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Sefton Council 

MEETING: CABINET
DATE: Thursday 5th October, 2017
TIME: 10.00 am
VENUE: Committee Room, Town Hall, Bootle

DECISION MAKER: **CABINET**

Councillor Maher (Chair)
Councillor Atkinson
Councillor Cummins
Councillor Fairclough
Councillor Hardy
Councillor John Joseph Kelly
Councillor Lappin
Councillor Moncur
Councillor Veidman

COMMITTEE OFFICER: Ruth Harrison
Democratic Services Manager
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The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an * on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

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A G E N D A

Items marked with an * involve key decisions

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>	
1	Apologies for Absence		
2	Declarations of Interest Members are requested to give notice of any disclosable pecuniary interest, which is not already included in their Register of Members' Interests and the nature of that interest, relating to any item on the agenda in accordance with the Members Code of Conduct, before leaving the meeting room during the discussion on that particular item.		
3	Minutes of the Previous Meeting Minutes of the meeting held on 7 September 2017		(Pages 5 - 14)
* 4	Area Committees Working Group Final Report Report of the Head of Regulation and Compliance	All Wards	(Pages 15 - 104)
* 5	Licensing/Child Sexual Exploitation Working Group Final Report Report of the Head of Regulation and Compliance	All Wards	(Pages 105 - 136)
* 6	Revenue and Capital Budget Update 2017/18 Report of the Head of Corporate Resources	All Wards	(Pages 137 - 150)
7	Revenue and Capital Budget Update - Treasury Management Out-turn 2016/17 Report of the Head of Corporate Resources	All Wards	(Pages 151 - 160)
* 8	Parking Enforcement Contract Report of the Head of Regulation and Compliance	All Wards	(Pages 161 - 166)

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|------|--|-----------|-------------------|
| * 9 | Purchasing of Fostering Placements for Children and Young People
Report of the Head Children's Social Care | All Wards | (Pages 167 - 178) |
| * 10 | Approval of Legal Documentation for Academy Conversions
Report of the Head of Schools and Families | All Wards | (Pages 179 - 186) |

11 Exclusion of Press and Public

To comply with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012, notice has been published regarding the intention to consider the following matter(s) in private for the reasons set out below.

No representations have been received on this matter and this agenda satisfies the requirements of Regulation 5(4).

The Cabinet is recommended to pass the following resolution:

That, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012, the press and public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.

- | | | | |
|------|---|-----------|-------------------|
| * 12 | Sefton Council Housing Development Company
Report of the Head of Regeneration and Housing | All Wards | (Pages 187 - 432) |
|------|---|-----------|-------------------|

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 21 SEPTEMBER, 2017.

CABINET

MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL, SOUTHPORT ON THURSDAY 7TH SEPTEMBER, 2017

PRESENT: Councillor Fairclough (in the Chair)
Councillors Atkinson, Cummins, Hardy,
John Joseph Kelly, Lappin, Moncur and Veidman

48. APOLOGIES FOR ABSENCE

An apology for absence was received from the Leader of the Council, Councillor Maher.

49. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

50. MINUTES OF PREVIOUS MEETING

Decision Made:

That the minutes of the Cabinet meeting held on 27 July 2017 be confirmed as a correct record.

51. REVENUE AND CAPITAL BUDGET UPDATE 2017/18

The Cabinet considered the report of the Head of Corporate Resources in relation to the Revenue and Capital Budget 2017/18 and more specifically informed Cabinet of; the current forecast revenue outturn position for the Council for 2017/18 as at the end of July. This forecast will be informed by the latest analysis of expenditure and income due to the Council, in addition to the progress in delivering approved savings; the current forecast on Council Tax and Business Rates collection for 2017/18; the current position of the Capital Programme and to request a section 106 scheme is added; and the fact that under the Better Care Fund planning process, the Council has the ability to invest some of the Disabled Facilities Grant funding on wider social care capital projects.

Decision Made: That the Cabinet:

- (1) note the forecast deficit outturn position of £0.686m as at the end of July 2017;
- (2) note the progress to date on the achievement of approved Public Sector Reform savings for 2017/18;

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- (3) note the forecast position on the collection of Council Tax and Business Rates for 2017/18;
- (4) note the current progress in the delivery of the 2017/18 Capital Programme;
- (5) approve the additional capital allocation, outlined in section 5.9, to the 2017/18 Capital Programme;
- (6) approve the use of up to £1.4m of the existing DFG adaptations programme for wider use within Better Care Fund plans; and
- (7) extend its appreciation to all Officers involved in delivering the Revenue and Capital Budget ensuring that saving proposals are on target and delivered.

Reasons for the Decision:

To ensure Cabinet are informed of the forecast outturn position for the 2017/18 revenue and capital budgets as at the end of July 2017 and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates. To seek approval for additional schemes financed from section 106 monies, to be included within the Capital Programme.

Alternative Options Considered and Rejected:

None.

52. TENDER FOR THE PROCUREMENT OF A SUPPORTED LIVING SERVICE FOR CLIENTS WITH LEARNING DISABILITIES AND AUTISM

The Cabinet considered the report of the Director Social Care and Health that sought approval to commence a procurement exercise for the provision of a Supported Living Care provider service.

Decision Made: That Cabinet approve the:

- (1) commencement of a procurement exercise to select a Supported Living Care provider to provide services for five adults with a learning disability; and
- (2) delegation of decisions to award a contract, following the procurement exercise, to the Director of Health & Social Care, in consultation with the Cabinet Member- Adult Social Care.

Reason for the Decision:

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A cohort of younger clients with learning disabilities and/or autism, have been assessed by Adult Social Care under the Care Act 2014, as requiring a Supported Living service.

There is currently no suitable alternative provision available for these five individuals in existing services. There is a need to achieve compatibility reflecting the age range of the young adults, and complexity of needs, and current availability does not offer this due to the difference in age ranges in provision. In addition, there is a need to ensure that the complexity of behaviours displayed by the group, are met.

Council members agreed a new model for supported living on 4th February 2016, which included exploring larger models of accommodation. This option would enable a service to be developed which meets this model of service delivery and provides the resources required in the Borough to meet ongoing needs via an established housing provider with affordable rent levels.

Alternative Options Considered and Rejected:

- Placing service users in vacancies within existing services - this has been deemed unsuitable by Adult Social care due to the age range of the five individuals and complexity of their needs.
- To maintain the current arrangements – whilst the funding responsibility transferred to Adult Social when the young person reached 18yrs old, they are currently still in Children's Services placements and could stay there until more suitable vacancies in current Adult Social Care provision becomes available. This option is not felt to be suitable by Adult Social Care as these existing services reflect outcomes for Children's provision, whereas the opportunity to establish a new provision within the model agreed for adults will provide a more sustainable outcome for the young people and offers a more cost effective option. Opportunity will be taken to utilise assistive technology and implement an outcome based approach to support which will enhance life skills and develop independence and resilience.

Adult Social Care has undertaken this analysis on both options but have rejected them as being unsuitable.

53. USE OF THE SOCIAL CARE GRANT / IMPROVED BETTER CARE FUND

The Cabinet considered the report of the Director of Social Care and Health in relation to the additional Social Care Funding /Improved Better Care Fund (iBCF) that had been made available to Sefton under the Better Care Fund programme and sought approval of the recommendations for its utilisation.

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Decision Made: That Cabinet:

- (1) note the objectives and conditions for the usage of the iBCF grant;
- (2) approve the proposals for the utilisation of the grant as set out in Paragraph 6.5 of this report;
- (3) with respect to the usage of the grant for care sector fees, approve the following:
 - a. Allocation of £2.1m from the Adult Social Care Grant to provide additional funding for fee increases.
 - b. The proposed Domiciliary Care fee for 2017/18.
 - c. Reaffirm the delegated authority to make any decisions regarding the setting of the remaining fees and of all ASC fees in future years to the Cabinet Member – Adult Social Care, in conjunction with the Head of Adult Social Care and the Head of Corporate Resources, with the proviso that such decisions are made within the resources available in the MTFP (including any additional allocation made by Cabinet as a result of this report) pending the outcome of consultation with Providers.
 - d. Authorise officers to conduct further work on potential mitigations which could reduce the overall budgetary impact of fee increases and to report back to Cabinet on any proposed changes;
- 4) note that further work will need to be done to make timely plans for when the grant ends for elements where funding requirements remain; and
- 5) authorise officers to commence a procurement exercise to seek a suitable partner to deliver the Quality Assurance Service and delegate the decision to award the contract, following the procurement exercise, to the Cabinet Member - Adult Social Care.

Reason for the Decision:

To ensure that the usage of the grant complies with the grant conditions and objectives, and to enable the Council to set fees payable for Adult Social Care services in accordance with the requirements of legislation and statutory guidance.

Alternative Options Considered and Rejected:

None

54. PROCUREMENT OF TRANSPORT TECHNICAL SUPPORT SERVICES

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The Cabinet considered the report of the Head of Locality Services Commissioned in relation to approval to invite tenders through the appropriate procurement route for the provision of transport technical support services to assist in the preparation of business cases, funding bids and the development of transport investment projects.

Decision Made:

That the Cabinet:

- (1) approves the tender process to procure the provision of transport technical support services, to be published on The Chest using an OJEU Open Tender process, as outlined in the report;
- (2) authorises the contract period of 3 years from 1st November 2017 to 31st October 2020; and
- (3) grants delegated authority to the Head of Locality Services (Commissioned) to award the Contract resulting from the procurement, subject to consultation with Cabinet Member Locality Services.

Reasons for the Decision:

The Council has an ongoing programme of strategic transport investment. Development of these proposals, including the preparation of business cases and funding bids, requires a range of technical capabilities and a requirement to respond at short notice to bidding opportunities. The Council does not have the capability or capacity to undertake all the elements of work involved in developing and delivering this programme. It is proposed to procure a contract where the specialist services the Council needs to be able to develop and deliver the programme of strategic investment can be provided at short notice.

Alternative Options Considered and Rejected:

The provision of all the specialist skills and capabilities through an in-house team would require substantial additional recruitment which is not practicable within current budget constraints and controls on recruitment.

Individual schemes could continue to be procured individually and independently through separate procurement processes. This would require officer time and resources for each procurement. In some situations, the timescales imposed for submitting proposals and funding bids mean that a stand-alone procurement process is either not feasible or would substantially detract from the time available for completing the submission. This approach would also mean that there is much less potential to develop strong working relationships with an individual service provider and for them to develop local knowledge.

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55. ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENTS

The Cabinet considered the report of the Head of Regeneration and Housing in relation to the consultation process that had taken place between March and May 2017 on a number of draft Supplementary Planning Documents (SPDs) and Information Notes.

Decision Made: That Cabinet approve the following recommendations:

- (1) that the following Supplementary Planning Documents and Information Notes be adopted by the Council:
 - (a) Land east of Maghull SPD (including the SEA Report).
 - (b) Crosby Centre SPD
 - (c) Nature Conservation SPD
 - (d) Open Space SPD
 - (e) Control of hot food takeaways and betting shops SPD
 - (f) Developer contributions towards education provision Information Note
 - (g) Mineral Safeguarding Information Note; and
2. that from the date of this decision, the two SPD and SPG that will no longer apply be revoked, due to further policy development, as detailed in paragraph 1.4 to the report.

Reason for the Decision:

It is necessary for the Council to adopt the Supplementary Planning Documents (SPDs) and Information Notes in order to provide clear and consistent guidance for developers and others about how the requirements of policies in the Sefton Local Plan will be interpreted and implemented. Similarly, as it is no longer necessary to refer to the Archaeology SPG and the Green Space, Trees and Development SPD, these need to be revoked so that people do not refer to out of date guidance.

Alternative Options Considered and Rejected:

The alternative would be not to adopt the SPDs and Information Notes. However, this is contrary to the requirements of the Sefton Local Plan, and would result in similar information being provided in relation to all relevant planning applications. In addition, if there were no adopted SPDs or Information Notes, the guidance would not be able to be given the same weight in the decision-making process as with the SPDs in place. This would also result in the inefficient use of resources.

Conversely, if the Archaeology SPG and the Green Space, Trees and Development SPD are not revoked, people will refer to out of date guidance, which could involve them and Council Officers in wasted time and expense.

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56. COMMUNITY INFRASTRUCTURE LEVY - PUBLICATION OF DRAFT CHARGING SCHEDULE

RESOLVED:

That consideration of the report in relation to the Community Infrastructure Levy – Publication of Draft Charging Schedule be deferred.

57. HOUSING SELECTIVE AND ADDITIONAL (HMO) LICENSING SCHEME PROPOSALS

The Cabinet considered the report of the Head of Regeneration and Housing in relation to the findings of the formal public consultation on the proposal to introduce selective and additional housing licensing schemes, as previously approved by Cabinet in December 2016, Minute No. 63 refers.

The report sought approval to implement both a Selective licensing scheme and two Additional HMO housing licensing schemes in designated areas of the borough, together with associated matters.

Decision Made: That the Cabinet:

- (1) approve the introduction of a selective licensing scheme in the defined area of Bootle and two additional HMO licensing schemes in the defined areas of central Southport and areas of Waterloo/Seaforth;
- (2) approve the proposed fee structure along with the recommended fee reductions and exemptions;
- (3) approve a commencement date for the schemes of 1st March 2018;
- (4) approve the proposed licence conditions, as set out in Background Papers 8 & 10;
- (5) authorise the preparation and publication of a Public Notice of designation under sections 80 and 83 of the Housing Act 2004. This Notice shall allow for the designation of the chosen areas for the introduction of a Selective Licensing and two Additional (HMO) licensing schemes; and
- (6) authorise the Head of Regeneration and Housing, in consultation with the Cabinet Member for Communities and Housing to:
 - (i) procure, in accordance with the Council's Contract Procedure Rules, an IT software package for the processing of housing licensing schemes.

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- (ii) agree any minor/technical changes to the schemes (non-fundamental changes).
- (iii) authorise the procurement of a partner agency to manage any properties where the Council successfully obtains an Interim Management Order.

Reasons for the Decision:

To improve the private rented sector and to ensure safe homes for our residents and landlords as set out in our housing strategy.

Cabinet authority is required for the introduction of a selective housing licensing scheme across the designated area, and two additional (HMO) licensing schemes within the Borough.

Alternative Options Considered and Rejected:

Alternative options were considered and rejected as detailed in Cabinet report of 1 December 2016.

58. ADOPTION OF THE SEFTON COAST PLAN

The Cabinet considered the report of the Executive Director in relation to approval to adopt the Sefton Coast Plan.

Decision Made:

That Cabinet be requested to refer and recommend that the Council adopt the Sefton Coast Plan.

Reasons for the Decision:

The development of the Sefton Coast Plan is a requirement of the Local Plan and will also make a direct contribution to the outcomes of Sefton Vision 2030.

Alternative Options Considered and Rejected:

It would be possible to proceed with some of the actions identified within the Plan, such as the Nature Conservation Strategy and Visitor Management Strategy, without adopting the plan. However this approach would significantly undermine the Partnership working required to deliver these strategies as it signals a lack of commitment from the Council.

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59. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012, the press and public be excluded from the meeting for the following items on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.

60. EXEMPT MINUTES OF PREVIOUS MEETING

Decision Made:

That the restricted minutes of the Cabinet meeting held on 27 July 2017 be confirmed as a correct record.

61. COMMERCIAL ACQUISITION

The Cabinet considered the report of the Head of Commissioning Support and Business Intelligence in relation to a Commercial Acquisition.

Decision Made:

That the Cabinet considered the report in relation to a Commercial Acquisition.

Reason for the Decision:

To determine the merits of a potential commercial acquisition within the Borough.

Alternative Options Considered and Rejected:

A detailed options appraisal was undertaken.

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Report to:	Cabinet	Date of Meeting:	5 October 2017
Subject:	Area Committees Working Group Final Report	Wards Affected:	(All Wards);
Report of:	Head of Regulation and Compliance		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No		

Purpose/Summary

To present formally the final report of the Area Committees Working Group and to consider, at the request of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services), the most appropriate course of action in respect of the submissions by Councillors Jamieson, McGuire and Thomas.

Recommendation:

That consideration be given to the submissions by Councillors Jamieson, McGuire and Thomas as detailed in paragraph 6 and Appendix 3 of the Final Report and the most appropriate course of action thereon.

Reasons for the Recommendation:

The Working Group has recommended that the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) and the Cabinet consider the submissions detailed in paragraph 6 and Appendix 3 of the Final Report and determine the most appropriate course of action thereon.

Alternative Options Considered and Rejected:

No alternative options were considered. The Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) established the Working Group to review the findings of the public consultation exercise undertaken on the role of Area Committees, and the other issues set out in the [report](#) submitted to the Cabinet on 23 June 2016 and the Working Group has performed this task.

What will it cost and how will it be financed?

(A) Revenue Costs

Budget options approved by Council on 28 February 2013 reduced the number of Area Committees from 7 to 3 and also reduced the frequency at which they met from 5/6 meetings per year to 4. Therefore the suggestion by Councillor Jamieson to revert back to the smaller more local size Area Committees particularly in areas such as Formby, Crosby etc. may have revenue implications if approved.

Furthermore, the Working Group was aware of this fact and at its meeting held on 19 April 2017 resolved:-

“(1) it be agreed that due to budgetary and staff resource constraints

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the “scaling-up” of the current Area Committee operation was not an option”

(See resolution (1) on page 18 of the Final Report)

It is recommended that if this option is approved then a further report be produced on the associated revenue costs.

(B) Capital Costs

There are no financial implications arising for the Council as a direct result of this report. The implementation of recommendations that result in efficiency savings and any necessary financial investment will be the subject of separate reports.

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Financial		
Legal		
Human Resources		
Equality		
1.	No Equality Implication	<input checked="" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

Contribution to the Council’s Core Purpose

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Three differing models have been suggested by Members of the Working Group which could have an impact on this core purpose. The proposal by Councillor Jamieson suggests reverting back to the smaller more local size Area Committees particularly in areas such as Formby, Crosby etc.; as it has been suggested that a smaller Area Committee model would allow more engagement and interaction at local level between Members and their constituents. The proposal by Councillor McGuire suggests that a ‘one size fits all solution’ would be deeply unsatisfactory; that local Area Committees should have the final say on their future; and proposed the following options be presented to Area Committees for

consideration.

Satus Quo – The Area Committee is best to be retained in its current form

Devo Min – The Area Committee should become a fully open public forum held once a quarter.

Devo Max – Area Committee to be retained in its current form with long term plans to devolve further powers to the committee starting with Street Scene.

Abolition – Abolish the Area Committee but retain the ward budget.

The opportunity to review the remit of the Area Committees was welcomed and seven items were suggested relating to their operation; together with detailed proposals for the operation of the Southport Area Committee, namely:-

1. Southport Area Committees retain its title.
2. The meetings are held in Southport Town Hall Council Chamber
3. Council Officers take minutes.
4. Officers are requested to be present by the Chair for relevant items on the agenda.
5. The Town Wide fund is replaced by a new fund made up of funds taken from wards that have more than £10K unspent by the end of the year.
6. The number of meetings should not be reduced.

The proposal by **Councillor Thomas** suggested the establishment of three Constituency Fora covering the Bootle, Sefton Central and Southport Constituencies will enable Members to:-

- A. engage with local residents, community groups, partners, businesses, private sector organisations, the voluntary, community and faith sector and Parish Councils particularly in relation to the Sefton 2030 vision for the borough; and
- B. in areas covered by Parish Councils, to work closely with such Parish Councils and the Sefton Area Partnership of Local Councils by promoting and enhancing the [Parish and Town Council Charter for Sefton](#)

This would aim to make sure what the Council and what others do are in the best interests of Sefton and its residents and has a contributing role to the 2030 vision of the borough

Full details of Members' suggestions are contained in paragraph 6 and Appendix 3 of the Final Report.

Drivers of change and reform:

The implementation of the suggestions by Members will play a key role in leading change and reform to improve outcomes for Sefton residents and continuously improve the borough through the engagement of local residents, community groups, partners, businesses, private sector organisations, the voluntary, community and faith sector and Parish Councils in relation to the Sefton 2030 vision for the borough

Facilitate sustainable economic prosperity: Not applicable

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Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

Impact of the Proposals on Service Delivery:

What consultations have taken place on the proposals and when?

The Head of Corporate Resources (FD 4769/17/17) has been involved throughout the review work.

The Head of Regulation and Compliance (LD 4053/17) has been consulted and has no comments to add to the report.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

Contact Officer: Paul Fraser

Tel: 0151 934 2068

Email: paul.fraser@sefton.gov.uk

Background Papers:

There are no background papers available for inspection

Introduction/Background

At its meeting held on 13 September 2016 the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) approved the establishment of an Area Committees Working with the following Terms of Reference and Objectives:-

Review the findings of the public consultation exercise undertaken on the role of Area Committees, and the other issues set out in the report submitted to the Cabinet on 23 June 2016

Review modern methods of engagement between councils and their councillors and councillors and their communities, including the operation of community forums by other local authorities, the use of social media and guidance on its use

To consider whether a programme of communication training for members should be developed with particular emphasis on the social media aspects of modern communication in their role as ‘Community Champions’

Review ways of communicating information about councillors’ expenditure in their wards and associated decision making processes

To consider whether a system of escalation for the public where a councillor cannot be contacted, does not respond to contact or does not make themselves available for surgeries etc. can be developed

To consider whether methods for citizens to formally engage with its Council are made as simple and effective as possible through the provisions within the Council Constitution for petitions, questions attendance at meetings etc.

To consider how section 106 and Community Infrastructure Levy funding would be spent in a revised Area Committee structure

To consider the remit of Area Committees

Accordingly, the Working Group has met on numerous occasions to undertaken such review and its Final Report is attached. At its final meeting the Working Group considered submissions from Councillors Jamieson, McGuire and Thomas and such submissions are detailed in paragraph 6 and Appendix 3 of the Final Report. The Working Group recommended that the Overview and Scrutiny Committee and the Cabinet consider the submissions detailed in paragraph 6 and determine the most appropriate course of action thereon.

Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) - 12 September 2017

The Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) considered this matter on 12 September 2017. The Committee did not make a decision on the options submitted by Councillors Jamieson, McGuire and Thomas; and resolved that Cabinet be requested to determine the most appropriate course of action in respect of the submitted options by Councillors Jamieson, McGuire and Thomas.

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**OVERVIEW AND SCRUTINY COMMITTEE
(REGULATORY, COMPLIANCE AND CORPORATE SERVICES)**



**AREA COMMITTEES WORKING GROUP
FINAL REPORT
SEPTEMBER 2017**



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LEAD MEMBER'S INTRODUCTION

I am very pleased to introduce this Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) Area Committees Working Group report;

The journey to consider the Area Committees started with a report on the purpose, remit etc. of Area Committees being considered by each individual Area Committee during December 2015/January 2016. There then followed an extensive consultation exercise with members of the public. The details of the outcome of that consultation process can be found in Appendix 1 in Paragraph 9 to this Final Report. The consultation and engagement process took place over an 8 week period from 1 February to 31 March 2016. In summary over 230 people and/or organisations involved themselves with the consultation and engagement process through the various channels. In combination, over 50% of participants wanted to retain the Area Committee forum, but not necessarily in the way that it currently operated or on the same geographical footprint. Anecdotally of those that responded, many were previously unaware of the existence of those Area Committees. The responses were recorded from the public through e-survey, community events, letters, street surveys etc. In addition parish councils, individual councillors and groups responded to the survey.

When the outcome of the consultation was reported to Cabinet in June 2016, they then determined that the matter should be further considered by Overview and Scrutiny. The main purpose of the further consideration by the Overview and Scrutiny Committee working group being established was to review the findings of the public consultation exercise undertaken on the role of Area Committees, and the other issues set out in the report submitted to the Cabinet on 23 June 2016.

The Working Group adhered to its established terms of reference and objectives (see paragraph 2 below) in interviewing witnesses and its drafting of recommendations; and by inviting expert witnesses to come to interviews at various stages of the review carried out by the Working Group - it ensured that we maintained a wide-angle lensed analysis of the views and concerns of residents. We undertook evidence-based dialogue with the community, partners and experts to better understand the needs, wishes and challenges faced across the borough. This Working Group maintained a focus of providing residents with an assurance that Sefton would continue to bring together its diverse communities and strive to make Sefton a place where people can openly engage with their local representatives by examining new options for accessible discussion forums in a modern and technologically-evolving age.

We can be proud of the Working Groups efforts to ensure that discussions were equitable, open, honest, pragmatic and conducted within a progressive framework in the interest of our residents



I wish to thank all those people who gave up their valuable time to be interviewed by the Working Group. The input and expertise of interviewees greatly helped the Working Group in the formulation of its recommendations. Finally, I am extremely grateful to my fellow cross-party Working Group Members for their commitment and their ideas and contributions.



Councillor Carla Thomas,
Lead Member, Area Committees
Working Group

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1.0 BACKGROUND

- 1.1 At its meeting held on 13 September 2016 the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) approved the establishment of a Working Group to review the findings of the [public consultation exercise](#) undertaken on the role of Area Committees, and the other issues set out in the [report](#) submitted to the Cabinet on 23 June 2016.
- 1.2 Councillors Jamieson, McGuire, Robinson and Thomas were originally appointed to serve on the Working Group. However, following Councillor Robinson's selection as Mayor of Sefton in May 2017 Councillor Byrom was appointed as Councillor Robinson's replacement on the Working Group.
- 1.3 Councillor Thomas was appointed Lead Member. Details of Working Group meetings are set out below:-

Date	Activity
21.10.16	Scoping Document approved Selection of witnesses approved
18.11.16	Interview Key Witnesses Barbara Rouse - South Sefton Area Committee Local Advisory Group Member Parish Councillor Anne Ibbs – Central Sefton Area Committee Parish Council Representative Sir Ron Watson – Southport Area Committee Local Advisory Group Member Parish Councillor Gerry Lee - Chair of the Sefton Area Partnership of Local Councils and Central Sefton Area Committee Parish Council Representative Ian Willman, Service Manager, Neighbourhoods
09.12.16	Interview Key Witnesses Parish Councillor Kevin Sharpe – Central Sefton Area Committee Parish Council Representative Sandra Cain – Southport Area Committee Local Advisory Group Member Jan McMahon, Head of Strategic Support Michael Mainwaring, Workforce Learning and Development Manager
19.04.17	Meeting to discuss and consider information requested at previous meetings
06 and 26.07.17	Meetings to consider models of community engagement suggested by Working Group Members

2.0 TERMS OF REFERENCE AND OBJECTIVES

- 2.1 The Terms of Reference and Objectives of the Working Group were approved as part of the scoping exercise at the first meeting and are set out below.
- 2.2 Terms of Reference and Objectives
- 2.2.1 Review the findings of the public consultation exercise undertaken on the role of Area Committees, and the other issues set out in the [report](#) submitted to the Cabinet on 23 June 2016



(NOTE: The Working Group at its meeting held on 21 October 2016 considered the report submitted to Cabinet. Upon consideration of this report the Working Group agreed to:-

- (1) Update the Terms of Reference of the Scoping Document to include the following:-

“To consider how section 106 and Community Infrastructure Levy funding would be spent in a revised Area Committee structure”;
and

“To consider the remit of Area Committees”; and

- (2) Seek information on the following:-

(a) how Area Committees operate in other local authorities;

(b) the views of the Local Government Association, North West Employers and Merseyside Police on the operation of Area Committees; and

(c) attendance statistics at previous meetings of Area Committees.

Regarding (1) above see Paragraphs 2.2.7 and 2.2.8 below.

Regarding (2) (a), (b) and (c) above information on these issues can be found in paragraph 5 of the Final Report).

- 2.2.2 Review modern methods of engagement between councils and their councillors and councillors and their communities, including the operation of community forums by other local authorities, the use of social media and guidance on its use

(NOTE: The Working Group fulfilled the terms of this objective by investigating how Area Committees operated in other local authorities (see Paragraph 5) and particular attention was paid to the [Bournemouth model](#). Regarding social media use this matter was raised during witness interviews (see Paragraphs 4.6, 4.10, 4.12 and 4.16). The Working Group also considered a Neighbourhood and community engagement Councillor workbook and a copy can be viewed if you [click here](#)).

- 2.2.3 To consider whether a programme of communication training for members should be developed with particular emphasis on the social media aspects of modern communication in their role as ‘Community Champions’

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(NOTE: This matter was considered during witness interviews with Jan McMahon, Head of Strategic Support and Michael Mainwaring, Workforce and Learning and Development Manager – see Paragraphs 4.10, 4.12, 4.14 and 4.16)

- 2.2.4 Review ways of communicating information about councillors' expenditure in their wards and associated decision making processes

(NOTE: Currently this is achieved by the Head of Communities submitting a Budget Monitoring report to each Area Committee detailing devolved budgets allocated by Ward Councillors. Consideration has been given to such expenditure and recommendations suggested by Councillor McGuire (Paragraph 6.2 5) and Councillor Thomas (Paragraph 6.3 (3) E) aim to retain Ward budgets but in slightly amended forms).

- 2.2.5 To consider whether a system of escalation for the public where a councillor cannot be contacted, does not respond to contact or does not make themselves available for surgeries etc. can be developed

(NOTE: Consideration has been given to this matter and Councillor Thomas has suggested a recommendation that Constituency Fora consider complaints from constituents if it can be demonstrated that none of their Ward Councillor(s) has responded at all to a request for action).

- 2.2.6 To consider whether methods for citizens to formally engage with its Council are made as simple and effective as possible through the provisions within the Council Constitution for petitions, questions attendance at meetings etc.

(NOTE: No formal review of this term of reference was undertaken. However, the submission of petitions and questions to Area Committees was considered as part of the witness interviews (Paragraphs 4.2.1, 4.3.1 and 4.5.1); and the Working Group also considered attendance statistics for all of Sefton's Area Committees, together with statistics relating to questions asked during the Public Forum, since their inception in 2001 and ending following the 2016/17 cycle (Paragraph 5 (c)).

- 2.2.7 To consider how section 106 and Community Infrastructure Levy (CIL) funding would be spent in a revised Area Committee structure

(NOTE: regarding Section 106 monies, currently the trees and greenspace element is allocated by Ward Councillors in consultation with the Head of Communities. Non trees and greenspace Section 106 contributions can only be allocated in accordance with the terms



of the Section 106 Agreement. This policy could remain in place in any new structure.

Regarding CIL this can only be spent on infrastructure projects contained in the Regulation 123 list which is determined by Cabinet. In areas covered by Town or Parish Councils, the Town or Parish Council is guaranteed a proportion of CIL to independently spend on infrastructure).

2.2.8 To consider the remit of Area Committees

(**NOTE:** consideration of the remit and operation of Area Committees was given in all aspects of the Working Group's deliberations)

3.0 METHODS OF ENQUIRY

- 3.1 Consideration of the issues raised in the [report](#) submitted to the Cabinet on 'The Future of the Area Committees' on 23 June 2016
- 3.2 Research on the 'Community Champions' role of Councillors
- 3.3 Interviews with local Advisory Group Members of Area Committees, Heads of Service and other Council Officers

4.0 KEY WITNESSES

Members of the Working Group gathered evidence when Members had the opportunity to interview key witnesses, various Officers and Partners.

The following Paragraphs provide a summary of the points raised in discussions held with key witnesses who had been invited to attend Working Group meetings. A detailed transcript of the witnesses' comments can be found as Appendix 2 in Paragraph 10 to this Final Report.

4.1 LOCAL ADVISORY GROUP MEMBERS, PARISH COUNCIL REPRESENTATIVES SERVING ON AREA COMMITTEES AND IAN WILLMAN, SERVICE MANAGER, NEIGHBOURHOODS

Members raised the following issues with Barbara Rouse - South Sefton Area Committee Local Advisory Group Member, Parish Councillor Anne Ibbs and Parish Councillor Kevin Sharpe – Central Sefton Area Committee Parish Council Representatives, Parish Councillor Gerry Lee - Chair of the Sefton Area Partnership of Local Councils and Central Sefton Area Committee Parish Council Representative, Sir Ron Watson and Sandra Cain – Southport Area Committee Local Advisory Group Members and Ian Willman, Service Manager, Neighbourhoods:-



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4.2 What do you see as the main benefits of the current system and main dis-benefits?

4.2.1 Benefits

The system allows the public to engage with Members and officers and to raise issues of concern via the Public Forum. Also, Parish Council representatives can escalate matters to Sefton Councillors.

4.2.2 Dis-benefits

The Area Committees are geographically too large which results in residents feeling disenfranchised due to long distances having to be travelled to venues; and that issues being discussed are not of relevance to the majority of attendees.

Not enough powers are delegated to the Committees and they should meet on a more frequent basis.

4.3 Do you think that the meetings are well attended by a range of members of public and was it easy for them to participate in the meeting?

4.3.1 Benefits

It was acknowledged that Southport Area Committee had a much better public attendance level than the other two Area Committees and more questions were raised during the Public Forum.

4.3.2 Dis-benefits

Since the establishment of the larger Area Committee system public attendance levels had dropped dramatically in the Central Sefton and South Sefton areas with a resultant reduction of Public Forum questions being asked in these areas.

If greater publicity was given to the Area Committee meetings then public attendance and participation may improve.

