

Overview  
& Scrutiny



MEETING: OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)

DATE: Tuesday 13th March, 2018

TIME: 6.30 pm

VENUE: Town Hall, Bootle

**Member**

Councillor  
Councillor Sayers (Chair)  
Councillor Michael O'Brien (Vice-Chair)  
Councillor Bliss  
Councillor Carragher  
Councillor Dawson  
Councillor Dan T. Lewis  
Councillor David Pullin  
Councillor Roche  
Councillor Weavers  
Councillor Bill Welsh

**Substitute**

Councillor  
Councillor Brenda O'Brien  
Councillor Murphy  
  
Councillor Jones  
Councillor Anne Thompson  
Councillor Jo Barton  
Councillor Carr  
Councillor Keith  
Councillor McGinnity  
Councillor Daniel Lewis

COMMITTEE OFFICER: Paul Fraser  
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# **A G E N D A**

- 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** (Pages 5 - 16)

Minutes of the meeting held on 23 January 2018 and the Special Meeting held on 31 January 2018
- 4. Housing Licensing Performance Framework Working Group Final Report** (Pages 17 - 40)

Report of the Head of Regulation and Compliance
- 5. Parks and Greenspaces Working Group Final Report**

Report of the Head of Regulation and Compliance to follow
- 6. Flood and Coastal Erosion Management Strategy Review - Scope Document** (Pages 41 - 50)

Report of the Head of Locality Services - Commissioned
- 7. Sefton Economic Strategy Framework** (Pages 51 - 58)

Report of the Executive Director
- 8. NEET** (Pages 59 - 72)

Report of the Executive Director
- 9. Update on United Utilities Increase in Surface Water Charges to Schools** (Pages 73 - 80)

Report of the Head of Corporate Resources
- 10. Leasehold House Sales in Sefton** (Pages 81 - 88)

Report of the Head of Economic Growth and Housing
- 11. Work Programme 2017/18, Scrutiny Review Topics and Key Decision Forward Plan** (Pages 89 - 100)

Report of the Head of Regulation and Compliance

**12. Cabinet Member Reports – January 2018 to March 2018**

(Pages 101 -  
132)

Report of the Head of Regulation and Compliance

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

## **OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)**

**MEETING HELD AT THE TOWN HALL, SOUTHPORT  
ON TUESDAY 23RD JANUARY, 2018**

**PRESENT:** Councillor Sayers (in the Chair)  
Councillors Michael O'Brien, David Pullin, Roche,  
Weavers, Webster and Bill Welsh

**ALSO PRESENT:** Councillor Atkinson

### **32. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bliss (and his Substitute Member Councillor Jones), Carragher and Dan T. Lewis (and his Substitute Member Councillor Carr).

### **33. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interest were received.

### **34. MINUTES OF THE PREVIOUS MEETING**

**RESOLVED:**

That the Minutes of the Overview and Scrutiny Committee (Regeneration and Skills) held on 7 November 2017 be confirmed as a correct record.

### **35. MERSEYSIDE RECYCLING AND WASTE AUTHORITY - SERVICE DELIVERY PLAN 2017/18**

The Committee received a presentation from Carl Beer, Chief Executive of Merseyside Recycling and Waste Authority (MRWA) on his Authority's Service Delivery Plan 2017/18.

Mr. Beer provided information on:-

- The "waste hierarchy" regarding the most and least favoured options in respect of waste
- The Merseyside and Halton Waste Partnership and detailed that 1.5 million residents, living in 688,000 households, generated 650,000 tonnes of waste per year of which 42% was recycled
- Household Waste Recycling Centres and the recycling and diversion performance statistics for 2009 – 2017
- The Bidston and Gillmoss materials recovery facilities
- The Kirkby rail loading station used to transport waste to the Wilton Energy from Waste Combined Heat and Power Facility
- The MRWA and Veolia Community Fund
- Household recycling rates

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- Liverpool City Region kerbside residual waste results - 2015/16
- A Classification of residential neighbourhoods (ACORN) together with associated recycling statistics
- Collection strategy considerations
- Waste prevention and re-use
- The “circular economy” and the need for those materials that are discarded the MRWA must ensure that they return in some form to the local economy – securing and creating jobs for local people
- The cost of service vs the MRWA levy
- The strategic review which included actions from a Leaders meeting in September 2017 which included as part of Phase One - c.£500k savings options from MRWA, levy apportionment mechanism options and ‘Publish’ Strategic Review report; and as part of Phase Two - governance options, District Collaboration, bulky and clinical waste and common policies

Members also watched a short video that provided information on the transfer of Merseyside’s residual waste, via train from the Kirkby rail loading station, to the Wilton energy from waste plant in Teeside.

Members of the Committee asked questions/commented on the following issues:-

- The Chinese Government’s ban on the importing of waste plastic for recycling. It was noted that this ban had been anticipated for a number of years and that the MRWA’s contractor Veolia had therefore sought alternative destinations in the UK, the European Union and India
- The operation of a recycling facility in the Sandhills area of Liverpool that recycled plastics and yoghurt pots into street furniture
- What would be the anticipated uptake of the purchase of subsidised composting bins and the effect on recycling rates? It was noted that subsidised compost bins schemes had previously been introduced across Merseyside but the effects on recycling had not been significant
- The political governance arrangements associated with the MRWA levy and the requirement for unanimous decisions to approve the levy
- It was acknowledged that Council Leaders across the City Region discussed issues about the MRWA levy, recycling and residual waste collection but that each borough had its own ideas that were not always complementary
- It was noted that the Local Government Association were lobbying Government to produce recycling targets but with adequate resources to ensure that the process could be effectively managed
- What could the saving have been to the Merseyside local authorities if the energy from waste plant was built in Merseyside rather than Wilton? It was indicated that the suggested saving could have been in the region of £5 to £10 million per year

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- Would it be more cost effective to burn all residual waste rather than send it to landfill? It would be cheaper to burn it all but this would not take into account all externalities such as pollution. As always, the best option would be to recycle as much material as possible
- A concern was expressed that the burning of plastics had negative, long term environmental impacts
- It was noted that from an economies of scale position it would be more efficient for all Merseyside local authorities to harmonise their recycling and residual waste collection services as far as possible
- What was the lifespan of the Wilton plant? The plant had a 27 year lifespan but with options in place to refit at appropriate times. This could increase the plant's lifespan to 50 years. Furthermore, the benefit of the Wilton site was that it had the benefit of planning permission and was currently operational. The identification of future sites and obtaining of all necessary approvals may prove to be problematic

### RESOLVED:

That Mr. Beer, Chief Executive of Merseyside Recycling and Waste Authority be thanked for his informative presentation.

### **36. ACTION PLAN ON EMPLOYMENT UPDATE**

The Committee considered the report of the Chief Executive that provided an update setting out the progress made against each of the recommendations formulated by the Employment Development Working Group and approved by Cabinet.

The report indicated that as a result of the expected impact of the Sefton Economic Strategy due to be adopted by the Council in 2018, the current update report had varied from earlier reports; that the forthcoming Sefton Economic strategy would incorporate all the Council's objectives related to employment and skills for younger people and adults in the community, encompassing those actions which were the responsibility of the Investment and Employment services such as Sefton@work and Invest Sefton; and that accordingly, it was recommended that future reporting on employment actions form a part of the performance reporting framework to be devised once the Council had adopted the forthcoming Sefton Economic Strategy.

Members of the Committee asked a question/commented on the following issue:-

- A comment was made about the paragraph "We will measure our success by the extent to which we generate self-conscious commissioners maximising social value and social investment, assets and services transferred to emerging self-supporting markets, stimulate responsiveness in social finance providers and build a new generation of confident, capable and committed social

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entrepreneurs”; and clarity was sought on the phrase “self-conscious commissioners”. It was indicated that this terminology was used as it formed part of the Council’s Contract Procedure Rules; and alternative wording of “market aware commissioners” may be more appropriate

RESOLVED: That

- (1) the progress achieved against each of the recommendations formulated by the Employment Development Working Group in the current reporting period be noted;
- (2) future reporting on employment actions form a part of the performance reporting framework to be devised once the Council adopts the forthcoming Sefton Economic Strategy; and
- (3) Claire Maguire be thanked for the production of her comprehensive and informative report.

## **37. WORK PROGRAMME 2017/18, SCRUTINY REVIEW TOPICS AND KEY DECISION FORWARD PLAN**

The Committee considered the report of the Head of Regulation and Compliance that updated on the draft Work Programme for 2017/18; and seeking the identification of any items for pre-scrutiny from the Key Decision Forward Plan.

RESOLVED: That

- (1) the Work Programme for 2017/18, as set out in Appendix 1 to the report, be approved; and
- (2) the report on the Economic Strategy for Growth be submitted to the meeting of the Committee to be held on 13 March 2018.

## **38. CABINET MEMBER REPORTS – NOVEMBER 2017 – JANUARY 2018**

The Committee considered the report of the Head of Regulation and Compliance that included the most recent report from the Cabinet Members for Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills.

RESOLVED: That

- (1) the update report from the Cabinet Members for Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills be noted; and
- (2) Councillor Atkinson be thanked for her attendance at the meeting.



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

Overview  
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## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)

### MEETING HELD AT THE ASSEMBLY HALL, TOWN HALL, BOOTLE ON WEDNESDAY 31ST JANUARY, 2018

PRESENT: Councillor Sayers (in the Chair)  
Councillor Michael O'Brien (Vice-Chair)  
Councillors Carragher, Jamieson, Dan T. Lewis, Roche, Shaw, Weavers, Webster and Bill Welsh

ALSO PRESENT: Councillors Atkinson, Bennett, Booth, Linda Cluskey, Dawson, Dutton, Fairclough, Hardy, Lappin, Maher, Pugh Pullin and Lynne Thompson

#### 39. WELCOME TO NEW COMMITTEE MEMBERS

The Chair, Councillor Sayers welcomed Councillors Jamieson and Shaw as new Members of the Committee and thanked Councillors Bliss and Pullin, the retiring Members of the Committee, for their support and contributions.

#### 40. APOLOGIES FOR ABSENCE

No apologies for absence were received.

#### 41. DECLARATIONS OF INTEREST

No declarations of interest were received.

#### 42. STRAND SHOPPING CENTRE - COMMERCIAL ACQUISITION

Margaret Carney, Chief Executive, set out the strategic context of the Council's acquisition of the Strand Shopping Centre and indicated that by 2020 Sefton's budget would have reduced by 50% from the 2010 level; that operating in such a demanding environment of decreasing central government support coupled with an increasing demand on services, the Council had approved its Framework for Change and budget strategy in 2017; that during this process the Council had made it clear that it would need to generate new and improved income streams whilst ensuring it met its core purpose; and that indeed, the Council approved core purpose explicitly states that a key priority was to:-

**"Generate income for social reinvestment"**: the Council will develop a commercial approach and look to what it can do either by itself or with others to generate income and resource that can be reinvested into delivering the councils key priorities

Further to Minute No. 65 (2) of the meeting of the Council held on 16 November 2017 the Committee then received a presentation from Sarah

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Kemp, Executive Director, on the commercial acquisition of the Strand Shopping Centre.

