 The current allocation of seats on Committees is as follows:

COMMITTEE	POSITIONS AVAILABLE	POSITIONS ALLOCATED TO GROUPS		
		Lib Dem.	Lab.	Con.
Audit and Governance	10	5	3	2
Licensing and Regulatory	15	6	5	4
Planning	15	6	5	4
O. & S. (Children's Services)	10	4	4	2
O. & S. (Health and Social Care)	10	4	3	3
O. & S. (Performance and Corporate Services)	10	4	4	2
O. & S. (Regeneration and Environmental)	10	4	3	3
TOTAL	80	33	27	20

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3.5 The Political Groups on the Council have been advised of their revised entitlement to Committee Places and the effect is that the following changes to the Committees indicated need to be made:

- Overview and Scrutiny Committee (Children's Services)- Liberal Democrat Group to nominate one Member: Labour Group to lose one Member;
- Overview and Scrutiny Committee Performance and Corporate Services) - Conservative Group to nominate one Member: - Labour Group to lose one Member;

3.6 Political Groups have been asked to report orally on the changes that they wish to make to remain within their entitlement to Committee Places. Political Groups may also want to report orally on other changes which they wish to make within their allocations of Committee Places and appointments on Outside Bodies.

COUNCIL - 9 JULY 2009

REPORT OF THE LEADER OF THE COUNCIL - MATTERS DEALT WITH IN ACCORDANCE WITH RULE 16 OF THE ACCESS TO INFORMATION PROCEDURE RULES (SPECIAL URGENCY)

I wish to report that the Chair of the Relevant Overview and Scrutiny Committee has given his consent, under Rule 16 of the Access to Information Procedure Rules, to the following issue being dealt with, on the basis that the decisions could not be reasonably deferred.

CABINET - 11 JUNE 2009

39. LIVERPOOL CITY REGION MULTI AREA AGREEMENT

Further to Minute No. 5 of the meeting held on 14 May 2009, the Cabinet considered the report of the Planning and Economic Regeneration Director seeking approval to the development of the second phase of the Liverpool City Region Multi Area Agreement which involved the three Platform papers for Economy, Housing and Transport together with a revised background paper, the Story of Place. The papers had been submitted to the Government on 9 June 2009 for agreement subject to a decision of this Cabinet.

RESOLVED: That

- (1) the elements of the Multi Area Agreement (MAA) submitted to the Government on the 9 June 2009, namely the revised Story of Place and the Economy, Housing and Transport 'Asks' of Government be endorsed;
- (2) approval be given to the timetable and process for the submission of the MAA in June 2009 including the production of an Equality Impact Assessment for the MAA;
- (3) the progress made in implementing the Employment and Skills Platform of the MAA which was signed with the Government in January 2009 be noted;
- (4) Officers report back to the Cabinet on the outcomes for Sefton from the MAA;
- (5) collaborative arrangements be reinforced with West Lancashire District Council and Lancashire County Council;
- (6) the Government be called upon to devolve more powers and delegated finances to local authorities under the City Region process in order to fulfil the objectives and outcome of the MAA; and
- (7) it be noted that the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) had given its consent under Rule 16 of the Access to Information Procedure Rules for this key decision to be treated as urgent on the basis that the decision cannot be reasonably deferred because the MMA is being formally submitted by the Merseyside Local Authorities to the Government on 9 June 2009. This is a deadline mandated by the Government and deferring

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the MAA to a later date would prevent the submission of a jointly agreed Merseyside document.

(In accordance with Rule 18.5 of the Council and Committee Procedure Rules, the following Councillors requested that their vote against resolutions (1) to (3) above be recorded, viz:

Councillors Griffiths, Parry and Porter).

Councillor Tony Robertson
Leader of the Council

COUNCIL - 9 JULY 2009

REPORT OF THE LEGAL DIRECTOR - MATTERS DEALT WITH IN ACCORDANCE WITH RULE 17 OF THE SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY)

I wish to report that the Chair of the Relevant Overview and Scrutiny Committee has given his consent, under Rule 17 of the Scrutiny Procedure Rules, to the following issue being dealt with, on the basis that the decisions could not be reasonably deferred and therefore not subject to call-in.

CABINET - 11 JUNE 2009

46. APPOINTMENT OF CONTRACTOR FOR CONSTRUCTION OF LITHERLAND HIGH SCHOOL - ONE SCHOOL PATHFINDER PROJECT

Further to Minute No. 254 of the meeting held on 5 February 2009, the Cabinet considered the report of the Strategic Director of Children's Services which sought approval to the appointment of the contractors to undertake the design and construction and ICT provision of the Litherland High School One School Pathfinder Project and the inclusion of the project in the Council's Capital Programme.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED:

That, subject to the approval of the Final Business Case for the Project, by Partnerships for Schools and the Department of Children, Schools and Families:

- (1) Kier Education be appointed as design and build contractors for the project;
- (2) Northgate be appointed as the ICT supplier for the project;
- (3) the Alternative Accommodation contract clause option be approved, to satisfy the requirements of the Council Constitution;
- (4) the Legal Director be authorised to complete the contract formalities in respect of the design and build contract and ICT supplier contract;
- (5) the scheme be included in the Children's Services capital programme at a total cost of £26,415,624 funded from DCSF grant (£23,687,767), Sustrans grant (£42,000), School Devolved Formula Capital Grant (£300,000) and £2,385,857 from the previously agreed Council contribution of up to £5,000,000; and
- (6) it be noted that the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) had given his consent under Rule 17 of the Scrutiny Procedure Rules for call-in to be waived in respect of these decisions because completion of the contract formalities beyond the planned date of 16 June 2009

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will adversely affect commencement and thereby provision of temporary classrooms required by the start of the Autumn Term on 2 September 2009.

C. J. Elwood
Legal Director