4.4 What would you change regarding the operation of Area Committees? What works well, what not so well?

4.4.1 Works well

There was a good Police/partner relationship and the Police participation at meetings worked well.

4.4.2 Works not so well

The Area Committees were too large and not enough time was available to debate issues adequately.

There was a reduction in the number of members of the public attending the Area Committees which led to poor engagement with the Council.

Area Committees met too infrequently.

There should be more delegation of powers to Area Committees.



4.5 What business do you initiate via Area Committees and do you think that this business could be discharged in another way?

- 4.5.1 More powers need to be devolved to Area Committees.
The current system is too big and impersonal – local residents need to be able to see their local Councillors making decisions affecting their localities.
Business is initiated by raising issues during the Public Forum to stimulate debate.
Items placed on agenda if a common theme is identified via contact with local residents.
Budget monitoring reports submitted to each meeting but is there really a need to do this?
Social media could be used to disseminate information more effectively.

4.6 What channels of communication do you have into the democratic process and what do you consider could be used in the absence of Area Committees?

How do you think social media could be used to provide information to local communities?

- 4.6.1 The following channels of communication were cited as ways to access the democratic process:-
- Surgeries
 - Home visits
 - Social media use such as Facebook, twitter, Streetlife, Formby bubble, “fix my street”, SIMON (Sefton Interactive Maps Online), Merseynow (Merseyside Police), virtual libraries (as used by the North Meols Library Association) and Instagram
 - Parish Council noticeboards
 - Phone calls
 - emails
- 4.6.2 It was acknowledged that social media was a good tool to provide information to residents; but that we should be wary that a one size fits all approach is not always the best option, particularly bearing in mind that not all residents are comfortable with the use of ICT. Suggestions made to improve communications included the use of local media, the creation of individual Ward Facebook accounts, the webcasting of meetings, improvements to the Council’s website and the introduction of a case management system for Members.

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4.7 **Apart from Area Committees what other methods do you use to conduct your Ward work and obtain the views of your constituents? (NOTE: this question was only asked to Parish Council Representatives)**

- 4.7.1
- Parish Council meetings open to the public and the use of Public Fora at the meetings
 - Parish Council notice boards
 - Canvassing
 - Formby Hub
 - Neighbourhood Plans
 - Letters/flyers
 - Face to face meetings

4.8 **Do you think the Operational Group could fulfil some of the roles of Area Committees? Have you any examples? (Note: this question was only asked to Ian Willman)**

- 4.8.1
- Not all areas currently used Operational Groups and the appetite of Members in particular areas clearly differed on the use of such Groups. However, Operational Groups had potential but there would need to be a real drive of participants if they were to replace Area Committees.

4.9 **JAN MCMAHON, HEAD OF STRATEGIC SUPPORT**

Members raised the following issues with Jan McMahon, Head of Strategic Support:-

4.10 **How could modern Councillors operate by the use of enhanced or improved surgeries, events or public meetings?**

- Use of the Communications team to help elected Members promote Council work that they have been involved with. If a Councillor has a newsworthy item the Team can advise on how best to promote it
- Social media was now growing in popularity and could be more actively used by Members and tips were provided regarding such use
- The Council's website is a great way to for Councillors to promote their activities
- E-mails could be used and an e-newsletter or blog could be created by Councillors
- Use of the recently approved dedicated news website and the printed newsletter that would be published twice a year
- Use of the Accessible Communications policy



4.11 **How do you think Councillors could improve their partnership working arrangements?**

- By getting involved in local fora e.g. Dementia forum
- Use of established Operational Groups that were attended by many partners

4.12 **At the last meeting of the Working Group witnesses made various comments about social media and website issues. How could the Council's website or social media use be enhanced to improve the public's interaction with the Council and its elected Members?**

- Lots of detail to this question had been provided previously and described in 4.10
- The Council's website was a continual work in progress and improvements would always be sought including the updating of Ward Profiles
- Webcasts — some local authorities use webcasts but analysis of figures show that the uptake of usage by the public is low and therefore would not be recommended as a way to improve public engagement.

4.13 **Could a "report it once" system be introduced?**

Sefton currently applies the "tell it once initiative". Customer interface issues would have to be looked at regarding "report it once" but some systems are very expensive. All things could be possible but account must be taken of cost issues particularly bearing in mind the financial situation of the Council.

4.14 **From your experience of the Public Engagement and Consultation Panel what do you consider could be done to improve Members' engagement with their constituents?**

- Lots of detail to this question had been provided previously and described in 4.10
- By the use of social media, partnership work and becoming involved in "Friends of" groups
- By building and maintaining a positive relationship with reporters Members can establish themselves as a valuable and credible contact for news and comment
- Surgeries are a good facility to have face to face contact with constituents

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4.15 What methods of engagement do you consider that the public prefer?

- Difficult to answer as the situation is different for different people but often busy lives need the immediacy and quick response of social media
- Surgeries offer that real chance for a one to one and for people feel listened to
- Attendance at partnership and community events can help to engage with the public
- we must acknowledge that one size does not fit all

4.16 MICHAEL MAINWARING, WORKFORCE LEARNING AND DEVELOPMENT MANAGER

Members raised the following issue with Michael Mainwaring, Workforce Learning and Development Manager:-

What training could be offered to Members to support and implement any proposals suggested by Jan McMahon?

- More information is required before training is developed, i.e. is it to improve face to face communication, e-learning or workshops. Once this has been established then evaluation exercises can be undertaken to ensure we have met our outcomes
- Regarding social media training, the best way to deal with this is to use experimental training i.e. use social media in a live environment
- E-learning packages
- Political party group champions could assist those group members not so familiar with ICT issues

5. MEETING TO DISCUSS AND CONSIDER INFORMATION REQUESTED AT PREVIOUS MEETINGS

In accordance with a previous decision of the Working Group information was sought on the following:-

- (a) how Area Committees operated in Merseyside, Greater Manchester and West Yorkshire. The following local authorities had responded to the request for information:-

- [Bolton](#)
- [Bradford](#)
- [Bury](#)
- [Kirklees](#)
- [Leeds](#)



- [Liverpool City Council](#)
- [Manchester City Council](#)
- [Oldham](#)
- [Trafford](#)
- [Wigan](#)

To gauge the operation of Area Committees outside of the north of England a small number of London boroughs identified below were also contacted:-

- [Barnet](#)
- [Brent](#)
- [Harrow](#)
- [Royal Borough of Windsor and Maidenhead](#)

- (b) the views of the Local Government Association and Merseyside Police on the operation of Area Committees.

The Local Government Association

The Local Government Association responded to the request for its views by indicating that Sefton should appreciate that when it comes to decisions relating to the appropriateness of different governance structure models, the LGA does not have a view as this is an issue for local determination and very much informed by local and political factors. However, the LGA did offer help by signposting the Council to a number of different examples from other local authorities who have recently considered area committees.

The LGA indicated that within the North West region, Pendle Borough Council undertook a review of its neighbourhood working arrangements quite recently; and although a small district, there may be useful learning in this.

Wirral also had a review which considered whether to initiate an Area Committee governance structure a few years ago though this finally concluded that a large scale change would not be appropriate.

Slightly further afield, the LGA was also aware that Durham County Council has a number of long-standing Area Action Partnerships which have been reviewed in recent years.

Contact was been made with the three Councils referred to above and the information set out below details findings.

Pendle Borough Council

Contact has been made with Pendle Borough Council and the

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Council is considering proposals to review its whole Committee (not just Area Committee) functions; but it is not anticipated that this review will take place for some time. For information, the following link provides details of the most recent meeting of one of Pendle's five Area Committees. It appears that Pendle's Area Committees have more functions delegated to them than Sefton's which include power to determine planning and licensing functions.

http://www.pendle.gov.uk/meetings/meeting/2261/nelson_committee

Wirral MBC

Contact has been made with Wirral Council. In April 2013 Wirral replaced their 11 Area Committees with four Constituency Committees co-terminus with constituency boundaries. The Constituency Committees are statutory area committees, which are committees established to discharge functions in respect of part of the local authority area and whose members are elected for divisions or wards falling wholly or part within that part. They are each be supported by a Strategic Director assisted by dedicated officers.

A copy of Wirral Council's terms of reference for Constituency Committees can be obtained [here](#)

Durham County Council

Perusal of the Council's website shows that Durham County Council has 14 Area Action Partnerships (AAP) that cover all areas of the county with the aim of helping deliver high quality services and give local people and organisations a say on how the Council's services are provided.

Each of the 14 AAPs is made up of an area forum and an area board to identify and tackle issues in local communities.

- An area forum: for all-comers to meet twice a year to consider issues such as agreeing priorities for the area and reviewing progress of the partnership board.
- An area board: 21 elected members who will meet at least six times a year to discuss how the AAP is progressing against its action plan, manage spending and work with local partners around service issues. Each board is made up of elected members from organisations such as the county council, town and parish councils, and health, police and fire brigade, community and voluntary groups, and the public.

Each AAP puts plans and actions in place to deliver services where



they are needed most and has a budget of £120,000 for local projects and investments, as well as an administration budget for staffing. This is in addition to a neighbourhood budget which each county Councillor has to use for local initiatives, informed by the AAPs.

The County Council's webpage providing more information on AAPs can be accessed using the following link

<http://www.durham.gov.uk/article/1960/About-AAPs>

The LGA concluded that although not specially relating to the operation of Area Committees, guidance was referred to that the LGA and Centre for Public Scrutiny produced in 2014 on practical steps for councils when considering changes to their governance arrangements. A copy of this guidance can be viewed [here](#)

Merseyside Police

Contact had been made with Merseyside Police seeking their views on the operation of Sefton's Area Committees and the views of the three Neighbourhood Inspectors Phil Hatton, Ian Jones and Graham Fisher are set out below.

Neighbourhood Inspectors had a good relationship with Councillors and Police attendance at Area Committees could be deemed unnecessary as elected Members were well aware how to raise directly any issues that they had with Neighbourhood Inspectors and their colleagues without having to wait for a quarterly meeting of the Area Committee. Furthermore, it was commented on that there was a very low public attendance at Area Committee meetings; that it was very time consuming for the staff to produce written reports detailing crime patterns/figures; and that the Police were the only emergency service required to attend Area Committee meetings.

- (c) attendance statistics at previous meetings of Area Committees. Attendance statistics for all of Sefton's Area Committees, together with statistics relating to questions asked during the Public Forum, since their inception in 2001 and ending following the 2016/17 cycle of meetings can be obtained by accessing the links below.

A snapshot of the statistics shows that since the inception of Area Committees in 2001 and ending following the 2016/17 cycle of meetings:-

- 770 Area Committee meetings have been held
- The total public attendance at the meetings was 12,981 with an average attendance of 17 members of the public per



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meeting

- 4643 questions had been raised during the Public Forum with an average of 6 questions per meeting being asked
- All Area Committees were better attended by the public and more Public Forum questions were asked when Area Committees were smaller, i.e. before the establishment of South Sefton and Central Sefton Area Committees in 2013 and Southport Area Committee in 2004
- Southport was the best attended Area Committee in the current system with an average of 26 attendees per meeting
- Southport North was the best attended Area Committee in the former system with an average of 27 attendees per meeting
- Southport generated the most Public Forum questions in the current system with an average of 10 questions per meeting
- Litherland and Ford generated the most Public Forum questions in the former system with an average of 8 questions per meeting

- [Central Sefton](#)
- [Crosby](#)
- [Formby](#)
- [Linacre and Derby](#)
- [Litherland and Ford](#)
- [Sefton East Parishes](#)
- [South Sefton](#)
- [Southport](#)
- [Southport East](#)
- [Southport North](#)
- [Southport South](#)
- [St. Oswald and Netherton and Orrell](#)
- [Combined Area Committee Statistics](#)

(d) During the course of the Working Group's deliberations various pieces of correspondence had been received or referred to and which Members have considered. This information is detailed below:-

- Letter from Mr. Bernard Powell regarding the future of Southport Area Committee - [click here](#)
- Email from Ian Cowell, Clerk of Ince Blundell Parish Council making suggestions regarding operation of the three Area Committees - [click here](#)
- Neighbourhood and community engagement Councillor



workbook. This Local Government Association workbook has been designed as a learning aid for elected members with the aim of serving as a useful reminder of some of the key skills, approaches and tactics involved in neighbourhood and community engagement - [click here](#)

Following consideration of the above documentation Members made the following observations:-

- The “soapbox slot” adopted by Brent was a good idea
- It must be acknowledged that this review was not aimed at cost cutting but to ensure an improvement in accessibility of Councillors and communities and wider engagement
- A general consensus was that the Central Sefton and South Sefton Area Committees did not operate well; with one reason cited as the three distinct communities of Maghull, Formby and Crosby having no geographic/community link. It was also mentioned, as an example, that it was unfair for example, Maghull Councillors to vote on issues affecting Crosby or Formby and vice-versa. Different models could be adopted for different areas
- Police involvement in Area Committees was reducing; although police consultation with Members and their communities was improving via neighbourhood meetings. However, public attendance at Police “have your say” meetings was not very good. A good practice example was cited whereby Police Officers and/or PCSO’s attend Members’ surgeries and that this provided good information exchange between Members, Police and local residents
- A question was asked whether Operational Groups covered all areas of the borough. Jill Coule indicated that the Southport and Litherland and Ford areas had taken the opportunity to establish Operational Groups. A Member indicated that the Southport Operational Group worked well but that the remit of the Group and the times at which its meetings are held needed to be reviewed
- That the effectiveness and frequency of meetings for Area Partnerships was variable
- The main issue is to improve public engagement to enable residents to contact and interact with their elected Members; and the [Bournemouth model](#) of Area Fora was mentioned as a good example of a way to do this
- A question was asked about how the formal business of Area Committees, for example traffic regulation orders, would be conducted if Area Committees were to cease. Jill Coule indicated that her consultation report to Area Committees in December 2015/January 2016 set out possible new places for Area Committee responsibilities to be carried out. The report suggested that traffic regulation orders could be dealt with by the Licensing and Regulatory Committee

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- Concern was expressed about the current review of the venues used for meetings of the Planning Committee. Jill Coule indicated that she understood that the principle of alternating the venues of meetings between Southport and Bootle would be maintained

The Working Group resolved that:-

- (1) it be agreed that due to budgetary and staff resource constraints the “scaling-up” of the current Area Committee operation was not an option;
- (2) decisions must be taken locally and tailored and flexible approaches must be adopted for any new models of community engagement to suit different areas of the borough; and
- (3) Members be requested to submit their suggested models of community engagement and that such models be considered at the next meeting of the Working Group.

6. MEETING TO DISCUSS MEMBERS' PROPOSALS

The Working Group considered proposals submitted from Members as summarised below. The full detail of the proposals is set out in Appendix 3 in Paragraph 11 to this Final Report.

6.1 Councillor Simon Jamieson

The Area Committees should revert to their smaller more local size particularly in areas such as Formby, Crosby etc. The smaller Area Committee model would allow more engagement and interaction at local level between Members and their constituents.

6.2 Councillor Sue McGuire

The Liberal Democrat group believes that local areas understand best the issues that concern them and that localism is an important aspect of our democratic traditions.

As such the Liberal Democrat group propose to give local area committees the final say on their future.

In all cases increased use of online and social media is to be welcomed as an extra method of communication with the public. The Liberal Democrats additionally support plans for an escalation project available to residents when councillors fail to respond to communication.

It is anticipated that different area will opt for different governance structures going forward and this is to be celebrated.

The Liberal Democrats welcome the opportunity to review the remit of the



Area Committee and believe that the following should be considered:

Review current funding of Area Committees with the possibility that costs associated with the meetings are met from ward budgets

The inclusion of a “soap box” platform to provide residents with the opportunity to share their views and raise concerns outside the current constraints of the area committee remit.

To engage with other partner organisations in a constructive manner both statutory bodies i.e. Council, Police, NHS but also voluntary groups within the community.

Submission of questions as part of The Public Forum should be reviewed to allow questions from the floor and questions to other partner organisations Area Committees should be included as a platform for residents to engage with the Council consultation process.

1. TRO's and other petitions raised by residents remain within the remit of the Area Committees
2. Further powers should be delegated to Area Committee to devolve decision making to the local communities.

Proposals specifically for Southport Area Committee

1. Southport Area Committees retain its title.
2. The meetings are held in Southport Town Hall Council Chamber
3. Council Officers take minutes.
4. Officers are requested to be present by the Chair for relevant items on the agenda.
5. The Town Wide fund is replaced by a new fund made up of funds taken from wards that have more than £10K unspent by the end of the year.
6. The number of meetings should not be reduced.

6.3 Councillor Carla Thomas

Many witnesses indicated a wish for a return to the former Area Committee structure of seven smaller, more localised Area Committees meeting on a more frequent basis. However, the Working Group, at its meeting held on 19 April 2017 agreed that due to budgetary and staff resource constraints the “scaling-up” of the current Area Committee operation was not a viable and sustainable option. Bearing in mind the generally negative comments of witnesses to the current structure, together with the poor community engagement and attendance at meetings, a new model of Member engagement with their constituents, community groups, partners, businesses, private sector organisations, the voluntary, community and faith sector and Parish Councils agencies is required. Accordingly, it is recommended that:-

- (1) The current Area Committee system in Sefton cease;



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- (2) The current responsibilities of Area Committees be transferred to the Committees as detailed in [Appendix 1](#) attached to the report of the Head of Regulation and Compliance considered by the three Area Committees during the December 2015/January 2016 cycle;
- (3) Three Constituency Fora be established covering the Bootle, Sefton Central and Southport Constituencies with the following terms of reference:
 - A. To engage with local residents, community groups, partners, businesses, private sector organisations, the voluntary, community and faith sector and Parish Councils particularly in relation to the Sefton 2030 vision for the borough;
 - B. In areas covered by Parish Councils, to work closely with such Parish Councils and the Sefton Area Partnership of Local Councils by promoting and enhancing the [Parish and Town Council Charter for Sefton](#)
 - C. To consider complaints from constituents if it can be demonstrated that none of their Ward Councillor(s) has responded at all to a request for action;
 - D. To meet a minimum of twice per year ; and
 - E. To determine, with the consent of the three Ward Councillors, the devolved allocation of Ward funds on local priorities that would not otherwise be funded by Council budgets; that this funding continue to be administered by the Head of Communities; and any Ward budget over £10,000 not allocated at the end of the Municipal Year be transferred to the Cabinet Member – Communities and Housing for inclusion in the Community Transition Fund;
- (4) The Head of Communities to support the operation of the Constituency Fora;
- (5) The Head of Strategic Support to provide support on public engagement and consultation issues to the Constituency Fora;
- (6) Subject to operational requirements the use of Council buildings be allowed to host the Constituency Fora; and
- (7) To assist the role of Constituency Fora Operational Groups be established if deemed necessary by local Ward Members (in those areas where currently none exist) to work with partner agencies in their localities.

These proposals represent the majority view of the public in that it offers a meeting forum for their locality/community but would remove/significantly reduces the formality.

7. RECOMMENDATIONS

That the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) consider such submissions detailed in paragraph 6 above and determine the most appropriate course of action thereon.



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8. ACKNOWLEDGEMENTS AND THANKS

In producing this report on the review the findings of the public consultation exercise undertaken on the role of Area Committees, acknowledgements and thanks are attributed to the following individuals for their time and input:-

- Barbara Rouse - South Sefton Area Committee Local Advisory Group Member, Parish Councillor Anne Ibbs and Parish Councillor Kevin Sharpe – Central Sefton Area Committee Parish Council Representatives, Parish Councillor Gerry Lee - Chair of the Sefton Area Partnership of Local Councils and Central Sefton Area Committee Parish Council Representative and Sir Ron Watson and Sandra Cain – Southport Area Committee Local Advisory Group Members
- Ian Willman, Service Manager, Neighbourhoods
- Jan McMahan, Head of Strategic Support
- Michael Mainwaring, Workforce Learning and Development Manager



Thanks must also go to the Members of the Working Group who have worked hard and dedicated a great deal of time to this review, namely:-



Councillor Carla Thomas, Lead Member,
Area Committees Working Group



Councillor Simon Jamieson



Councillor Sue McGuire



Councillor Dave Robinson



Councillor Les Byrom

9. APPENDIX 1 – CONSULTATION REPORT – THE FUTURE OF AREA COMMITTEES IN SEFTON

Sefton Council 



Consultation Report:

The future of Area Committees in Sefton



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Summary

This report provides a summary of the findings from the consultation and engagement process undertaken to consider whether Area Committees are the most effective way of engaging members of the public in Council business. The consultation dialogue commenced with a report to each of the three Area Committees in December 2015 and January 2016.

Feedback from the Area Committees

A report on the consultation process for the future of Area Committees in Sefton was prepared by the Head of Regulation and Compliance and submitted to the Area Committees for consideration in December 2015 and January 2016. The following comments were made and recorded in the minutes of the meetings:-

Southport Area Committee – 2nd December 2015

Members of the Committee, the Local Advisory Group Member and members of the public raised the following points and asked that they be submitted as part of the consultation process:-

- Where had the report come from? Was it officer or Cabinet Member led? Jill Coule, Head of Regulation and Compliance, indicated that it was a combination of both; that upon inheriting the Democratic Services Team following the Senior Management Review, she was looking at all aspects of her service area including the most effective way of engaging members of the public in Council business; and that the Cabinet Member - Regulatory, Compliance and Corporate Services also wanted a review of the matter
- The report is the death knell for Area Committees
- The Area Committee, via the Police Issues item and as acknowledged by the Southport Police Inspectors, was a very effective and active way for the public to engage with the Police
- Meetings of the Cabinet are over very quickly. Could Cabinet meetings be held in the evening at Southport to enable members of the public to attend and ask questions if Area Committees are wound up
- Cabinet decisions are decided before the meeting and no debate takes place; and yet Cabinet meetings have to be attended by a host of senior officers that was a great expense to the Council. However, at Southport Area Committee,

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issues of local concern are frequently debated and Southport residents are in attendance to hear such debates

- Paragraph 1.1 of the report was incorrect because initially 9 Area Committees were established with three in Southport. The establishment of the current Southport Area Committee was the result of a referendum held in 2004 and this was not referred to in the report
- Southport Area Committee serves a “real” community as opposed to Central Sefton Area Committee which is large and unwieldy comprising of three separate and unconnected communities
- The loss of Southport Area Committee would lead to a centralisation of power at the expense of Southport’s local communities
- The proposals would be another nail in the coffin for Southport
- This is a devolution issue. Southport is being drawn south towards Liverpool resulting in a loss of local accountability for local residents
- Southport Area Committee was well attended by local residents in comparison to the other two Area Committees
- The proposal to cease Southport Area Committee should be resisted as it is an excellent Area Committee
- The reality was that the political decision had already been taken elsewhere
- The cessation of Southport Area Committee would lead to marginal savings that would have a disproportionate negative effect on the public
- There was a case for devolution in Sefton with more delegation of powers to a local level rather than less
- Area Committees may not work well in other areas of Sefton but they had alternative democratic structures in place such as Town/Parish Councils



- If Southport Area Committee was lost so too would be the ability for local people to inform local decisions and spend local money

South Sefton Area Committee – 18th January 2016

Members of the Committee and Local Advisory Group Member raised the following points:-

- Public attendance at South Sefton Area Committee had declined;
- There were a number of methods of communicating with the public such as internet and twitter which were not so well developed when the Area Committees were established;
- Having a larger South Sefton Committee compared to Area Committees covering just two wards did not encourage attendance as the meetings were not as easy to access and covered wider areas of interest;
- Many Members of the Public seemed to be unaware of the meetings;
- The reports in section C of the Agenda may not be of interest to many of the public who might attend;
- Members indicated that the proposed review of Area Committees was timely, and there was a need for consultation with a view to providing a communication and engagement process with the public which reflected current needs and demands.



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Central Sefton Area Committee – 7th January 2016

Members of the Committee and Parish Councillors raised the following points:-

There were more efficient ways for residents and the community to engage with the Council than the Area Committee;

The merger of Formby, Crosby and Sefton East Parishes Area Committees into Central Sefton Area Committee (CSAC) created a Committee that was too large and cumbersome and did not serve the community well;

The public attendance at the Area Committee meetings had steadily fallen;

Councillors holding public meetings or engaging with residents through their surgery would be more effective and efficient than CSAC;

Residents could arrange to meet with officers direct – which should be communicated to the public;

The Public Engagement and Consultation Panel was currently underused;

The social networking site streetlife.com was an effective method of public engagement, but should not be used for political views;

The size of Central Sefton Area Committee has led to a lack of engagement;

Queries were raised about the functions of CSAC and if they were assimilated into other Council Committees, how would residents raise questions and queries – i.e. would they have to raise a petition for every query they had;

The majority of discussions held this evening were really Ward or surgery issues and this was typical;

The cessation of Area Committees was the removal of public contact and engagement;

Area Committees were still a useful way of engaging with the public;

Any re-structure of Area Committees would necessarily have to be at a more local level;

The previous Area Committee structure was more effective and based at a local level;

Area Committees had somewhat lost their way, they were created as a tool to counter-balance the Cabinet's power, however, with so few decisions being "called in" they were struggling to find a role to fulfil;



Individual Wards could call meetings at Ward/Town level;

There was currently a gap between CSAC's aspirations and abilities;

Few questions were asked in the Public Forum which suggested that residents were not aware of the Committee's existence;

Any future structure would necessarily have to be a diminution of the existing structure into manageable groups of people;

The Police attendance at CSAC and their reports and presentations were beneficial, but this could be achieved through alternative means/structures; and

There were large issues surrounding Sefton's public engagement. A sophisticated strategy should be developed.

The Consultation & Engagement Plan

A consultation and engagement plan was considered by the Public Engagement and Consultation Panel in January 2016, with the aim to consider whether Area Committees are the most effective way of engaging with members of the public for Council business.

The consultation considered:-

- What is the current awareness of Area Committees
- Functions of the Area Committees
- How people currently engage with the Council and Councillors
- How people can engage with the Council and Councillors in the future (if Area Committees no longer exist)
- What are the barriers that people experience in engaging with the Council
- Any suggestions for improvement

The consultation and engagement process took place over an eight week period from 1st February to 31st March and included a wide range of methods including an on-line survey, community events and street surveys. In total, in excess of 230 people engaged with the process. There were some common themes that repeatedly emerged during the pre-consultation dialogue and the consultation and engagement process:

- Southport Area Committee is well attended by local residents and local people raise issues
- South Sefton and Central Area Committees' public attendance has declined following the merger of Area Committees; creating committees that are too large



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- Having devolved structures was important, including ward based structures
- The police attendance at meetings and their reports are beneficial but some thought that they could be achieved through alternative means and structures
- Generally, members of the public are not aware of Area Committee meetings and the Ward Councillors and their surgeries. Dates of meetings and surgeries should be widely advertised
- Whilst respondents are generally not aware of Area Committees, an expressed interest to retain them was given as a way of members of the public being able to raise issues and to engage with the council and councillors
- The highest response to keep the Area Committees came from respondents in the Southport area and the highest response to not keep them was from the South Sefton area.
- If the Area Committees didn't exist, the preferred methods respondents indicated that they would use to contact the Council would be direct contact with their ward councillor or MP, telephone, email or a visit to the One Stop Shop. The methods differed according to age group
- Some common barriers to raising issues and talking to the Council and Councillors include not getting a response and responses taking a long time and information on the website not being up to date.



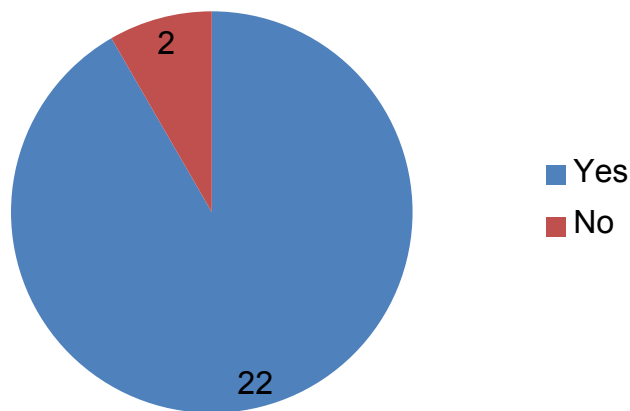
Key findings from the on-line survey

The survey on e-consult was completed by 24 people. The survey included 7 questions:-

1. Are you aware of Area Committees?

22 (92%) of those who completed the survey were aware of Area Committees whilst 2 (8%) were not

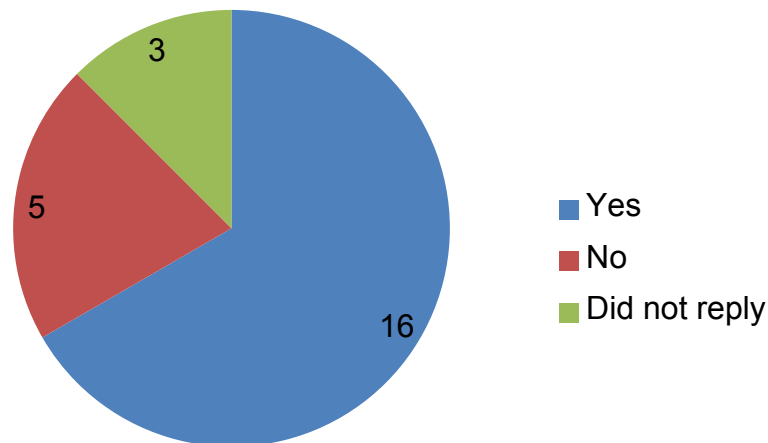
Are you aware of Area Committees?



2. Have you ever attended one or raised an issue at one?

16 people (67%) had attended an Area Committee or raised an issue, 5 people hadn't and 3 people didn't post a reply to this question.

Have you ever attended one or raised an issue at one?

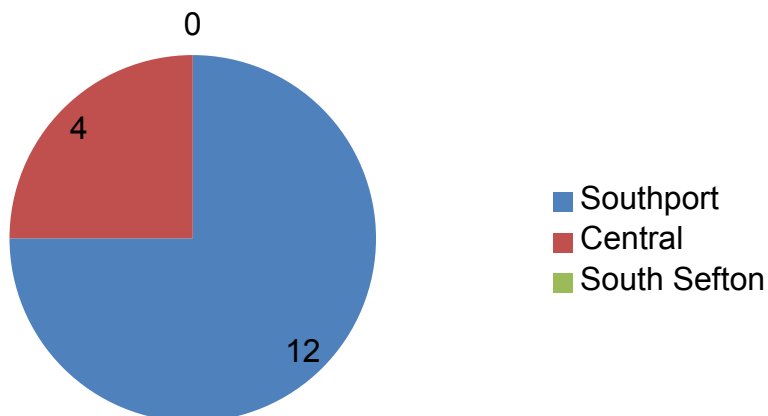


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3. Which Area Committee have you attended? (consultees could tick more than one answer if they had attended more than one Area Committee)

12 people indicated that they had attended **Southport Area Committee**, 4 said they had been to **Central Sefton Area Committee** and nobody indicated that they had attended the **South Sefton Area Committee**.

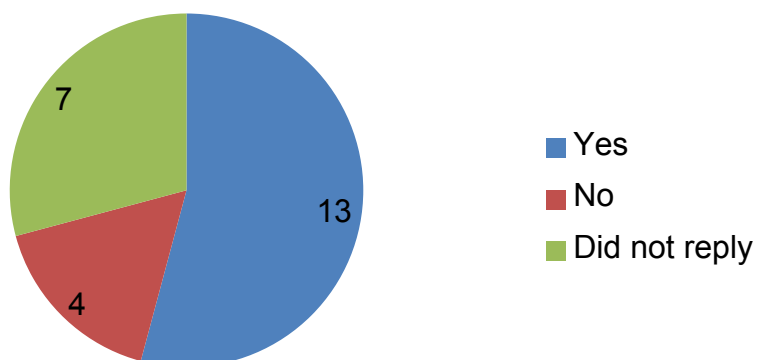
Which Area Committee have you attended?



4. Should the Council keep Area Committees as a way for members of the public to raise issues with and talk to the Council and Councillors?

13 people (54%) said that yes the Council should keep Area Committees, 4 (17%) said no that they shouldn't be kept and 7 (29%) people did not answer the question

Should the Council keep Area Committees as a way for members of the public to raise issues with and talk to the Council and Councillors?



5. What would be your preferred way of raising issues with and talking to the Council and Councillors if Area Committees did not exist?

Respondents were given the opportunity to enter free text in response to this question. These are their comments:-

- At the moment the area committees are too big, the issues in say Formby are totally different from Crosby as are Aintree and Maghull, so having the committee widespread is a waste of time as the elected members can wrongly influence decisions that are not in their remitted area. The area committee in the present format is a waste of time, as the elected members do not take the public opinions seriously and make decisions under the whip usually with the Labour controlled Council influence; hence the reason the Sefton area is slowly but surely creeping into the abyss.
- By telephoning/emailing/or writing to the Chief Executive of Sefton as none of the councillors take any notice or reply very often passing them onto an officer of the Council to reply.
- Email to local councillor
- It would depend on the issue but this could range from simple email to public protest at Council Or Cabinet meetings
- As I had not known about this sort of Committee I would not have attended and did not know I had a way of putting my views across. I have my local Councillors phone number and make contact if I come across a problem but I would prefer to know what goes on rather than read about it too late in the press.
- Another venue to be found and councillors leading on this.
- A group of Councillors who are members of the Cabinet regularly holding Question Time style meetings for the public to raise issues at regular, well-advertised Southport Town Hall sessions. As the Cabinet takes the final decisions they should hold some of their meetings in Southport at which local residents could hear the discussion and how the Cabinet reaches its decisions.
- Writing or e mail
- I want the area committees to continue.
- The Council already has appropriate committees and Council, to which members of the public are entitled to attend. Public question time could



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and can feature more prominently in existing meetings with no need for added localised meetings.