The presentation focussed on the following points:-

- Legal relationship pre-purchase
- Marketing of the Strand
- The Market Offer and the acquisition of entire share capital
- Powers to act/policy context
- QC advice and conclusions
- Treasury management
- Timeline of commercial events
- Critical decision-making factors
- Procurement of advisors
- How the diligence was applied
- Pre-bid diligence
- Timeline of events pre-bid
- Property key documentation pre-bid
- Financial key documentation pre-bid
- Legal key documentation pre-bid
- Corporate key documentation pre-bid
- Conclusions of pre-bid diligence relating to the bid report, property report, vendor pack, structures report, Commercial and Financial Analysis, key risks, legal report and counterfactual: no bid
- Process post-bid
- Financial key documentation – post-bid
- Sensitivity modelling
- Property Key Documentation – post-bid
- Legal and Corporate\_- key documentation
- Building survey report conclusions
- The “Red Book” Valuation that assessed the market value of the long leasehold interest in the Strand
- Financial due diligence\_- conclusions
- Legal/Corporate due diligence – conclusions
- Transactions approved by Cabinet
- Corporate Structure on Completion
- Process - post acquisition to hive-up
- Key documents – hive-up
- Corporate structure on hive-up
- Capital Investment Funds
- Tax implications - tax payable on operations
- HMRC taxes
- Management arrangements
- Asset management
- Property Services Manager
- Post-acquisition company decisions
- Current status quo
- Why Part 2 (exempt) Cabinet decision

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Members of the Committee commented/asked questions on the following issues:-

<p>The sensitivity modelling slide indicates a share capital purchase of £34 million but that the often reported purchase price was a lesser amount. What is the reason for this?</p>	<p>Following a process of full due diligence, final negotiations led to a reduction in the purchase price but the actual final price paid is subject to commercial confidentiality by contract.</p>
<p>Is the percentage return figure indicated in the presentation based on the £34 million or lower figure?</p>	<p>On the lower figure</p>
<p>Why did the previous successful bidder withdraw their offer in June 2016?</p>	<p>Due to uncertainty of market conditions following the Referendum result for the UK to leave the European Union. The previous bidder had made it clear that they would re-consider their position if the result was to leave the EU. The bid was an opportunity fund looking for short-term return and therefore certainty in the markets, so this was not a surprise.</p>
<p>The occupancy standing at 88% was queried</p>	<p>There is an ongoing vacancy rate and this was typical of any shopping centre reflecting tenant churn. However, a deliberate policy moves retailers to more fully occupied areas of the shopping centre. A void is often a deliberate strategy to, for example, enable later development of void space, reconfiguring a number of void spaces into one block, to create a more lettable space, for leisure purposes for example. Calculations were made on the basis of lettable (viable economic) space and we engage specialist agents to negotiate with national retailers</p>
<p>Concerns were expressed that the Council was not getting value for money regarding the management consultancy fee; and that there was an inability within the Council to adequately manage the shopping centre</p>	<p>The Council has employed an Asset Management Company, who are experts in retail management. In this regard due diligence was undertaken to satisfy the Council of the competence of the asset management company to manage</p>

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	the shopping centre - key performance indicators must be met by the Asset Manager
Was there a stamp duty liability associated with the purchase?	There was no Stamp Duty Liability Tax due. Nor was there a Land Transaction Tax liability and HMRC were very clear that SDLT was not due on this transaction
Were the figures given during the presentation for specialist advice the total sum?	Yes – this is the total sum paid directly by the Council
The presentation referred to a 10 year budget cost of repairs of £4.7 million. Would this figure be met through revenue streams or borrowing?	These costs are built into the business plan and will be funded by revenue and/or service charges
Information was sought on the hive up of shares	The commercial share deal saw the asset hived-up to the Council's balance sheet and return the asset to local ownership. This was a tax efficient option, compared to other structures. This was also in response to expressed Shareholder (Council) wishes with regards to the holding structure (the LuxCo), to hive up the asset to the Council and collapse the off-shore corporate structure
Clarification was sought on the clauses used in the undermentioned Finance Act 2003 regulations mentioned in the presentation.	It was not possible to recite all advice given to the Council at the meeting but that tax issues associated with the purchase had been verified by tax consultants.
Reference was made to the financial due diligence conclusions and in particular, the final of three options on possible structures that indicated:-  "Council enters into a Joint Venture, and transfers the asset, there will be an Stamp Duty Land Tax charge".  To be clear did the Council pay any stamp duty?	This option was examined as part of the early pre-bid financial due diligence process. All possible holding structures were assessed on their individual merits. The Council initially made a bid for the asset only. However, the vendor was only prepared to make a share deal i.e. sell the Luxembourg registered Company which owned the asset. This transaction did not attract SDLT – and therefore there

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	<p>was no HMRC requirement for the Council to pay SDLT.</p> <p>The shares have now been extinguished</p>
<p>Between 2010 and 2020 the Council will have lost 50% of government funding. What is the forecast benefit to the Council from the acquisition?</p>	<p>The Council will have control over the asset and a positive cash flow to the Council will be generated. Due to commercial confidentiality more information on this issue can be given in Part 2 of the meeting</p>
<p>The point regarding commercial confidentiality was challenged in respect of generated income and a question was asked why the information couldn't be given in Part 1 of the meeting?</p>	<p>It would constitute a breach of commercial confidentiality should the Council disclose individual tenant contract details, 70% of which are national retailers. The disclosure of this information would also undermine the Council's future negotiating position whereby the performance of the asset is a determining factor with regard to potential new tenants and lease renewals. This met the test of provisions contained in the Local Government Act 1972 for the Council to keep commercially sensitive information exempt. However, the Council budget will show the net contribution made by the asset to the Council's finances</p>
<p>If there was no joint venture where would the finance come from to maintain and invest in the asset?</p>	<p>The financial strategy and commercial performance of the Strand shopping centre was carefully looked at as part of the due diligence process. This included assessing the headroom the surplus generated which might support further Council borrowing. Until options for the redevelopment of the Strand have been fully explored, it is too early to say what mechanisms of investment might be required, although a joint venture might be an option the Council could consider.</p>
<p>Was regeneration the primary purpose of the purchase of the</p>	<p>The primary purpose was regeneration and the ability to</p>

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asset?	generate a net income to the Council. The asset purchase was made under the Powers of Regeneration, but clearly there are many other benefits that the asset can bring to the Borough.
The market offer made was on the basis of current gross passing rent of £4.845 million and a net initial yield of 8.73%. What is gross passing rent?	It is the obligation/sum of money tenants must pay the Council. The sum of £4.85m is the gross passing rent set out in the original market offer based on the tenant schedules of contract. However, our due diligence led us to believe that the actual sum collected was £4.55m
A concern was expressed that the current income position and outgoings could be affected negatively if more voids occur due to dips in the retail market. What rough guideline percentage reduction could the Council withstand before the asset was not self-financing?	At present there is a comfortable 6.79% internal rate of return but if variables altered significantly then the situation could obviously change. Unfortunately an accurate answer can't be provided at the meeting because financial sensitivity models to calculate the impact of such occurrences were not to hand and again would be considered as commercially confidential. However, it must be stressed that this is the nature of the commercial market such that variables will by their nature, change and we need to factor these market risks to ensure adequate resilience in the face of all market risks.
A concern was then expressed that a precise answer could not be given. Was the Cabinet given a precise figure?	Cash flow modelling was fully disclosed to Cabinet as part of the business case for the purchase
There are lots of if, buts and maybes as part of the questioning here. Was the due diligence prepared by experts part of the decision making process adopted by Cabinet?	Yes. The expertise was provided and Cabinet challenged the credibility of the experts to ensure that their advice could be relied upon. The experts had advised many local authorities on similar acquisitions

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Were worse and best case scenarios provided to the Cabinet?	Yes and the final judgement was taken on being aware of risk profiles and the determination of mechanisms to mitigate the risks. Having undertaken due diligence, the Council negotiated a further reduction in price.
A comment was made that the scrutiny of this issue was resented by Members; and that there were genuine concerns about the viability of the deal	The Chair, Councillor Sayers indicated that all questions had been answered openly by officers and that it was unfair to make such allegations and that he took exception to the comment and that the Councillor raising it should apologise.

RESOLVED: That

- (1) Sarah Kemp, Executive Director, be thanked for her comprehensive and informative presentation; and
- (2) Cabinet be made aware of the comments of the Committee on the commercial acquisition of the Strand Shopping Centre.

## **43. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED:

That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favoured exclusion of the information from the press and public because:-

- The Heads of Terms and Sales Purchase Agreement are legal bound by confidentiality
- Cabinet agreed conditional permissions, whilst final negotiations were still live
- The Council as owner is fully exposed to market risk and therefore must protect and enhance the competitive position of this commercial asset

Jill Coule, Head of Regulation and Compliance indicated that it was very unusual to allow non-members of a decision making body into Part 2 of the meeting; reminded Members that they would be privy to commercially confidential information and that this information is being shared on the basis of non-disclosure to third parties; and that to do so would be a breach of the Members' Code of Conduct. Mrs. Coule concluded that the Council still had a contract in place and therefore is bound by what

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information can and cannot be made available in public; and highlighted the reputational damage that the leaking of confidential information could bring upon the Council and may deter future investment in the borough.

Mrs. Coule also reminded Members that in accordance with Rule 37 of Chapter 4 of the Council's Constitution the recording of proceedings of part 2 of the meeting is not allowed.

The following Members of the Committee were present during the following item:-

Councillor Sayers, Chair and Councillors Carragher, Dan T. Lewis, Jamieson, Michael O'Brien, Roche, Shaw, Webster and Bill Welsh.

The following non-Members of the Committee were present during the following item:-

Councillors Atkinson, Bennett, Booth, Dawson, Dutton Lappin, Maher and Pullin.

### **44. STRAND SHOPPING CENTRE - COMMERCIAL ACQUISITION**

Further to Minute No. 65 (2) of the meeting of the Council held on 16 November 2017 the Committee received a presentation from Sarah Kemp, Executive Director, on the commercial acquisition of the Strand Shopping Centre.

The presentation focussed on the following points:-

Part 1 Pre-bid and Post-bid process  
Part 2 Commercial and Financial Transaction

Members of the Committee commented/asked questions on the following issues:-

- The acquisition and its association with Sefton's 2030 Vision
- The surplus generated by the acquisition
- How the surplus could be used
- The procurement process for the next phases of development and refurbishment
- The use of experts in future redevelopment/regeneration proposals

RESOLVED: That

- (1) Sarah Kemp, Executive Director, be thanked for her comprehensive and informative presentation; and
- (2) Cabinet be made aware of the comments of the Committee on the commercial acquisition of the Strand Shopping Centre.



# Agenda Item 4

**Report to:** Overview and Scrutiny Committee (Regeneration and Skills)

**Date of Meeting:** 13 March 2018

Cabinet 5 April 2018

**Subject:** Housing Licensing Performance Framework Working Group Final Report

**Wards Affected:** Cambridge, Church, Derby, Dukes, Ford, Linacre, Litherland, Netherton and Orrell, St. Oswald, and Victoria

**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 Housing Licensing Performance Framework Working Group.

**Recommendations:** That

- (1) the monitoring factors as detailed in the table below be approved as the set of suitable measurable data sets to be used to report on the intended outcomes of the licensing schemes:-

Monitoring factor	Description	Why measure?
<b>Number of licences applied for per scheme</b>	Total number of properties for which an application for a licence has been made, against the number of identified Privately rented properties that require a licence	To ensure landlords have applied for a licence where applicable.  To compare the actual number of private rented properties against the original, estimated number. This will also assist with the financial management of the schemes.
<b>Number of licences granted per scheme</b>	How many properties currently have a licence against the number	To ensure all licensable properties obtain a licence and meet

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	applied for and number of identified properties requiring a licence.	licence conditions.
<b>Number of properties accredited;</b> a) <b>Inside the licensing areas</b> b) <b>Outside the licensing areas</b>	Accreditation is a voluntary scheme. It is a measure of high quality property standards and management.	To monitor the levels of accredited properties and thus levels of “good” standard accommodation.  Monitoring numbers inside and outside of licensing areas will allow comparisons
<b>Number of properties non-compliant on first inspection</b>	How many properties DO NOT comply with the licence conditions when inspected by officers.	To establish a baseline of standards of property condition and their management.  A high number of ‘non-compliance’ would be evidence to justify the Licence schemes.
<b>Number of properties non-compliant on first inspection but now compliant</b>	How many properties DO NOT comply with the licence conditions at the introduction of the schemes (and 1 <sup>st</sup> inspection) but have improved to be compliant, as a result of the schemes	To establish the level of improvements that have been made to the levels of property management and conditions. This will help demonstrate the level of impact the Licence schemes have made to improve private rented sector conditions and management.
<b>Numbers and types of formal action</b>	How many statutory notices and Civil Penalties have been served within the 3 licensing areas.	To monitor the level of requirement for formal action by officers, for either not obtaining a licence or a breach of licence conditions.  Informal action (warnings) will be issued in the first instance, but if landlords do not act on these, then formal legal action will be followed.
<b>Number of Service</b>	Service Requests are	This measure will show

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<p><b>Requests received;</b>  <b>a) within the licensing areas</b>  <b>b) outside of the licensing areas</b></p>	<p>complaints received about a property, usually regarding its management or condition. (These requests generally come from Privately Rented tenants.)</p>	<p>if numbers of service requests increase or decrease as a result of licensing.</p> <p>It will show any difference in numbers inside and outside of licensing areas.</p> <p>It will also indicate if poor property conditions are increasing outside of the licensing areas <i>as a possible result of displacement of landlords.</i></p>
<p><b>Number of licensed properties that have had Category 1 hazards removed</b></p>	<p>Category 1 hazards are the most serious health &amp; safety hazards identified in a property using the Housing Health &amp; Safety Rating System (Housing Act 2004). This will be captured by officers inspecting properties.</p>	<p>A measure of how many properties have had Category 1 Hazards removed is a clear indication of the improvements in property conditions.</p>
<p><b>Numbers of request for advice from ASB (Anti-Social Behaviour) team</b></p>	<p>This is likely to be requests from Licence holders/landlords to the ASB team for help in dealing with ASB issues at their property. The management of ASB is a licence condition.</p>	<p>This figure will record the levels of advice requests from landlords and measure if this changes throughout the duration of the schemes.</p>
<p><b>Numbers of cases where ASB team have intervened</b></p>	<p>All referrals to the ASB team for advice will be captured, to assess levels.</p>	<p>Has the ASB support for licence holder/landlords lead to more intervention by the Council's ASB team? Have their levels of Service requests increased or decreased?</p>
<p><b>Outcome of ASB team intervention</b></p>	<p>Has the intervention been a success? What was the outcome?</p>	<p>Have levels of ASB in licensing areas reduced?</p>

- (2) an Annual Monitoring Report, to ensure that the Schemes meet their intended outcomes and objectives in measuring the progress of the Schemes through the collection of data on various factors, be submitted to both the Cabinet Member –

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Communities and Housing and the Overview and Scrutiny Committee  
(Regeneration and Skills).

## Reasons for the Recommendation:

The Working Group has made a number of recommendations that require approval by the Overview and Scrutiny Committee (Regeneration and Skills) and the Cabinet.

## Alternative Options Considered and Rejected:

No alternative options were considered. The Overview and Scrutiny Committee (Regeneration and Skills) established the Working Group to review the Housing Licensing Performance Framework 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:

<b>Financial</b>		
<b>Legal: Housing Act 2004</b>		
<b>Human Resources</b>		
<b>Equality</b>		
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:

Licence schemes should improve the living conditions of tenants. The private rented sector houses a high proportion of vulnerable households.

Facilitate confident and resilient communities:

Improved housing management practices should result in better relationships between landlord and tenants, helping them to resolve any disputes directly

Commission, broker and provide core services: Through the Licensing schemes the Council will adopt a more proactive approach to the private rented sector.
Place – leadership and influencer: The Licensing scheme aims to provide improved quality of accommodation in the private rented sector. Such an improvement will undoubtedly have a beneficial effect on a locality.
Drivers of change and reform: The Council will adopt a more proactive approach to the private rented sector, in turn providing a new approach to improving housing conditions
Facilitate sustainable economic prosperity: Not Applicable
Greater income for social investment: Not Applicable
Cleaner Greener The licensing scheme should help ensure better housing management practices by landlords, improving housing conditions and the environment of the neighbourhoods they sit in.

## **What consultations have taken place on the proposals and when?**

The Head of Corporate Resources (FD 5046/18) has been consulted and notes there are no direct financial implications arising from this report.

The Head of Regulation and Compliance (LD 4330//18) is the author of 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

# Agenda Item 4

## Introduction/Background

At its meeting held on 7 November 2017 the Overview and Scrutiny Committee (Regeneration and Skills) approved the establishment of a Working Group to review the topic of Housing Licensing Performance Framework with the following objectives:-  
Terms of Reference and Objectives

The Council is working toward the introduction of Private Rented Sector Housing Selective Licensing and Additional HMO Licensing schemes in parts of the borough.

The Selective Licensing Scheme Proposal was taken to Overview and Scrutiny Committee (Regeneration and Skills) in November 2016, for review. The proposal was overwhelmingly supported.

The Selective Licensing proposal was then taken to Cabinet for formal approval in December 2016, together with approval to undertake the statutory formal public consultation. Cabinet approved the proposal and consultation.

The Selective Licensing Proposal has since been the subject of a 12 week public consultation, April-June 2017. This included notifying all Councillors of the Selective Licensing proposal and consultation, so they had the opportunity to contribute.

The results of the consultation, together with a Final Licensing Scheme proposal were taken to Cabinet in September 2017, and approved. The Council is now in the process of preparing the Selective Licensing scheme to go live from March 2018.

One key piece of work that needs to be done over the coming months is to set up a 'performance framework' for the Licensing schemes. This will allow the Council to test, in future, whether the Selective Licensing scheme is having an impact on improving the Licensing Neighbourhoods and private rented accommodation. The performance framework will be submitted to the Cabinet Member – Housing and Communities for approval once it is completed.

The Council approved a 'business case', which set out its justification for introducing Licensing schemes. To justify the proposed schemes for Sefton it was argued that Licensing of private rented homes would lead to the better management of these homes, which in turn would help tackle the following issues, which were used as the criteria for our schemes;

- significant anti-social behaviour.
- poor property conditions,
- a high level of deprivation or
- high levels of crime.

A Licensing scheme can only remain in operation for a maximum period of 5 years. The Council will need to monitor whether the Licensing schemes are having an impact on the issues/criteria it sought to tackle and improve.

Towards the end of the 5 year life of the schemes, the Council will need to consider whether it needs to extend the schemes. If it does, it will need to justify this through a new business case. Almost certainly, the Council would need the evidence that its schemes are having a positive impact on the issues identified. Therefore setting a suitable performance framework will be an essential tool, both to monitor the effects of licensing and to help determine whether the schemes, should be extended.

The Objective is for the Working Group to help develop and review a proposed Selective Licensing Performance Framework before it is completed and submitted for approval to the Cabinet Member – Communities and Housing.

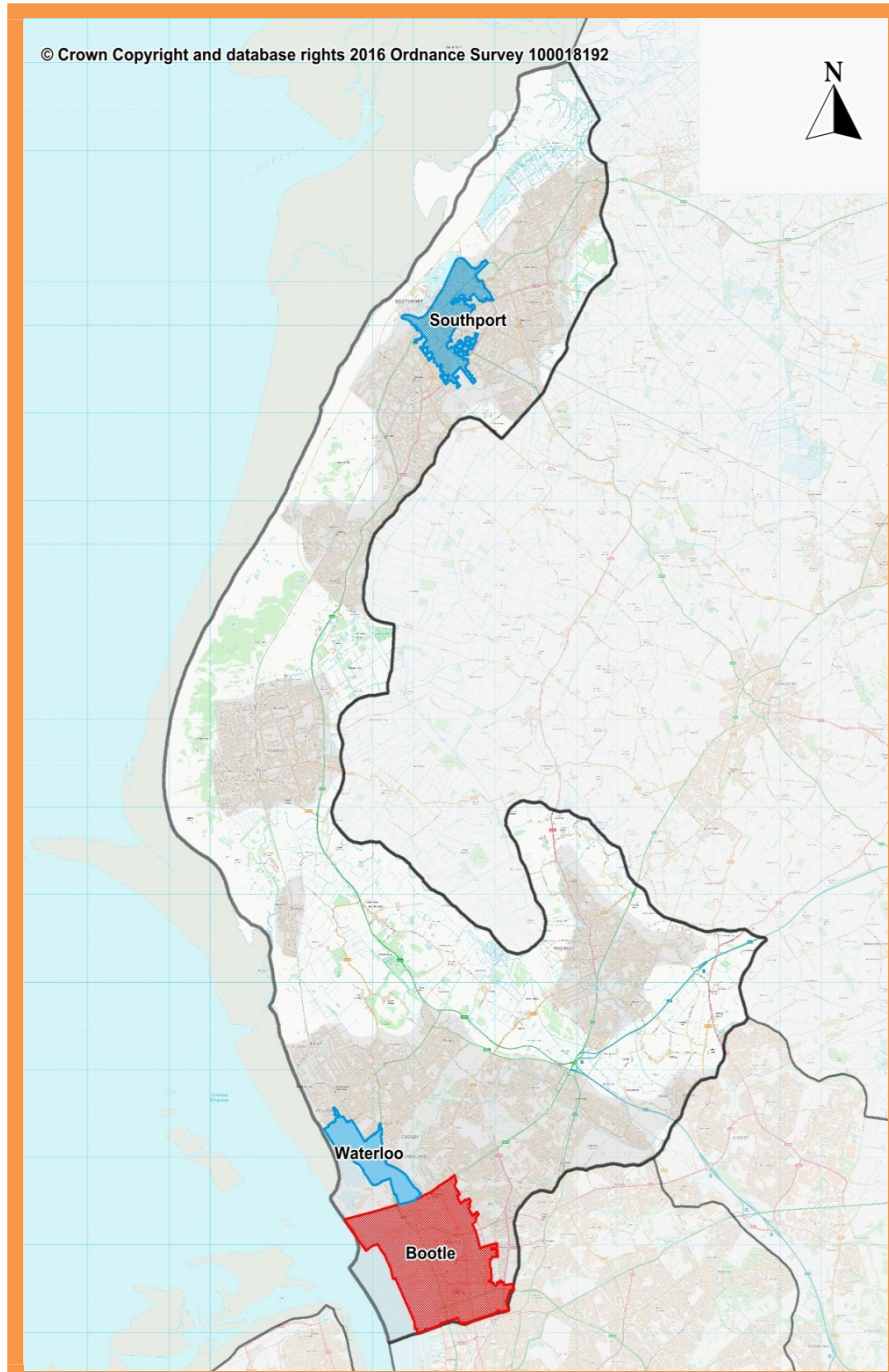
Accordingly, the Working Group has met on two occasions to undertake such review and its Final Report, together with associated recommendations, is attached.