- Telephone, e-mail, direct approach with Cllrs (if they are ever available)
- Direct contact (letter or e-mail) with a Ward Councillor or Council Department.
- Talking directly to our councillors, however it's a waste of time as Southport councillors are always outvoted
- Email consultation group to consider issues and give opinions. Maybe have AGM?

6. **What do you see as the key barriers to raising issues and talking to the Council and Councillors?**

These are the comments received from respondents:-

- The main barrier to change is that even if your elected member raises an issue on your behalf it can easily be overruled by the Labour controlled Council, Overview & Scrutiny has no teeth and a waste of time again, as decisions are also made under the whip.
- Queries from residents on the work of the Council are not appreciated and answers are glib and do not answer the concerns raised.
- None.
- Remoteness of Southport from the seat of power plus disinterest by Sefton Councillors to hear the alternative voice of the people of Southport and a political unwillingness to listen to Southport Councillors who strive to represent the people of Southport.
- Not knowing when and where they meet and what local issues are being discussed and how they will affect me or my area.
- None.
- Time and expense involved in travelling from Southport to Bootle where nearly all key council offices are located. No substitute for residents being able to sometimes talk to council officers face to face, particularly planning issues.
- Some people don't have access to computers or do not know how to use them, people do not want to visit other venues, like myself I like to speak



directly to a councillor or meeting at my local location, we have already lost enough of our valuable local control.

- A barrier would be if the area committee did not exist.
- Continuing government cuts mean public expectations can't be met.
- Lack of action taken and lack of accountability by members of the council. No one seems to be able to make a decision. Lack of transparency of obtained information on issues. Incoherent information being given.
- A reluctance of Sefton Officers and Cllrs to make themselves available via Q2 above.
- Some Councillors do not respond to e-mail contacts. Council Departments can take exceptionally long periods to respond and then may not deal with the issue raised.
- As previously stated why should councillors from other areas vote down what we want for our area.
- Time and effort to get to the Committee meetings.

7. Do you have any other views or comments?

Respondents were given the opportunity to make any additional comments about Area Committees or engaging with the Council and Councillors. These are their comments:

- The state of Crosby Village is atrocious, there is little to no investment going to Crosby and Formby, even Maghull and Aintree for that matter, it is all centred in Bootle and Southport Why not get rid of the Area committees, and 50% of Councillors and just railroad plans through against public wishes as you do at the moment.
- When questions are raised at the Area Committees they should be answered by the Councillors not the passed onto the officers.
- Dates of area committee meetings should be posted on the notice board outside Southport Town Hall.
- Southport is different in culture to the bulk of Sefton, we are a tourist town and as such have some very specific needs to satisfy the needs of our visitors. Sefton Council has struggled to understand those needs and continues to take actions which hinder or interfere with tourism. Action taken on the Southport Development Plan is a good first step, but unless



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rapid change occurs more and more Southport residents will hear the Southport out of Sefton call.

- I do hope that the Area Committees can be kept going and we are made more aware of when they take place and when we can attend and a preview of their discussions made available
- Yes, I feel from the perspective of being a councillor in Sefton, in Southport that we really need to keep these committees going. They are vital for the community of Southport as residents can attend to ask questions, hear reports from the Police and other organisations and also hear what their local councillors have to say and what they are doing on issues that are being raised. Also various partners i.e. the Bid Team in Southport and Emma Atkinson the Director come along frequently to give information out first hand and to answer questions. Margaret Carney the Chief Executive of Sefton Council has also been along to speak to residents and answer questions on the Development plan. At the last Area Committee meeting in Southport nearly 100 members of the public attended. So I firmly believe these area committee meetings, well in Southport at any rate need to be kept.
- Southport Area Committee is the only convenient forum for members of the public to directly address and question members of the council and, when there are specific important issues affecting the town to have issues explained directly by senior council officers. A special Southport Area Committee meeting about the Nexus report attended by the Chief Executive attracted around 100 residents with many constructive comments put forward by locals.
- local issues are for local people to comment on, they need to be circulated better so local people know when and where a meeting is, do not rely on just the visitor paper in Southport, it is losing readers all the time
- I would like the area committee to have more say on how OUR town was run rather than councillors from Bootle who show little regard or knowledge of OUR town of Southport.
- The Liverpool City Model based on Wards with Cllrs supported by teams is, in my opinion, the way to go.
- Area Committees provide an important means of finding out about actions being taken by the Council or proposed to be taken. There is the ability for the Area Committee to invite partner agencies or others to make presentations to the Committee explaining local developments and how the public can assist. The local media attend the Committee and are able to then publish information put into the public domain at Committee. The



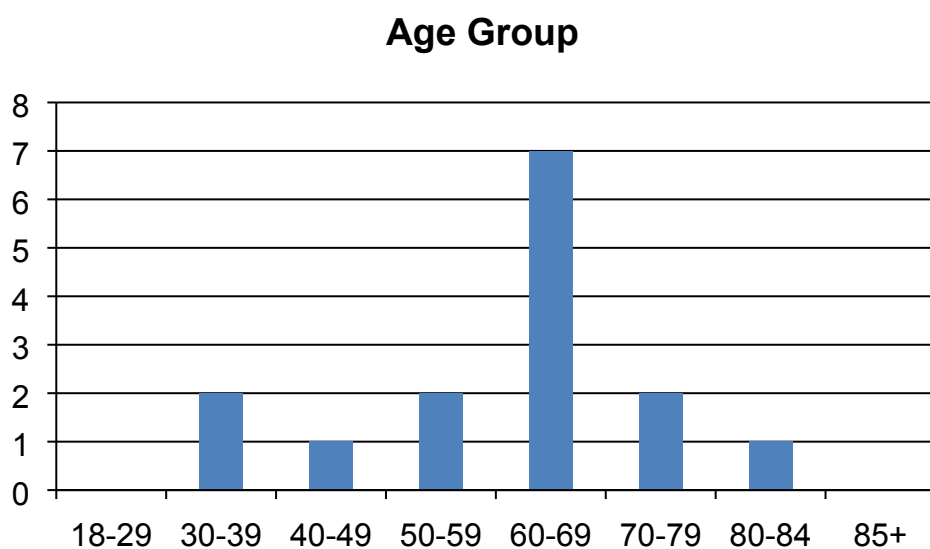
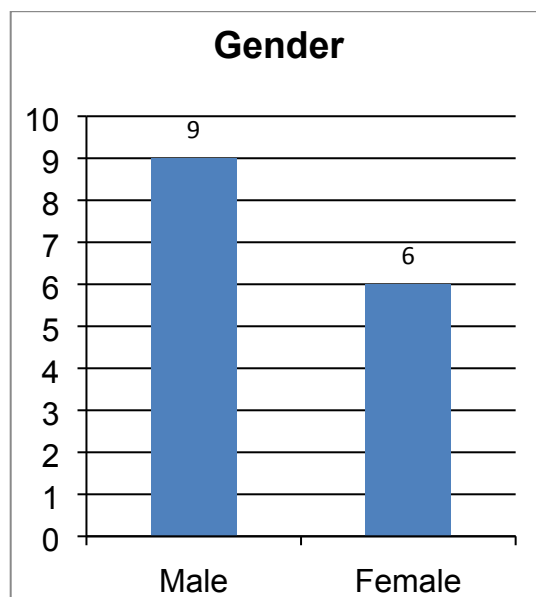
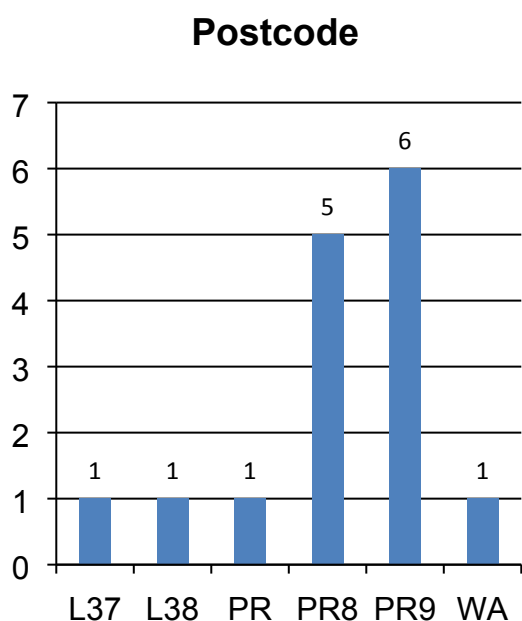
ability to raise questions by members of the public and obtain the views not only of the relevant officers, but importantly that of elected Councillors; Some Areas do not want to have another formal area of local government and the Area Committee to some extent provides the necessary local contact. Area Committees, where there are no Parish Councils, could be strengthened by allowing the Committee to exercise a primary decision making function over those functions that can be exercised by a Parish Council.

- Yes, the majority of people are sick to death of being in Sefton, we pay higher insurance because we are linked with Liverpool, and nothing is done that is our decision.



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Demography and Equalities Data



Key findings from community events

The following are the key findings from the 14 community events that were held in the five townships across the Borough. These events were advertised and members of the public had an opportunity to book on prior to the event or to turn up at the event of their choice. The events were run as small focus group style consultation in a relaxed informal atmosphere. At the start of each event, a short presentation was given which provided details of the background to the proposals. This was followed by a facilitated discussion session based around the following questions:-



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1. Are you aware of Area Committees?
2. If yes, have you ever attended one or raised an issue at one?
3. Should the Council keep Area Committees as a way for members of the public to raise issues with and talk to the Council and Councillors?
4. What would be your preferred way of raising issues and talking to the Council and Councillors if Area Committees did not exist?
5. Do people have any other views or comments?

The table below shows the attendance at each of the events and the main points of discussion.

Event	Attendance	Main points of discussion
Monday 7 March 2016 – Southport (10.00 – 11.00am)	2	<ul style="list-style-type: none"> • Most people had attended an AC meeting; a couple hadn't
Monday 7 March – Southport (11.00 – 12.00 noon)	4	<ul style="list-style-type: none"> • Those that had attended had raised an issue • Keep the AC – opportunity to raise issues, for people to have a voice and to engage with officers direct
Monday 7 March – Southport (5.00pm – 6.00pm)	2	<ul style="list-style-type: none"> • If AC's didn't exist – there could be a disconnect between the officers and the public
Monday 7 March – Southport (6.00pm – 7.00pm)	4	<ul style="list-style-type: none"> • Preferred ways of contacting the council include Ward Cllr, MP and emailing Officer • The barriers people face include lack of awareness and publicity about meetings, services and ward surgeries, frequency and accessibility of meetings and the website not being up to date • If AC's are not in existence, who will decide how the budget will be spent? • Look at each area individually, not as a collective
Tuesday 15 March 2016 – Bootle (2.00pm – 3.00pm)	0	N/A
Tuesday 15 March 2016 – Bootle (3.00pm – 4.00pm)	0	N/A
Tuesday 15 March 2016 – Bootle (5.00pm – 6.00pm)	0	N/A
Tuesday 15 March 2016 – Bootle (6.00pm – 7.00pm)	0	N/A
Wednesday 16 March 2016 – Maghull (10.00am – 11.00am)	0	N/A
Wednesday 16 March 2016	0	N/A



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– Maghull (11.00am – 12.00 noon)		
Wednesday 16 March 2016 – Formby (2.00pm – 3.00pm)	1	<ul style="list-style-type: none"> • Person who attended had previously been a Parish Councillor and was aware of and had attended/taken part in Area Committee meetings • The current set up is too big – it operated much better when Formby had its own Area Committee. • Current Area Committee is undemocratic – issue of introduction of 20mph zones in Formby which the Formby Councillors and residents didn't want but which was voted through by Councillors from the rest of the Wards in South Sefton and this could happen again where Formby Councillors vote against something in the interests of Formby but it could still be voted through. • Old Formby Area Committee was well attended, particularly where items of interest to the whole of Formby were considered • Would like to see Area Committees kept as a way for local people to engage with the Council and Councillors.
Wednesday 16 March – Formby (3.00pm – 4.00pm)	0	N/A
Wednesday 16 March 2016 –Crosby (5.00pm – 6.00pm)	0	N/A
Wednesday 16 March 2016 – Crosby (6.00pm – 7.00pm)	0	N/A

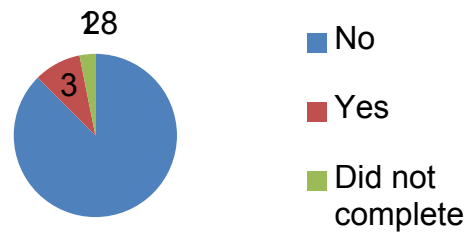
Key findings from Vox Pop (Street Surveys)

The Street Surveys took place in each of the five townships of the Borough. They took place during the day in locations with high footfall. The aim was to randomly poll the same number of people from the areas represented at an Area Committee composition. In total 96 surveys were completed: 32 from each Area Committee area.

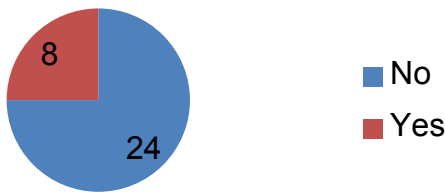
Awareness of Area Committees

In total, of the 96 people randomly asked to complete the street survey, 76 (79%) people were not aware of the Area Committees, 19 (19%) people were aware of them and 1 person choose not to respond to this question. Of those people who were aware of the Area Committees, 3 had attended a meeting; all at the Central Sefton meeting.

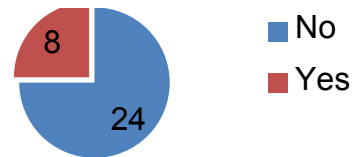
Aware of Area Committees - South Sefton



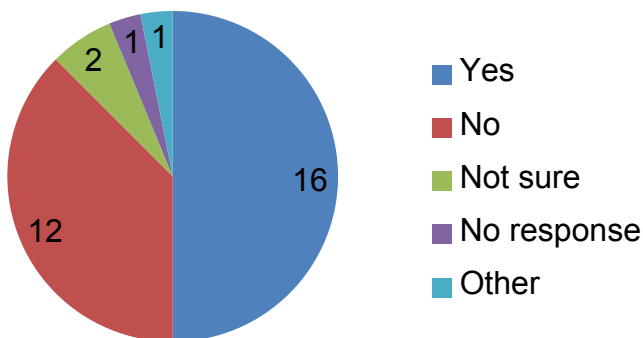
Aware of Area Committees - Southport



Aware of Area Committees – Central Sefton

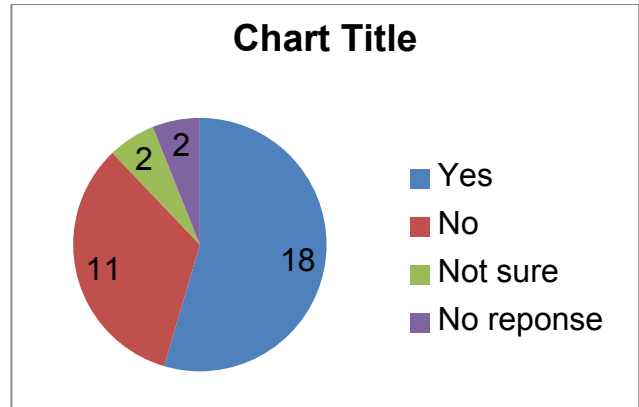
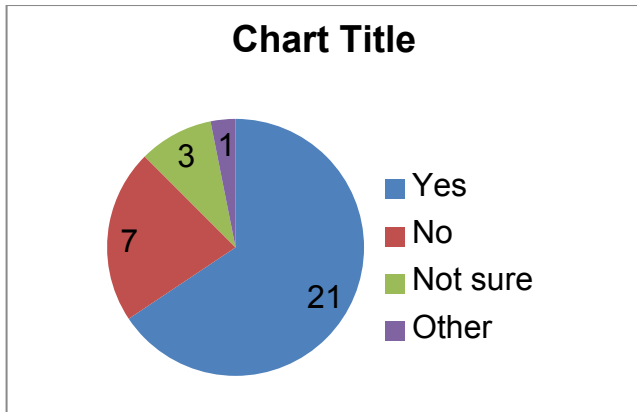


Keep Area Committees - South Sefton



Of the 96 respondents, 55 (57%) people said they would like to keep the Area Committees and 29 (30%) people said they shouldn't be kept. The highest response to keep the Area Committees came from respondents in the Southport Area and the highest response to not keep them was from the South Sefton area.

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Preferred way of contacting the Council and Councillors

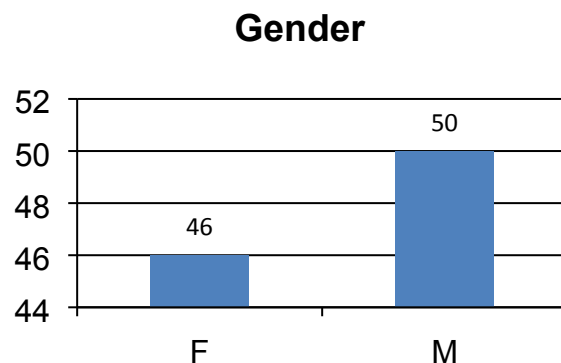
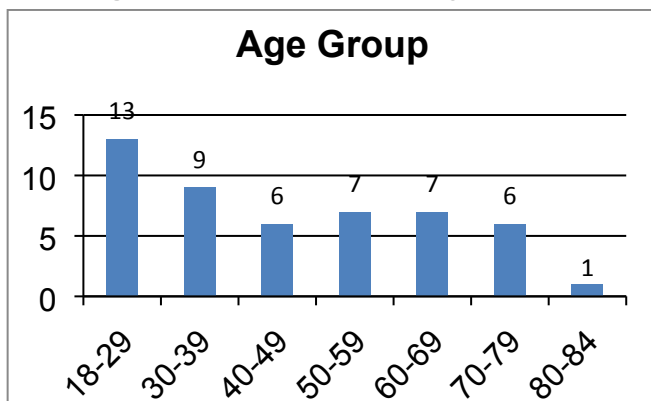
Participants who took part in the street surveys were asked for their preferred way of contacting the Council and Councillors if the Area Committees were not to exist. A wide range of responses were given but some of the common methods include:

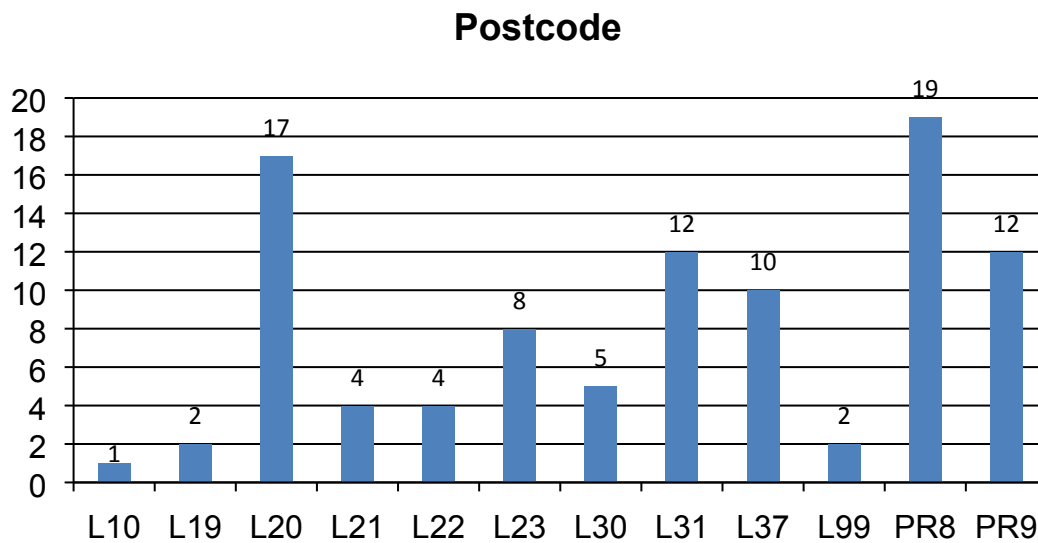
- Ward Councillors (and through surgeries) and local MP's
- Email
- Visit to the One Stop Shop
- Phone

From analysis of the preferred methods, it would seem that across the borough different methods are more appropriate for different age groups. For example, the 18-29 year olds favoured using the phone, visiting the One Stop Shop and emailing. The people who responded from the 30-59 age groups also prefer email and visiting the One Stop Shop and contacting the local Councillor and MP. The 60+ age group would also contact their Councillor and MP, but would also phone the Council.

Although contacting the local Councillor and the MP was a common response, some respondents did also mention that they didn't know who their local Councillor was.

Demographic and equality data





Letters and emails of representation

As part of the consultation plan members of the public, political groups of the Council, Parish and Town Councils and partner organisations were given the opportunity to submit their comments in writing. They were asked to base their responses around the questions used in the Vox Pop Street Surveys. These are their responses:-

Responses from Political Group in Sefton Council

The Labour Group

The vast majority of Area Committee issues are ward related issues as opposed to area issues.

Those attending in terms of residents are often the same individuals and whilst commendable this does not necessarily reflect the views of the majority of residents and as such is a poor vehicle for consultation and engagement.

Area Committees are in some cases too large and unwieldy and as such expensive to run in terms of members and officer time etc.

Members of the public who do attend expect it to be a public forum for debate, so perhaps this is what we should be looking to explore in any alternative models going forward?

There should be some sort of escalation policy that holds Councillors to account in terms of addressing and dealing with resident issues (no response by xx days gets escalated to etc...).

The Liberal Democrat Group

I am submitting this email as the response of the Sefton MBC Liberal Democrat Group to the Council's review of Area Committees.

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The Lib Dem response recognises that the development, history and function of the three Area Committees within the Borough have been completely different even though their powers and constitutional situation are identical. So, whereas the Bootle Area Committee and the Sefton Central Area Committee were both amalgamated by the council from smaller units as cost-saving measures determined by the Council, the single Southport Area Committee was created following a referendum of the electors of Southport which preferred the single Southport Committee both to the status quo ante and to the alternative prospect of a Town Council for Southport.

In other words, the single Southport Area Committee was created by the democratic expression of the people of Southport as to how they wished to have their preferred expression of a limited form of devolved government and had nothing to do with the largely-functional issues which have been put out by the Council for discussion on to date. In particular, the referendum demonstrated the single entity of 'Southport' as being the preferred unit of communal identification and expression i.e. wherever they live within Southport, the majority of the electors have an interest which is not defined at ward or sub-ward level but in the community of Southport. Southport residents recognise the legitimate interest of people from other wards within Southport in decisions taking place in their own immediate locality and they expect the people living in other areas to likewise recognise their own interest in decisions taking place elsewhere within the town.

The above is precisely the opposite of what has happened within the Sefton Central Area Committee. Here, the amalgamation of a number of area committees which previously dealt with genuine communities: Formby, Maghull, Aintree & Lydiate; Crosby has created a situation whereby a totally artificial Committee has been established where residents living within one part of the area have little or no interest in the other areas covered by the committee and resent the prospect of 'outsiders' having a say in their own very local affairs. We would hope that such a change might be made involving discussion with and co-ordination with the various Parish/Town councils within the Sefton Central area. We would not, however, wish to be prescriptive about how this might be achieved.

The importance to the people of Southport of the Southport Area Committee is not so much their own participation in the committee as individuals, (although this is and has been substantially higher than has been the case in both other parts of the Borough) but in the knowledge that issues of particular relevance to the town of Southport are discussed by Southport's own elected representatives in Southport and watched by the people of Southport and their various Southport-specific media. Questions are often put to the Committee designed for answers by the councillors present rather than for officers: i.e. they constitute a means of holding the elected members of the council from the seven Southport wards to account.

Besides discussing matters which are a particular responsibility of the Local Authority, the Area Committee's Police Forum covering the entire town is always a vibrant part of the proceedings taking some time during the meeting and allows the senior police representatives who regularly attend to have a substantial interaction with the Southport public where their own attempts to generate a similar interaction have not been so successful.

We note from the statistics provided to members that public attendance at and involvement in the Southport Area Committee is considerably higher generally than that at the other two bodies.



It is 19 years since the Local Government Boundary Commission for England completed a major review of the relationship between the town of Southport and its people and the Borough of Sefton. One of the significant declarations of the Commission in concluding its review was that an assertion that there was a need for the Borough to take steps to make its decision-making and activities more receptive to the individual and collective needs of the people of Southport than was then the case.

There can be no doubt that the creation of a single Area Committee for Southport was a useful method of the Council demonstrating a receptiveness to the collective views of the residents of Southport which would be lost were this Committee to be dismantled or its activities curtailed. We therefore support the retention of the Southport Area Committee irrespective of whether the other two Committees are retained or modified from their present formats. We would suggest, furthermore, that the governance of the Borough might be improved by restoring the community-based focus of discussion

I hope that the above contribution is useful.

Conservative Group

No response received

Responses from Individual Councillors

Councillors Dutton and Jamieson

Formby, Crosby, Maghull and Southport

I understand you have already received a submission relating to Southport so I will confine my observations to the other areas affected.

Prior to the merging of Central Sefton as one committee, in the individual committees we regularly had good attendance.

With the input from Police and Public Forum local residents fed back to us they felt involved in their community.

Since the enlargement there has been a dis-connect particularly in Formby where issues are very localised within the confines of Formby town.

Despite Surgeries, Facebook, Twitter, other social media and the phone, the localised Area Committee was seen as a contact point to find out 'what's going on'.

Also feedback suggests the perception is that decisions are being taken by Councillors that are not privy to the localised issues that affect residents directly because they do not represent, electorally, the 'local area'.

An example of this was 20mph roll out; four of six Formby councillors voted against this but it was carried by weight of committee. This is not local representation.



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We would not wish to see Area Committees broken up and their workings devolved out to the Area Partnerships as they are not inclusive across the political spectrum nor do they have any public awareness.

In our opinion Area Partnerships do little to add to the local benefit.

We would like to see Formby and Crosby Area Committees re-instated to their former situation with locally elected members making local decisions.

We feel this will re-connect with residents and encourage their involvement with Council.

Councillor Jo Barton

Please be aware that I am very concerned to hear any rumours or talk about cancelling this committee which is of vital use to both residents and Councillors alike and provides a forum where views on issues concerning only Southport can be aired in a safe environment. I for one would be very unhappy if this committee was to cease to function!

Councillor Mike Booth

The following are my views on the future of Southport Area Committee:

According to Sefton's own website, the function of Area Committees is "The Committee is a focus for consultation and discussion about issues in its area and for making decisions on local transport, planning and environmental matters".

Residents often claim that decisions are made without listening to their views and their needs. Area Committees provide this in the form of an open forum where the public can raise questions and hold their elected members and officers to account.

I've looked at the attendance records for the years 2103/14 and 2014/15 and I've noted the following:

Over the 2 years Southport Area Committee was attended by 121 members of the public.

South Sefton Area Committee was attended by 49 members of the public

Central Sefton Area Committee was attended by 226 members of the public

Central Sefton is an amalgamation of previous area committees and this may explain the large attendances.

Looking at lowest attendees for individual meetings, on 3 occasions South Sefton was only attended by 3 members of the public and by 2 members of the public on one occasion.

In comparison Southport Area Committee's lowest attendance has been 8 on one occasion!

The figures prove the worth of Southport Area Committee.

There has been a lot of time and effort given to devolving powers and decentralisation. If area committees are removed it will only serve to hand all decision making to a small group of councillors. Politics then takes over and decisions may be based on political gains rather than being based on the needs of the residents. Local decisions should be made by elected members who represent the wards concerned.



An additional benefit of area committees is the time given for the police to make regular reports and to answer questions raised by elected members and members of the public. The importance and value of this, in the eyes of the police, was shared with those present at the last Southport Area Committee. We were told that many of the meetings organised by the police themselves were very poorly attended when compared with area committees.

If it transpires that either, or both, of the other 2 area committees decide that their purpose is no longer required by their residents; could I ask that the legality of maintaining Southport Area Committee on its own be examined in full?

Could I also ask for a comparison of the number of questions raised by the public at the 3 area committees? This may give an indication of how important the meetings are to the public in each of the 3 areas.

In conclusion, my view is that Southport wants and needs its area committee. The various options suggested to replace area committees are impractical and they will not work.

Area committees aim to bring about faster decision-making, greater openness, better quality services and greater public participation in local government.

Councillor Fred Weavers

Southport did have a referendum and decided they wished to have a single Area Committee. To get rid of the Area Committee would probably need another referendum and will result in a neighbourhood forum and or Southport Town Council. If the Cabinet decided to change its timing of its meetings to 6:30 and also ran an agenda for the Area Committee that would save money and get more accountability for the residents of the borough.

Councillor Marianne Welsh

I feel that this committee is vital for Southport and its residents. We only have a few of these committees now each year, and have to get through a lot at each one but we do. Many of our partners come along on a regular basis updating us all and answering questions which I feel is needed. There are also questions from the public and I feel that the Area Committee is a vital platform for us the councillors and partners and residents. I do not want us to lose the Area Committees.

Responses from Advisory Group Members

Submission 1 (Southport)

I wish to register my concern as I mentioned at the last Area Committee about the prospect of the Area Committee being closed. It is exceedingly important to Southport that the Area Committee continues and that the residents have a democratic voice to bring matters to the meeting for discussion. Why should Southport be penalised because the other Area Committees do not have many attendees? We have by far the most attendees to our meetings that are interested in Southport. The residents also have the opportunity to request funding and it also makes the rest of the people, Councillors as well, aware of what is needed and going on in Southport.



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Submission 2 (Southport)

- Southport is the most well attended Area Committee within Sefton. Many local residents still attend the meetings.
- The Area Committees are crucial for residents to be able to raise concerns and work with the Area Coordinators in resolving issues.
- The face to face Cabinet Member updates have now stopped and if the Area Committees also stop the Council will become faceless and residents who do not have access to the internet / twitter / Facebook will struggle to make contact with Committee Members and the Area Coordinators.
- Face to face is much more personal and is fundamental to residents who want to raise concerns which matter to them.



Responses from Parish Councils

Lydiate Parish Council

At the meeting of Lydiate Parish Council held on 23rd February 2016, there was a discussion about the consultation into the future of the Area Committee structure in Sefton.

As members of the Sefton Central Area Committee, concerns had already been made that the move to larger areas in 2013 had made meetings far less effective. The needs of too many communities need to be considered, which means that time is not available to discuss local issues in detail and meeting venues are often too far away from local residents. In order to achieve meaningful community engagement, Lydiate Parish Council would recommend retaining an Area Committee structure but returning to small geographical area coverage. For this area, a Committee covering the Maghull and Lydiate areas would be most effective.

Hightown Parish Council

As I said at the last Sefton South Area Committee we as parish Councillors are elected by the same Act of Parliament and in the same way as the ward councillors.

In Sefton about 30% of the electorate have parish or town councils. All of these have open seasons for the public to present petitions or can ask questions? Many of these also have ward councillors attending or are Parish councillors. One solution may be to encourage the formation of new groups to increase the more localised element of consultation.

I would recommend that you come and discuss this not only with the PC meetings but better with the 10 Parishes group.

Aintree parish Council

We write in response to your letter dated 11 February 2016 advising the Parish Council of the consultation exercise into the future of the three Area Committees. The responses have followed your preferred structure as set out in your letter.

1. Are you aware of the Area Committees?

The Parish Council is fully aware of the existence of the Area Committees.

The Parish Council understands that members of the general public do not have clear visibility, or an understanding, of the purpose of the Area Committees. When was the last time that the work of the Area Committees was published in the public domain or a 'call' for attendance made within the local communities which each Committee serves?

2. If you have ever attended one or raised an issue?

The Parish Council has a representative on the Sefton Central Area Committee.



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3. Which Area Committee have you attended?

The Parish Council is represented on the Central Sefton Area Committee and was represented on the former Area Committee (Sefton East Parishes) before this was combined.

4. Should the Council keep Area Committee as a way for members of the public to raised issues with and talk to the Council and Councillors?

Area Committees should be retained in order to provide members of the public with a 'local' forum in which to raise issues and concerns, however as the public are not permitted to enter into the debate they are limited in their effectiveness. In this age of localism the Area Committee should play an important, if not a vital, role in the democratic process.

Whilst the Sefton East Parish Councils have a right of attendance and have an opportunity to provide the Committee with an 'update' they are otherwise constrained by the fact that they do not possess voting rights (so their hands are tied) and that any questions they want to raise are required days in advance (so they are effectively gagged).

Consideration should be given as to how to raise the visibility and understanding of Area Committees within our communities, engagement is key to a healthy democracy.

5. What would be your preferred way of raising issues with and talking to the Council and Councillors if Area Committees did not exist?