The Overview and Scrutiny Committee (Regeneration and Skills) 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  
(REGENERATION AND SKILLS)**



**HOUSING LICENSING PERFORMANCE FRAMEWORK  
WORKING GROUP  
FINAL REPORT  
MARCH 2018**



# Overview & Scrutiny



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## LEAD MEMBER'S INTRODUCTION

I am very pleased to introduce this Overview and Scrutiny Committee (Regeneration and Skills) Housing Licensing Performance Framework Working Group report.

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

I believe that the introduction of Selective Licensing of Private Sector rental properties in parts of the Borough is a key step towards improving the living conditions for tenants of such properties as well as helping to reduce the incidence of anti-social behaviour affecting landlords as well as residents in the vicinity of these properties. In addition the extension of licensing to Homes of Multiple Occupation not covered by existing mandatory licensing will also provide similar benefits.

The development of a performance framework to monitor and evaluate the success of the scheme over the five year period of the licensing is an essential element of the scheme. The remit of the Working Group was to review this development. I am very much hoping that the evaluation of the scheme over its period of operation will demonstrate its benefits and lead to the scheme being extended for a further period of time as well as being rolled out to other parts of Sefton.

I wish to thank all those people who gave up their valuable time to be involved with the Working Group. The input and expertise of officers greatly helped the Working Group in the formulation of its recommendations. Finally, I am extremely grateful to my fellow Working Group Member, Councillor Mike O'Brien for his commitment, ideas and contribution.



Councillor Bill Welsh Lead Member, Housing Licensing Performance Framework Working Group

## 1.0 BACKGROUND

- 1.1 At its meeting held on 7 November 2017 the Overview and Scrutiny Committee (Regeneration and Skills) approved the establishment of a Working Group to review the topic of Housing Licensing Performance Framework.
- 1.2 Councillors Michael O'Brien and Bill Welsh were appointed to serve on the Working Group.
- 1.3 At the first meeting of the Working Group Councillor Bill Welsh was appointed Lead Member. Details of Working Group meetings are set out below:-

Date	Activity
21.12.17	Scoping Document approved Presentation on proposals made Background reading material identified
29.01.18	Formulation of Monitoring Factors and a Performance Framework

## 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 The Council is working toward the introduction of Private Rented Sector Housing Selective Licensing and Additional HMO Licensing schemes in parts of the borough.

The Selective Licensing Scheme Proposal was taken to Overview and Scrutiny Committee (Regeneration and Skills) in November 2016, for review. The proposal was overwhelmingly supported.

The Selective Licensing proposal was then taken to Cabinet for formal approval in December 2016, together with approval to undertake the statutory formal public consultation. Cabinet approved the proposal and consultation.

The Selective Licensing Proposal has since been the subject of a 12 week public consultation, April-June 2017. This included notifying all Councillors of the Selective Licensing proposal and consultation, so they had the opportunity to contribute.

The results of the consultation, together with a Final Licensing Scheme proposal were taken to Cabinet in September 2017, and approved. The Council is now in the process of preparing the Selective Licensing scheme to go live from March 2018.



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One key piece of work that needs to be done over the coming months is to set up a 'performance framework' for the Licensing schemes. This will allow the Council to test, in future, whether the Selective Licensing scheme is having an impact on improving the Licensing Neighbourhoods and private rented accommodation. The performance framework will be submitted to the Cabinet Member – Housing and Communities for approval once it is completed.

The Council approved a 'business case', which set out its justification for introducing Licensing schemes. To justify the proposed schemes for Sefton it was argued that Licensing of private rented homes would lead to the better management of these homes, which in turn would help tackle the following issues, which were used as the criteria for our schemes;

- significant anti-social behaviour.
- poor property conditions,
- a high level of deprivation or
- high levels of crime.

A Licensing scheme can only remain in operation for a maximum period of 5 years. The Council will need to monitor whether the Licensing schemes are having an impact on the issues/criteria it sought to tackle and improve.

Toward the end of the 5 year life of its schemes, the Council will need to consider whether it needs to extend the life of its schemes, and if it does, it will need to justify this through a new business case. Almost certainly, the Council would need the evidence that its schemes are having a positive impact on the issues identified. Therefore setting a suitable performance framework will be an essential tool, both to monitor the effects of licensing and to help justify any extension of the life of its schemes, should it wish to do so.

- 2.2.2 The Objective is for the Working Group to help develop and review a proposed Selective Licensing Performance Framework before it is completed and submitted for approval to the Cabinet Member – Communities and Housing

## 3.0 METHODS OF ENQUIRY

- 3.1 To review the business case evidence on which the licensing schemes are based.
- 3.2 To consider the most suitable sources of information which could be used to provide evidence and data over the 5 year life of the Licensing schemes, which would allow the Council to gauge the impact on each of the criteria used



to justify its schemes.

3.3 To agree a Performance framework which includes;

- the sources of evidence and information that will be used to measure the impacts of the Licensing schemes;
- the frequency of collection of evidence and data; and
- How monitored data and evidence will be reported in future.

## 4.0 WORKING GROUP MEETING – 21 DECEMBER 2017

4.1 The Working Group considered background information relating to the Housing Selective Licensing Scheme and the evidence used to justify implementing the Scheme.

In particular, the Working Group considered the [Business Case](#) for the Scheme and was advised that since January 2016, Sefton Council had been consulting and leading on developing a new Vision for the borough. The process had helped the Council understand what matters and to be ambitious for the Borough and its communities in the future. A number of themes began to emerge, which were then developed into the Vision & Outcomes Framework. The Local Authority believes that the introduction of the proposed Licensing schemes can help contribute to the delivery of the Framework.

Since 2001, Sefton had seen a significant increase in the size of the private rented sector, borough-wide, but particularly in the areas being considered for licensing.

It was proposed that the Bootle area be chosen for Selective Licensing, which had a high proportion of private rented housing, with some of this housing being poorly managed. The area also experienced a high incidence of anti-social behaviour, poor housing conditions and deprivation, which all lowered confidence in the area. The community and the Local Authority wanted to see the area improve. As part of the Sefton 2030 vision there was a significant ambition to improve and attract investment to improve the prosperity of Sefton. As part of the Council's commitment to the success of this the licensing of privately rented properties was proposed to improve confidence in the private rented sector and help improve the prospects for the whole area.

Bootle contained a mixture of predominantly pre-1919 traditionally built terraced housing with some newer homes. Over the years, regeneration investment, including via the Housing Market Renewal Programme, into part of the area had made some impact. However, there remained a need to address some of the housing and social related issues which continued to adversely affect the wider area, especially those related to privately rented housing.

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The Council therefore proposed Additional (HMO) Licensing (House in Multiple Occupation), for parts of Waterloo/Seaforth and Southport, which had high concentrations of problematic HMOs and had seen increases in ASB and crime over recent years. This was having an adverse impact on communities and businesses in these areas.

Sefton Council would continue to use its existing powers to tackle irresponsible landlords and tenants and at the same time offer support and assistance to landlords to improve conditions and management practices. The Council was committed to building on our existing and established relationships with landlords operating in Sefton, particularly those who owned stock in the proposed licensing areas; and wanted to use Licensing to improve the relationship with a much wider number and group of landlords.

The Council also needed to bring about long-term sustainable change, which will be greatly helped through improvements to management standards within the private rented sector. It also recognised the crucial role the private rented housing sector plays in creating a strong and sustainable housing market and in meeting the housing needs of many households. Sefton depended heavily on the privately rented sector and the Council looked forward to using the licensing scheme to engage and work with landlords to realise our vision of creating a strong and resilient community, and the opportunity to live in good quality homes.

Sefton was committed to making the areas a safe and attractive place to live in and through the proposed licensing schemes was seeking the full co-operation of landlords of the area and their tenants in making this happen.

The Working Group was also made aware of additional information relating to the scheme that could be accessed from the Council's website by using the following link:-

<https://www.sefton.gov.uk/housing/private-housing/selective-licensing.aspx>

4.2 The Working Group also received a [presentation](#) that highlighted:-

- The objectives of the Working Group, namely, to review the business case evidence on which the licensing schemes are based and justified; consider the most suitable sources of information to gauge the impact on each of the criteria used to justify its schemes; and agree a Performance Framework
- The justification upon which the current Licensing Business Case was based
- How was the current business case regarding Selective Licensing was developed
- The evidence used to determine appropriate areas for Selective Licensing
- Reviewing the evidence and the development of a Performance





## Framework

### 4.3 Members of the Working Group commented on the following issues:-

- The possible displacement of landlords to other areas within Sefton or to neighbouring local authorities. It was noted that if this happened the Council would have to consider licensing across these areas where the large scale displacement occurred, as part of any future licensing proposals considered beyond the 5 year life of the current proposed schemes
- The need to consider how evidence could be obtained to identify improvements which can be associated with the Selective Licensing Scheme, e.g. evidence the scheme has helped cause any reductions in the level of anti-social behaviour
- The importance of asking the right questions to obtain information regarding the private rented sector associated with ASB improvements /referrals; the number of landlords supported; and improved housing conditions/safety
- How data was collected to obtain the statistics on the location and numbers of private rented sector properties and in particular the use of housing benefit information to assist this. It was noted that the introduction of Universal Credit would stop this channel of information gathering over time, as Housing Benefit is gradually withdrawn
- How the Selective Licensing fees would be utilised. Information was provided on the proposed staffing structure and the introduction of Compliance Officers and their powers which included the issuing of warnings and, following liaison with senior colleagues, the use of Civil Penalties and possibly the “closure” of properties that are in extremely poor condition and are imminently dangerous. The aim was for the Compliance Officers to visit all private rented properties within the licensing areas, over the 5 year life of the scheme for inspection purposes but priority would be given to targeting the worst properties first
- Consider how local Members might help support officers identify problematic private rented properties
- The introduction of a clear policy on the level of Civil Penalties is to be considered by Cabinet Member - Communities and Housing in the New Year. Once introduced such a policy would provide officers with an alternative to issue fines rather than pursue prosecutions. Any income from fines can be used to help fund further enforcement activities.

### 5.0 WORKING GROUP MEETING – 29 JANUARY 2018

- 5.1 The Working Group considered the [report](#) of the Head of Economic Growth and Housing that provided suggestions of ways in which the Selective and Additional (HMO) Licensing Schemes could be effectively monitored during the five year duration of the schemes.



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5.2 The report indicated that the three new Housing Licensing Schemes would come into force on 1 March 2018; that in order to ensure that the schemes met their intended outcomes and objectives, it was proposed to measure the progress of the schemes through the collection of data on various factors on an annual basis; and that suggested monitoring factors for consideration, which could all be measured through the Council's existing and new (Licensing) IT databases, related to the following:-

## 5.3 **Monitoring factors**

Number of licences applied for per scheme

Number of licenses granted per scheme

Number of properties accredited;

a) Inside the licensing areas

b) Outside the licensing areas

Number of properties non-compliant on first inspection

Number of properties non-compliant on first inspection but now compliant to measure 'improvement' of properties

Numbers and types of formal enforcement actions taken

Number of Service Requests (complaints from tenants about their property or landlord) received;

a) within the licensing areas

b) outside of the licensing areas

Number of licensed properties that have had the most serious Category 1 hazards removed

Numbers of request for advice from ASB (Anti-Social Behaviour) team

Numbers of cases where ASB team have intervened

Outcome of ASB team intervention

5.4 [Appendix 1](#) attached to the report provided a further list of background sources of information that would be analysed on a less frequent basis (nearer the end of the scheme) to assess the effectiveness of the 3 licensing schemes; that these sources of information would monitor the wider community impact of the licensing schemes; and the measures were referred to in the Council's Business Case, which justified the introduction of the new licensing schemes. Any significant changes to these measures would be looked at to determine if the introduction of the licensing schemes affected these changes.



## 6.0 RECOMMENDATIONS

6.1 The monitoring factors as detailed in the table below be approved as the set of suitable measurable data sets to be used as a Performance Framework to report on the intended outcomes of the licensing schemes:-

Monitoring factor	Description	Why measure?
<b>Number of licences applied for per scheme</b>	Total number of properties for which an application for a licence has been made, against the number of identified Privately rented properties that require a licence	To ensure landlords have applied for a licence where applicable.  To compare the actual number of private rented properties against the original, estimated number. This will also assist with the financial management of the schemes.
<b>Number of licenses granted per scheme</b>	How many properties currently have a licence against the number applied for and number of identified properties requiring a licence.	To ensure all licensable properties obtain a licence and meet license conditions.
<b>Number of properties accredited;</b> a) Inside the licensing areas b) Outside the licensing areas	Accreditation is a voluntary scheme. It is a measure of high quality property standards and management.	To monitor the levels of accredited properties and thus levels of “good” standard accommodation.  Monitoring numbers inside and outside of licensing areas will allow comparisons
<b>Number of properties non-compliant on first inspection</b>	How many properties DO NOT comply with the licence conditions when inspected by officers.	To establish a baseline of standards of property condition and their management.  A high number of ‘non-compliance’ would be evidence to justify the

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		License schemes.
<b>Number of properties non-compliant on first inspection but now compliant</b>	How many properties DO NOT comply with the licence conditions at the introduction of the schemes (and 1 <sup>st</sup> inspection) but have improved to be compliant, as a result of the schemes	To establish the level of improvements that have been made to the levels of property management and conditions. This will help demonstrate the level of impact the License schemes have made to improve private rented sector conditions and management.
<b>Numbers and types of formal action</b>	How many statutory notices and Civil Penalties have been served within the 3 licensing areas.	To monitor the level of requirement for formal action by officers, for either not obtaining a licence or a breach of licence conditions.  Informal action (warnings) will be issued in the first instance, but if landlords don't act on these, then formal legal action will be followed.
<b>Number of Service Requests received; a) within the licensing areas b) outside of the licensing areas</b>	Service Requests are complaints received about a property, usually regarding its management or condition. (These requests generally come from Privately Rented tenants.)	This measure will show if numbers of service requests increase or decrease as a result of licensing.  It will show any difference in numbers inside and outside of licensing areas.  It will also indicate if poor property conditions are increasing outside of the licensing areas as <i>a possible result of displacement of landlords.</i>



<b>Number of licensed properties that have had Category 1 hazards removed</b>	Category 1 hazards are the most serious health & safety hazards identified in a property using the Housing Health & Safety Rating System (Housing Act 2004). This will be captured by officers inspecting properties.	A measure of how many properties have had Category 1 Hazards removed is a clear indication of the improvements in property conditions.
<b>Numbers of request for advice from ASB (Anti-Social Behaviour) team</b>	This is likely to be requests from Licence holders/landlords to the ASB team for help in dealing with ASB issues at their property. The management of ASB is a licence condition.	This figure will record the levels of advice requests from landlords and measure if this changes throughout the duration of the schemes.
<b>Numbers of cases where ASB team have intervened</b>	All referrals to the ASB team for advice will be captured, to assess levels.	Has the ASB support for licence holder/landlords lead to more intervention by the Council's ASB team? Have their levels of Service requests increased or decreased?
<b>Outcome of ASB team intervention</b>	Has the intervention been a success? What was the outcome?	Have levels of ASB in licensing areas reduced?

7.2 An Annual Monitoring Report, to ensure that the Schemes meet their intended outcomes and objectives in measuring the progress of the Schemes through the collection of data on various factors, be submitted to both the Cabinet Member – Communities and Housing and the Overview and Scrutiny Committee (Regeneration and Skills).

## 7.0 DOCUMENTATION CONSIDERED BY THE WORKING GROUP

- 7.1 [Scoping Document](#) approved on 21 December 2017
- 7.2 [Presentation](#) received on 21 December 2017
- 7.3 [Selective Licensing Business Case](#) considered on 21 December 2017
- 7.4 [Report of the Head of Economic Growth and Housing](#) considered on 29 January 2018
- 7.5 [List of background sources of information for business case monitoring](#) considered on 29 January 2018



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## 8. ACKNOWLEDGEMENTS AND THANKS

In producing this report on the Housing Licensing Performance Framework the acknowledgements and thanks are attributed to the following individuals for their time and input:-

- Neil Davies, Service Manager Housing and Investment Services
- Clare Taylor; Housing Standards Team Manager
- Gaynor Pemberton; Housing Licensing Development Project Officer
- Alistair Malpas; Housing Strategy Officer

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 Bill Welsh Lead Member, Housing Licensing Performance Framework Working Group



Councillor Michael O'Brien

For further information please contact:-



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**Sefton Council** 

**Overview  
& Scrutiny**



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# Agenda Item 6

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	13 <sup>th</sup> March 2018
<b>Subject:</b>	Flood and Coastal Erosion Management Strategy review - Scope document		
<b>Report of:</b>	Head of Locality Services - Commissioned	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Locality Services Commissioned Health and Wellbeing		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

This scoping document has been compiled for information to elected members and for input from the Overview and Scrutiny Committee to ensure a comprehensive review is undertaken.

## Recommendation(s):

(1) The committee provides comments and views to inform the development of the strategy

## Reasons for the Recommendation(s):

To ensure the strategy is aligned with council priorities and needs of the community.

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

Not updating the strategy would mean we would fail to deliver our duties under the Flood and Water Management Act, 2010 to manage local flood risk in Sefton, putting the Council at risk.

We could extend the existing strategy but this would fail to take into account a number of significant developments over the last few years and limit progressing flood and coastal erosion risk management.

## What will it cost and how will it be financed?

### (A) Revenue Costs

Costs will be contained within existing revenue budgets

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## (B) Capital Costs

### Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> Staff time required to undertake this process
<b>Legal Implications:</b> To deliver our duties under the Flood and Water Management Act, 2010.
<b>Equality Implications:</b>  There are no equality implications

### Contribution to the Council's Core Purpose:

Protect the most vulnerable: not applicable
Facilitate confident and resilient communities: The work FCERM does is about informing and educating our communities about flood risk and ensuring they understand their role in managing flood risk.
Commission, broker and provide core services: To deliver our duties under the Flood and Water Management Act, 2010.
Place – leadership and influencer: We actively work in partnership with communities and other risk management organisations and authorities to ensure we can deliver our outcomes that tie into the 2030 vision.
Drivers of change and reform: by having a FCERM strategy in place and performance management systems in place we can ensure we are doing the right thing in the right way.
Facilitate sustainable economic prosperity: The work we do to manage risk, understand risk, avoid increasing risk, reduce risk and reduce the consequences of flood risk both coastal and inland, directly supports Sefton's economy.
Greater income for social investment: not applicable
Cleaner Greener: the assets we manage on the coast and inland as part of the Green Sefton service enable people to come and enjoy Sefton's natural beauty and supports people's health and wellbeing.

### What consultations have taken place on the proposals and when?

#### (A) Internal Consultations

The Head of Corporate Resources (FD5056/18.) and Head of Regulation and Compliance (LD.4340/18....) 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 meeting.

**(Please delete as appropriate and remove this text)**

<b>Contact Officer:</b>	Paul Wisse
Telephone Number:	Tel: 0151 934 2959
Email Address:	paul.wisse@sefton.gov.uk

## **Appendices:**

There are no appendices to this report

## **Background Papers:**

The following are available on the internet, via the Council's webpage;

Sefton's Flood and Coastal Erosion Risk Management Strategy 2015-2018  
<https://www.sefton.gov.uk/media/813740/FCERMS-Strategy-v14-FINAL.PDF>

Flood and Coastal Erosion Risk Service Plan  
<https://www.sefton.gov.uk/media/813737/FCERMS-Service-Plan-v14-FINAL.PDF>

Flood and Coastal Erosion Risk Investment Plan  
<https://www.sefton.gov.uk/media/813734/FCERM-Investment-plan-v151-FINAL.pdf>

# Agenda Item 6

## **1. Introduction/Background**

### **1.1 Sefton Local Flood Risk Strategy scope**

Sefton have a requirement under the Flood and Water Management Act 2010 to produce a Local Flood Risk Strategy. The Act requires each Lead Local Flood Authority (LLFA) in England and Wales to set out how it will manage flooding and coastal erosion in its area. Sefton Council is a Lead Local Flood Authority and this Strategy will satisfy this statutory need. It also satisfies the requirements under the Flood Risk Regulations 2009 for a Flood Risk Management Plan. Sefton Strategy was first produced in 2015 and after 3 years it would be updated. Therefore 2018 is the year the strategy needs to be updated and this report sets out the scope of this update, reviewing what has changed since 2015 and is seeking views and input from members on our proposals.

## **2. Strategic developments since 2015 to be considered in the new strategy**

### **2.1 Liverpool City Region**

Climate change and flooding has not been agreed on their programme but there may be opportunities to engage in other areas such as the key route network. We will continue to develop and create working relationships with Merseyside's Local Flood Risk coordinator taking an active role.

### **2.2 Sefton2030**

Sefton have worked alongside a number of partners and communities across the borough to help vision what Sefton2030 would be like. From this visioning exercise Sefton Council have developed a core purpose which the council will follow in delivering Sefton2030. The FCERM team supports this core purpose directly in the outcomes and vision that are currently stated in the FCERM strategy. When updating the strategy we will review these outcomes and vision to ensure the wording reflects the Councils core purpose to more directly link to the Sefton2030 and the Councils core purpose.

### **2.3 UK Climate Predictions update 2018 (UKCP18)**

Sefton have been working to the most recent government climate change predictions produced in 2009 called UKCP09. These predictions are due to be updated in March 2018 and the FCERM team will undertake a review to help inform and refine our understanding of the impacts of these changes on flood and coastal erosion risk.