The Parish Council would not want to see the replacement of the Area Committees with purely electronic forums; whilst e-petitions and e-forms do have a role to play in public engagement they do not replace the value of face-to-face meetings.

The Parish Council considers that any re-structure of Area Committees would necessarily have to be at a more local level, the previous Area Committee structure was more effective and based at a local level.

6. What do you see as the key barriers to raising issues and talking to the Council and Councillors?

The Parish Council understands that a key barrier to members of the public raising issues is a perception that the Council and Councillors do not listen to what the public have to say, that consultation exercises with the strap line 'your Sefton your say' are just a "tick in the box" and that decisions have perceived to have already been made, the consultation is to make it 'look' democratic.

7. Do you have any other views or comments?

The Parish Council is of the opinion that the merger of the Formby, Crosby and Sefton East Parishes Area Committees into the Central Sefton Area Committee created a Committee that was too large and cumbersome and that the new Committee has not served to be as effective.

There is a real concern amongst the public that the majority, if not all, decisions are made before an Area Committee actually meets due to the size of the majority of the ruling party as Councillors



have been directed (whipped) as to which way to vote. If this perception is correct then democracy is seriously threatened. A healthy democracy actively encourages debate and respects opposing views; decision-making can be greatly improved should politicians actively listen to one another and to the public they represent, ensuring that the 'bigger picture' is reflected upon.

The public must have a mechanism to challenge decisions and to provide local knowledge and perspective. This point was made at the Central Sefton Committee on 7 January 2016:

"Area Committees had somewhat lost their way, they were created as a tool to counter-balance the Cabinet's power, however, with so few decisions being "called in" they were struggling to find a roll to fulfil;"

We trust that the Council will take full consideration of the above in its deliberations over the future of the Area Committees which if run effectively are key to ensuring true democracy across the Borough.

Formby Area Committee

Just thought I'd let you know my thoughts on the subject of the area committee following Thursdays meeting.

I cannot see the need for such a large gathering, and I think the majority feel the same. No real business is achieved, and Information from the police is only appropriate to the local areas concerned.

In terms of expense, my suggestion would be that the role of the area committee becomes part of the responsibility of the Parish Council. The local PC would hold the area meeting and the responsible officer would take the minutes. I would see this working very well for Formby; it would assist in building the relationship between ward and Parish Councillors (currently poor in Formby) and would focus much more on the local area. Public engagement could well be increased as local residents would become aware of the regular local meetings, rather than jumping around the borough. Additionally local councillors would make decisions on local matters, rather than have a Formby councillor voting on something in Bootle and vice versa.

Responses from Members of the Public

Submission 1

The following is my response to your request for comments in relation to the current Area Committees operating in the Sefton Council area.

My experience of attending Area Committees is limited to that in Southport (which is quite well attended) where I regularly raise issues.

Prior to the existence of this committee, I regularly attended the previous Southport South, North and East Area Committees which were also well attended.



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Geographically, Southport is situated well away from the centre of local governance within the area and some Southport people no doubt look upon the local area committee as their only opportunity to have their concerns addressed by council officers who are seen as being inaccessible at any other time.

Having said that, there are obviously a lot of Southport people who never attend and probably do not know that the Area Committee exists.

In an area where local people feel that they have lost local governance to Bootle, it is seen by some as the sole link with those who make the decisions and is, currently, the only community link for Southport people.

These days it is quite difficult to even speak to council decision makers by telephone as the only point of telephone contact is through a member of a call team who often appear reluctant to transfer calls to council departments.

I fully understand that the cost of running the area committees is money that could, perhaps, be better spent elsewhere and that other ways of allowing the people of Southport to feel more inclusive to the democratic process should be investigated.

One possible alternative would be the setting up of a Parish (Town) Council for Southport.

This would obviously have limited (parish council) powers but could help Southport people to feel that they had some local representation.

The current national government is keen to establish more parish councils, particularly in urban areas, throughout the country as part of their national devolution plan. The Government Department for Communities and Local Government are supporting the National Association of Local Councils in setting up new parish councils in order to give people a voice, delivering local services and influencing how public money is spent in their area.

The Parish Councillors could provide a link between local people, Borough Councillors and Council Officers.

It is my understanding that if 7.5% of the Southport electorate were to sign a petition requesting that consideration be given to setting up a Southport Town (Parish) Council that this would trigger a review into that possibility.

I am mindful that a Parish Council would involve a council tax precept and that this could be a “stumbling block” for some people.

However, I would be grateful if you could provide me with the overall cost of running the current Southport Area Committee, and whether a reduced percentage of this amount could be diverted into a Southport Parish Council scheme in order to keep the precept to a minimum.

It has to be said that some areas of Sefton have had both a parish council and an Area Committee for many years. In Southport we have only ever had the Area Committee.



I would be interested to be given the opportunity to discuss this matter with yourself, or an appropriate member of the council.

Submission 2

I refer to your letter of the 11th February 2016, and the public statements concerning the future of the Area Committees. I have been a Parish Councillor for Formby for twelve years, its Chairman for four of those and past Chairman of the Sefton Area Partnership of Local Councils.

To answer your specific questions first, I do have a working knowledge of the Area Committees and their purpose, I have raised a number of issues for Formby and for other parishes from time to time and presented at the earlier meetings on specific projects. I have attended to the Central Sefton AC and its predecessors the Formby Area Committee, and the Sefton East Area Committee.

My additional comments include:

1. It is accepted that the current committee structure and remit with 27 ward councillors and the additional parish councillors does not work. It was far too cumbersome despite the work put in by the then Chairman, Cllr xxxxxxxxxxxxxxxx
2. The previous arrangements where the committees were too many and impossible to coordinate did not work either, and in Formby's case achieved only minor success. The Chairs of that committee were sometimes out of their depth and did little or no preparation, and stifled discussion.
3. The Sefton Council is led by the majority Labour Party, but the ward councillors have failed to bring forward matters of concern for discussion. Examples of these are the impact upon the Borough, as part of the Liverpool City Region, and the consequences of the Peel Development, which are real big issues.
4. The officers who attend do not prepare well and prefer to 'escape' from the meeting as soon as they can! As a consequence they are contributing to the problem of communication for of the Borough Council.
5. The Sefton Neighbourhood Team has a huge agenda, but the constant changes in management structure have made it almost ineffective, and therefore it has become selective in its approach. There have been changes in priority and have achieved little. I can advise you from personal experience, xxxxxxxxxxxxxxxx and I spent a good deal of time trying to find ways to improve engagement with the parished areas in particular. The outcome was the Sefton Charter, which to many officers is unknown and yet has full approval and support of the Cabinet. In order to offer an option to improve, it is suggested that there is a dedicated officer, who has the power to see things through, and for them to be proactive not defensive.

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6. The Area Committee agendas were too large and not focused. More importantly the meetings were never used to communicate down when they could have been used to better advantage. This must be corrected.
7. The local communities in the CSAC are far more diverse than Sefton imagine, and so to have a meaningful meeting, it must be acknowledged that the parish councils are far better aware of what goes on their community than Sefton officers will ever do in future. The parishes will be better placed, informed, and committed to dealing with issues affecting residents, and the SMBC should subscribe fully to that aim. The new chair of the CSAC is out of touch with the villages and communities. Formby, for example, has a good many issues that are inter-linked, one depending on the other. The economic issues cannot be resolved without an agreed strategy on the environment, infrastructure, communication and traffic as an example. The Parish Council has set this out in the past, but there has been little understanding by the Planners, failing to believe that these can all be resolved without party political meddling.
8. The SAPLC and SMBC have set out the process by which local issues can be managed, receiving approval by Cabinet. But officers of Sefton have shown once again that they do not understand how by working together, all can benefit.
9. Last of all to underline the concern local residents have made it clear what they think that when serious questions were asked the formal answers were perfunctory, flippant or evasive!

So in summary the structure cannot remain as it is or the opportunity to change and adapt to the new financial disciplines will be missed. The individual parish councils should build on what they have done, revise what they should do and set out the procedures to do so.

Legal and Finance issues

There are specific legal and financial issues that have to be addressed whatever action you recommend, and in setting them out it will help to refine the role of the Parish Councils.

The pressure on expenditure will increase whatever Government is in power, especially social, education and welfare

Next Steps

I would like to offer some ideas for consideration:

1. Assess the findings of this consultation fairly and objectively.
2. Establish a small team of no more than 4 key players to set out the recommendations for change.
3. Establish the two Area Committees - Sefton East and Sefton West.



4. Review the role of Ward councillors, aiming to reduce them to one per ward, and taking into account boundary changes, train those remaining fully. Make the meetings informative and the Parish Councils accountable.
5. Give the two new committees the task of putting forward programme of work, and actively support their work to inform public on such matters as:

Economy — Liverpool City Region, Peel Developments, etc.
Health and Well-being
Security and Safety
Traffic and parking
Social welfare
Licensing and betting.

I very much hope that full consideration be given to the public's comments and concerns, and I look forward to attending the public meetings and listening to the arguments put forward.

Submission 3

It is not a forum that encourages participation or interest from residents and is generally poorly attended. Aside from regular questioners and participants there appears to be little interest in the work of the committee. In my view most people in Southport are unaware of the existence of the committee, its purpose and function

I note that amongst the Area Committees, Southport Area Committee generates by far the most work for officers in terms of reports that are requested by councillors. I see little if any value to residents from the production of these reports.

Many councillors appear to see the committee as a vehicle for their own political agenda rather than as a means of assisting residents.

Regarding consultation between residents and councillors, I think that well publicised surgeries where councillors can be approached on an individual basis by residents is a far more effective means of engagement. Furthermore, I feel that it should be compulsory for councillors to hold consultation and advice surgeries. I note that two wards in Southport have no opportunity for residents to engage with councillors via an advice surgery. My view is that the current Area Committee arrangement fails to deliver effective consultation with residents. It is therefore poor value for money.

I think that the council should communicate more effectively with residents to ensure there is a full understanding of the decisions made that affect council service provision and to give residents a true picture of the financial challenges facing the authority. This would help prevent misinformation and misunderstanding about the budget cuts that the council is being compelled to undertake. This communication could consist of a simple and cheap newsletter to all residents.

There should be more opportunity to submit questions to councillors and the council in a simple format, for instance an easy to use and well publicised form on the council website.



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In my view Area Committee funds should be allocated to wards on a basis that takes into account levels of deprivation rather than the current approach of an equal allocation to each ward. Area Committee funds should be better publicised so that residents have the opportunity to put forward their views on how they could be spent. There is a significant underspend in the Area Committee ward budget that I feel should be addressed. There are other methods of spending funds allocated to wards such as St Helens Council Councillor Improvement Fund and Liverpool City Council Neighbourhood Teams, and I think these should be examined further.

Submission 4

I have been a Sefton resident for most of my life. I am now 63. I have never heard of the Area Committee and therefore feel that it cannot be fulfilling any useful purpose.

I would like to be able to take any of my problems direct to my local councillors, who should be encouraged and indeed funded to have surgeries for this very purpose.

Any funds left over from this should be allocated to individual wards on the basis of any deprivation index usually used, and spent by the councillors as their constituents require.

Thank you

Submission 5

I feel the area committee meetings are one of the bastions of local democracy. A person's voice can be heard and can contribute to decision making on a personal level. I have attended a number over the years where subjects close to my heart have been agendered. If a person is to feel they matter in this society in my opinion these meetings are as important as seeing your M.P.

Submission 6

If I buy a product from a shop I can take it back. The problem can be solved there and then. Imagine if the shopkeeper said he would have to contact his Head Office or the manufacturer before he was authorised to take action and he did not know when he would get a reply.

At the moment I can contact my ward councillor. Depending on the problem this can be raised at Southport Area Committee because other people may be having the same problem. Without the area committees then all problems will have to be raised at full council meetings instead of a quick local solution.

Submission 7

I am disappointed with proposal to axe the area committees. It is a retrograde step for local democracy as well as total disregard for the views of local people.

Southport Area Committee is an opportunity to discuss local issues with local councillors - the aim being to give residents a greater say in what happens in their area as well as raise pertinent



issues. If the area committee is axed local people will feel even further remote from the decisions being made at Bootle.

The Council should be promoting and encouraging more participation by the residents of Sefton not less. Perhaps the Council should undertake surveys to find ways to engage the public as it is public money they are spending!

I would urge the Council not to axe the local committees.

Submission 8

1. Yes I am aware of Area Committees and the pivotal role they play in localised democracy.
2. Yes.
3. South Sefton.
4. Yes – Area Committees were introduced with the aim of encouraging greater participation by local people in decision-making and improving service delivery. Area Committees recognise that local representatives are better able to reflect the views of local residents and bring extra knowledge and experience to meetings to support local Councillors in their decision making.
5. If area committees did not exist and the council had an over reliance on technology you may get a disproportionate view of local issues as many older people would self-exclude themselves from the digital democratic process. There is no justification other than budget cuts to remove area committees from the democratic process.
6. The only time you get to see your local representatives and council officers are when they want you to participate in their consultation. The Area Committees are the only way local people have a real opportunity to raise “Their Own” issues and get a full and frank response from council representative. Local petitions are time consuming and whilst they have a role to play in a democratic process, have only limited opportunities to get heard at Council meetings. VCF forums are largely represented by working officers, many of whom do not live in Sefton and their views are over represented already, with many people attending multiple forums already.
7. This is the only opportunity many Sefton residents have to talk, discuss and raise issues with their local councillors face to face. Many of us feel totally frustrated by making representation via email and the facelessness of it. Also many councillors will not be held to account with the removal of a committee structure. It can be extremely frustrating trying to get in touch with our local representatives and the faceless wonder of technology, which gives them an opportunity to respond with prudence and a lack of debating lustre, creating a very sterile democratic process.

If the Area Committees are decommissioned this will be contrary to the whole localism bill, and a massive blow to local democracy. Local people will be further excluded from the decision making process. New methods of consultation are and can be seen as exclusive



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or prejudicial due to the way local people would need to be able to engage with them and Area Committees are open to everyone to attend.

An alternative solution may be to total cessation would be to reduce the number of paid officers and councillors who attend and allow the meetings to be run with more lay representatives and on a quarterly basis only. That would help with reducing financial burden and allow ever more local participation in the democratic process. This is a rational compromise and I truly believe that this would be a far better solution than withdrawing the Area Committee process altogether.

Submission 9

1. Are you aware of Area Committees? - No
2. If you have you ever attended one or raised an issue? - No
4. Should the Council keep Area Committees as a way for members of the public to raise issues with and talk to the Council and Councillors?
Only if residents are made aware of them and can access them.
5. What would be your preferred way of raising issues with and talking to the Council and Councillors if Area Committees did not exist?
Newsletter, drop in point , email, telephone contact
6. What do you see as the key barriers to raising issues and talking to the Council and Councillors?
Not being aware of who they are or how I can access them
7. Do you have any other views or comments?

How successful have the council and councillors been at resolving issues?

Are the same residents always attending if so I think this would highlight lots of other residents are unaware of these services



Submission 10

Area committees should be retained as a link between the local residents and Sefton Council, which represents the whole of Sefton by definition. The Area committees are also by definition much more local. Members know the area more intimately and can address issues which may seem more trivial to the Borough Council. These types of issues, however, are appreciated and do make a difference to local areas.

One example is the landscaping outside the shops on Harington Road Formby. The bleak paving now looks softer and greener. Next we need some seats and a coffee shop!

The planters on our Main Street looked lovely in the summer.

Email is a great way to communicate with the committee. The small price we pay is worth the cost.

Submission 11

When the Area Committees' were first established they appeared to perform a useful purpose and were well attended and much of the content of the meetings' was relevant to those attending. I regularly attended both the Crosby and Formby Area Committees and found them useful forums for an exchange of views between the elected members and their constituents. The establishment of the Sefton Central Area Committee comprising some 26 Sefton Councillors representing 9 Wards together with 18 representatives of nine Parish Councils is, in my opinion, too large and unwieldy to properly address issues of local concern.

On the evening of Thursday 7th January 2016 I was the only member of the public attending the Sefton Central Area Committee. I counted 32 Sefton Councillors' and Parish Councillors' together with three or four Officers in attendance. And during the proceeding only one question was raised and addressed. Moreover, the subsequent debate on Item 7 showed that there was a complete lack of enthusiasm amongst Members for continuance of the present format of the Area Committees'.

So, if on cost grounds there is not going to be return to the original format of the Area Committees' then other options must be explored if Councillors are not to disappear into the equivalent of the "Westminster Bubble" and become even more remote from the people they represent in Sefton than at present!.

Indeed, it is evident to me that what concerns people most and on which action actually takes place tends to occur at the level below the Sefton Central Area Committee. For example, the concerns about SSP's delivery on doctors' surgeries was actually initiated and spearheaded by Hightown residents and Hightown Parish Council. The concern about the Wind Farm development in West Lancashire is being spearheaded by residents of Ince Blundell and the Ince Blundell Parish Council. The initiative regarding the garden at the back of Formby Library by Formby Parish Council with match funding provided by Sefton Council. The current hearings into Sefton's Local Plan involves Fragoff, Formby Parish Council, Maghull Parish Council and Hightown Parish Council, Thornton Parish Council and Melling Parish Council who are voicing concerns on behalf of local residents regarding the Local Plan. Together with concerned residents they appear to be



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the only agents apart from the CPRE, Wildlife agencies and Bill Esterson MP, who are voicing the concerns of local people regarding Sefton's Local Plan. Moreover, you will know there are numerous examples in Sefton where Ward Councillors have become involved in community initiatives away from their own party politics on the grounds of local need.

In consequence I would do away with the Area Committees' in Sefton as at present structured and revert to the Ward Structure Scheme as developed in Liverpool City. Ward Councillors could then concentrate on their Neighbourhoods and Parishes to give support and guidance. If there are differing politicians in each Ward so be it! In the past I have known Labour and Conservative Ward Councillors, irrespective of their political differences, work very well together on Ward issues. Again, irrespective of party differences, Members will have to learn to act as a team for the benefit of all their Ward constituents! Each Ward should have a relevant budget through which Members could support minor schemes. Neighbourhood Teams would assist Ward Councillors in their endeavours. If there is an issue in a Parish or Neighbourhood then the Ward Councillors should take a lead in assisting or advising on the issue. I would do away with the concept of surgeries and instead have a number of sites in the Ward where constituents might meet with their Ward Councillors', e.g. Formby Swimming Pool or Lady Green Garden Centre in the case of Ravenmeols Ward Councillors.

Finally, if the Area Committees' are to be scrapped can I ask that any savings in Officers or Members time be put into getting rid of the 0845 telephone numbers charges that are imposed on residents when making enquiries or raising queries on Sefton Council issues. If the Borough is to be open and transparent in its dealing with its residents it should not be imposing such charges.

Conclusion. Sefton should seek to adopt a scheme similar to that adopted by Liverpool City Council as an alternative to Sefton's present Area Committee Structure.



10. APPENDIX 2 – WITNESS INTERVIEW TRANSCRIPTS

10.1 LOCAL ADVISORY GROUP MEMBERS, PARISH COUNCIL REPRESENTATIVES SERVING ON AREA COMMITTEES AND IAN WILLMAN, SERVICE MANAGER, NEIGHBOURHOODS

Members raised the following issues with Barbara Rouse - South Sefton Area Committee Local Advisory Group Member, Parish Councillor Anne Ibbs and Parish Councillor Kevin Sharpe – Central Sefton Area Committee Parish Council Representatives, Parish Councillor Gerry Lee - Chair of the Sefton Area Partnership of Local Councils and Central Sefton Area Committee Parish Council Representative, Sir Ron Watson and Sandra Cain – Southport Area Committee Local Advisory Group Members and Ian Willman, Service Manager, Neighbourhoods:-

10.2 What do you see as the main benefits of the current system and main dis-benefits?

- 10.2.1 Sir Ron Watson — benefits — Area Committees were the only forum where the public could attend and ask questions of the Police. Guest speakers and presentations by officers also allowed engagement with the public and to contribute to consultation exercises.
Dis-benefits — Area Committees should meet on a more frequent basis; and more powers should be delegated to them and local elected Members.
- 10.2.2 Anne Ibbs - There was no benefit to the current Area Committee structure. The Area Committees were too big; it was difficult for local residents to travel long distances to venues in other parts of the Area Committees boundary due to poor public transport links; and accordingly, local people felt disenfranchised. Before the creation of the 3 Area Committees, the system was much better as Area Committees were smaller and that allowed local Members to take local decisions. The general consensus was that we should revert to the previous system.
- 10.2.3 Barbara Rouse — There was no benefit in the creation of larger Area Committees. Under the previous system, Linacre and Derby Area Committee met much more frequently and generated a greater local public attendance. More time was available for local elected Members to spend time on local issues pertinent to local residents.
- 10.2.4 Sandra Cain - I have not attended any Area Committees other than Southport but I feel that Southport is well attended and offers a good way for the public to engage with Councillors; and provides a mechanism for questions to be raised during the Public



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Forum. It may be helpful if Local Advisory Group Members could meet prior to the meeting to discuss the agenda in a similar manner to political group meetings.

A question was asked how many Local Advisory Group Members does Southport have and do they represent Wards? Sandra Cain responded that there were six Local Advisory Group Members and they represented sectors rather than Wards, for example, she represented the voluntary, community and faith sector and there was also representation from young advisors and Homewatch.

10.2.5 Kevin Sharpe — a benefit of the current system is that it allows the escalation of Parish Council matters to a Sefton Council platform.

Dis-benefits are that the Area Committee can become a "talking shop" and strict agenda management is required to ensure that the meeting runs smoothly; and posed a question what would be put in the place of Area Committees if they were disbanded?

10.2.6 Ian Willman - There was some good engagement in certain areas, namely Southport, where there was a good level of public attendance but not in others. For instance, South Sefton Area Committee had a low level of attendance that wasn't conducive to getting a local perspective.

Area Committees provided a good opportunity for residents to challenge officers over strategy.

Area Committees were overly bureaucratic which did not fit with the Localism agenda.

Should the public be given more time to address Members of the Committee?

The size of the new Area Committees made them less flexible
Frequency of meetings — residents don't wait for a quarterly meeting to resolve an issue they would contact Members or officers direct

10.3 **Do you think that the meetings are well attended by a range of members of public and was it easy for them to participate in the meeting?**

10.3.1 Anne Ibbs — Under the new system the Central Sefton Area Committee was not well attended unlike the former Formby Area Committee that was well attended. More public questions were received at the former Formby Area Committee and it was more of an occasion. The public were reticent to speak at the larger Central Sefton Area Committee.

10.3.2 Sir Ron Watson — the Southport Area Committee was well attended and topical or controversial issues generated a greater attendance. There was a good public engagement at Southport



Area Committee and it was easy for the public to participate as the attendees generally understood the Public Forum procedure. The Police attendance was particularly helpful to the public. The Area Committee was better attended than more formal Council meetings.

10.3.3 Councillor McGuire — no real publicity was given regarding Area Committee meetings and greater attendance would be achieved if we could raise more awareness of the meetings.

10.3.4 Barbara Rouse — totally agreed with previous comments. More public attendance was generated at the smaller Linacre and Derby Area Committee and there was a greater attendance when a pertinent topic was on the agenda. There was a public perception that there was a hidden agenda or pre-determined outcome at Area Committees. A journalist from the Bootle Times used to always attend Linacre and Derby Area Committee meetings and report on decisions taken.

10.3.5 Gerry Lee - agreed with previous comments. Melling was a semirural area and the attendance of Melling residents at Central Sefton Area Committee had dropped-off. Feedback from SALPC was that there was a general discontent because Parish Council representatives could not get in touch with their Sefton Ward Councillors.

10.3.6 Councillor Robinson — advertising was the key issue. We need to advertise Area Committees better and inform how the public could get involved in the Area Committee process i.e. regarding the Public Forum and what they could or could not involve Area Committees in, for example, planning matters.

10.3.7 Kevin Sharpe — the Central Sefton Area Committee is not well attended by the public but it is easy for the public to participate although even more opportunities could be afforded to the public to get involved. The Area Committee plays an important role because it allows the public to see local democracy working.

10.3.8 Ian Willman - Meetings were well attended in Southport but not elsewhere in the borough
The creation of three Area Committees produced large geographical areas and boundaries. This in turn raised issues about public transport links to Area Committee venues which could have a detrimental impact on public attendance at meetings. Furthermore, regarding the size of the Area Committees, was a Formby resident interested in what was happening in Waterloo? The timing of the meetings may inhibit attendance of the public

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- 10.4 **What would you change regarding the operation of Area Committees?
What works well, what not so well?**
- 10.4.1 Councillor Robinson — we need to re-visit the way we currently operated. The current Area Committees were too big and not enough time was made available for debating issues. But the key issue was could we revert to the previous system within current financial constraints?
- 10.4.2 Councillor Jamieson — the current Area Committee system was too big and there was no meaningful public engagement.
- 10.4.3 Anne Ibbs — the Area Committee system needed to be really local or be abandoned. There was insufficient time made available for public participation. The Council did not consult with Parish Council's enough and Parish Councils had lots of good views and advice.
- 10.4.4 Sir Ron Watson — the frequency of the meetings needed to be increased. The delegation of powers could be reviewed to enable more locally made decisions and thereby reduce the burden on decision making by other Sefton decision making bodies. There could be a devolvement of local governance in Southport.
- 10.4.5 Councillor McGuire — the reduction in the frequency and the increase in the size of Area Committees was a result of a Council budget decision. Area Committees were too structured and the procedure for allowing members of the public to ask questions should be relaxed. Local people needed to be involved in the local decision making processes and accordingly more powers should be devolved to Area Committees. People needed to be given answers to their questions even if it was not the answer they wanted to hear and more officer engagement at Area Committee meetings could help to do this.
- 10.4.6 Barbara Rouse — Police participation at Area Committees worked well. A downside was that the meetings were too formal with no flexibility which led to attendees losing interest.
- 10.4.7 Gerry Lee — agreed with previous comments in that there was a common dissatisfaction with the new Area Committee structure. There was a good Parish Council/Sefton Council officer relationship but the Parish Council/Sefton Ward Councillor relationship had diminished. We needed to revert to the old Area Committee system.



- 10.4.8 Kevin Sharpe — stricter agenda timetabling should be introduced and more time should be given to strategic matters facing the borough. At times the meeting is a low level "talking shop" with lots of Parish Council tittle-tattle.
- 10.4.9 Ian Willman - A redesign of the agenda with more focus on public engagement and involvement in decision making.
There was a good Police/partner relationship.
There was good Public Forum participation at Southport Area Committee.
Local Advisory Group Members, on occasions, appeared to raise their own agenda issues rather than fulfilling their advisory role.
- 10.4.10 Councillor McGuire — more debate on Committee reports was Required.
Residents could be allowed to suggest future agenda items to increase public engagement — how residents initiate consideration of items at Area Committees needed to be looked at.
- 10.5 **What business do you initiate via Area Committees and do you think that this business could be discharged in another way?**
- 10.5.1 Councillor Robinson — there should be a reduction in the size and an increase in the frequency of Area Committees.
- 10.5.2 Councillor Jamieson — more power should be devolved to Area Committees so that local people see local Councillors making local decisions.
- 10.5.3 Anne Ibbs — the current Area Committee structure was too big and impersonal and people felt disenfranchised. The old system was much better. On a positive there was good police participation at Area Committees.
- 10.5.4 Sir Ron Watson — I initiated business at Area Committees by asking questions during the Public Forum which could then lead to debate. Also, I give my local knowledge on Area Committee agenda items.
- 10.5.5 Councillor McGuire — the Liberal Democrat group would hold discussions in the run up to and Area Committee meeting. If a common theme was apparent via local residents contact with Ward members then an item would be placed on the agenda and appropriate officers asked to attend the meeting. A suggestion in the Cabinet report was that if Area Committees were abandoned then the Licensing and Regulatory Committee could discharge some functions such as traffic regulation orders. This raised the concern about public engagement as it was not considered that

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L&R would support adequate public engagement, for example, how would local residents raise questions under the current governance structure? A whole system review would be needed.

10.5.6 Barbara Rouse — the Area Committee system has got to be kept local. The Bootle Action Group had recently been set up to improve local amenities and environmental issues; and the Action Group regularly contacted the Council to complain about fly-tipping and refuse related problems. Social media could be a good tool to disseminate information but caution was also expressed that sensitivity was required as there were downsides such as abusive comments.

10.5.7 Gerry Lee — the Council needed to create a higher profile of its Area Committees; advertisements should be placed in local newspapers about what is happening.

10.5.8 Kevin Sharpe — I have recently instigated a lot of work in opposition to a wind farm development affecting the local community.
I would need someone to explain to me what the various alternatives are as to whether business could be discharged in another way.

10.5.9 Ian Willman - Budget monitoring and area management reports were submitted to each meeting and colleagues had an input into the Public Forum process. But do we need to report budget monitoring issues bearing in mind colleagues were in very regular contact with local Members?
We need to be more social media savvy to disseminate Information.
Could information be provided to Members in a better way rather than via quarterly Area Committee reports?

10.6 **What channels of communication do you have into the democratic process and what do you consider could be used in the absence of Area Committees?**

How do you think social media could be used to provide information to local communities?

10.6.1 Councillor Robinson — I hold regular surgeries, undertake home visits, use social media and look at the Bootle Action Group site on a daily basis, all of which helped me to perform my role as a Ward Councillor. I would not like to see the demise of Area Committees as it would reduce an opportunity for face to face engagement with constituents. It would be helpful if we could increase social media engagement.



- 10.6.2 Councillor Jamieson — some Councillors don't go out of their way to engage with local residents. There should be a greater devolution of powers to Area Committees so that local residents could engage in the decision making process. I use facebook, twitter, streetlife, Formby bubble to engage with residents. I'm strongly of the opinion that we should not do away with Area Committees.
- 10.6.3 Anne Ibbs — Area Committees should not disappear and at meetings we need to ensure that everyone felt that they had had their say. Some Ward Councillors need to become more engaged. Officers of the Council were very helpful when contacted. Regarding engagement, the Parish Council meetings were open to the public, notice boards provide information, parish Councillors knock on residents' doors to canvas opinions and currently, there was lots of consultation going on regarding the Neighbourhood Plan. Regarding social media the Parish Council used Formby bubble as it had a great relevance to local people. More localism was required.
- 10.6.4 Sir Ron Watson — Ward Councillors were exceptionally helpful when contacted. Southport Area Committee worked very well because it served an identifiable community. Area Committee functions could be dispersed to other Committees but this would reduce public engagement. We need to differentiate between responsibilities i.e. was it a Parish Council or Sefton Council issue to resolve and a clarification of duties would be helpful. Social media could have significant downsides as there could be generational gaps, the affordability of ICT equipment by some residents and some people's wariness of online use. We would always need traditional methods of communication and the local press could be used to help with this.
- 10.6.5 Councillor McGuire - in the absence of Area Committees social media could be used. Sefton has 13,000 twitter followers so Sefton could broadcast to 13,000 people; Facebook was a good communication tool but difficulties could arise if strong, adverse comments were posted; however it was a good communication channel and therefore should be used. Fix my street was also a good tool as was SIMON (Sefton Interactive Maps Online).
- 10.6.6 Barbara Rouse — I use Merseynow from Merseyside Police to obtain information. We needed to revert to the old Area Committee structure as I built up lots of good officer contacts and relationships at these fora. Should there also be checks on whether Councillors were doing their work?

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- 10.6.7 Gerry Lee — I had been a Parish Councillor for 15 years and it was very evident that there was a bias of Sefton Councillors against Parish Councillors. If Area Committees were removed Sefton would be very undemocratic.
- 10.6.8 Kevin Sharpe — the Parish Council feeds into the Sefton Area Partnership of Local Parish Councils (the 10 Parishes). In the absence of Area Committees I'm not sure how Parish Councils would escalate issues. The Parish Council uses streetlife; but caution was given that due to generational issues lots of older people do not use social media and therefore could miss out on information if it is only provided by social media, Our Parish Council noticeboard is a great way to provide information to the local community as it is sited in a prominent location.
- 10.6.9 Sandra Cain — agreed with lots of the points raised by Parish Councillor Sharpe in respect of the questions above; and commented in general by making the following points:-
- Information could be provided by virtual libraries such as that operated by the North Meols Library Association
 - Facebook was a good tool and resource for the dissemination of information but there were some negative aspects
 - The Southport Area Committee agenda was well managed and could be used to escalate issues to other bodies
 - An example of good Area Committee led partnership working was cited regarding the refurbishment of a shrimping cart public art feature; and Mrs. Cain indicated that she did not think that this issue could have been resolved without the involvement of the Area Committee
 - Southport in Bloom issues were also supported by the Area Committee
 - She had personally discussed the Sefton 2030 Vision with many neighbours and colleagues and urged them to submit their views into the consultation exercise
 - She has not seen any viable alternatives to the current Area Committee structure
 - Area Committees should be promoted within local communities to involve greater local public participation
 - Other groups should be invited to participate in the Area Committee process such as the Southport Business Improvement District
 - She was very appreciative of the support afforded to her from elected members and officers; and that she had built up a good working relationship through her Local Advisory Group member role.
- 10.6.10 Councillor Robinson indicated that at South Sefton Area



Committee, since the introduction of the new arrangements, the Committee's workload was so large that not enough time could be given to serious issues; and Ward Councillors felt that this was not productive. He asked whether this was the case in Southport Councillor McGuire responded that it was not the case at Southport Area Committee but acknowledged that when the Area Committees were smaller they were better attended by the public. A big problem of Southport Area Committee was its infrequency of meetings.