## **2.4 Defra's 25 year plan**

The Department for Food, Environment and Rural Affairs (DEFRA) have produced a 25 year plan which has a number of outcomes. We will review these outcomes and actions when writing our updated strategy to ensure our priorities are aligned. There outcomes are:

- A smooth and orderly exit from the EU
- A cleaner, healthier environment, benefiting people and the economy
- A world leading food and farming industry
- A rural economy that works for everyone, contributing to national productivity, prosperity and wellbeing
- A nation better protected against floods, animal and plant diseases and other hazards, with strong response and recovery capabilities

## **2.5 The Sefton Coast Plan**

Since our first strategy was written The Sefton Coast Landscape Partnership has produced the Sefton Coast Plan. The plan is a requirement of the Local Plan adoption to ensure that the increased development and associated pressures, such as, increasing tourism and impacts to nature conservation do not negatively impact upon the value of the coast environmentally, socially or economically. The Coast Plan also considers opportunities to conserve and enhance the coastal environment, increase the amenity value of the coast and also develop the coastal economy in a sustainable way. We will therefore need to take into consideration this plan and specific actions such as the development of an adaptation study which the FCERM team have agreed to deliver to the Partnership. These will therefore need to be considered in the review of the FCERM strategy.

## **2.6 Coastal Adaptation Strategy**

As stated previously the FCERM team will be writing a Coastal adaptation strategy to help partners consider the threats and opportunities of climate change and coastal change on valued features along the Coast at present, whilst also anticipating future impacts and opportunities, to enable adaptive management of these features now and into the future. Development of the plan will be led by Sefton Council as agreed by the Sefton Coast Landscape Partnership Board because Sefton is the Coast Protection Authority and lead partner identified in the Shoreline Management Plan to develop a Coastal Adaptation and Sand Dune Management Strategy. The Strategy will then be agreed and adopted by the Sefton Coast Landscape Partnership.

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## **2.7 Policies**

Since 2015 the FCERM team have written and had adopted a number of policies. These are policies on consenting works on ordinary watercourses, diverting ordinary watercourses, and investigating flood events. They help set clear expectations for anyone undertaking works on watercourses and also helps communities understand how we investigate flood events and the prioritisation of our investigations.

## **3. Funding**

### **3.1 Budgetary changes and Green Sefton**

As part of the Public Sector Reform work the FCERM team is being merged into a new service area called Green Sefton. This will result in Parks and Green spaces, Coast and Countryside and FCERM coming together to better deliver our services whilst saving £895k for the Council. As part of this Merger it has been proposed that the FCERM team will lose one full time post. Since austerity measures hit local government the FCERM team's budget has reduced by 60%. The team now heavily relies on external funding to deliver its outcomes that fund the majority of the team. Only 2 full time equivalent posts are revenue funded. The new Green Sefton service structure is still being finalised with a hope to be up and running with people in posts come April 1<sup>st</sup>.

### **3.2 Merseyside Partnership Quick Win Funding**

The Merseyside Flood Risk Partnership is allocated £50k a year from Local Levy to spend on flood risk projects across the Merseyside region. These projects should be able to be delivered in a short space of time and would otherwise struggle to receive funding from main flood risk funding streams, such as grant in aid. Sefton will continue to identify small scale projects on an annual basis for consideration by the partnership.

So far Sefton has been awarded £30k from The Merseyside Partnership to undertake works in Ainsdale and Birkdale; where the drainage is struggling to discharge across the beach due to their location on an accreting shoreline, and to develop a sustainable drainage community project.

Previously funding has been provided to Wirral to undertake flood investigations following significant flooding.

### **3.3 Cell 11 Regional Monitoring Programme (Cerms) Funding and Shoreline Management Officer Local Levy funding**

Sefton are currently the lead partner in delivering the North West Coastal Monitoring programme. This is part of a national programme of regional monitoring to ensure coastal changes are being monitored to help understand changes in risk and also help to inform decision making. Since 2015 Sefton have entered into a new round of funding for 5 years from 2016 to 2021. Sefton's allocation of this funding is agreed on an annual basis and it currently funds 3 posts for the Cell Eleven Regional Monitoring programme and 1 post to support the delivery of the Shoreline Management Plan.

### **3.4 United Utilities spend programme**

United Utilities have an agreed programme of spending from 2015 to 2020. They are currently developing their programme for the next period from 2021 to 2026. There may be opportunities to influence the programme and work closer with our partners.

## **4. Changes in our Understanding of risk**

### **4.1 Shoreline Management Plan review**

In 2016 Sefton secured funding to appoint a regional Shoreline Management Officer to co-ordinate a review of Shoreline Management Plan policy and support partners across the North West in delivering their actions as set out in the SMP. Through our increased understanding of risk since the SMP was agreed 10 years ago Sefton have identified that the SMP policy for Crosby to Formby may no longer be appropriate due to the increased erosion rates and risk occurring between Blundellsands and the Alt Training Bank. Sefton are now working with the Environment Agency and United Utilities to deliver a scheme to reduce the risk of flooding and failure of assets in the area.

### **4.2 Coastal erosion predictions**

Since 2015 there have been a number of large storm events causing fairly significant coastal erosion in places, particularly just North of Hall Road, Blundellsands, where in one storm over 10m of coast was lost. Work is also currently underway in reviewing the coastal erosion predictions first calculated in 2007. We now have a further 10 years of data and the method originally used in the calculations has been refined. This review will be undertaken prior to the publication of this strategy to ensure we have the most up to date information.

### **4.3 Climate change predictions**

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UKCP18 is due out in March 2018 and will be considered in the review of risk in this strategy.

## **4.4 Surface Water Management Plan realisation of modelled data**

Since 2015 we have experienced a number of significant rainfall events. These have helped us calibrate the modelled data from our Surface Water Management Plan that was produced in 2013. The places that generally experienced flooding were expected as identified in the modelling except Preston New Road where the area flooded was greater than the modelled extent in the SWMP.

## **5 Developments in the way we work**

### **5.1 Sustainable flood risk management**

Since 2015 we have had a significant mind shift in the way we work. We have come to recognise that a different approach to managing Sefton's Flood Risk was needed. One of Sefton's biggest risks of flooding is from surface water; however it is incredibly difficult to secure funding to alleviate this as the cost benefits rarely stack up. The biggest change we can actually make to this risk is to reduce the amount of water getting into the system in the first place. However this requires our communities to change their behaviours at a household/business and community level. We are now beginning to focus more on changing behaviours by communicating and educating our communities about flood risk from surface water and how we can all play a part in reducing this risk by conserving, harvesting and storing water within a property reducing the amount entering the system especially during peak rainfall events. This strategy will aim to reflect this way of working and clearly communicate the benefits to the community in everyone playing their part in reducing flood risk.

### **5.2 Communication**

As well as improved engagement with our communities we will be looking at a number of ways to better engage with elected members and partners. For example, having more of a social media presence and creating more interactive materials to aid our communication.

### **5.3 Data management and sharing**

We will continue to improve our collection, analysis and sharing of information and data with partners to ensure we have the most up to date understanding of flood risk. We will



also continue to work closely with neighbouring authorities to manage flood risk across Merseyside to best practice.

## **5.4 Performance management**

The Strategy we produced in 2015 began to focus our service area and was our first attempt to build our service in a more outcome focussed, planned service rather than a reactive service. We recognised there was a need to plan out activities and also monitor how we were performing on the delivery of our service. Therefore we developed a service plan and investment plan that supported our strategy. Since 2015 we have been refining how we better plan our resources and monitor our performance in a more meaningful way. We now produce departmental quarterly reports to demonstrate if we are on target to deliver service outcomes within budget and on time. This is something we will be building upon going forward and be communicated more clearly in the review of our strategy 2019 to 2022.

## **6 Projects to be delivered during the strategy period**

A major coastal defence and surface water management scheme is likely to be delivered on the coast at Crosby during the summer of 2020 and 2021, subject to funding and approval to improve the sea defence approx. 1km north and south of Hall Road along with works to the Alt training bank.

Works will be undertaken on the Pool and the Nile watercourses to reduce flood risk associated with historic piped watercourses subject to funding/approval.

## **7 Constraints**

Budget cuts to the council are having an impact, meaning our priorities are changing and we are seeking alternative ways of delivering the service.

Designations particularly on the coast can influence what we can and can't do and when actions can be delivered. Timelines to delivery can often be affected with these constraints and the lead in time to planning to do work on the coast can often be over a number of years.

## **8 Way forward**

The FCERM team will be undertaking a review of its strategy and the outcomes and actions set out in the 2015 to 2018 strategy. A review of our understanding of coastal erosion and flooding both coastal and inland will be undertaken with the most up to date

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information available. Risk and priorities will be reviewed and communicated more clearly. Expectations of what the service will deliver or can no longer deliver will also be clearly stated. A more focussed performance management framework will be in place to support the delivery of our service and hold us to account on the actions we have said we intend to deliver.

When the scope of the report has been agreed and the final strategy has been produced, with input from and subsequent approval by elected members, we will continue to report progress on delivering the new FCERM Strategy 2019 -2022 to the Overview and Scrutiny – Regeneration and Skills Committee on an annual basis.

## **9 Timescales 2018**

Feb to March - Seek input from elected members through briefings and reports to Cabinet Members and Overview and Scrutiny Committee.

Feb to April – Review understanding of risk, coastal erosion predictions, Surface Water Management Plan and modelling of coastal processes

April to June – Review outcomes of current strategy and consultation with other risk management authorities to inform draft strategy

June to July – Update service plan and investment plan with a stronger focus on performance management

July – Report to/attend Consultation and Engagement Panel

August to September – Consultation period; internal with partners and elected members

September to October – Public consultation

October to November – Finalise Strategy, Investment Plan and Service Plan

November – Report back to Consultation and Engagement Panel and subsequently produce report to seek approval

December – Take to Cabinet and Council for approval and adoption

January 2019 – Publish final document

# Agenda Item 7

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	Tuesday 13 March 2018
<b>Subject:</b>	Sefton Economic Strategy Framework		
<b>Report of:</b>	Executive Director	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member Regeneration & Skills (Overview & Scrutiny)		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	Yes
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To update on the progress made developing the Sefton Economic Strategy Framework including the consultation process

## Recommendation(s):

(1) That the report is noted.

## Reasons for the Recommendation(s):

To keep members updated on progress with the Sefton Economic Strategy Framework; the consultation process and timeframe for completion

None

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

None

## What will it cost and how will it be financed?

### (A) Revenue Costs

£70,000 revenue was approved to fund the development of both the Economic Assessment and Strategy Framework for Sefton. Following invitation to tender process the work was awarded to Regeneris Consulting.

### (B) Capital Costs

N/a

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## Implications of the Proposals:

### Resource Implications (Financial, IT, Staffing and Assets):

Consultation co-ordination activities will be undertaken by existing staff within existing budgets

### Legal Implications:

### Equality Implications:

None

## Contribution to the Council's Core Purpose:

### Protect the most vulnerable:

Inclusive growth is the core objective of the strategy framework to set a direction for action so that the impacts of economic growth reach many more of Sefton's residents including the most vulnerable

### Facilitate confident and resilient communities:

Inclusive Growth is the core objective of the strategy framework including a focus on 'People' to better connect economic opportunity to the lived experience of residents; Investing in education, skills and employability is also one of 7 key objectives

### Commission, broker and provide core services:

Reconfiguring public services and community led delivery and generating new sources of finance to support growth are two of the 7 key objectives for the strategy

### Place – leadership and influencer:

Repositioning and reprofiling Sefton is one of the 7 key objectives for the strategy

### Drivers of change and reform:

Reconfiguring public services and community led delivery and generating new sources of finance to support growth are two of the 7 key objectives for the strategy

### Facilitate sustainable economic prosperity:

Delivering new development and infrastructure, Creating and growing local, private and social enterprise and securing new inward investment are three of the 7 key objectives for the strategy

### Greater income for social investment:

Creating and growing local, private and social enterprise is one of the 7 key objectives for the strategy

## Cleaner Greener

Under Delivering new development and infrastructure reference is made to the mitigation of any adverse environmental impacts as a result of economic regeneration growth; the strategy also focuses on attracting new cleaner greener investment for Digital, particularly the roll-out of ultrafast broadband.