- 10.6.11 Ian Willman - Lots of avenues were used such as emails, telephone calls,
Cabinet Member Briefings
Sometimes a phone call is a great way of communication because it was more personal
Attendance at Operational Groups
- 10.6.12 Councillor Jamieson — communications between the Neighbourhoods Team and elected Members was excellent but we need to improve our communication with the public. This could be achieved by the use of social media and the Internet and via walkabouts with elected Members in their wards
We should be wary of the one size fits all approach
We had lots of information and the task was to pull it all together
The use of the Council's social media really needs improving
Elected Members always worked well with partners but we needed to enhance our communications with them to ultimately improve the situation for our local residents
- 10.6.13 Ian Willman - The use of social media needed to improve.
We could potentially have facebook accounts for individual Wards
The improved use of twitter and potentially each Ward could have its own account.
Instagram
We feel that the Council website could be improved.
Ward profiles needed to be more user friendly.
Webcasting of meetings to enable local residents to view Committees from home.
- 10.6.14 Councillor McGuire — agreed with the comment about the Council website and considered that it was not at all attractive or Engaging.
- 10.6.15 Councillor Thomas — a case management system for Members using a "traffic light approach" would be a great idea.

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10.7 **Apart from Area Committees what other methods do you use to conduct your Ward work and obtain the views of your constituents? (NOTE: this question was only asked to Parish Council Representatives)**

- 10.7.1 Anne Ibbs - the Parish Council meetings were open to the public, notice boards provide information, parish Councillors knock on residents' doors to canvas opinions, face to face meetings.
- 10.7.2 Anne Ibbs/Gerry Lee — Public fora were held at all Parish Council meetings allowing the public to make a contribution. Appropriate Sefton Ward Councillors were invited to all Parish Council meetings but they very rarely attended.
- 10.7.3 Anne Ibbs - we have the Formby Hub and Councillor Page helps with this.
- 10.7.4 Gerry Lee — Melling Parish Council were currently in the final stages of its Neighbourhood Plan which had involved great engagement and public consultation and this had had the benefit of bringing the community together. Ingrid Berry and her colleagues in the Planning Service had provided great input into the Neighbourhood Plan process.
- 10.7.5 Councillor McGuire — Southport did not have a Parish or Town Council and if the Area Committees were disbanded Southport would feel democratically violated.
- 10.7.6 Kevin Sharpe — the Parish Council notice board is very important for relaying information to constituents and this facility should not be underestimated; church meetings; word of mouth; email; public meetings; distribution of letters/flyers through letter boxes. Finally, Parish Councillor Sharpe referred to the changing democratic structure across Merseyside relating to the Liverpool City Region; and acknowledged that if Liverpool as a city did well then other boroughs would benefit from spin offs. He indicated that Area Committees could identify some big issues of concern to them that could then be referred on to the new City Region Mayor to resolve.

10.8 **Do you think the Operational Group could fulfil some of the roles of Area Committees? Have you any examples? (Note: this question was only asked to Ian Willman)**

- 10.8.1 Ian Willman -There was a push on the use of Operational Groups but not all areas opted to use them. Southport, Litherland and Ford and Formby (Operation Beachsafe) currently used Operational Groups. The appetite of Members in particular areas clearly differed on the use of such Groups.



We have set things up rigidly and bureaucratically and this could prohibit public involvement.
We had lots of fora outside of the operation of Area Committees where we engaged with the public.
Operational Groups had potential but there would need to be a real drive of participants if they were to replace Area Committees.

10.9 JAN MCMAHON, HEAD OF STRATEGIC SUPPORT

Members raised the following issues with Jan McMahon, Head of Strategic Support:-

10.10 How could modern Councillors operate by the use of enhanced or improved surgeries, events or public meetings?

Sefton has a communications team whose job it is to represent the council from a corporate point of view, reflecting the policy decisions made. By law, they are not allowed to write or send out press releases on behalf of individual Councillors, but they can still help elected Members promote Council work that they have been involved with. If a Councillor has a newsworthy item our Communications Team can advise on how best to promote it.

Social media is now growing in popularity and could be more actively used by Members; and the following tips are very helpful regarding such use:-

- Be human: be approachable in your language and tone; behave online as you would in person.
- Be engaging: respond to questions and join in when you can move the conversation on or help.
- Be professional: remember that you represent your council, so be aware of how your public voice comes across.
- Share and attribute: you can share what others have posted but it is polite to acknowledge and attribute where this has come from.
- Go to where your audience is: if the section of the population you want to connect with is on a particular platform, forum or group, join it.
- Content is king: by creating sharable and engaging content you can contribute to the conversation and be heard.
- Be authentic: don't pretend to be something you are not.
- Be strategic: plan ahead — who do you want to engage with, why and how? What do you want to achieve?
- The internet is forever: be aware that what you post now could be found in years to come

The use of social media for the reporting of the proceedings is permitted



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during public Council meetings as long as this causes no disruption to the running of meeting. In line with national legislation, the filming and recording of public meetings is also permitted, again provided the activity does not disrupt proceedings. Anyone wishing to do so is asked to inform the Democratic Services Team 24 hours in advance to ensure any necessary arrangements can be made.

The Council's website is a great way to for Councillors to promote their activities. The website has 100,000 user visits per month and the Council has 13,500 twitter followers. As an example, the Events page on the website could be used to advertise Members' surgeries.

E-mail could also be used and an e-newsletter or blog could be created by Councillors.

Training will be needed for Members and staff and such training is currently being developed by the Communications Team in conjunction with Michael Mainwaring the Workforce Learning and Development Manager.

Jan McMahon concluded by advising of the recently published decision by the Cabinet Member — Regulatory, Compliance and Corporate Services to adopt a new approach to how the Council communicates with residents and businesses in line with others across the city region and the UK and the proposal to launch a dedicated news website and publish a printed newsletter twice a year.

A question was asked whether the Council monitored local websites such as the Bootle Action Group who may post incorrect information regarding Council activity.

Jan McMahon indicated that this was not done because by becoming involved may inflame a situation and the resource is not available to undertake this activity. However, the Council did respond to some facebook and twitter posts. Regarding twitter, the Council took part in the LGA “tweetathon” event on 15 November 2016 and circulated lots of facts about the Council; and raised Sefton's profile nationally and had re-tweets on the Guardian twitter feed and the LGA. This strengthened the fact that lots of people use social media.

A comment was raised that at a recent meeting of the Public Engagement and Consultation Panel the responses to the consultation exercise on the Bootle Investment Strategy were considered; and that the response rate was very low compared to Crosby and Southport. Could social media be used for such consultation exercises.

Jan McMahon indicated that consultation exercises could be and had been undertaken using Facebook and twitter during Imagine Sefton 2030. It was recognised that we need to develop a programme of training for both Members and officers in such techniques.



A question was asked about the disadvantages experienced by people who did not use ICT.

Jan McMahon indicated that the Council were aware of such problems and had an officer who liaised with hard to reach groups. The Cabinet Member - Regulatory, Compliance and Corporate Services has recently approved the Accessible Communications policy.

Councillor McGuire stressed her concern that social media was being touted as an alternative to the operation of Area Committees and that this was something that she disagreed with; and that Area Committees are used as a platform and could not be replaced by social media.

10.11 **How do you think Councillors could improve their partnership working arrangements?**

By getting involved in local fora e.g. Dementia forum; by the use of established Operational Groups at which local Councillors, officers and representatives from community and residents groups meet on a regular basis and could also be attended by police, local schools, housing associations and other partners; and that each area could look at its own priorities and share good practice.

A comment was made that the Southport Partnership was attended by many partners and that the partnership base was widening.

Jan McMahon indicated that through the Vision consultation and engagement process good community contacts had been made, for example, with the Merseyside Fire and Rescue Service.

10.12 **At the last meeting of the Working Group witnesses made various comments about social media and website issues which are set out below. How could the Council's website or social media use be enhanced to improve the public's interaction with the Council and its elected Members?**

Lots of detail to this question had been provided previously and described in 4.10.

The Council's website was a continual work in progress and improvements would always be sought.

Ward Profiles are currently being updated.

Webcasts — some local authorities use webcasts but analysis of figures show that the uptake of usage by the public is low and therefore would not be recommended as a way to improve public engagement.

10.13 **Could a "report it once" system be introduced?**

Sefton currently applies the "tell it once initiative". Customer interface issues would have to be looked at regarding "report it once" but some systems are



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very expensive. All things could be possible but account must be taken of cost issues particularly bearing in mind the financial situation of the Council.

A question was asked whether there was a system of tracking issues online. Jan McMahon indicated that there was no such system. A "My Account" system was in place but this was not used often with 70% of accounts dormant.

A comment was made about the reporting of fly-tipping issues online and following an unsatisfactory response, the escalation of the problem by making a phone call to the Council. It had to be acknowledged that sometimes it was preferable to speak to an operator rather than using the online service.

Jan McMahon indicated that some of our web processes are "end to end" and others generate emails and that this is where problems may occur; whilst some are process and resource dependent.

10.14 **From your experience of the Public Engagement and Consultation Panel what do you consider could be done to improve Members' engagement with their constituents?**

Lots of detail to this question had been provided previously and described in 4.10.

By the use of social media, partnership work and becoming involved in "Friends of" groups.

Also, Local journalists are always looking for good stories. By building and maintaining a positive relationship with reporters Members can establish themselves as a valuable and credible contact for news and comment. The Communications Team can also be used to promote the good work being done in Wards.

Surgeries are a good facility to have face to face contact with constituents and if as mentioned previously, if we are told of the surgery details then they can be published on the events page of the website.

10.15 **What methods of engagement do you consider that the public prefer?**

This is difficult to answer as the situation is different for different people but often busy lives need the immediacy and quick response of social media. However, surgeries offer that real chance for a one to one and for people feel listened to. Attendance at partnership and community events can help to engage with the public. However we must acknowledge that one size does not fit all.

A comment was made that there was more time for public engagement and questions at the previous, smaller Area Committees; and the view was that South Sefton and Central Sefton did not work so well but what alternative system could be put in place that the Council could realistically afford.



A further comment was made that we have three separate Area Committees with differing needs; and acknowledging that one size does not fit all, it was stated that Southport did not wish to lose its Area Committee. Alternatives could be sought but the same alternative may not be applicable to all three Area Committees.

Jill Coule concluded in response to a question from Cllr Robinson that options could be tailored to each area; but questioned whether Area Committees were the best way to transact business. The review was not established as a way to save money but as a mechanism to find the best way to transact local business and improve communication and engagement with local communities.

10.16 MICHAEL MAINWARING, WORKFORCE LEARNING AND DEVELOPMENT MANAGER

Members raised the following issue with Michael Mainwaring, Workforce Learning and Development Manager:-

What training could be offered to Members to support and implement any proposals suggested by Jan McMahon?

Jan McMahon has covered some of these points already; but more information is required before training is developed, i.e. is it to improve face to face communication, e-learning or workshops. Once this has been established then evaluation exercises can be undertaken to ensure we have met our outcomes.

Regarding social media training, the best way to deal with this is to use experimental training i.e. use social media in a live environment.

A comment was made that e-learning packages were a good tool because members could undertake the training at their own convenience.

The use of political party group champions would also assist those group members not so familiar with ICT issues, particularly older group members.

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11. APPENDIX 3 - MEMBERS' PROPOSALS

11.1 Councillor Simon Jamieson

The Area Committees should revert to their smaller more local size particularly in areas such as Formby, Crosby etc. The smaller Area Committee model would allow more engagement and interaction at local level between Members and their constituents.

11.2 Councillor Sue McGuire

The Liberal Democrat group believes that local areas understand best the issues that concern them and that localism is an important aspect of our democratic traditions.

The Liberal Democrat group acknowledges the results of the consultation on the future of the area committees and recognises that a 'one size fits all solution' would be deeply unsatisfactory.

As such the Liberal Democrat group propose to give local area committees the final say on their future. However it is clear that options need to be provided to deal with the specific concerns raised by the consultation.

The consultation seems to suggest the South Sefton Area Committee has the highest percentage of people believing the committee to be not necessary. While we believe it should be down to the committee themselves to determine how to react to the consultation the case for change is most compelling in South Sefton.

The Southport Area Committee is the best attended committee of the council and has significant popular support both through the consultation and through its democratic mandate having been created through public referendum. Southport Area Committee should be retained though elements of its form could be modified.

The area committee covering Sefton Central has, in its modified form, proved problematic and potential solutions to this so far have all carried revenue implications.

The Liberal Democrat group proposes the following options be presented to area committees for consideration.

Satus Quo – The area committee is best to be retained in its current form

Devo Min – The Area Committee should become a fully open public forum held once a quarter.

Devo Max – Area committee to be retained in its current form with long term plans to devolve further powers to the committee starting with Street Scene.

Abolition – Abolish the area committee but retain the ward budget.

A further consideration should be given by the members of the Sefton Central



Area Committee as to whether a return to the previous system of governance. Should the committee choose to return to the previous system it may need to utilise some of the ward budgets to meet the revenue costs.

In all cases increased use of online and social media is to be welcomed as an extra method of communication with the public. The Liberal Democrats additionally support plans for an escalation project available to residents when councillors fail to respond to communication.

It is anticipated that different area will opt for different governance structures going forward and this is to be celebrated.

The Liberal Democrats welcome the opportunity to review the remit of the Area Committee and believe that the following should be considered:

3. Review current funding of Area Committees with the possibility that costs associated with the meetings are met from ward budgets
4. The inclusion of a “soap box” platform to provide residents with the opportunity to share their views and raise concerns outside the current constraints of the area committee remit.
5. To engage with other partner organisations in a constructive manner both statutory bodies i.e. Council, Police, NHS but also voluntary groups within the community.
6. Submission of questions as part of The Public Forum should be reviewed to allow questions from the floor and questions to other partner organisations
7. Area Committees should be included as a platform for residents to engage with the Council consultation process.
8. TRO's and other petitions raised by residents remain within the remit of the Area Committees
9. Further powers should be delegated to Area Committee to devolve decision making to the local communities.

Proposals specifically for Southport Area Committee

7. Southport Area Committees retain its title.
8. The meetings are held in Southport Town Hall Council Chamber
9. Council Officers take minutes.
10. Officers are requested to be present by the Chair for relevant items on the agenda.
11. The Town Wide fund is replaced by a new fund made up of funds taken from wards that have more than £10K unspent by the end of the year.
12. The number of meetings should not be reduced.

11.3 Councillor Carla Thomas

The Working Group has sought the views on the operation of Sefton's Area Committees of various Local Advisory Group Members and Parish Councillor representatives serving on Area Committees; together with the views of the Council's Head of Strategic Support, the Workforce Learning and



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Development Manager and the Service Manager - Neighbourhoods. The views were obtained at witness interviews held on 18 November and 9 December 2016. The detailed comments of the witnesses are included in the Minutes of the meetings incorporated into the Working Group's Final Report. The general thrust of the comments was that the Area Committee system is not working well because:-

- The Area Committees were geographically too large and residents had no real interest in the majority of issues discussed at meetings as such issues were not relevant to their communities*
- The large size of the Area Committees meant travelling to meetings, particularly by public transport, was problematic
- Over the years there had been a sharp reduction in the numbers of local residents engaging in the Council's Area Committee system
- The format/rules of the Area Committee were not conducive to member's being accessible to the public, to public engagement and did not seem to be meeting public expectations.
- The police had confirmed through their response to the consultation that they were not minded to continue to attend the area committee meetings as they were not viewed as effective ways to communicate with local residents.
- Members were dissatisfied with being asked to consider a TRO for a locality that did not relate directly to the ward/locality they represented.
- The Council per se was using a variety of methods and routes to secure public consultation and less frequently/not using the Area Committee forum accordingly.

It was acknowledged that Southport witnesses considered that the Southport Area Committee geography was not too large and that Southport was considered to be a cohesive locality.

Many witnesses indicated a wish for a return to the former Area Committee structure of seven smaller, more localised Area Committees meeting on a more frequent basis. However, the Working Group, at its meeting held on 19 April 2017 agreed that due to budgetary and staff resource constraints the "scaling-up" of the current Area Committee operation was not a viable and sustainable option. Bearing in mind the generally negative comments of witnesses to the current structure, together with the poor community engagement and attendance at meetings, a new model of Member engagement with their constituents, community groups, partners, businesses, private sector organisations, the voluntary, community and faith sector and



Parish Councils agencies is required. Accordingly, it is recommended that:-

- (1) The current Area Committee system in Sefton cease;
- (2) The current responsibilities of Area Committees be transferred to the Committees as detailed in [Appendix 1](#) attached to the report of the Head of Regulation and Compliance considered by the three Area Committees during the December 2015/January 2016 cycle;
- (3) Three Constituency Fora be established covering the Bootle, Sefton Central and Southport Constituencies with the following terms of reference:
 - A. To engage with local residents, community groups, partners, businesses, private sector organisations, the voluntary, community and faith sector and Parish Councils particularly in relation to the Sefton 2030 vision for the borough;
 - B. In areas covered by Parish Councils, to work closely with such Parish Councils and the Sefton Area Partnership of Local Councils by promoting and enhancing the [Parish and Town Council Charter for Sefton](#)
 - C. To consider complaints from constituents if it can be demonstrated that none of their Ward Councillor(s) has responded at all to a request for action;
 - D. To meet a minimum of twice per year ; and
 - E. To determine, with the consent of the three Ward Councillors, the devolved allocation of Ward funds on local priorities that would not otherwise be funded by Council budgets; that this funding continue to be administered by the Head of Communities; and any Ward budget over £10,000 not allocated at the end of the Municipal Year be transferred to the Cabinet Member – Communities and Housing for inclusion in the Community Transition Fund;
- (4) The Head of Communities to support the operation of the Constituency Fora;
- (5) The Head of Strategic Support to provide support on public engagement and consultation issues to the Constituency Fora;
- (6) Subject to operational requirements the use of Council buildings be allowed to host the Constituency Fora; and

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- (7) To assist the role of Constituency Fora Operational Groups be established if deemed necessary by local Ward Members (in those areas where currently none exist) to work with partner agencies in their localities.



For further Information please contact:-

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Sefton Council 

**Overview
& Scrutiny**



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Agenda Item 5

Report to:	Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)	Date of Meeting:	12 September 2017
	Overview and Scrutiny Committee (Children's Services and Safeguarding)		26 September 2017
	Cabinet		5 October 2017
Subject:	Licensing/Child Sexual Exploitation Working Group Final Report	Wards Affected:	(All Wards);
Report of:	Head of Regulation and Compliance		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No		

Purpose/Summary

To present formally the final report of the Licensing/Child Sexual Exploitation Working Group.

Recommendations:

Overview and Scrutiny Committee (Regulatory Compliance and Corporate Services and Overview and Scrutiny Committee (Children's Services and Safeguarding)

That Cabinet be recommended to:-

- (1) request Sefton's Members of Parliament to lobby the Home Secretary to strengthen the existing Legislation regarding personal licences to Include:-
 - a) A national data base of personal licences
 - b) A fit and proper persons test
 - c) In particular provision to allow a Council to defer determination of a personal licence where the Individual is currently involved in a Police Child Sexual Exploitation investigation where a licenced premises is central to those investigations;
- (2) request Sefton's Members of Parliament to lobby the Secretary of State for Education to ensure that Care Providers who offer residential

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placements for 16 – 18 year old children and young people are inspected by a regulatory body;

- (3) in order to raise awareness of Child Sexual Exploitation issues with Sefton parents, request the Head of Schools and Families to promote the Child Sexual Exploitation e-learning tool with all schools and governing bodies and with a request that school e-newsletters contain a hyperlink to the e-learning tool;
- (4) Rather than the Merseyside local authorities dealing with licensing/CSE issues in a piecemeal or individual way, the Liverpool City Region be contacted to seek the adoption of pan-Merseyside standardised policies particularly bearing in mind the cross boundary nature of taxi/private hire journeys; and
- (5) request that the Head of Regulation and Compliance and the Head of Children's Social Care submit a joint monitoring report to the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Resources) and the Overview and Scrutiny Committee (Children's Services and Safeguarding) to be held on 16 and 30 January 2018 respectively, setting out progress made against each of the recommendations set out in the report and that thereafter, monitoring reports be submitted to the Committees on a six monthly basis.

Cabinet

That:-

- (1) Sefton's Members of Parliament be requested to lobby the Home Secretary to strengthen the existing Legislation regarding personal licences to Include:-
 - a) A national data base of personal licences
 - b) A fit and proper persons test
 - c) In particular provision to allow a Council to defer determination of a personal licence where the Individual is currently involved in a Police Child Sexual Exploitation investigation where a licenced premises is central to those investigations;
- (2) Sefton's Members of Parliament be requested to lobby the Secretary of State for Education to ensure that Care Providers who offer residential placements for 16 – 18 year old children and young people are inspected by a regulatory body;
- (3) in order to raise awareness of Child Sexual Exploitation issues with Sefton parents, the Head of Schools and Families promote the Child Sexual Exploitation e-learning tool with all schools and governing bodies and with a request that school e-newsletters contain a hyperlink to the e-learning tool;
- (4) Rather than the Merseyside local authorities dealing with licensing/CSE

issues in a piecemeal or individual way, the Liverpool City Region be contacted to seek the adoption of pan-Merseyside standardised policies particularly bearing in mind the cross boundary nature of taxi/private hire journeys; and

- (5) the Head of Regulation and Compliance and the Head of Children’s Social Care submit a joint monitoring report to the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Resources) and the Overview and Scrutiny Committee (Children’s Services and Safeguarding) to be held on 16 and 30 January 2018 respectively, setting out progress made against each of the recommendations set out in the report and that thereafter, monitoring reports be submitted to the Committees on a six monthly basis.

Reasons for the Recommendation:

The Working Group has made a number of recommendations that require approval by the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services), the Overview and Scrutiny Committee (Children’s Services and Safeguarding) and the Cabinet.

Alternative Options Considered and Rejected:

No alternative options were considered. The Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) established the Working Group to review the topic of Licensing/Child Sexual Exploitation and the Working Group has performed this task.

What will it cost and how will it be financed?

(A) Revenue Costs

There are no financial implications arising for the Council as a direct result of this report. The implementation of recommendations that result in efficiency savings and any necessary financial investment will be the subject of separate reports.

(B) Capital Costs

There are no financial implications arising for the Council as a direct result of this report. The implementation of recommendations that result in efficiency savings and any necessary financial investment will be the subject of separate reports.

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Financial	
Legal	
Human Resources	
Equality	
1. No Equality Implication	<input type="checkbox"/>

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2.	Equality Implications identified and mitigated	
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

Contribution to the Council's Core Purpose

<p>Protect the most vulnerable: The terms of reference and objectives of the Working Group were selected to:-</p> <ul style="list-style-type: none">• review the Council's legal and safeguarding position in relation to the issue of any licence following allegations of child sexual exploitation;• consider whether all relevant pathways, methods of referral are sound with respect to escalation of CSE referrals;• ensure that key sectors are informed, aware of how to raise concerns concerning CSE; and• liaise with the Home Office and lobby for legislative change should the need arise. <p>The Working Group's recommendations have been formulated with the aim of strengthening the existing Legislation regarding personal licences issued under the Licensing Act 2003; to ensure that Care Providers who offer residential placements for 16 – 18 year old children and young people are inspected by a regulatory body; and to make parents/guardians in Sefton aware of an online learning tool that amongst other things, provides them with a valuable source of information to learn the signs and indicators of when a child might be being exploited. It is anticipated that the recommendations will help to protect the most vulnerable in Sefton.</p>
<p>Facilitate confident and resilient communities: The Working Group's recommendation to make parents/guardians in Sefton aware of an online learning tool to learn the signs and indicators of when a child might be being exploited will create the capacity and motivation for parents/guardians to get involved and create an environment in which they are less reliant on public sector support.</p>
<p>Commission, broker and provide core services: Not applicable</p>
<p>Place – leadership and influencer: Not applicable</p>
<p>Drivers of change and reform: Not applicable</p>
<p>Facilitate sustainable economic prosperity: Not applicable</p>
<p>Greater income for social investment: Not applicable</p>
<p>Cleaner Greener: Not applicable</p>

Impact of the Proposals on Service Delivery:

What consultations have taken place on the proposals and when?

The Head of Corporate Resources (FD 4727/17/17) has been involved throughout the review work.

The Head of Regulation and Compliance (LD 4011/17) has been consulted and has no comments to add to the report.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

Contact Officer: Paul Fraser

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Background Papers:

There are no background papers available for inspection

Introduction/Background

At its meeting held on 21 June 2016 the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) approved the establishment of a Joint Working Group to review the topic of Licensing/Child Sexual Exploitation with the following objectives:-

To review the Council’s legal and safeguarding position in relation to the issue of any licence following allegations of child sexual exploitation;

To consider whether all relevant pathways, methods of referral are sound with respect to escalation of CSE referrals;

To ensure that key sectors are informed, aware of how to raise concerns concerning CSE; and

To liaise with the Home Office and lobby for legislative change should the need arise

Accordingly, the Working Group has met on numerous occasions to undertake such review and its Final Report, together with associated recommendations, is attached.

The Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services), the Overview and Scrutiny Committee (Children’s Services and Safeguarding) and the Cabinet are requested to support the contents of the Working Group Final Report and approve the recommendations contained therein.

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**OVERVIEW AND SCRUTINY COMMITTEE
(REGULATORY, COMPLIANCE AND CORPORATE SERVICES)**



Licensing Act 2003



**LICENSING/CHILD SEXUAL EXPLOITATION WORKING GROUP
FINAL REPORT
SEPTEMBER 2017**

Overview
& Scrutiny



Overview & Scrutiny



**‘Valuing
Improvement’**

www.sefton.gov.uk
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LEAD MEMBER'S INTRODUCTION

I am very pleased to introduce this Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) Licensing/Child Sexual Exploitation Working Group report.

The Working Group adhered to its established terms of reference and objectives (see paragraph 2 below) in interviewing witnesses and its drafting of recommendations.

I wish to thank all those people who gave up their valuable time to be interviewed by the Working Group. The input and expertise of interviewees greatly helped the Working Group in the formulation of its recommendations. Finally, I am extremely grateful to my fellow cross-party Working Group Members for their commitment and their ideas and contributions.



Councillor Dave Robinson
Lead Member, Licensing/Child Sexual
Exploitation Working Group



1.0 BACKGROUND

- 1.1 At its meeting held on 21 June 2016 the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) approved the establishment of a Joint Working Group, with members of the Overview and Scrutiny Committee (Children’s Services and Safeguarding), to review the topic of Licensing/Child Sexual Exploitation.
- 1.2 Councillors Bradshaw, Keith, Brenda O’Brien, Robinson and Thomas and Mrs. Sandra Cain, an Associate Member of the Overview and Scrutiny Committee (Children’s Services and Safeguarding) were appointed to serve on the Working Group.
- 1.3 At the first meeting of the Working Group Councillor Robinson was appointed Lead Member. Details of Working Group meetings are set out below:-

Date	Activity
29.09.16	Scoping Document approved Background reading material identified
2.11.16	Working Group received presentation from Kara Haskayne, Service Manager, Safeguarding Children - Independent Reviewing and DCI Gayle Rooney on Child Sexual Exploitation Selection of witnesses approved
25.10.16	Consideration of documentation regarding agile working
6.12.16	Interview Key Witnesses – Michael Hearty, Merseyside Police Licensing Sergeant Andrew Naisbitt, former Trading Standards and Licensing Manager Kevin Coady, Principal Licensing Officer
8.12.16	Interview Key Witness – Peter Yates, Service Manager, Corporate Parenting
27.04.17	Site visit to Multi-Agency Safeguarding Hub
May 17	Final Report and Recommendations signed off by Working Group Members via email

2.0 TERMS OF REFERENCE AND OBJECTIVES

- 2.1 The Terms of Reference and Objectives of the Working Group were approved as part of the scoping exercise at the first meeting and are set out below.
- 2.2 Terms of Reference and Objectives
- 2.2.1 To review the Council’s legal and safeguarding position in relation to the issue of any licence following allegations of child sexual exploitation;
- 2.2.2 To consider whether all relevant pathways, methods of referral are sound with respect to escalation of CSE referrals;
- 2.2.3 To ensure that key sectors are informed, aware of how to raise

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concerns concerning CSE; and

- 2.2.4 To liaise with the Home Office and lobby for legislative change should the need arise

3.0 METHODS OF ENQUIRY

- 3.1 Literature Review
- 3.2 Legislation Review and Legal Opinion
- 3.3 Critically assess current protocols
- 3.4 Assess Case Studies – Rotherham and others
- 3.5 Compare / contrast permissive -v- restrictive licensing regimes and the concept of fit and proper person

4.0 PRESENTATION/KEY WITNESSES

Members of the Working Group gathered evidence through various methods, including presentations, briefings and receiving reports. Evidence was also obtained when Members had the opportunity to interview key witnesses, various Officers and Partners.

Paragraphs 4.1 to 4.3 provide a summary of the points raised in presentations/discussions held with key witnesses who had been invited to attend Working Group meetings.

4.1 PRESENTATION FROM KARA HASKAYNE, SERVICE MANAGER, SAFEGUARDING CHILDREN - INDEPENDENT REVIEWING AND DCI GAYLE ROONEY, MERSEYSIDE POLICE

- 4.1.1 Ms. Haskayne/DCI Rooney identified:-

The definition of CSE as follows:-

‘Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs or alcohol, cigarettes, affections, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment/gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and



intimidation are common, involvement in exploitative relationships are characterised in the main by the child or young person's limited availability of choice resulting from their social / economic and /or emotional vulnerability.'

Safeguarding Children from Sexual Exploitation (DFE 2009:9)

National lessons learned to date;
Signs that a child may be exploited;
How agencies were advised to refer their concerns regarding CSE;
Multi agency actions undertaken to safeguard the child and disrupt and prosecute offenders;
Specific actions regarding CSE and licensing; and
Feedback received from the Ofsted Inspection that showed that a highly effective multi-agency strategy had resulted in innovative practice to safeguard children from CSE.