### **What consultations have taken place on the proposals and when?**

#### **(A) Internal Consultations**

The Head of Corporate Resources (FD.5060/18) and Head of Regulation and Compliance (LD.4344/18) have been consulted and any comments have been incorporated into the report.

#### **(B) External Consultations**

Businesses

Developers

Investors

Professional Intermediaries & Networks e.g. Chambers of Commerce; Federation of Small Businesses; Professional Sefton

Other Liverpool City Region Local Authorities/Chief Executives

Combined Authority

Liverpool City Region Local Enterprise Partnership & Sector Boards

Liverpool City Region Employment & Skills Board

Prime Contractors & Supply Chains

Members of Sefton Leadership Collaborative, including Further Education, CCGs,

Sefton Council for Voluntary Services

The ten Parishes

Organisations with insight into residents of Working Age especially Jobseekers, People on Low Incomes, and Equality Groups

Transport Providers/Commissioners

Any other relevant groups/organisations

#### **Internal consultees:**

Elected Members

All members of SLB & Programme Board

Yammer (Sefton Council)

Sefton Business Friendly Group

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## Implementation Date for the Decision

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

<b>Contact Officer:</b>	Mike Mullin
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## Appendices:

There are no appendices to this report

## Background Papers:

There are no background papers available for inspection.

## 1.0 Introduction/Background

1.1 The Economic Assessment and Strategy are essential documents that help set out the baseline assessment of the local Sefton Economy and the ambition that is required in order for Sefton to articulate the economic growth goals sought.

1.2 Cabinet Member has received regular updates from the Executive Director and former Heads of Investment and Employment, Regeneration & Housing and more recently by Service Manger-Business Support & Investment on the progress being made to bring forward substantial drafts, specifically:

- Authorisation was first sought in September 2016;
- Consultants Regeneris were appointed on the 10<sup>th</sup> October 2016;
- The Assessment substantively approved by Cabinet Member, March 2017;
- Agreement to prepare the Strategy was authorised at the same meeting in March 2017.
- The consultation mandate was granted by the Cabinet Member - Regeneration & Skills following briefings on 10<sup>th</sup> August 2017 and 19<sup>th</sup> October 2017
- The draft strategy was presented to Public Engagement & Consultation Panel on 17<sup>th</sup> November 2017

1.3 In the absence of a Head of Service the work has continued to date led by the Executive Director and culminating in the presentation of the draft Sefton Economic Strategy Framework.

1.4 The timetable below sets out the next steps:

Task	Deadline
Complete revised final draft	w/e 2 Feb
Approval for release for consultation	W/e 9 Feb
Flag up on Forward Plan	W/E 9 Feb
<b>Consultation</b>	
Members briefing	TBC
e-consult set up with documents & questionnaire	w/e 2 Mar
Easy to read format produced	w/e 2 Mar
Upload documents to websites	w/e 2 Mar
Local Media notified	w/e 2 Mar
Electronic mail out to 3,000 + contacts	w/e 2 Mar
Refer to Engagement panel schedule for stakeholders	

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Hard copies to Sefton libraries	w/e 2 Mar
Monitoring of responses/Follow up	ONGOING to 27 April
Upload link to Yammer	w/e 24 Feb
Business Roundtable	w/e 30 Mar
Focus groups via S@W/Strand by Me & People First	w/e 30 Mar
<b>Consultation Ends</b>	<b>27 April</b>
<b>PURDAH</b>	<b>26 Mar-10 May</b>
<b>Analysis Starts</b>	1 May
<b>Analysis Ends</b>	31 May
<b>Liaison with Regeneris for final version</b>	31 May
Evaluation and You said we did	31 May
<b>Cabinet Member briefing</b>	1 June
Report to Public Engagement & Consultation panel	TBC
Report published on Mod Gov	21 June
<b>Report to Cabinet</b>	<b>TBC</b>

## 2.0 Consultation

- 2.1 The draft strategy was presented to the Public Engagement and Consultation Panel on 17 November and received comments on the proposed consultation process which have since been incorporated into a revised plan of action.
- 2.2 The purpose of the consultation is to seek views on the draft framework of the new Sefton Economic Strategy Framework. Subjects in scope for the consultation are business growth, enterprise, investment, innovation, job creation, physical regeneration, the coast, town centres, Infrastructure, skills, employability and the social economy.
- 2.3 The Strategy is a non-statutory policy document of the Council. It provides a rationale for the Council's Growth Programme, one of the Four Pillars of Framework For Change, agreed by Council in January 2017.
- 2.4 This is a high-level policy-based consultation. It is asking consultees to react to a series of "building blocks" that make up the proposed Strategy, and to comment on their purpose, effectiveness and ambition. There is no consultation on service delivery in this project, therefore individual service users will not be consulted.
- 2.5 Pre-consultation has been undertaken by seeking feedback on the findings of the Economic Assessment (May 2017). This is a factual statement prepared by consultants Regeneris to set out a single version of the truth and to pave the way for a new Economic Strategy.
- 2.6 As a result of this analysis the key themes were identified as:
- Creating more higher quality and better paid local jobs
  - More people in work and in more productive jobs
  - Strengthening the skills base to deliver economic growth and benefit communities



- Improve the digital infrastructure and extend its benefits
  - Improve transport infrastructure for growth and sustainability
  - Tackle health and well-being challenges experienced by some of Sefton's communities
  - Make more of Sefton as a place to live, visit and invest in.
- 2.7 The consultation will focus attention specifically on the over-arching objective of ensuring the whole community participates in and benefits from growth, the three Objectives for Inclusive Growth, and the seven Priority Areas for action towards Inclusive Growth.
- 2.8 The methods chosen are appropriate to the audience and the level of consultation:
- High influence consultees – full suite of documentation made available via email, expectation that consultees will consult internally/with members through their networks, allow for informed and in-depth responses, expectation responses will be made public unless otherwise indicated
  - Low influence consultees – Focus groups; also universal invitation to participate through web and other media, refer to the consultation questionnaire form;

### **Specific tools of engagement:**

- Online –Focus groups for job seekers via Sefton@Work , Strand by me and People First; web pages containing an invitation to consult, the Sefton Economic Assessment, the consultation document containing the draft Framework, and links to eConsult questionnaire
  - Cascade Briefing – mass mail out of links to Online pages to stakeholders identified above, using existing networks & mailing lists e.g Sefton Economic Forum, plus membership organisations such as InvestSefton's electronic business mailing list (c.3000) Sefton CVS; Chambers of Commerce; Federation of Small Businesses ; Business Focus group
  - Personalised Invitations – to High influence consultees.
- 2.9 At the time of preparing this report a final draft is being completed for consultation purposes. All elected Members will be asked to comment on the final draft strategy via a questionnaire on e-consult.

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# Agenda Item 8

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	13 March 2018
<b>Subject:</b>	NEET		
<b>Report of:</b>	Executive Director	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Regeneration & Skills		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No.
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To satisfy the request from Overview & Scrutiny Committee for progress reports against each recommendation of the NEET Working Group Final Report in 2013

## Recommendation(s):

That Members:

1. Note the progress achieved against the agreed objectives in the current reporting period.
2. Agree that future reporting on this issue forms part of the reporting framework to be devised once the Council adopts the forthcoming Sefton Economic Strategy, as this will supercede and update the recommendations of the NEET Working Group dating back to 2013

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

As this is an update report on activities, no alternative options have been considered.

## What will it cost and how will it be financed?

There are no cost implications to this report. It provides Members with an update on existing activities.

## Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>
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<b>Legal Implications:</b>
Equality Implications:  There are no equality implications.

## **Contribution to the Council's Core Purpose:**

Protect the most vulnerable: This report focuses wholly on services targeting the most vulnerable young people in Sefton.
Facilitate confident and resilient communities:  The participation of young people in education and employment prevents further social and economic disenfranchisement and promotes resilience.
Commission, broker and provide core services: The prevention of young people being NEET is covered by a range of statutory duties placed upon the Council
Place – leadership and influencer: The Council acts in a key leadership role in the provision of services to NEET young people.
Drivers of change and reform:  The Council is driving forward aggressive and innovative approaches to the future procurement and deliver of IAG services for NEET young people with local partners.
Facilitate sustainable economic prosperity: The engagement of young people in skills development has a fundamental bearing on their future economic prosperity and their ability to achieve their personal and earnings potential .
Greater income for social investment: The Council is leading on the development of a number of methods to lever in additional income for NEET services through social investment bonds.
Cleaner Greener Economic engagement of young people is widely recognised as having an impact on the overall appreciation of place, respect for neighbourhoods and community cohesion.

## **What consultations have taken place on the proposals and when?**

### **(A) Internal Consultations**

The Head of Corporate Resources (FD5070/18) and Head of Regulation and Compliance (LD.4354/18) have been consulted and any comments have been incorporated into the report.

## **(B) External Consultations**

N/A

### **Implementation Date for the Decision**

Immediately following the Committee / Council meeting.

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### **Appendices:**

There are no appendices to this report

### **Background Papers:**

There are no background papers available for inspection.

## **1. Introduction/Background**

- The Not in Employment Education or Training (NEETs) Working Group was jointly established by the Overview and Scrutiny Committee (Regeneration and Environmental Services) and the Overview and Scrutiny Committee (Children's Services) to undertake a review of issues surrounding the delivery of the NEETS service within the Borough. The Final Report of the Working Group was received by Cabinet on 28<sup>th</sup> March 2013.
- Members requested an annual progress report to the relevant Overview & Scrutiny Committee. Since the Senior Management Review in 2015, responsibility for NEETs, and youth transitions to work generally, have been redistributed from Head of Schools & Families to the Head of Investment & Employment. Therefore this progress report is addressed to the two relevant Overview & Scrutiny Committees as has been requested.
- Schools continue to be under a statutory duty to provide a universal Careers Education and Information Advice & Guidance (CEIAG) service to all students. It has to be both impartial and independent i.e. not wholly delivered by school staff, though a teacher may co-ordinate activities.

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- Sefton Council commissions a full service contract to track the NEET cohort and those at risk of NEET, through an annual Activity Survey and a continuous monitoring system that embraces all sources and destinations for 16-18 year olds (18-25 year old for those with Special Educational Needs)
- Sefton Council also commissions an Information Advice and Guidance service for NEETs, with a view to maximising their participation and reducing the NEET rate. This necessarily involves close working relationships with Youth Offending Team, Leaving Care teams, health services, Sefton Turnaround etc and external partners.
- The Raising the Participation Age (RPA) legislation has been completely implemented, and since 2015, all 16-18 year olds must be in education, training or in employment with training.
- The academization of schools has moved the fulcrum of relations between the schools and the Council from legal oversight and educational improvement to provision of back-office services and pathway planning.
- The government has imposed a funding obligation on training providers that learners with a grade D in Maths and English must continue to study these subjects in their post-GCSE programme, in effect generating an extra volume of resits and drop-outs in FE. This has a significant impact on the learning experience of young people.
- For independent training providers, the impact of the Maths/English requirement on achievement rates has come on top of difficult trading conditions, leading to poor Ofsted scores, cash flow issues, and in several cases, closure and loss of provision for 16-18 year olds in Sefton.
- The Council is a founding partner of the Sefton Education Business Partnership that exists to develop school/industry links and to prepare young people for the world of work by engaging employers and motivating students.
- Sefton Council's commitment to this agenda is clear and is at the highest level of the Council. Cllr Maher, Leader of the Council has undertaken the portfolio of Employment & Skills for the Combined Authority and has taken a specific responsibility as the chair person for the Area Based Review of Post 16 Skills Provision. Cllr Atkinson, Cabinet Member for Regeneration & Skills also sits on the LCR Employment & Skills Board as Sefton's representative.