A copy of the presentation can be viewed [here](#)

Following the presentation Working Group Members commented/asked questions as follows to Kara Haskayne, DCI Gayle Rooney and Terry Wood, Environment and Licensing Manager :-

- 4.1.2 How many CSE successful prosecutions had there been? – DCI Gayle Rooney. An example of a successful prosecution was given. Furthermore, the Police cyber-crime unit was now expanding and this would help to gather information to improve the prospect of successful prosecutions
- 4.1.3 Information was sought on Child Abduction Warning Notices – Kara Haskayne. Child Abduction Warning Notices were formerly known as Harbourers' Warnings. They could be issued against individuals who were suspected of grooming children by stating that they had no permission to associate with the named child and that if they did so they could be arrested under the Child Abduction Act 1984 and Children Act 1989. They could be a useful tool for parents because they required a statement from the person(s) with parental responsibility for the child. This was important if a parent identified a risk, but your child insisted that the person was a legitimate 'friend' or 'boy/girlfriend'. A problem with Child Abduction Warning Notices was that the police were able to issue them for children up to the age of 18 only if they were in the care of the local authority. At the moment they could only be issued to children up to the age of 16 if they were living at home. The Council and several other organisations were lobbying the Government to amend the legislation to ensure that notices could be served for all children up to the age of 18

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- 4.1.4 A member indicated that they worked in a Community Centre and that a “7 Minute Briefing” (that provided information on various current safeguarding children topics) would be very helpful for staff – Kara Haskayne. This could be arranged
- 4.1.5 Information was sought on action plans for child victims of CSE who were 16 or 17 years of age – Kara Haskayne. Information was provided on the close working relationship with parents/carers; each child being allocated a social worker; “Catch 22” involvement in the process; the identification of the person with the best relationship with the victim to be the victim’s key worker; the gathering of evidence; and the multi-agency approach adopted
- 4.1.6 What happens if a child continually goes missing and refuses to cooperate with the authorities and it is known that the child frequents a particular property continually? - DCI Gayle Rooney. Targeted disruption activity is undertaken at the property and we have the power to use a Closing Order.
Kara Haskayne. Meetings would be held about the address and Independent Return Interviews would be undertaken with the child to identify and deal with any harm the child had suffered, to understand and try to address the reasons why the child or young person ran away, to help the child feel safe and understand that they had options to prevent repeat instances of them running away [and] provide them with information on how to stay safe if they ran away again, including helpline numbers
- 4.1.7 What happens if a child is very young and their parent or family member is the abuser? – Kara Haskayne. This is not classed as CSE but as child abuse. Nonetheless the issue would be reported and dealt with
- 4.1.8 Are statistics available on the numbers of CSE referrals made by the licensed taxi trade? – Kara Haskayne. Taxi drivers make referrals to Merseyside Police who review the information and in turn make CSE referrals to the Multi-Agency Safeguarding Hub. Analysis of the statistics would be sought from Merseyside Police and reported to the Local Safeguarding Children’s Board in September 2017. Furthermore statistics relating to CSE were reported to Cabinet on a regular basis and were included in an annual report
- 4.1.9 How sure are we that all out of borough children coming into Sefton are known to the Council? – Kara Haskayne. Since 2014 annual meetings had been held with all children’s homes operators and representatives; and we are notified by children’s homes when out of borough children arrive. We are confident as a Council that we know of all out of borough children coming into Sefton to either



children's homes or fostering agencies

- 4.1.10 Out of borough children (as victims) could still be contacted via social media – Kara Haskayne. On arrival the child completes documentation. A pan-Merseyside protocol is in place and when CSE of a child is known it is immediately referred to MACSE and staff from the child's home authority have to attend the MACSE meeting
- 4.1.11 Are we confident that if an organised group (targeting children from a CSE perspective) was operating in Sefton that we would know about it? – Kara Haskayne. We have all the systems and processes in place but there was always more work to be done; and unfortunately we could never say it wouldn't happen in Sefton. Members of the community would pick up on CSE behaviour before the Police or the Council and therefore more work was required to engage with our local communities to give them the confidence to report CSE
- 4.1.12 Were all taxi operating firms on board with the CSE proposals contained in the Taxi Licensing Handbook? – Terry Wood. Yes and all drivers were issued with the Handbook and were made aware of the CSE elements
- 4.1.13 Was there any training given to the hotel industry? – Terry Wood. There was no statutory provision to do this. KH referred to correspondence between the Chief Executive and the Home Office that identified a conflict between the statutory requirements of the Licensing Act 2003 and the prevention of CSE
- 4.1.14 Following the complaints made against the Police in respect of the raid on Sir Cliff Richard's home and the now dropped allegations of indecent assault against a youth, would this hinder the prospect of people reporting incidents of CSE? – Kara Haskayne. It was understandable that this may happen. Following reports of abuse by Jimmy Saville lots more referrals were made citing incidents of historical abuse
- 4.1.15 A member referred to a CVS training session on CSE that they had attended and that she was concerned at the lack of input from the Faith Sector. Accordingly, she had spoken to a number of faith organisations on the matter and would continue to do so – Kara Haskayne. We work closely with the Diocese and Archdiocese and both had a CSE point of contact and associated action plans. Inter-faith group meetings had also been attended to promote the issue of CSE. This has also been discussed with Safeguarding Leads for the Diocese and Archdiocese who have indicated that and they will raise the at an all-Faith Merseyside Meeting to discuss with other

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non-Christian faith leads. Feedback will be reported to the Local Safeguarding Children's Board Child Sexual Exploitation Group in September 2017

- 4.1.16 Was CSE information available in other languages? – Kara Haskayne. We have access to Beacon Language Service who support translation during 1:1 work. The need for leaflets to be translated will be raised with the Local Safeguarding Children's Board Business Manager and Merseyside Police in connection with the translation of the 'Listen to my Story' Merseyside CSE website.
- 4.1.17 What would happen if a child victim had a learning disability? – Kara Haskayne. The case would be discussed with colleagues in Children's Social Care

4.2 LICENSING REGIME – WITNESS INTERVIEWS MICHAEL HEARTY, MERSEYSIDE POLICE LICENSING SERGEANT ANDREW NAISBITT, FORMER TRADING STANDARDS AND LICENSING MANAGER KEVIN COADY, PRINCIPAL LICENSING OFFICER

Michael Hearty, Merseyside Police Licensing Sergeant, Andrew Naisbitt, former Trading Standards and Licensing Manager and Kevin Coady, Principal Licensing Officer were present at the meeting of the Working Group at the same time and responded to the following questions as part of a general discussion.

4.2.1 **Do you consider that the licensing framework actually evaluates the people involved in these 'tempting' industries or does it just make them comply with various requirements?**

- It was acknowledged that each application was taken on its individual merits and that the licensing framework forced applicants to comply with various requirements; although an element of evaluation was undertaken by checking an applicant's past history. Furthermore, the Head of Children's Social Care was consulted on certain licensing applications and could advise and make recommendations on safeguarding issues.
- Discussion was also held on the distinction between applications relating to the taxicab and private hire trade and those relating to alcohol related licences. A restrictive fit and proper person test was adopted for taxicab/private hire licences whilst a permissive test was adopted for alcohol related licences. This meant that so long as the applicant complied with the following 4 conditions, then a licence must be granted by the Council:-
 1. Must be aged 18 or over;
 2. That no personal licence held by them has been forfeited



- within the period of five years before making the application;
3. That they possess an accredited licensing qualification; and,
 4. That they have not been convicted of any relevant or foreign offence.

(From 6 April 2017 a further condition has been added, namely, to ensure that the applicant has a right to work in the UK)

- However, discussion took place on a recent personal licence application that had been refused by the Licensing Sub-Committee; the applicant met the 4 conditions but various counsel advice had been sought and the Sub-Committee were persuaded by the position presented by the opinion of one of those counsels – that a mandatory duty may be vitiated where there are public policy considerations to justify the same. The Sub-Committee considered that they had an over-arching duty to the public as a whole – which is far greater than the applicant's need for a personal licence. The Sub-Committee considered that their duty to protect children from harm outweighed their duty to comply with s.120 of the Licensing Act 2003; accordingly, the Sub-Committee had been mindful of the applicant's job prospects but it did not feel that the lack of a personal licence would hinder the applicant unduly. That being the case, the application was refused. This case also generated correspondence between the Chief Executive and Theresa May, the then Home Secretary. The Chief Executive sought the Home Secretary's views on how the existing regulations could be strengthened to include:-
 - A national data base of personal licences
 - A fit and proper persons test
 - In particular provision to allow a council to defer determination of a personal licence where the individual is currently involved in a police CSE investigation where licenced premises is central to those investigations
- A holding response was received from Karen Bradley MP, Minister for Preventing Abuse, Exploitation and Crime indicating that while it is not Government policy to comment on specific cases, she had asked her officials to look into the legislative point raised and to consult the police and licensing authority representatives, including Sefton's licensing officers, for views about the best way to address this matter; but to date no further correspondence had been received despite a follow up letter from the Chief Executive
- It was acknowledged that the fit and proper person test was deliberately removed by Government in respect of alcohol licences and replaced with the 4 conditions; but that with regard to safeguarding issues a balance of probability test should be used; and that lots of deregulation was being

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introduced but not in the safeguarding field. **It was agreed that licensing should not be considered in isolation and that more regulation and accreditation was required and that it was right for Government to be made aware of this**

- It was noted that Liverpool City Council had organised a one-day voluntary CSE awareness scheme for Security Industry Authority regulated door staff.
- Concern was expressed at some activities associated with underage events at which alcohol was not served. Often young people turned up to the events drunk and were then refused admission. This then generated the problem of young people being drunk and roaming round town/city centres leaving them in a vulnerable position. It was agreed that lots of young people would drink alcohol at home, with the consent of their parents, before they left to attend underage events. The success of campaigns and controls on the retail off-licence sector clamping down on underage sales may have contributed to younger people drinking at home. The safeguarding position regarding parents allowing their children to consume alcohol was a difficult one to address. If it was believed that there was a real problem and issues of neglect arose then the local authority would take appropriate action. Finally, if the Police found young people intoxicated then they would return them home and try to find out where they obtained the alcohol.
- Reference was made to a House of Lords Select Committee currently reviewing the Licensing Act 2013. Although the issue of CSE was not contained in the Select Committee's brief, the Council had made a submission on the same lines as the Chief Executive to the Home Secretary.
- In response to a question as to how do we determine who is a fit and proper person in respect of taxis it was indicated that the process was bureaucratic and time consuming; and that the applicant had the right of appeal if refused a licence. On those occasions where a licence was refused on fit and proper grounds, the Council very rarely lost appeal cases in the Magistrates Court.

4.2.2 **Do you think we could/should have a 'fit and proper' test for the individuals or not – what would be the pros and cons of that?**

- As the law stands at present we can't adopt a fit and proper person test in accordance with the terms of the Licensing Act 2003; as mentioned earlier there was a distinct difference between the permissive and restrictive licensing regimes; and the view was that the Licensing Act 2003 was geared up



towards the licensed trade. It was agreed that lobbying of the Government should be undertaken for the introduction of a fit and proper person test in relation to Licensing Act 2003 applications

- A question was asked that once an applicant had received their Disclosure and Barring Service (DBS) clearance, did such clearance stay with them for life. Yes. A further question was asked whether we could make applicants renew their DBS on safeguarding grounds. Not without a change in legislation in relation to the Licensing Act 2003. However, the taxi/private hire trade had to renew DBS every three years. It was noted that the Government changed the legislation last year, in respect of personal licences, to remove the need to renew after 10 years. This as the Government wanted to reduce red tape for the industry.
- The Council had stronger controls in respect of Premises Licences. Reviews of such licences could be sought but without hard evidence or concerns it was difficult to provide a strong case for revocation to the Licensing Sub-Committee

4.2.3 **What do you see as the strengths and benefits and weaknesses and dis-benefits of the current system?**

- Aspects of this question were partly discussed as part of question 2 above.
- The great weakness was that the permissive nature of the Licensing Act 2003 meant that strong evidence was required to refuse applications; that the legislation was geared up to favour the licensed trade; and the view was that the system was too deregulatory. It would be helpful if we could use the balance of probability test in respect of Licensing Act 2003 matters to reduce the risks of CSE and improve safeguarding issues
- A strength was that the police and local authorities could use Closing Orders to shut down problem premises.

4.2.4 **How would you describe the relationship between the licensed industries, those who operate in the licensed industries and children who might be vulnerable to being tempted by the lures of those industries?**

- It was considered that there was a disconnect.
- The vast majority of operators were responsible and complied with all training requirements; and welcomed conditions such as CCTV installation in premises and compliance with the “Knock Back” scheme for example. However, no specific training was required to be undertaken

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with regard to CSE as was the case with the taxi/private hire trade. Furthermore, evidence had shown that CSE issues had been identified by the taxi/private hire trade and this could be deemed a success. Raising awareness of CSE in all licensed trades was essential; and to achieve this aim, the Home Office could be lobbied to add a CSE module to the existing nationally accredited training certificate for Personal Licence applicants. It was agreed that the Working Group could adopt a recommendation seeking Licensing Act 2003 applicants for Personal Licences to complete a CSE module as part of the Home Office accredited national training certificate scheme.

- Rather than the Merseyside local authorities dealing with licensing/CSE issues in a piecemeal or individual way, it was suggested that the Liverpool City Region could be contacted to seek the adoption of a pan-Merseyside standardised policy to the problem, particularly bearing in mind the cross boundary nature of taxi/private hire journeys
- Could we use e-learning packages for the licensed trade? – the big licensed operators would probably agree but this may meet some resistance from smaller operators

4.2.5 **What other/more safeguarding could be/should be done?**

- By raising awareness of CSE not only by the Council but by all partner agencies such as the Police, Sefton CVS, Merseyside Fire and Rescue Service etc.
- it was confirmed following a question that if a Personal Licence holder had been convicted of a relevant offence then the Police would contact the local authority about it; and that an information sharing scheme was in place between the Police and the Council. However the Courts, upon convicting an offender, may not know that he/she held a Personal Licence and therefore the Police would not be notified in this regard. This was a loophole in the system. It was noted that at present only the Courts could revoke a personal licence.

4.3 LOOKED AFTER CHILDREN – WITNESS INTERVIEW PETER YATES, SERVICE MANAGER, CORPORATE PARENTING

The Working Group interviewed Peter Yates, Service Manager, Corporate Parenting and raised the following issues:-

- #### 4.3.1 **How do we ensure that looked after children are not exposed to CSE and reduce the risk for those that have been identified at risk of CSE?**



As of 9 December 2016 Sefton has 467 looked after children (LAC); and the primary way to ensure that LAC are not exposed to CSE and reduce the risk for those that have been identified at risk of CSE is to make sure that we provide the children with a sense of belonging and permanency and that they have a good emotional attachment. Good placement decisions ensure security and continuity. A significant decision facing Sefton as the corporate parent is whether we place children locally or further afield. Children are rarely placed further afield unless it is absolutely necessary to remove the child from risk. However, this is not without its problems because children can sometimes run away and return alone over long distances and this can also increase exposure to risk.

The Sefton Multi Agency Child Sexual Exploitation (MACSE) Panel is used to understand and minimise risks.

4.3.2 If a child is identified at being at risk and have been involved in unhealthy peer relationships or gangs then what steps are taken to combat this?

The MACSE is used, all risks are considered by the panel and actions are agreed to minimise the risk and the agency responsible for each action.

4.3.3 Is social media monitored?

Yes it is but this often difficult to do. Colleagues in Regulation and Compliance have had success in getting various posts removed from Facebook.

4.3.4 What procedures are in place if a child continually absconds from their placement?

We would look at preventative measures and maybe use an external placement or a residential resource with the aim of cutting negative links. There is a very clear policy around children who are missing and the actions to be taken. A strategy meeting may consider a secure placement if the risk are very concerning, however this would only be used if we felt that it was the only way to protect the child; and the use of such placements require court orders. We would continually work with the young person and their carers to reduce the risk; and the child's social worker would work with agencies such as Catch 22 who provide return interviews and support to children on such issues.

4.3.5 Do we have enough resources to ensure the safety of LAC?

Yes we do, LAC are prioritised, re external placements can be



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costly, so we would constantly review to ensure that the child's needs are being met and it is the most appropriate placement for them.

4.3.6 **How far away would we send LAC to external placements?**

We always avoid placing LAC children away from their local communities when possible. Children are rarely placed more than 100 miles away. On occasion placements more than 100 miles away have been used but this is due to the specialist nature of the placement and always to meet the child's needs.

4.3.7 **Where are Sefton's 476 LAC?**

10% in residential care, 60 to 70% in foster care and 20% with parents.

4.3.8 **How many out of borough LAC are in private care homes?**

On average about 210 children who are in the care of another LA. Some are very high risk children due to CSE issues from their original local authority area and we work closely with their LA to ensure they are safe.

Some of Sefton's LAC are placed in residential homes but rarely in the same ones as out of borough children if we have concerns about the operation of a home we would discuss the matter with our Contracts and Monitoring Team so that they could assess its standards.

4.3.9 **What powers of regulation do we have over children's homes?**

The Council has no statutory powers over children's homes. We do have a Designated Officer who will become involved if there are safeguarding concerns in relation to staff members; Independent Returns Home Officers are also employed and they support children in the homes who are reported missing. The Council works closely with Ofsted, who regulate and inspect children's homes, we have been successful in the closure of three homes that did not meet the required standards. We use the North West Commissioning Framework to ensure quality assured standards in the homes.

4.3.10 **Could a private children's home provider open a home in Sefton without notifying the local authority?**

We work very closely with our planning colleagues on this matter, looking at risk factors in communities which may impact on



children. We consider that we already have a very high number of out of borough LAC in Sefton. Sefton is concerned that it cannot provide the resources to ensure these private homes are safe. Sefton cannot stop applications for planning permission being submitted and these will need to be determined in accordance with planning policy and on their individual merits. Furthermore, we do not currently have a planning policy regarding such homes.

It was agreed – that the Head of Regulation and Compliance investigate whether a planning policy could be introduced to stop or restrict the establishment of further private residential care homes for LAC in Sefton.

(NOTE: following an investigation into the above matter by the Head of Regulation and Compliance it was established that no such planning policy could be introduced)

4.3.11 **What training and support do we offer to our foster carers and residential workers to ensure they understand the signs of CSE and can support young people in their care?**

We provide supervision and encourage work to promote attachment with the placement family; training is provided on the role family contact plays within the placement; and training is provided to foster carers regarding e-safety, social media and CSE issues. The aim is to achieve an overall sense of belonging for the child so that they invest in the carers looking after them and remain safe.

4.3.12 **Are the training courses managed?**

Yes, very carefully. Mandatory training is provided as part of the foster carer core offer and courses are updated on an annual basis.

4.3.13 **Can we ensure that staff in private homes are trained to the same standards?**

Yes. Multi-agency training is provided and this includes CSE awareness issues; training courses are run every six weeks at Ainsdale Corporate Learning Centre. Furthermore, meetings are held on a frequent basis with private care home representatives. This is very important because children in private care homes are at a much greater risk than Sefton's LAC. Finally, it was stated that it was the responsibility of the private children's home to undertake a compatibility risk assessment of the children they accepted to ensure that they can manage their needs.

4.3.14 **Can we have a say on what out of borough LAC come into Sefton?**



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No, we have no statutory powers in this respect. When we become aware of problems we use MACSE plans and when children are considered to be unsafe this is passed on immediately to the originating out of borough Director of Children's Services. Following a question as to whether it would be helpful to have such a statutory power it was indicated that this was a dilemma – as the Council could potentially have the direct responsibility for an additional 210 out of borough LAC but with no control or funding for such children. As mentioned previously, it was suggested that it would be helpful if the opening of further private homes could be restricted through the planning process, as Sefton was at optimum capacity in this regard from a safeguarding point of view. The Council has however been influential in getting a notification system in place so that we are aware of all the Out of Borough children in Sefton.

It was agreed – that further reflection on the issue of gaining statutory influence of out of borough LAC coming into Sefton be reflected upon as a potential recommendation of the Working Group.

4.3.15 **How do we ensure that private providers and independent fostering agencies understand the signs of CSE, are familiar with Sefton's procedures and support the young people in their care?**

In terms of the Council's expectations when a Sefton child is placed in with a private provider we draw up a contract to include the identification of CSE risks, the child's care plan and mitigating factors.. This contracting process ensures that the child's exposure to CSE risks is minimised. There is also a performance management framework in place and data in relation to CSE is analysed and quarterly update reports are submitted to Cabinet.

The Lead Member, Councillor Robinson referred to an e-learning course for parents to assess the risks of CSE.

It was agreed - that the Head of Children's Social Care be requested to promote the e-learning course to all foster parents and carers.

5. SITE VISIT TO MULTI-AGENCY SAFEGUARDING HUB (MASH)

The Working Group undertook a visit to the Multi-Agency Safeguarding Hub (MASH) on 28 April 2017 and considered a briefing note that provided background information on MASH. The briefing note advised that Serious Case Reviews and inspections had highlighted concerns about agencies



sharing information when children are at risk; that the MASH was a government backed approach that has been further endorsed in the MUNRO review of child protection; that the MASH offers a confidential information sharing service that has representation from statutory agencies as a minimum; and that each MASH is governed by an Information Sharing Agreement so that professionals are clear of expectations.

The main aim of the MASH is:-

- to enable timely, well informed decision making that leads to early help;
- to enable agencies to collate a multi-agency chronology that forms the basis for decision making;
- to use a risk assessment form to grade referrals to determine priority for actions and which agency is best placed to respond; and
- to enable the least intrusive approach to be taken by the agency deemed most appropriate. Most importantly, children should not fall between agencies without any support service.

This concept supports the golden thread running through the Children's Social Care Service re-design of right intervention, at the right time with least changes of workers. The briefing note indicated that Sefton has a vision for MASH that encompasses a strong operational focus; and that Sefton recognises that professional relationships are critical. As such co-location, good interagency communication and the opportunity for multi-agency professionals to undertake joint visits within the community will be key features of the Sefton MASH design.

The briefing note also identified the key drivers for change, namely:-

- Vulnerable children get a better service;
- Agencies co-located e.g. police, health, Early Intervention and Prevention, Children's Social Care, Probation = better relationships, improved understanding of each other's professional role, and improved information sharing on a need to know basis;
- Early intervention by least intrusive service (early help);
- Repeat incidents identified and a problem solving approach initiated;
- Professionals have a central point for advice and access to information from a range of agencies; and
- Quicker, better informed decision making

With regard to Governance arrangements the briefing note indicated that the Director of Social Care and Health was responsible for the MASH, discharged through the Head of Children's Social Care; and that the Local Safeguarding Children's Board provides governance to the MASH.

Sefton have achieved/will achieve the MASH proposals above by the adoption of an agreed governance structure, the creation of a draft performance

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framework to measure how much we are doing (this will need to be populated as cases are progressed through the MASH), developing operational procedures and processes to support the MASH and marketing the MASH.

The briefing note concluded by detailing that phase one of Sefton's MASH had commenced on 24 February 2014; and that representatives from Children's Social Care, Early Intervention, Merseyside Police, Health and Merseyside Probation (virtual member) will process referrals on Domestic Abuse, Child Sexual Exploitation and Child Protection.

The Working Group also received a presentation from Julie Bucknall, Nicola Driscoll, Ellie Fairgrive and Emma Murphy on the working of the MASH Team regarding:-

- The Sefton Local Safeguarding Children's Board Partnership system to address child sexual exploitation concerns
- Child sexual exploitation referrals for the period 1 January to 20 April 2017
- How the MASH Team engage with schools/parents to raise awareness of child sexual exploitation issues
- The five types of child sexual exploitation grooming models, namely, boyfriend/girlfriend model, party model, on-line model, friendship model and groups and gangs model
- Ofsted involvement in the regulation of private children's homes

As a result of the presentation the Working Group resolved that the Head of Schools and Families be requested to promote the Child Sexual Exploitation e-learning tool with all schools and governing bodies and with a request that school e-newsletters contain a hyperlink to the e-learning tool.

6. RECOMMENDATIONS

6.1 Licensing Act 2003 – Issue of a Personal Licence

There is a conflict between the statutory requirements of the Licensing Act 2003 (LA03) and the prevention of Child Sexual Exploitation in that the permissive process for granting a Personal Licence differs to that applied to applications for Premises Licences.

There is a statutory duty set out within the Licensing Act 2003 for Responsible Authorities to be informed of Premises Licence applications, enabling relevant checks to be undertaken. In Sefton the Safeguarding Children Unit represents the 'Responsible Body for protecting children from harm' and is informed of all Premises Licence applications, so checks can be undertaken regarding any safeguarding issues, including any involvement in Child Sexual Exploitation concerns. Merseyside Police are also consulted in their capacity as a Responsible Authority. If any concerns are identified, objections to the Premises Licence application can be made



to the Licensing and Regulatory Committee with regard to any of the 4 Licensing Objectives. With regard to Child Sexual Exploitation concerns, objections can be made by the Responsible Body for Safeguarding Children, the Safeguarding Children Unit and Merseyside Police regarding the following Licensing Objectives:

- Prevention of Crime and Disorder
- Public Safety
- Protection of children from harm

The Licensing and Regulatory Committee has a statutory duty to consider such objections when making their decision whether or not to grant the Premises Licence.

However, with regard to Personal Licence applications, the legislation (Section 120 LA03) requires that the Local Authority must grant a Personal Licence if it appears to it that:

- (a) The applicant is aged 18 or over
- (b) The applicant possesses a licensing qualification or is a person of a prescribed description,
- (c) No personal licence held by the applicant has been forfeited in the period of five years ending with the day the application was made, and
- (d) The applicant has not been convicted of any relevant offence or any foreign offence.

(From 6 April 2017 a further condition has been added, namely, to ensure that the applicant has a right to work in the UK). There is no ability to undertake Responsible Authority Checks. In the event that requirements (a) – (d) are met Merseyside Police are not permitted to express any objections to a Personal Licence application. The Safeguarding Children Unit is not permitted to be informed of Personal Licence applications, as this is a permissive process if all the requirements outlined above are met, even in the case where the applicant, or a member of their family, is currently being investigated with regard to child sexual exploitation. Merseyside Police are not able to express any objection to the application if the individual has not been convicted of an offence, despite the fact that they may be undertaking a Child Sexual Exploitation investigation regarding the individual at the time of the application.

The Chief Executive for Sefton Council and Merseyside Police Chief Constable have previously written to the Home Office, drawing to their urgent attention the conflict between the statutory requirements of the Licensing Act 2003 (LA03) and the prevention of Child Sexual Exploitation. A formal response from the Home Office as to how this matter is to be addressed remains to be received.

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RECOMMENDATION

That Sefton's Members of Parliament be requested to lobby the Home Secretary to strengthen the existing Legislation regarding personal licences to Include:-

- a) A national data base of personal licences
- b) A fit and proper persons test
- c) In particular provision to allow a Council to defer determination of a personal licence where the Individual is currently involved in a Police Child Sexual Exploitation investigation where a licenced premises is central to those investigations

6.2 16-18 year old Non-Regulated Care Provision

Not all Care Providers who offer residential placements for 16 – 18 year old young people are inspected by a regulatory body. Local Authorities across the NW region have processes in place to gain assurance in relation to the provision of care and support provided by those establishments that fall outside of Ofsted's regulatory regime. However it would provide clarity and consistent standards across England if all residential placements providing care and supported accommodation for 16 – 18 year olds fell within a national regulatory scheme. A [letter](#) from Lisa Pascoe, Ofsted's Deputy Director, Social Care Policy dated 4 May 2017 to all Directors of Children's Services provides clarity on this issue; and in particular, paragraphs 9 and 11 as detailed below:-

Accommodation for young people aged over 16

9. This remains an area of challenge and fluidity. A provider can provide accommodation for young people over the age of 16 without registration. If they provide care and accommodation then they should be registered. However, the level of care provided is not specified in the Care Standards Act 2000 and clearly some young people as they move into independent living require some level of support in order to make the transition. This level of care usually reduces over time and does not include the provision of meals, medication, personal care etc. The young people are free to come and go as they wish. Staff may be present for parts of the day and even overnight for security reasons but are not providing direct care. These are unregulated settings and can operate without registration. However, providers who accommodate young people under the age of 16 are then operating an unregistered setting and therefore operating illegally;

11. The challenge is that it is the needs of the young people which determines the requirement of registration and not the model, and therefore it is not



possible to define with any certainty that a setting will never require registration.”

RECOMMENDATION

That Sefton’s Members of Parliament be requested to lobby the Secretary of State for Education to ensure that all residential placements for 16 – 18 year olds, whether care or supported accommodation are inspected by a national regulatory body.

6.3 Keep them safe: an interactive Child Sexual Exploitation learning tool

Keep them safe is a free online learning tool from Pace and Virtual College which has been accessed by more than 29,000 parents and professionals (as of March 2016).

The course is aimed at parents and the 20-30 minute e-learning training course is a valuable source of information to:

- find out more about child sexual exploitation
- learn the signs and indicators of when a child might be being exploited
- understand the impact child sexual exploitation can have on families
- know what to do if you suspect a child might be at risk of this abuse

RECOMMENDATION

In order to raise awareness of Child Sexual Exploitation issues with Sefton parents the Head of Schools and Families be requested to promote the Child Sexual Exploitation e-learning tool with all schools and governing bodies and with a request that school e-newsletters contain a hyperlink to the e-learning tool.

6.4 Pan-Merseyside Standardised Policy

RECOMMENDATION

Rather than the Merseyside local authorities dealing with licensing/CSE issues in a piecemeal or individual way, the Liverpool City Region be contacted to seek the adoption of pan-Merseyside standardised policies particularly bearing in mind the cross boundary nature of taxi/private hire journeys

7. DOCUMENTATION CONSIDERED BY THE WORKING GROUP

- 7.1 Care Quality Commission document “Not Seen, Not Heard - A review of the arrangements for child safeguarding and health care for looked after children in England [click here](#)



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- 7.2 Taxicab Licensing Handbook and Partnership Pathway documentation [click here](#)
- 7.3 report considered by Cabinet on 10 March 2016 on Child Sexual Exploitation Post Rotherham [click here](#)
- 7.4 relevant sections relating to Licensing/CSE from the recent Ofsted inspection report into Children's Services in Sefton [click here](#)
- 7.5 revised Guidance issued under section 182 of the Licensing Act 2003 [click here](#)
- 7.6 Alexis Jay report - Independent Inquiry into Child Sexual Exploitation in Rotherham (1997 – 2013) [click here](#)
- 7.7 report considered by the Licensing and Regulatory Committee on 26 September 2016 on the implications of the recent review into the South Ribble Taxi Licensing Service [click here](#)
- 7.8 correspondence between the Chief Executive and the former Home Secretary regarding the issue of a personal licence [click here](#)
- 7.9 'Time to listen' – a joined up response to child sexual exploitation and missing children [click here](#)



8. ACKNOWLEDGEMENTS AND THANKS

In producing this report on licensing/child sexual exploitation acknowledgements and thanks are attributed to the following individuals for their time and input:-

- Kara Haskayne, Service Manager, Safeguarding Children - Independent Reviewing
- DCI Gayle Rooney, Merseyside Police
- Michael Hearty, Merseyside Police Licensing Sergeant
- Andrew Naisbitt, former Trading Standards and Licensing Manager
- Kevin Coady, Principal Licensing Officer
- Peter Yates, Service Manager, Corporate Parenting
- Julie Bucknall, Nicola Driscoll, Ellie Fairgrave and Emma Murphy from the Multi-Agency Safeguarding Hub

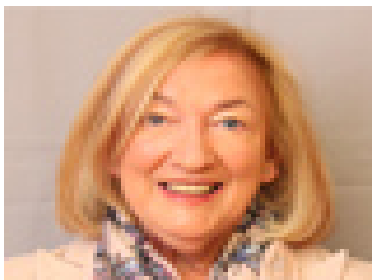
Thanks must also go to the Members of the Working Group who have worked hard and dedicated a great deal of time to this review, namely:-



Councillor Dave Robinson, Lead Member, Licensing/CSE Working Group



Councillor Sue Bradshaw



Councillor Pat Keith



Councillor Brenda O'Brien



Councillor Carla Thomas

Mrs Sandra Cain

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Sefton Council 

**Overview
& Scrutiny**



Agenda Item 6

Report to:	Cabinet	Date of Meeting:	Thursday 5 October 2017
Subject:	Revenue and Capital Budget Update 2017/18		
Report of:	Head of Corporate Resources	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

To inform Cabinet of: -

- i) The current forecast revenue outturn position for the Council for 2017/18 as at the end of August. This forecast will be informed by the latest analysis of expenditure and income due to the Council, in addition to the progress in delivering approved savings;
- ii) The current forecast on Council Tax and Business Rates collection for 2017/18; and,
- iii) The current position of the Capital Programme.

Recommendation(s):

Cabinet is recommended to:-

- i) Note the forecast deficit outturn position of £0.843m as at the end of August 2017;
- ii) Note the progress to date on the achievement of approved Public Sector Reform savings for 2017/18;
- iii) Note the forecast position on the collection of Council Tax and Business Rates for 2017/18; and,
- iv) Note the current progress in the delivery of the 2017/18 Capital Programme.

Reasons for the Recommendation(s):

To ensure Cabinet are informed of the forecast outturn position for the 2017/18 revenue and capital budgets as at the end of August 2017 and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

Alternative Options Considered and Rejected: (including any Risk Implications)
None

What will it cost and how will it be financed?

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(A) Revenue Costs

Any under-achievement of the approved revenue budget savings for 2017/18 will need to be financed from within any surplus identified within other areas of the 2017/18 budget, or from the Council's general balances.

The current financial position on approved Public Sector Reform savings indicates that approximately £1.962m of 2017/18 savings are at risk of not being achieved in the year. Due to anticipated net underspends elsewhere within the budget a deficit position for the year of £0.843m is currently forecast.

(B) Capital Costs

The Council's capital budget in 2017/18 is £26.610m. As at the end of August 2017, expenditure of £5.039m has been incurred and a full year outturn of £24.135m is currently forecast.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: None

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 4861/17) and Head of Regulation and Compliance (LD 4145/17) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

None

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

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Appendices:

The following appendix is attached to this report:

Appendix A – PSR Savings 2017/18 – Current Forecast Achievement

Background Papers:

There are no background papers available for inspection.

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1. Introduction

- 1.1 At Budget Council in March 2017, Members approved a 3 year budget package that would seek to address the funding shortfall of £64m that had been reported throughout 2016. Following a review of all financial assumptions and the proposals contained within the Framework for Change programme, savings of £24.922m were identified that would need to be delivered in 2017/18. This position included a number of measures that were approved to phase the delivery of the public sector reform savings over the course of the 3 year period.
- 1.2 This report therefore presents an assessment of the forecast revenue outturn position for 2017/18 and the latest position on the achievement of the agreed Public Sector Reform savings for 2017/18 (£4.573m) (Section 3).
- 1.3 The report also outlines the current position regarding other key income streams for the Authority, namely Council Tax and Business Rates, as variations against expected receipts in these two areas will also affect the Council's financial position in future years (Sections 4 and 5).
- 1.4 An updated position with regard to the 2017/18 Capital Programme is also provided as at the end of August (Section 6).

2. Budget Plan 2017/18 – 2019/20

- 2.1 The Council has a history of excellent financial management during the period of austerity that has been in place within local government since 2010. Up until 2016/2017 the Council has addressed a funding gap of £169m since 2010. In that period the Council has been met the financial challenge and ensured that a sustainable budget position is delivered.
- 2.2 It is against this backdrop of decreased funding from Central Government and an increased reliance on local funding streams that the Council, in March 2017, set out a three year budget package to deliver its key priorities whilst remaining within the reduced funding envelope. The further £64m of savings agreed, thus brought the total value of savings over a 10 year period to £233m. This value should be considered against the Council's 2017/18 net budget of £203.2m.
- 2.3 This programme of activity, the scale of the financial challenge facing the Council over the 3 years and the level of transformation required (as set out in the Framework for Change) means that the Council will need to continually manage the risks presented from both a service delivery and financial sustainability point of view.

- 2.4 The financial environment that local government, and Sefton in particular, operates within continues to present a number of challenges. In addition to the severe funding reductions that will continue up until 2020, the demand pressures facing the council across a range of services continue to increase with no long term sustainable funding solutions being offered by central government. This is particularly important in respect of the demand upon Adult Social Care services and the unpredictability of demand in Children's Social Care.
- 2.5 Despite the level of savings agreed for 2017/2018, in addition to the demand pressures being faced, careful financial management across the Council means that the forecast outturn position (outlined in Section 3) only shows a net overspend of £0.843m (0.4% of the Council's net budget). Whilst this position is encouraging at this stage of the financial year, due to the demand led pressures that are faced careful financial management by officers will need to continue throughout the year in order to try to achieve a year-end balanced position, in line with that achieved in previous years since austerity was introduced.

3. Summary of Forecast Outturn Position as at the end of August 2017

3.1 At the end of August 2017, a forecast financial position on approved Public Sector Reform savings indicates that approximately £1.962m of 2017/18 savings are at risk of not being achieved in the year. A summary of these is as follows and further details of all PSR savings are provided at Appendix A.

- Asset Maximisation (£0.503m) – this saving will need to be rephased into future years;
- Locality Teams & Personalisation (£0.389m) - a variety of consultations are leading to a slight delay in this project with the shortfall requiring to be rephased into 2018/19;
- Commercialisation, Traded Services & Income (£0.332m) – timing delays to the restructure of building cleaning staffing and the development of the potential options for Crosby Lakeside Adventure Centre are leading to a delay in the implementation of this saving; and
- Commissioning and Shared Services (£0.817m) - delays to the proposed Liverpool City Region Procurement Programme, Sefton Contract Savings and Contract Compliance Audit mean that a full review of the savings proposed via this project is currently underway.
- Partially offsetting the above, two projects are currently forecast to achieve additional savings earlier than expected (£0.079m).

3.2 Due to anticipated net underspends elsewhere within the budget a net deficit position for the year of £0.843m is currently forecast. This is shown in the table below:

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	Budget	Forecast Outturn	Variance	Position previously reported
	£m	£m	£m	£m
Services				
Strategic Management	2.923	2.884	(0.039)	0.000
Strategic Support Unit	2.932	2.987	0.055	0.062
Adult Social Care	87.965	86.902	(1.063)	(1.302)
Children's Social Care	27.487	28.195	0.708	0.351
Communities	10.347	10.339	(0.008)	0.029
Corporate Resources	5.015	4.732	(0.283)	(0.251)
Health & Wellbeing	23.321	23.245	(0.076)	(0.026)
Inward Investment and Employment	2.643	2.718	0.075	0.002
Locality Services - Commissioned	18.426	18.250	(0.176)	(0.002)
Locality Services - Provision	9.640	10.105	0.465	0.415
Regeneration and Housing	4.532	4.252	(0.280)	(0.147)
Regulation and Compliance	3.598	3.280	(0.318)	(0.311)
Schools and Families	25.317	25.387	0.070	0.161
Total Service Net Expenditure	224.146	223.276	(0.870)	(1.019)
Public Sector Reform Savings not allocated to services	(2.134)	(0.478)	1.656	1.656
Reversal of Capital Charges	(13.376)	(13.376)	0.000	0.000
Council Wide Budgets	(2.076)	(2.019)	0.057	0.049
Levies	31.555	31.555	0.000	0.000
General Government Grants	(34.932)	(34.932)	0.000	0.000
Total Net Expenditure	203.183	204.026		
Forecast Year-End Deficit			0.843	0.686

3.3 This revised forecast deficit of £0.843m compares to the deficit of £0.686m that was previously forecast, an increase of £0.157m.

3.4 The key changes that have led to this revised position are as follows:-

- **Adult Social Care** – The forecast underspend has reduced by £0.229m due to increased pressures on the Community Care budget. It should be noted that the forecast underspend assumes that any net increase in demand for services for the remainder of the year will be met from within the Adult Social Care budget.
- **Children’s Social Care** – The forecast overspend has increased by £0.357m due to increased costs relating to residential care and placements.
- **Locality Services - Commissioned** – The forecast underspend has increased by £0.174m due to additional income relating to Highways Management activities currently being forecast.
- **Regeneration and Housing** – The forecast underspend has increased by £0.133m due to vacancy savings, increased income from Planning Applications and additional one-off income for Building Control fees.

3.5 As stated previously, this report reflects the financial position for the Council early in the year and as such will be the subject to change over the next seven months. Key risks facing this position will continue to be demand led pressure in both Adult’s and Children’s services and the potential impact of winter weather conditions.

3.6 In previous years, when overall deficit positions have been forecast, services have reviewed all areas of expenditure in order to contribute to a year end balanced position. In light of the current year end forecast, it is proposed that this process is continued in order that improvements can be made to the forecast outturn position. This will be reported throughout the year to Members.

4. Council Tax Income – Update

4.1 Council Tax income is shared between the billing authority (Sefton Council) and the two major precepting authorities (the Fire and Rescue Authority, and the Police and Crime Commissioner) pro-rata to their demand on the Collection Fund. The Council’s Budget included a Council Tax Requirement of £118.748m for 2017/18 (including Parish Precepts), which represents 85.8% of the net Council Tax income of £138.431m.

4.2 The forecast outturn at the end of August 2017 is a surplus of £0.381m (£0.294m reported in July). This is primarily due to:-

- The surplus on the fund at the end of 2016/17 being lower than estimated at +£0.173m;
- Gross Council Tax Charges in 2017/18 being higher than estimated at -£0.610m;

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- Council Tax Reduction Scheme discounts being lower than estimated at - £0.825m;
- Exemptions and Discounts (including a forecasting adjustment) being higher than estimated at +£0.881m.

4.3 Due to Collection Fund regulations, the Council Tax surplus will not be transferred to the General Fund in 2017/18 but will be carried forward to be distributed in future years.

5. Business Rates Income – Update

5.1 Since 1 April 2013, the Council has retained a share of Business Rates income. The Council's share has increased from 49% in 2016/17 to 99% in 2017/18 as a result of its participation in the Liverpool City Region Business Rates 100% Retention Pilot Agreement. The Government's share of business rates has reduced from 50% in 2016/17 to 0% in 2017/18; however, they continue to be responsible for 50% of the deficit outstanding at the 31 March 2017. The Fire and Rescue Authority retain the other 1%.

5.2 The Council's Budget included retained Business Rates income of £62.955m for 2017/18, which represents 99% of the net Business Rates income of £63.591m. Business Rates are subject to appeals which can take many years to resolve. Settlement of appeals can have a significant impact on business rates income making it difficult to forecast accurately.

5.3 The forecast outturn at the end of August 2017 is a deficit of £0.733m on Business Rates income (£0.523m reported in July). This is due to:

- The deficit on the fund at the end of 2016/17 being higher than estimated £1.215m;
- Minor in year budget variations to date in 2017/18 of -£0.482m.

5.4 Due to Collection Fund regulations, the Business Rates deficit will not be transferred to the General Fund in 2017/18 but will be carried forward to be recovered in future years.

6. Capital Programme 2017/18

6.1 The approved capital budget for 2017/18 is £26.610m. This has increased by £0.523m from the previous month. This is due to the addition of 2 schemes that were approved by Cabinet on 27th July 2017. Of this, £0.455m is the budget for the first year of the new 4 year STEP (Sustainable Transport Enhancement Package)

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programme and £0.068m relates to an Environment Agency Grant for a review of the Crosby to Formby Point defence strategy.

- 6.2 As at the end of August, expenditure of £5.039m (19%) has been incurred within the approved Capital Programme. It should be noted that these figures do not include the cost of the Councils strategic investment in the Bootle Strand Shopping Centre.
- 6.3 As part of the monthly review project managers are now stating that £24.135m will be spent by year end. This would result in an under spend on the year of £2.475m on the whole programme with an overall delivery rate of 91%. This is summarised below as follows:-

2017/18 Full Year Budget	Actual Expenditure as at August 2017	Forecast Actual Expenditure	Full Year Budget Variance
£m	£m	£m	£m
26.610	5.039	24.135	2.475

- 6.4 In order to achieve the revised forecast of £24.135m, expenditure of £19.096m will need to be incurred between now and the end of the year.

6.5 Key Variations on Overall Programme

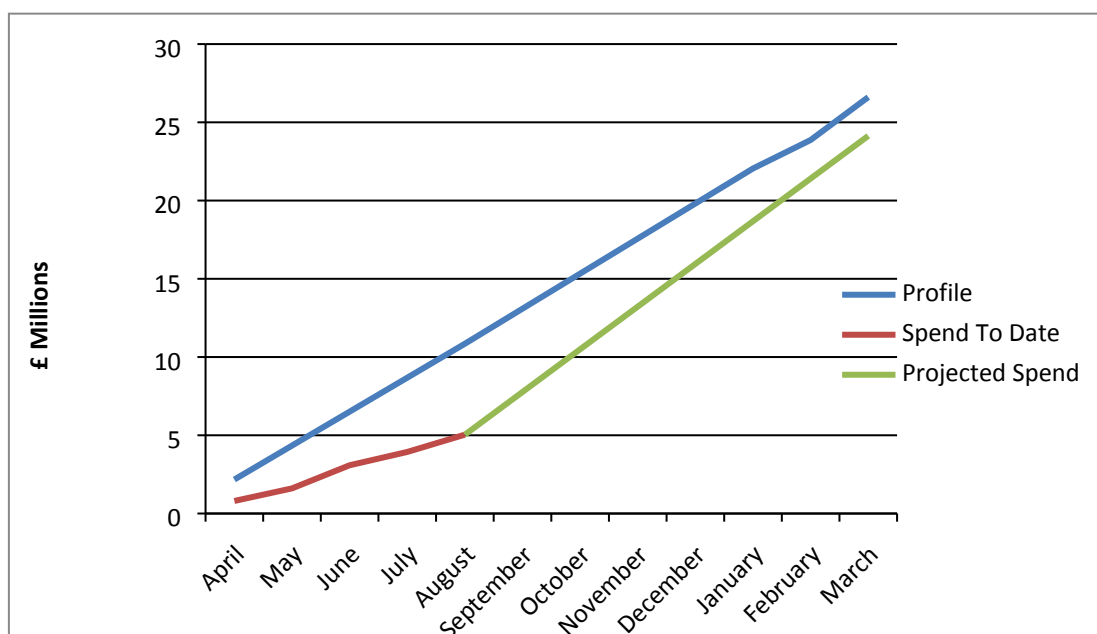
It can be seen from the current forecast position that approximately £2.475m of expenditure will not be delivered in the current year. The key variations to this forecast are as follows:-

Scheme	Key Variation £'m	Explanation
Potential Overspends Identified (key items)		
M58 Junction 1 Improvements	-0.260	Scheme re phased with slight increase in expenditure in Year 1. No change in overall cost of the scheme.
Resources to be carried forward into next year (key items)		
Vehicle Replacement Programme	1.725	A request will be made to re phase this budget in order to meet actual vehicle replacement requirements.
Adult Social Care IT Infrastructure	0.100	A request to re-phase this budget will be made due to delays in the scheme.

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Crosby Library	0.345	Funding requested to be carried forward to be used as match funding for major redevelopment of Crosby Library
Corporate Maintenance 2015/16	0.087	A few schemes that were delayed have now commenced but will not complete this year. Due to revised timelines a request to re-phase this budget will be made.
Parks – Seaforth Area Replacement MUGA	0.080	A request will be made to re phase the budget as spend location awaiting agreement.
Neighbourhoods – Litherland Ward S106 Improvements	0.070	A request will be made to re-phase this budget to fund the Hit Squad and skips in 2018/19.
Total	2.407	
Resources no longer required (key items)		
Maghull Leisure Centre	0.181	This balance had been held to fund additional car parking by prudential borrowing but no further expenditure is envisaged.
Corporate Maintenance 2015/16	0.031	Savings have been identified on a number of schemes and this funding will be re allocated within the service.
Children’s Capital Maintenance – Various Schemes	0.039	Schemes are complete therefore this funding will be re-allocated within the service.
Ainsdale Hope Centre	0.028	Saving on scheme.
Total	0.279	

6.6 The graph below therefore shows the 2017/18 Capital Programme expenditure to date against the profiled budget.



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6.7 A service by service breakdown is shown in the following table:

	Full Year Budget	Expenditure to August 17	Expenditure to August 17 as a % of Budget	Budget Remaining
	£m	£m	%	£m
Corporate Resources	0.498	0.044	8.8	0.454
Locality Services – Commissioned	7.992	1.084	13.6	6.908
Locality Services - Provision	2.471	0.064	2.6	2.407
Regeneration and Housing	1.162	0.858	73.8	0.304
Regulation and Compliance	0.015	0.002	13.3	0.013
Health & Wellbeing	1.029	0.125	12.1	0.904
Adult Social Care	1.540	0.582	37.8	0.958
Schools and Families	5.292	1.127	21.3	4.165
Communities	2.176	0.420	19.3	1.756
Inward Investment & Employment	1.947	0.007	0.4	1.940
Disabled Facilities Grant	2.488	0.726	29.2	1.762
Total Capital Programme	26.610	5.039	18.9	21.571

6.8 Financing of the 2017/18 Capital Programme

	Budget £m
Government Grants*	20.326
Borrowing	2.838
S106	1.730
Contribution	1.710
Capital Receipt	0.006
TOTAL	26.610

*Includes capital receipts used to supplement government grants as detailed below.

Within the funding profile for schemes approved in 2016/17 it was assumed that £1.5m of capital receipts will be generated. As at the end of March 2017, £0.791m has been received leaving a balance due of £0.709m which it was anticipated will be received in 2017/18. As at the end of August 2017 £0.189m has been received that relates to the Kew overage adjustment, leaving a balance required of £0.520m.

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Analysis of 2017/18 Public Sector Reform Savings

	Project Phasing			Total Saving (£ 'm)	Saving Analysis 2017/2018		
	2017/18 £'m	2018/19 £'m	2019/20 £'m		Red £'m	Amber £'m	Green £'m
PSR1- Most Vulnerable							
Looked After Children Reform Programme	-	-	0.539	0.539			-
Acute wrap around services	0.275	0.275	-	0.550	0.024		0.299
	0.275	0.275	0.539	1.089	0.024	-	0.299
PSR2- Locality Teams and Personalisation							
Locality teams	1.000	8.000	-	9.000	0.389		0.611
Personalisation and asset based approach	0.300	1.000	1.700	3.000			0.300
	1.300	9.000	1.700	12.000	0.389	-	0.911
PSR4- SEND & Home to School Transport							
All age disability pathway	-	0.443	0.444	0.887	0.055		0.055
Home to School Transport	-	0.365	0.365	0.730			-
	-	0.808	0.809	1.617	0.055	-	0.055
PSR5- Education Excellence Everywhere							
Traded School Improvement Service	0.318	0.319	-	0.637			0.318
	0.318	0.319	-	0.637	-	-	0.318
PSR6- Commercialisation, Traded Services & Income							
Sefton Arc	0.021	0.356	0.419	0.796			0.021
Commercial Fleet Management	0.028	0.028	-	0.056	0.018		0.010
Crosby Lakeside Adventure Centre	0.064	-	0.122	0.186	0.064		-
Atkinson	0.074	0.270	0.070	0.414			0.074
Tourism	-	0.110	0.225	0.335			-
School Meals	0.100	0.200	-	0.300			0.100
Building Cleaning (alternative delivery model)	0.250	-	-	0.250	0.250		-
Building Control	0.183	0.183	-	-			0.183
	0.720	0.781	0.836	2.337	0.332	-	0.388
PSR7- Environment							
Integration of Land Asset Management Services	0.450	0.445	-	0.895			0.450
Car Parking	-	0.250	-	0.250			-
	0.450	0.695	-	1.145	-	-	0.450
PSR8- Assets & Property Maximisation							
Operational efficiency, Agile and lean, Re-designation, Uplift in yield, Facilities Management Services	0.503	1.538	1.259	3.300	0.503		-
	0.503	1.538	1.259	3.300	0.503	-	-
PSR9- ICT and Digital							
Council ICT	-	-	1.950	1.950			-
ICT staffing reductions	-	-	0.689	0.689			-
Transactional Services staff reductions	-	-	0.800	0.800			-
Customer Interface (includes One Front Door approach)	-	0.300	-	0.300			-
	-	0.300	3.439	3.739	-	-	-
PSR10- Commissioning and Shared Services							
Integration of resources	0.130	0.130	-	0.260	0.040		0.090
SMBC Contract Review	0.353	0.220	0.143	0.716	0.253		0.100
LCR Procurement	0.125	0.500	0.875	1.500	0.125		-
Shared Services	-	-	0.250	0.250			-
Contract Compliance Audit (potential for a mix of one off and re)	0.399	0.133	-	0.532	0.399		-
	1.007	0.983	1.268	3.258	0.817	-	0.190
Total PSR	4.573	14.699	9.850	29.122	1.962	-	2.611

Comments Relating to the 2017/2018 Financial Year
No saving due in 2017/18 Saving will be overachieved in 2017/18
£0.611m of the in year £1m target has been achieved. The remaining balance of £0.389m is at present showing as at risk due to further consultation that is required with regard to subsidy and staffing proposals in the Early Intervention and Prevention programme Saving will be achieved within the Adults & Social Care budget
A saving of £0.055m has been achieved in advance of 2018/19 No saving due in 2017/18
Savings in respect of £0.170m School Improvement, £0.070m Governor Services and £0.050m School Admissions are all on target to be delivered.
On target. Sales support established, first sales report expected imminently. £0.018m of this saving will not be delivered in year due to a delay in establishing the HGV MOT testing centre which is awaiting the required VOSA inspection. Targeted saving unachievable in 2017/18 as refurbishment will not commence until quarter 3 On target. Saving identified through staff vacancies. No saving target in 2017/18, business plan to achieve targeted savings in 2018/19 and 2019/20 is being developed. On target. Increase in price will achieve saving alongside increasing sales. Targeted saving in 2017/18 unachievable due to the time needed to implement reduction in posts and for pay protection period. Specific service budgets will need to be reduced to realise the overall saving. Confidence of achieving the saving is high however it is difficult to track as this is demand lead. It is expected that by the end of Q3 the service area will know exactly what will be achieved this year (+/-). A new levy to be introduced in Q4 should encourage developers to have planning applications agreed before then in order to reduce their costs.
£0.277m worth of savings is identified and achieved. Of the remaining £0.173m plans have been developed for introduction. Some of these proposals are one-off in nature therefore permanent solutions will be required in 2018/19. No saving due in 2017/18
This saving will need to be rephased into 2018/19 and 2019/20.
No saving due in 2017/18 No saving due in 2017/18 No saving due in 2017/18 No saving due in 2017/18
There is a delay in the implementation of these savings due to the time required to identify staff in scope and develop and consult on a new structure. Saving achieved on the reprocurement of the printing contract £0.100m. Remaining savings will be harvested when contracts have been renewed, but at the present time and until tendered, it is unknown which contracts will generate the required saving.
This saving will need to be rephased into 2018/19 due to delays in progress being made across the city region. No saving due in 2017/18 An LGA bid submitted to support delivery of this workstream, which has recently been approved. Saving unlikely to be achieved in 2017/18 and will need to be rephased into 2018/19.

Project deliverables will not meet agreed outcomes	Red
Project deliverables are not currently at the required standard but plans are in place to improve	Amber
Project deliverables will meet agreed outcomes	Green

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Report to:	Cabinet	Date of Meeting:	Thursday 5 October 2017
Subject:	Revenue and Capital Budget Update - Treasury Management Outturn 2016/17		
Report of:	Head of Corporate Resources	Wards Affected:	All Wards
Portfolio:	Regulation, Compliance and Corporate Resources		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To inform members of performance against Prudential Indicators, and Treasury Management activities undertaken for 2016/17.

Recommendation(s):

Cabinet and Council are asked to note the Council's outturn position and its performance against its 2016/17 prudential indicators.

Reasons for the Recommendation(s):

To ensure that Cabinet and Council is fully apprised of performance against prudential indicators, and of Treasury activity undertaken in 2016/17.

Alternative Options Considered and Rejected: (including any Risk Implications)

None.

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

None

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Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: The Council has a statutory duty under the Local Government Act 2003 to review its Prudential Indicators and Treasury Management Activities.
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: n/a
Facilitate confident and resilient communities: n/a
Commission, broker and provide core services: n/a
Place – leadership and influencer: n/a
Drivers of change and reform: n/a
Facilitate sustainable economic prosperity: n/a
Greater income for social investment: n/a
Cleaner Greener: n/a

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 4856/17) is the author of the report.

The Head of Regulation and Compliance (LD 4140/17) has been consulted and has no comments on the report.

(B) External Consultations

None.

Implementation Date for the Decision

Immediately following the meeting.

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Appendices:

None

Background Papers:

There are no background papers available for inspection.

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BACKGROUND:

1. Introduction

1.1. The CIPFA Prudential Code for Capital Finance in Local Authorities (The Prudential Code) was introduced following the Local Government Act 2003. The Prudential Code details a number of measures/limits/parameters (Prudential Indicators) that, to comply with legislation, must be set in respect of each financial year to ensure that the Council is acting prudently and that its capital expenditure proposals are affordable. Original Prudential Indicators for 2016/17 were approved on 18th February 2016.

1.2. A requirement of the Prudential Code is the reporting to Cabinet and Full Council of the outturn position of Prudential Indicators following the end of financial year. In accordance with this requirement, this report outlines the 2016/17 outturn for the following Prudential Indicators:-

- (i) Capital Expenditure (Sections 2);
- (ii) Financing Costs/Net Revenue Stream (Section 3);
- (iii) Capital Financing Requirement (Section 4);
- (iv) Borrowing Limits (Section 5);
- (v) Treasury Management Indicators (Section 6).

1.3. The Treasury Management Policy and Strategy Statements are agreed annually by the Council as part of the budget process. A requirement of the Policy Statement is the reporting to Cabinet and Full Council of the results of the Council's treasury management activities in the previous year. Treasury management in this context is defined as:

'The management of the authority's cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.'

1.4. In accordance with the above this report outlines the results of treasury management activities undertaken in 2016/17 covering the following issues:

- borrowing strategy and practice
- the Council's current Debt Portfolio
- compliance with Treasury Limits
- compliance with Prudential Indicators
- investment strategy and practice.

1.5. The results of treasury management activities in 2016/17 are also reflected in the net expenditure on Capital Financing Costs included within the Council's Revenue Budget.

1.6. The Capital Programme is also agreed annually as part of the budget process. It sets out the anticipated capital expenditure to be incurred within the year.

2. Prudential Indicator 2015/16 – Capital Expenditure

- 2.1. Prudential indicators are an integral component of measuring how prudently a Council is acting with regard to its finances. They were introduced into all local authorities (by CIPFA) following the Local Government Act 2003. A number of measures/limits/parameters including capital financing, external debt, impact on council tax, and treasury management are set prior to the start of the year and are monitored on a monthly basis.

The original estimate for 2016/17 expenditure together with the actual capital expenditure calculated on an accruals basis for the financial year is as follows:

	£'000
Estimate	20,815
Actual	22,390

- 2.2 The Capital Programme for 2016/17 shows an increase in expenditure of £1.575m when compared to the original estimate of £20.815m. This movement has been caused by the approval of additional schemes throughout the year and additional identification of capitalisation.

3. Prudential Indicator 2016/17 – Financing Costs/Net Revenue Stream

- 3.1. This indicator measures the financing costs of capital expenditure as a proportion of the net resource expenditure of the General Fund.
- 3.2. The actual percentage achieved against estimate is as follows:

Estimate	4.0%
Actual	1.7%

- 3.3 The reduction has been caused by lower than estimated borrowing costs, as a result of a change to the Minimum Revenue Provision (MRP) for Debt Repayment Policy in 2015/16 as agreed by Council on 5th March 2016.

4. Prudential Indicator 2016/17 – Capital Financing Requirement

4.1. The Capital Financing Requirement indicator reflects the Authority's underlying need to borrow for capital purposes. The Council is currently internally borrowed which is a temporary position. This reflects the current national low interest rates for investment of cash balances and the need to find savings for the revenue budget. The decision as to when external borrowing (to finance previous years' capital expenditure) will be undertaken will be kept under review (see also Para. 5.4.3).

4.2. The Capital Financing Requirement is based on historic capital financing decisions and the borrowing requirement arising from the financing of actual capital

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expenditure incurred in 2016/17. The estimate and the actual Capital Financing Requirement at 31/03/17 are detailed below:

	£'000
Estimate	199,000
Actual	203,836

- 4.3. The actual level of Total Capital Financing Requirement as at 31st March 2017 is higher than the estimate. This is due to the reclassification of the Probation Service debt as part of the changes to the MRP policy. and due to a revision in the 2016/17 MRP charge in the last quarter of the 2016/17 financial year. A one off reduction in prior year charges caused the annual MRP charge to be reduced, which resulted in an increase in the CFR and a breach of the prudential indicator.
- 4.4. CIPFA's Prudential Code for Capital Finance in Local Authorities includes the following statement as a key factor of prudence:

“In order to ensure that over the medium term net borrowing will only be for a capital purpose, the local authority should ensure that net external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years”.

In the report to Cabinet in March 2016, it was stated that the Authority would comply with this requirement in 2016/17. During the financial year, net external borrowing did not exceed the total of the Capital Financing Requirement.

5. **Prudential Indicator 2016/17 – Borrowing Limits**

- 5.1. External borrowing undertaken by the Council arises as a consequence of all the financial transactions of the authority, both capital and revenue, and not simply those arising from capital spending. During 2016/17, the Council managed its Treasury position in terms of its external borrowings and investments in accordance with its approved Treasury Management Strategy and established an Operational Boundary and Authorised Limit to manage the level of external debt. These items are described below.

5.2. **The Operational Boundary 2016/17**

- 5.2.1. The Operational Boundary sets a limit on the total amount of long term borrowing that the Council can enter into. It reflects the Authority's current commitments, existing capital expenditure plans, and is consistent with its approved Treasury Management Policy Statement and practices.
- 5.2.2. The estimate and actual outturn for 2016/17 are presented below:

	£'000
Estimate	155,500
Actual	114,705

5.2.3 The actual borrowing is lower than the revised estimate, reflecting the internally borrowed position of the Council, with the projected £11.5m of borrowing budgeted for 2015/16 and £3.9m budgeted for 2016/17 not being taken. The estimate also assumed that £10m of loans repaid in August 2015 and £10m repaid in August 2016 would be replaced, however they were not. It should be noted that the estimate also contains borrowing headroom of £5m which was not required during the year.

5.3. The Authorised Limit 2016/17

5.3.1. The Authorised Limit sets a limit on the amount of external borrowing (both short and long term) that the Council enters into. It uses the Operational Boundary as its base but also includes additional headroom to allow, for example, for exceptional cash movements.

5.2.3. The estimate and actual outturn for 2016/17 are presented below:

	£'000
Estimate	170,500
Actual	114,705

The variation reflects the position for the Operational Boundary and the fact that no exceptional cash movements were required.

5.4. Borrowing Strategy and Practice 2016/17

5.4.1 In 2016/17, repayments of £10m were made to The Public Works Loan Board (PWLB) for the principal element of maturity loans.

5.4.2 The Council's external debt activity in the year is summarised in the following table:

	£'000
Opening PWLB Debt 01/04/2016	110,177
Less Repayment Principal Loans	-10,000
Add New Borrowing	<u>0</u>
Closing PWLB Debt 31/03/2017	<u>100,177</u>

5.4.3 It can be noted that the policy of internally borrowing, running down the Authority's cash balances rather than taking out new borrowing or replacing maturing loans, continued in 2016/17. Under present economic conditions, it is considered prudent not to borrow for capital purposes. This provides a financially beneficial position, in revenue terms, for the Council. As the economy improves and interest rates

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increase, this strategy will need to be reviewed, with external borrowing re-starting as interest rates allow. Our treasury management advisors, Sector, will provide support to the Council in determining the most appropriate timing for any new borrowing.

5.5. Current External Debt Portfolio 2016/17

The Council's current debt portfolio, taking account of the transactions detailed in paragraph 5.4, can be summarised as follows:

DEBT PORTFOLIO:			
		<u>2015/16</u>	<u>2016/17</u>
Average Interest Rate Payable on PWLB Debt in Year		4.52%	4.75%
<u>Debt Outstanding</u>		<u>31-Mar-16</u>	<u>31-Mar-17</u>
		£'000	£'000
PWLB		110,177	100,177
Finance Leases		12,275	10,590
Merseyside Residuary Body		4,376	3,938

5.5.1 The movement in debt reflects the financing decisions taken in paragraph 5.4.3.

5.5.2 The level of the Council's actual external debt has also been monitored throughout the financial year and for information had remained within both of the Prudential Indicators set.

6. Debt Maturity Profile 2016/17

6.1 This is a profile measuring the amount of borrowing that is fixed rate maturing in each period as a percentage of total borrowing that is fixed rate.

Fixed Rate Debt Maturity	Upper Limit	Lower Limit	Actual 31/03/2017
Under 12 months	35%	0%	0%
12 months and within 24 months	40%	0%	0%
24 months and within 5 years	40%	0%	3%
5 years and within 10 years	40%	0%	33%
10 years and above	90%	25%	64%

6.2 As can be seen our debt profile highlights that most of our debt is due to mature in 10 years and above, reflecting the internal borrowing position of the Council, as no new borrowing has been undertaken in recent years.

7. Compliance with Treasury Limits 2016/17

7.1 The following Treasury Limits were approved by Council during the 2016/17 Budget Setting process:

Treasury Limits 2016/17	Limit	Actual
Authorised Borrowing Limit	£170.5m	£114.7m
Short Term Borrowing Limit	£15.0m	£0m
Proportion of variable interest rate External Borrowing	33%	0%

7.2 During the financial year the Council operated within these limits.

8. Interest rate exposure 2016/17

8.1. The following Prudential Indicators were approved for the 2016/17 financial year:

i) **Interest Rate Exposure Indicators**

a) an upper limit of debt outstanding less investments held at fixed interest rates of 340% and a lower limit of 120% of the value of total debt outstanding less total investments;

Actual at 31/03/2017 125% fixed

b) an upper limit of debt outstanding less investments held at variable interest rates of -20% and a lower limit of -240% of the value of total debt outstanding less total investments.

Actual at 31/03/2017 -25% variable

Hence all of the above are within the limit set.

ii) **Non Specified Investment Indicator**

An upper limit on the value of non-specified investments of 40% of total investments. Non specified investments are defined as over 2 years but less than 5 years;

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Actual at 31/03/2017 18% CCLA

The Investment is with the Church, Charities and Local Authorities (CCLA) Property Fund. Once again this is within the limit set.

9. Investment Strategy and Practice 2016/17

9.1. The Council invests all available cash balances, which includes school balances and the insurance fund, following a policy of obtaining maximum returns whilst minimising risks.

i) **Externally Managed Investments**

No externally managed funds are held.

ii) **Internally Managed Investments**

The Council's available funds averaged £59.652m and were managed internally with advice from our Treasury Consultants.

In 2016/17 an average return of 0.94% was achieved. This is more than the benchmark 7 day LIBID figure of 0.11% and is considered to be an acceptable return. The majority of the funds are invested with banks and Money Market Funds (MMF's), with £5m invested with the CCLA Property Fund. The return of 0.94% can be disaggregated into a return of 0.54% on bank and MMF investments, whilst 5.13% was returned by the CCLA investment. The key objective when investing funds is to firstly ensure security, then liquidity, and then yield.

9.2. The level of the Council's investments is summarised in the following table:

<u>Investments</u>	<u>31-Mar-16</u>	<u>31-Mar-17</u>
	£m	£m
Total Investment of Cash Balances	43.52	28.01

This year on year reduction is due to the Council's current position of being internally borrowed. £10m of PWLB loans were repaid in 2016/17 with no new borrowing undertaken; hence cash balances available for investment were lower when compared to the previous year.

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Report to:	Cabinet	Date of Meeting:	Thursday 5 October 2017
Subject:	Tender for Enforcement Services		
Report of:	Head of Regulation and Compliance	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary: To seek Cabinet approval to invite tenders through the appropriate procurement route for the provision of parking and environmental enforcement services.

Recommendation(s):

That Cabinet:

1. Approves the tender process to procure the provision of enforcement services as outlined in the report.
2. Authorises the contract period of 5 years from 1st April 2017 to 31st March 2020.
3. Gives delegated authority to the Head of Regulation and Compliance, in consultation with the Cabinet Member – Regulatory, Compliance and Corporate Services, to award the Contract resulting from the procurement.

Reasons for the Recommendation(s):

To secure delivery of the Council's statutory responsibility to enforce parking restrictions in Sefton. The contract will also include environmental enforcement and ambassadorial duties.

Alternative Options Considered and Rejected: (including any Risk Implications)

The option to insource the service has been considered and discounted on the basis of the flexibility, economies of scale, expertise and cost benefits available from using an external supplier.

What will it cost and how will it be financed?

(A) **Revenue Costs** The size of the contract is such that it requires an OJEU compliant procurement process. At this stage it is not anticipated that the currently approved budget provision in respect of the cost of delivering the service or the associated income will require adjustment following this process.

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(B) Capital Costs Nil

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): The total cost of the contract will be kept within existing budget provisions
Legal Implications: As determined by the Councils Contract Procedures Rules, the contract will need to be sealed as its total value will be in excess of £100,000
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: not applicable
Facilitate confident and resilient communities: not applicable
Commission, broker and provide core services: Only the Council can undertake parking and environmental enforcement through commissioning an external provider of the service
Place – leadership and influencer: Minimising parking and environmental contraventions / offences will help provide an efficient transport system and cleaner environment for all.
Drivers of change and reform: The extension of the contract to include environmental enforcement and the ambassadorial role will improve the environment for Sefton residents
Facilitate sustainable economic prosperity: parking enforcement will help ensure the free flow of traffic on the Sefton road network, thus minimise delays and costs to business.
Greater income for social investment: the contract will ensure the income stream from parking charges is maintained
Cleaner Greener: By taking action against those who litter the Council will be ensuring a cleaner and greener Borough is maintained.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 4846/17.) and Head of Regulation and Compliance (LD.4130/17) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not applicable

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

(Please delete as appropriate and remove this text)

Contact Officer:	Dave Marrin
Telephone Number:	Tel: 0151 934 4295
Email Address:	dave.marrin@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

Agenda Item 8

1. Introduction/Background

- 1.1 The current contract for the provision of parking enforcement services expires on 31st March 2018.
- 1.2 It is proposed that the new contract will commence on the 1st April 2018 and will also include enforcement of environmental offences such as littering and dog fouling as well as an increased focus on the ambassadorial role of the officers as a point of information. The ambition is for this contract in particular to support an improved environmental experience for those living, working and visiting Sefton
- 1.3 This approach has been borne of a desire to enhance the 'Place' in which we work, rest and play by working in smarter ways to improve productivity and deliver more with our existing resources. This will result in Council officers and / contractors taking an increased responsibility for the quality of environment they are working in on a day to day basis

The contract will include the following:

- Enforcement of parking contraventions and environmental offences including littering & dog fouling
- Community Support by assisting with directions, public transport information, etc
- Providing intelligence for the Council to act upon including pavement hazards (A boards / café overspill), broken street furniture, broken street lighting, exposed utility works, fly posting, potholes, overhanging trees, skips / scaffolding, etc
- Reporting 'Fresh Issues' (where quick action required) such as fly tipping
- Acting as a signpost for Council services and activities and encouraging participation. This could include health promotions, the leisure and cultural offer, events, etc

2.0 Procurement Process

- 2.1 It is proposed that the process to be followed will be an open competition through the North west Opportunities portal 'The Chest'.
- 2.2 An Invitation To Tender (ITT) document will be created and issued to all providers who express an interest. A number of assessment criteria will be developed in order to determine Contractors' ability to deliver a contract of this nature. These will include
 - Working Relationships
 - Customer Care Practices and Policies
 - The Ambassadorial Role
 - Implementation Proposals
 - Operational Management
 - Use of Operational Policy and Procedures
 - Contract Commencement and TUPE
 - Performance Indicators and Monitoring

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- Future Developments
 - Cash Collection, Counting and Banking
- 2.3 Tenders will subsequently be invited and assessed using a 'cost/quality' methodology. As the principle costs involved for the contractor will be staff wages and these will be based on the living wage, it is anticipated that the cost element of the tenders will be of a broadly similar nature. Officers consider that the quality element of the tender will be of greater importance due to the ambassadorial role that the contractor will be asked to undertake.
- 2.4 When the contract was last let it was on the basis of a 70% cost / 30% quality split. In view of the above it is suggested that the quality element of the assessment will now be of much greater importance and the contract should be let on a 40% cost / 60% quality split.

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Report to:	Cabinet	Date of Meeting:	Thursday 5 th October 2017
Subject:	Purchasing of Fostering Placements for Children and Young People		
Report of:	Head of Children's Social Care	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Children, Schools and Safeguarding		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes.
Exempt / Confidential Report:	No		

Summary:

The purpose of this report is to enable Cabinet to make decisions regarding contractual arrangements and future procurement of Fostering placements for children and young people.

Recommendation(s):

Cabinet is recommended to:

1. Authorise participation in the regional Dynamic Purchasing System agreement to be procured by STAR on behalf of all participating authorities, for future purchasing of independent foster placements from 1st April 2018.
2. Note the regional work undertaken in 2017/18, to determine the best approach for procuring Fostering placements from April 2018

Reasons for the Recommendation(s):

Since April 2014, wherever possible and where no in house foster placements are available, fostering placements for children and young people have been procured through regional framework contracts.

When these regional framework contracts were originally entered into, they were entered into on the basis of a core contract period of 2 years with further optional extension periods of up to 2 years. It was anticipated at the outset that this extension would be taken up as part of the life of the contract, provided that the quality/price of services/goods provided under the contract are of a satisfactory standard and exercising the extension is considered to represent best value for the Council.

The primary purpose of building contracts around core and extension periods is to ensure that the quality of the contract is maintained throughout the life of the contract and to ensure that the Council, particularly at times of financial uncertainty has flexibility to bring contracts to a conclusion and/or is able to refine services and or goods received under the contract.

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There are opportunities for new and innovative ways of procuring placements, but these have a mixed evidence base for efficacy in fostering and must be balanced against the risk of rising costs through a new tender. These include multiple authorities purchasing jointly from the DPS. A regional task and finish group was established to review the current arrangements, test alternative models and apply the learning from the residential retender to the fostering market, in order to confirm the best option from April 2018.

These are important and costly services and the alternative options to the recommendations would be likely to incur greater cost and more variable quality, hence the need to determine the manner of purchasing these placements ahead of the next financial year.

Alternative Options Considered and Rejected: (including any Risk Implications)

Instead of continuing to procure placements through the existing regional Framework Contracts and their replacements, the Council could carry out its own full EU compliant Tender exercise; adopt an alternative Framework, or "Spot Purchase" placements from the market as they are needed.

Undertaking a full EU compliant process alone is not recommended because: the time required to complete the process would be the same as procurement of a regional framework and in this market the Council is unlikely to obtain better prices than through collaborative procurement; and the burden and resource required to ensure quality and safety of provision would be increased, requiring additional resource. Additionally providers have given feedback that they do not want to join lots of separate frameworks but would rather the local authorities worked together.

An alternative Framework Agreement is not recommended as the strength of the current framework is that 23 authorities sign up to and use it. To procure as a single authority would disrupt the market, it is likely that providers would increase their prices and the burden and resource required to ensure quality and safety of provision would be increased, requiring additional resource. The prices available through the current Frameworks are competitive and/or better than prices within known alternative Frameworks

Spot purchasing is not recommended as it would increase costs and the burden and Resource required to ensure quality and safety of provision would be increased, requiring additional resource.

What will it cost and how will it be financed?

(A) Revenue Costs

Based on 2016/17 actual costs and number of placements, the anticipated annual cost for the contract period are as follows:

Regional framework for fostering placements is £3.225m per annum. This budget is currently in support of 47 Looked after Children with average net fees for Sefton of around £752 per week per child placement. This average unit cost compares quite favourably with other Districts in the NW where costs have reached, £933 per placement (based on 2016/17 shared data).

Current budget values within Children's Social Care are:

Independent Foster Placements £3,291,500 with an underspend of £0.583m forecast as at end of Aug 2017.

There are some risks as to whether the Council procures within a regional or single authority framework or spot purchases.

Local Authorities need to be alive to the risk of prices increasing, as the current prices paid have been relatively stable for the last 7 years. Controlled average prices have been underpinned by a growing use of IFAs with placement numbers increasing steadily across the Districts. However the number of children being placed through IFP's is declining. This decline however, could manifest itself through increased agency prices as Agencies seek to maintain their financial position with fewer demands, or equally, if demand were to drop across the region, costs may be forced down.

Additionally, all providers have the risk of increased costs through the implementation of living wage and the night time rates.

The Council is aiming to mitigate these risks by developing a detailed cost template for providers to complete. This will enable authorities to understand profit margin on placements and to work with providers to maintain manageable rates.

(B) Capital Costs

None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
Please see above
Legal Implications:
A Dynamic Purchasing System must be set up in accordance with the requirements of Reg 34 of the Public Contracts Regulations 2015
Equality Implications:
There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:
The duty to provide or procure placements for Looked after Children (LAC) is explicit in the Children Act 1989. This has since been strengthened by the introduction of the Sufficiency Statutory Guidance (2010) and the Care Planning, Placement and Case Review Regulations (implementation April 2011). There is a duty of 'sufficiency' that requires Local Authorities and Children's Trust partners to ensure that, through provision or commissioning, a range of placements sufficient to meet the needs of all

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LAC are available locally or that there is a plan in place to move towards that position.

In Sefton as in other areas a small number of children need to live away from their families, it is our responsibility as corporate parents to ensure that looked after children live in a stable, nurturing placement where they develop and grow and are able to go on to live successful adult lives. We look at a range of alternative care arrangements which include foster care, residential care and supported independent living and we need to ensure that a sufficient number, type and quality of accommodation is available in order to ensure the welfare and emotional / physical well-being of every child and that they reach their potential.

Facilitate confident and resilient communities:

Not applicable

Commission, broker and provide core services:

Commissioning is increasingly recognised as the primary mechanism for delivering better outcomes, while using resources more effectively. Sefton is developing a Commissioning Strategy for children in care and this will ensure that the principles that steer effective commissioning which will have a positive influence on improving outcomes. The placement needs of physically disabled LAC need particular consideration as do those with learning disabilities and ASD. As part of this strategy Sefton Commissioning will become more proactive in order to ensure ongoing quality and compliance. The Commissioning team is available to work with Social Work Teams, Independent Reviewing Officers and Complaints officers and will look into any contractual or compliance issues raised in relation to any contracted service.

For those children in our care a happy stable home life and successful placement supports the achievement of all other outcomes - Care Matters: Time for Change 2007 states that: "We need to ensure that children in care are provided with the one thing which they have told us makes the single biggest difference to their lives: being in the right placement". Good commissioning is crucial in raising the quality of placement provision, allowing good providers to flourish and providing an incentive for those who perform poorly to focus on improvement.

Place – leadership and influencer:

Not applicable

Drivers of change and reform:

Not applicable

Facilitate sustainable economic prosperity:

Not applicable

Greater income for social investment:

Not applicable

Cleaner Greener

Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD.4854/17) and Head of Regulation and Compliance (LD 4138/17) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Regional consultation co-ordinated by Placements North West continues to be completed with all providers and local authorities in regard to the:

- Contracting
- Framework detail
- Placement searching
- Cost detail

Provider events have given input on the early thinking of the working group and in particular on how best to understand cost, new referral mechanisms, targeting referrals to local placements, new purchasing models and how best to deal with complex placements.

Consultation methodology has included email engagement, provider meetings and local authority commissioning groups.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

Contact Officer:	Sarah Austin
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Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

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1. Introduction/Background

Sefton is committed to ensuring there is an improvement in quality assurance and compliance visits, a monitoring matrix will be developed based on risk, priority and needs. Strategic commissioning will work together with social care to understand where they can add value to the existing compliance frameworks delivered by IRO's and social worker's. We are also looking to include care leavers in compliance visits and to report back into the Children in Care Council.

Placements North West (PNW) is commissioned by a number of North West local authorities to coordinate and manage collaborative procurement in relation to placements for children and young people across those authorities. Collaboration directly with other local authorities and through Placements NW is an important part of market management and intelligence gathering around option appraisal and the cost / quality of provision.

There is an agreed North West protocol in place to support local authorities sharing internal fostering provision. Some North West authorities are already collaborating and, where appropriate, sharing spare internal cared for children accommodation capacity. Working together to make the most efficient use of our resources is vital. This approach also provides another way of prompting challenge to external providers to think creatively and to work in partnership.

Liverpool City Region is currently in the early stages of collaborating, discussions have taken place regarding a shared register of foster carers availability and shared access to those resources.

There are a number of collaborative procurement arrangements in place across the following geographical footprints:

Greater Manchester (Including Cheshire East)

Merseyside and Partners (Including LCR authorities, Cheshire East, Cheshire West and Chester, Wigan and Warrington)

Blackpool Framework (a single authority Framework)

Lancashire Framework (a single authority Framework)

In addition, Cumbria County Council and Blackburn with Darwen Council currently spot purchase placements.

The Greater Manchester and the Merseyside & Partners frameworks are similar models and are inter-operable, with users named on one framework able to use the other to secure placements out of area or at a distance.

In 2016–17 Sefton Council made 102 searches using the regional Foster Framework.

Regional Fostering Framework

1. The North West (excluding Lancashire and Cumbria) has a shared regional framework for fostering placements. This is a well-established function first launched in 2010 and replaced on expiry in 2014. The current framework is for two years plus a further two options to extend annually to a maximum of four years, up to 31st March 2018.

2. The lead authority for this procurement exercise is Wigan STAR Procurement Team procuring on behalf of all the contracted Local Authorities detailed below:

Blackburn with Darwen Council
Blackpool Council
Bolton Metropolitan Borough Council
Bury Metropolitan Borough Council
Cheshire East Council
Cheshire West and Chester Council
Halton Borough Council
Knowsley Metropolitan Borough Council
Liverpool City Council
Manchester City Council
Oldham Metropolitan Borough Council
Rochdale Metropolitan Borough Council
Salford City Council
Sefton Council
St Helens Council
Stockport Metropolitan Borough Council
Tameside Metropolitan Borough Council
Trafford Council
Warrington Borough Council
Wigan Metropolitan Borough Council
Wirral Metropolitan Borough Council

3. Because STAR are again leading on the procurement, we are able to use the same base documentation that has been consulted on for the residential FPS. The consultation on that document resulted in a tremendous amount of feedback which has resulted in a much improved document.

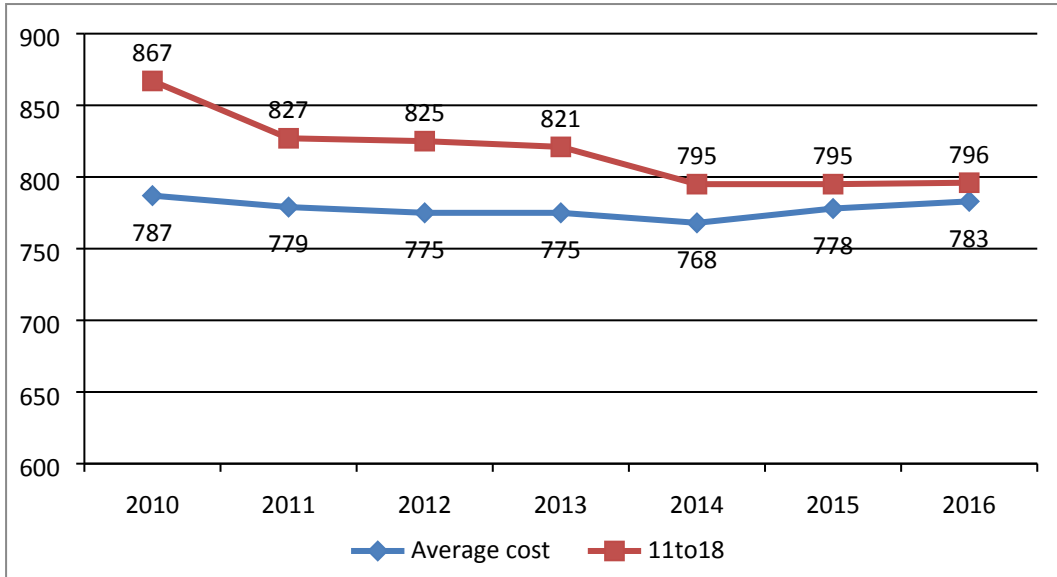
4. Framework Usage: Independent foster Agency (IFA) cost 2009 to 2016

The regional Fostering Framework has ensured relative consistency in price since 2010 and the re-tender in 2014. Providers have to date largely maintained their initial tendered price since the launch of the framework, one provider has reduced costs in 2016 and one provider made an initial request for uplifts which was rejected.

5. The contracting arrangements have proved successful for local authorities and providers. There is high usage with 94% of placements made on contract¹ and prices have remained lower than the average in 2009 of £815 per week.

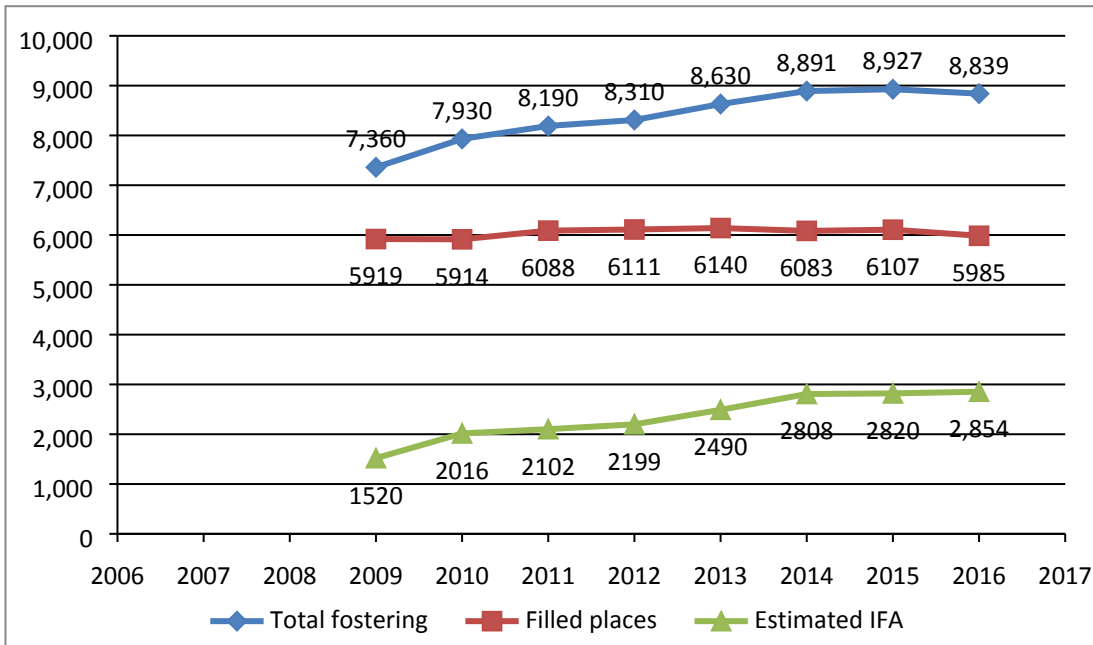
¹ PNW Census 2016

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Source: PNW Census data 2010 to 2016

- The controlled average price has been underpinned by a growing use of IFAs with placement numbers increasing steadily until 2015 when numbers plateaued. Data collected from IFA on households, and select follow up interviews suggest that IFA household numbers have declined in the last 12 months.



Source: 903 and Ofsted fostering dataset 2009 to 2016 (filled placements represents internally filled placement)

- Local Authorities need to be alive to the risk of prices increasing through the procurement process as prices paid have remained relatively stable for 7 years, and providers may no longer be confident of service expansion as a model of offsetting cost restraint. While the number of suppliers has increased, there has been increasing mergers, including two of the 'big 3' suppliers.

8. A simplified tender process, service specification and detail price guide will be developed within the DPS taking learning from Cumbria's model. There is a different cost model for fostering placements for young people aged 16 to 18. This should be considered splitting out from the age bands.
9. Tender models will reflect the current purchasing practice, including the removal of tiers, and a specialist model which reflects the need to deliver bespoke models at the point of referral. Opportunities for cohort purchasing to be built into the arrangement, but with a significant caution on the need for much greater exploration of potential activity.
10. The 'Enhanced Foster Care' Lot has not worked. Where LAs have wanted packages that go over and above the standard specification these have been very bespoke rather than fitting a model defined through the tender process. Therefore this would not be included within the final specification.
11. Providers are reporting very high volumes of referrals. The current model of referring to all providers was predicated on concerns in 2009 that routes to market were unclear and it was inconsistent or unequitable which providers were referred to and selected. This has led in 2017 to providers receiving an unmanageable volume of referrals some of which they could not reasonably take.
12. The need to tender every 4 years has resulted in a significant and regular volume of work which has reflected the needs of procurement legislation.
13. A working group has been established to look at how best to capture price in documentation and how to manage price in the tender documentation to offset inflationary risk as much as is practicable. This includes consideration of prices for 16 to 18 being separated out. The discount model will be reviewed, taking advantage of the learning from Cumbria.

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Table 1 List of fostering households by organisation over the last 6 years

Providers marked in purple indicate a merger of brands in the past 12 months

Black squares indicate the provider had yet to open or has closed in the NW.

Blue squares indicate a gap in historic data, numbers marked in blue squares with italics are estimates

Provider	2012	2013	2014	2015	2016	2017
1st Affinity					4	6
24-7 fostering						3
Able Fostering	5	5		5	5	refused
Acorn House Fostering	19	15		12	12	16
Active Care Solutions					2	6
Alpha Plus Fostering	61	76		84	78	73
Young Foundations (now Alpha)	10	10		9	17	
Barnardo's	54	78		86	89	82
By the Bridge	56	56		66	74	107
Cambian Group	49	76		70	54	
Capstone Fostering	28	29		32	34	31
Care4children – The Fostering Team				15	15	20
Caritas Care	28	25		28	24	18
Caritas Diocese of Salford	12	10		13	12	10
CCATS						6
Child Action NW	43	43		55	52	42
Classic Fostering	18	23		28	29	32
Community Foster Care		2		8	14	12
Compass Fostering	53	23		17	71	125
Fostering Outcomes (now Compass)	10	14		33	38	
Complete Fostering solutions					1	
Excel Fostering	46	60		85	89	86
Families & Family Care	25	31		36	37	37
Five Rivers	2					
Flying Colours					1	
Foster Care Associates	249	297		331	285	239
Foster Care Link	20	10		7	7	9
Foster Careline	6	10		14	18	21
Foster Carers	12	15		23	30	
Fostering ltd					15	22
Fostering Co-Operative	12	8		7	24	15
Fostering Matters	7	7		7	10	10
Fostering People		34		10	56	48
Fostering Solutions	266	282		291	290	280
Fusion Fostering	4	4		9	19	14
Halliwell Homes				4		
Jigsaw	16	15		23		
Lorimer	51	46		43	40	41
National Fostering Agency	155	158		198	192	166
New Focas	16	16		16	17	17

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Next Stage						1
Oasis	19					
Olive Branch						13
Orange Grove/Hillcrest Care	19	19		32	28	33
Parallel Parents (Care Today)	51	74		87	94	66
Park Foster Care	27	24		19	13	11
Perpetual Care						21
Regional Foster Placements						2
Safehouses North	35	33		31	29	24
SWISS	84	82		90	85	77
TACT	35	42		36	34	30
The Together Trust	49	52		61	59	48
Three Circle Fostering				43	58	63
Tree House Fostering	3	6		8	6	6
Tutis Foster Care					6	5
Welcome Fostering	1	3		7	5	
Total (including estimates)	1,656*	1,813*		2,079	2,172	1,994

*Excluding Cumbria data

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Report to:	Cabinet	Date of Meeting:	5 th October 2017
Subject:	Approval of Legal Documentation for Academy Conversions		
Report of:	Head of Schools and Families	Wards Affected:	All Wards
Portfolio:	Cabinet Member - Children, Schools and Safeguarding		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

To inform Cabinet of the decision by the Secretary of State for Education to convert Shoreside Primary School, St Teresa’s Catholic Infant School and Savio Salesian College to become sponsored academies in accordance with Government policy and that Litherland Moss Primary School, St Andrew’s CE Primary School, Holy Trinity CE Primary School and St Thomas’ CE Primary School have applied to become academies. Authorisation is requested for officers to sign the documentation required by the Government’s academy conversion process.

Recommendation(s):

Cabinet is recommended to

(1) Note the statutory requirements regarding academy conversion.

(2) Note the financial implications to the Council.

(3) Authorise the Head of Regulation and Compliance in conjunction with the Head of Schools and Families to complete the necessary agreements required as part of the academy conversion process for the following schools as outlined in the report: Holy Trinity CE Primary School; Litherland Moss Primary School; St Andrew’s CE Primary School; St Teresa’s Catholic Infant School; and St Thomas’ CE Primary School; Savio Salesian College and Shoreside Primary School.

Reasons for the Recommendation(s):

Cabinet needs to authorise appropriate officers to enter into the agreements required as part of the academy conversion process.

Alternative Options Considered and Rejected: (including any Risk Implications)

There are no alternative options. The Secretary of State has the powers to direct that the academy conversion process can continue if the agreements are not signed.

What will it cost and how will it be financed?

(A) Revenue Costs

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The Council is required to pick up any deficit balance of a maintained school becoming part of a sponsored Academy Trust at the point of conversion. For schools converting on a voluntary basis, such deficits are picked up by the Department for Education (DfE). Any surplus balances at the point of conversion are passed over to the new Academy after all agreed residual costs have been charged and the accounts are formally closed as a Maintained school. This may be up to 3 months after the conversion date.

There may be some loss of traded income to the Council as a result of schools converting to academies, but this cannot be quantified at this stage, since many services continue to remain available for purchase by these Academies should they wish to buy them.

(B) Capital Costs

Not applicable.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

Upon conversion to an Academy, staff within the schools will transfer under Transfer of Undertakings Protection of Employment Regulations 2006 to the new academy.

Legal Implications:

The conversion of schools to academies is a statutory process under the Academies Act 2010.

The Secretary of State for Education has made an Academy Order under part 4 of the Act in respect of the conversion of Shoreside Primary School, St Teresa's Catholic Infants School and Savio Salesian College. The governing bodies of Litherland Moss Primary School, St Andrew's CE Primary School, Holy Trinity CE Primary School and St Thomas' CE Primary School have applied for an order under section 3. The Orders provide that on the conversion date, the school shall become an academy and will cease to be maintained by the Local Authority.

The Council have a statutory duty to facilitate the conversion process once an academy order has been made.

The principal issues in relation to conversion are: transfer of Staff; transfer of Land and transfer of Assets and Contracts. These issues will be addressed in two documents: - a Commercial Transfer Agreement and a Lease Agreement.

Equality Implications:

There are no equality implications.

Contribution to the Council’s Core Purpose:

Protect the most vulnerable: Not applicable.
Facilitate confident and resilient communities: Not applicable.
Commission, broker and provide core services: Not applicable.
Place – leadership and influencer: Not applicable.
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener Not applicable.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD4829/17) and Head of Regulation and Compliance (LD4113/17) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

The schools have consulted with parents, staff and trade unions.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

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Appendices:

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There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 Shoreside Primary School, St Teresa's Catholic Infants School and Savio Salesian College were all judged to be inadequate at their last Ofsted inspection. Government policy is that all failing schools be converted to academies and the Secretary of State notified the Council that the schools will be converted to become sponsored academies.
- 1.2 The governing bodies of Litherland Moss Primary School, St Andrew's CE Primary School, Holy Trinity CE Primary School and St Thomas' CE Primary School have all applied to become academies. Kew Woods Primary School had also applied but has now confirmed that this application is not proceeding while the Governors explore other options.

2. Academy Conversion Process

- 2.1 The process for schools converting to academies is legislated under the Academies Act 2010 which states that the Secretary of State may make an Academy order in respect of a maintained school in England if the school is eligible for intervention (within the meaning of Part 4 of EIA 2006) or the governing body of a school can make an application to become an academy under section 3 of the Act. The academisation process covers the following main areas:

Land Issues

- 2.2 The Academies Act 2010 contains specific powers for the Secretary of State in respect of the land of the schools when they were maintained schools. It is intended that the transfer of publicly funded land owned by the local authority to the academy will usually be by way of a 125-year lease.
- 2.3 A lease will be drawn up to comply with the above requirements and to ensure there are no undue risks to the Authority and that any usage rights are preserved. The lease transfers the responsibility for the operation and management of the land and buildings to the Academy Trust.

Commercial Transfer Agreement

- 2.4 This document is designed to ensure that all information on the staff who are transferring to the academy is recorded and transferred to the Academy Trust, so that the appropriate arrangements for payment of salaries, pension contributions, etc. can be made. It also includes details of any assets or contracts that will transfer to the Academy Trust and of those that will not.
- 2.5 Commercial Transfer Agreements, which are agreements between the school governing body, the local authority and the academy trust will be drawn up. Officers will ensure that all appropriate responsibilities and liabilities are transferred to the Academy Trust to ensure there are no undue risks to the Authority.

Assignment or novation of contracts

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- 2.6 This forms part of the Commercial Transfer Agreement and covers agreements and contractual arrangements which will need to transfer to the Academy Trust.
- 2.7 Specific contract and arrangements in respect of the converting school have been identified.

TUPE Process

- 2.8 TUPE consultation will be undertaken as part of the process and this is discussed at regular meetings with the Trade Unions.
- 2.9 By virtue of TUPE, there is a legal obligation to provide written information about the transfer to employee representatives. The information which the current employer must give in writing to employee representatives (which will be union representatives in where a trade union is recognised in respect of the relevant category of staff) is as follows:
 - (a) The fact that the transfer is to take place, when and why;
 - (b) The “legal, economic and social implications” of the transfer for the affected employees;
 - (c) The “measures” which the employer envisages it will take in connection with the transfer or, if no measures are envisaged, that fact; and
 - (d) Any measures which the employer envisages the Academy Trust taking in connection with the transfer in respect of the transferring employees or, if no measures are envisaged, that fact.
- 2.10 By virtue of TUPE terms and conditions should be protected. The contractual documentation should address this and should ensure Sefton obtain appropriate warranties and indemnities. Pension issues should also be addressed.

3. Financial Implications

- 3.1 There will be some financial implications to the Council as a result of these Academy conversions.
- 3.2 **The following schools will become sponsored academies.** The proposed date for opening all three schools is 1st December 2017 according to the Department for Education’s list of open academies and academy projects awaiting approval as at July 2017.

Shoreside Primary School

The current Budget Plan approved by the Governing Body of Shoreside Primary School shows projected balances of £86,735 at 31st March 2018. If the school converts on 1st December 2017 then the balances at the point of transfer may be higher.

St Teresa’s Catholic Infant School

The current Budget Plan approved by the Governing Body of St Teresa's Catholic Infant School shows projected balances of £68,544 at 31st March 2018. If the school converts on 1st December 2017 then the balances at the point of transfer may be higher.

Savio Salesian College

The current Budget Plan approved by the Governing Body of Savio Salesian College shows projected deficit of -£417,542 at 31st March 2018. If the school converts on 1st December 2017 then the deficit at the point of transfer may be slightly lower.

- 3.3 For sponsored academies, the Local Authority must finalise closing balances within 3 months of the date of conversion. If the agreed closing balance position is a surplus, the Local Authority must pay over any balances due to the new academy school within 1 month of agreeing the final accounts. Should no agreement be reached on the final balances the DFE can be asked to review the position within this 1 month period. In the event of a deficit balance position any deficit at the point of transfer remains the responsibility of the Local Authority and does not have to be paid by the new Academy Trust.
- 3.4 The governing bodies of the following schools have all applied to become converter academies and will join an existing Academy Trust. The Church of England schools will join the newly formed Liverpool Diocesan Schools Trust.

Litherland Moss Primary School

The current Budget Plan approved by the Governing Body of Litherland Moss Primary School shows projected balances of £114,063 at 31st March 2018. If the school converts before the 31st March 2018 then the balances at the point of transfer may be higher.

St Andrew's CE Primary School

The current Budget Plan approved by the Governing Body of St Andrew's Primary School shows projected deficit of -£11,860 at 31st March 2018. If the school converts before the 31st March 2018 then the deficit at the point of transfer may be lower.

Holy Trinity CE Primary School

The current Budget Plan approved by the Governing Body of Holy Trinity CE Primary School shows projected balances of £68,129 at 31st March 2018. If the school converts before the 31st March 2018 then the balances at the point of transfer may be higher.

St Thomas' CE Primary School

The current Budget Plan approved by the Governing Body of St Thomas' CE Primary School shows projected balances of £36,123 at 31st March 2018. If the school converts before the 31st March 2018 then the balances at the point of transfer may be higher.

- 3.5 For Converter Academies, the Local Authority must finalise the closing balance position within 3 months of the date of conversion. If the agreed closing balance is a surplus, the Local Authority must pay over any surplus balances due to the new academy school within 1 month of agreeing the final accounts. Should no

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agreement be reached on the final balances the DFE can be asked to review the position within this 1 month period. In the event of a deficit, the Local Authority would be reimbursed by the Education Funding Agency (EFA), and agreement would then be reached between the new Academy and the EFA as to how this could be repaid.

- 3.6 It is possible that there may also be a loss of traded income. Academies are at liberty to purchase a range of services from whichever supplier they choose. The schools currently purchase a range of services from the Local Authority as traded services. Due to the organisation of Academies, many of whom operate in a sponsorship arrangement, such services may be provided by the sponsor. At this stage, it is not known which, if any, services the new Academies may buy back, but this could be a further loss of income to the Council.

4. Timetable

- 4.1 The report highlights, above, the conversion dates which are published on the DfE website, however, local discussions suggest that these timescales will vary from those published.

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of the Local Government Act 1972.

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