## **3. The evolving Context for NEET Support**

### **3.1 LCR Careers Hub**

Schools, colleges and training providers all have a statutory responsibility for delivering independent careers information, advice and guidance (IAG) to all their learners. Ofsted

ensures this duty is delivered effectively and supports the best interests of the learner in their next steps. In addition, the Careers and Enterprise Company, the National Careers Service and the DWP all fund national careers support programmes, delivered by local partners, supporting schools in delivering their careers IAG and enterprise duties. There is also a range of commercial providers in the market able to supply independent careers advice and guidance support on direct contracts to schools and colleges.

However, feedback from stakeholders involved in the LCR Area Based Review of 16+ skills Provision undertaken in 2016/17 indicated a failure in the market in terms of the perceived impartiality of careers advice and guidance being provided and the quality and local relevance of materials being used. It has therefore been agreed that The Combined Authority will establish a sub-regional careers hub to bring cohesion and better alignment with growth opportunities to the provision of careers information.

### **3.4 LCR Apprenticeship Hub**

Sefton has expressed its full commitment as part of the LCR Combined Authority to the expansion of Apprenticeships. As a large scale employer in Merseyside, it also leads by example by creating a wide range of apprenticeship places across its departments spanning a number of occupational areas.

Apprenticeships form a key component of the LCR Devolution Deal with government and external funding has been made available to support the creation of the LCR Apprenticeships Hub. The Hub provides a range of promotional events in each LA area, hosts a number of high profile Skills Shows and undertakes ongoing engagement with employers to promote the benefits of creating apprenticeships within the workforce together with a web based resource for young people, training providers, employers and advisers. Further details on the Hub can be found here:

<http://apprenticeshipswork.org.uk/apprentices/>

### **3.5 LCR Apprenticeship Growth Plan**

In January 2018, the LCR Employment & Skills Board agreed the LCR Apprenticeship Growth Plan. This Plan has been widely consulted upon and expresses a desire for the City region to deliver a step change in both the quality and quantity of Apprenticeship opportunities with an objective to create 20,000 Apprenticeship starts by 2020.

The Plan identifies the key challenges that without collective and collaborative action could inhibit programme delivery and future growth. These include:

- The impact of apprenticeship reforms;
- Apprenticeship awareness and understanding amongst employers;
- Falling 16-18 apprenticeship participation and local demographic impact;
- An imbalance between employer demand and the availability of provision;
- The issue of low attainment of English and maths at age 16 compared to national averages in some areas;
- The technical skills gap that exists across Liverpool City Region; and
- The complexity and fragmentation of the local skills system.

### **3.6 National Careers Strategy**

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Updated guidance was published by DfE following the unveiling of the government's long-overdue national careers strategy in December 2017, which requires schools and colleges to meet eight "Gatsby Benchmarks".

It states that providers are expected to work towards these standards, which have been designed over the past three years to ensure they succeed in a post-16 setting, as early as possible and meet them by the end of 2020. Colleges risk losing their grant funding if the demands are not met in that timescale but this constraint does not at this time appear to apply to schools.

The careers strategy also includes £4 million to support every school and college to have a careers leader, and a further £5 million funding to develop 20 careers hubs.

One of the Gatsby benchmarks is called "encounters with employers and employees". The DfE expects every school or college to begin to offer every learner at least two "meaningful encounters" with an employer each year and this could, for example, involve students attending careers events, participating in CV workshops and mock interviews, mentoring, employer-delivered employability workshops, or business games and enterprise competitions.

From September 2018, every school or college should also appoint a named person to the role of "careers leader" to lead the in-house programme which should be published. An online self-evaluation tool, Compass, will be available in September 2018 for colleges to "assess" how their careers support compares against the Gatsby Benchmarks and the national average.

The eight benchmarks are:

1. A stable careers programme
2. Learning from career and labour market information
3. Addressing the needs of each student
4. Linking curriculum learning to careers
5. Encounters with employers and employees
6. Experiences of workplaces
7. Encounters with further and higher education
8. Personal guidance

### **3.7 Provision for SEND**

Since the Children and Families Act 2014 came into force local authorities and their partner commissioning bodies have had a range of new responsibilities to develop joint arrangements to secure effective provision for children and young people with SEND. The provision of information, advice and support for children, their parents and young people is a specific responsibility that is additional to other information responsibilities and arrangements, such as the Local Offer. The primary purpose of such joint arrangements is to improve outcomes for 0 to 25-year-old children and young people who have special educational needs or disabilities, including those with Education Health and Care (EHC) plans. Sefton has recently developed a number of service options to provide placements with sympathetic employers and providers to enable SEND young people opportunities to experience local workplaces. This has included the procurement of a specialist provider to assist in the co-ordination of these placements.



## 3.8 Youth Employment Initiative through Sefton@work

- The target group for Youth Employment Initiative has been young people aged between 16 and 29 years and NEET. YEI encapsulates a wider age cohort than other NEET interventions as it has included Universal Credit claimants under Live service and Full Service, young people claiming Income Support (largely the Leaving care group), young people affected by ill health claiming Employment Support Allowance and those who are non-claimants. As the funding is from the EU, the overriding eligibility criteria has related to residency and rights to take up work in the EU.
- The six city region local authorities have formed a consortium under the LCR Combined Authority to bid for and deliver a large-scale enhancement to the Youth Employment Gateway, called **Ways to Work** delivered by **Sefton@work**. This project has offered a local, intelligence-driven, comprehensive and integrated programme for young people and adults, designed to improve personal resilience and progress to sustainable employment.
- A key Feature of the Ways to Work Project, in addition to the individual support supplied through casework advisers, has been the provision of a significant number of paid work placements (or ILMs), enabling clients to access support in the workplace to help overcome barriers to sustainability. Local employers are invited to take part in this initiative by offering opportunities at least at the national minimum wage rate over and the placements need be in addition to their existing workforce to draw down funding to contribute towards wage costs. These ILM placements enable those with little or no work experience to understand better the world of work and develop relationship with an employer. In-work support is available through Sefton@work to help sustain clients in work for the duration of the placement opportunity and to locate progression employment after the completion of the supported placement.
- To date, more than 100 ILM opportunities have been created with local Small and Medium Enterprises (SMEs) deemed in a growth sector, or through other organisations where the job has a clear community benefit. These employment opportunities are across a range of sectors and have provided participants with a high quality experience where the rate of retention after the funding period completes has been in excess of 70%. The breadth of the ILM offer has been worked up by Sefton@work to appeal to many different groups of clients and spark the interest and motivation of disadvantaged groups to become re-engaged in the world of work:

This programme works in synergy with other Council services and initiatives, such as Sefton Turnaround and the Leaving Care teams. Specific opportunities with employers, including paid work placements, will be ring-fenced to clients also accessing support in these areas, thus adding value to the existing service offers to these clients

## 4 Local Impacts

# Agenda Item 8

- Taking these structural, organisational and curricular changes into account, the patterns of provision and progression are certainly challenging for today's young people. Some of these impacts are captured in the headline performance measures on NEET reported to government and accessible through the Council's data Portal for NEETs:
- The last activity survey (for year 11 leavers) undertaken showed that 96.3% of the total cohort were meeting the duty to participate. This includes attendance at school sixth form, Sixth Form College, Further Education, Higher Education, Other Post 16 Education, independent specialist providers or custodial institutions. It also incorporates those in full time training including Traineeships, EFA delivered work based learning, supported internships, study programmes etc, as well as those in Apprenticeships or full time education with accredited training.
- An additional 1.3% of this cohort were working towards participation such as re-engaging in activities, and those with a start date agreed. 0.2% of the cohort were taking a temporary break from learning, such as those with caring responsibilities, pregnancy, teenage parents or illness.
- This leaves just 2.2% of this cohort not meeting the duty to participate but does include those that may be in employment (but without learning) or undertaking voluntary work. There are a variety of reasons why a young person is not participating, and these can often be temporary in nature. It is important for this reason to undertake detailed tracking of these individuals, to provide specific assistance through our IAG contract to supporting individuals into EET.
- As at December 2017, for 16 and 17 year olds (the 18 year old rate no longer requiring to be reported nationally), Sefton's NEET rate was 3.5%. This ranks Sefton 30/152 nationally (1 being the worst and 152 the best). Sefton's Not Known rate is considerably better and sits at 1.3% ranking us 120/152. The combined NEET and Not Known rate is 4.8% which ranks Sefton 107/152. This clearly indicates that the systems that we have in place for data tracking are effective.
- In terms of Liverpool City Region, Sefton are ranked 5/6 (1 being worst and 6 the best) for the combined NEET and Not Known figures.
- Other impacts relate to learners' experiences of the local educational and skills system. Where providers have withdrawn from the market due to commercial concerns or inadequate quality, students in PRUs or Impact find alternative provision less attractive or accessible. Conversely, colleges regard this cohort as not ready to progress, and the drop-out rate has increased for those who do make the transition.
- The English/Maths requirement deters progression from schools to FE, generates high levels of re-sits, which do not improve grades, and lead to higher drop-out rates and learner frustration. In addition, lower achievement rates in English & Maths damage the formula funding on which Colleges rely and risk provider contraction. This has been exacerbated by the requirements for English and Maths which create a rotating effect of resits for young people not able to progress to the required standard.

- Some SEND learners with Education & Health Care Plans cannot find a suitable local provider, and all schools have struggled to supply information on SEND students to training providers in a timely manner. This inhibits their capacity to respond with bespoke offers which may be required by the learners.
- Flowing from the recommendations of the LCR Area Based Review into FE, Hugh Baird College and South Sefton College is planned to be a type B merger involving the transfer of property, rights and future liabilities of South Sefton College (an LA maintained 16 to 18 school) to Hugh Baird College. The support of Sefton Council is critical to the success of this merger which is unique in bringing together a foundation school with a general further education college. Southport College and King George V College (KGV) is also planned to be a type B merger involving the transfer of the property, rights and liabilities of KGV to Southport and the subsequent dissolution of the KGV Corporation. The second stage bringing together the 2 merged colleges is likely to involve the creation of a new governing board and a new management structure.
- The Sefton Employment & Skills Partners Group connects the colleges, training providers, Jobcentre Plus, economic development and the VCF sector, to receive youth entrants to the adult world of work.
- The re-convened Sefton Participation Group supervises the RPA tracking system and sets the agenda for 18-29 provision and progression, escalating issues as required.
- The LCR PASS Group co-ordinates action on post 16 issues among the LA officers and, has direct connection to the LCR working Group on NEETS convened as a result of the Area Based Review.

## **5. Progress on the Working Group Recommendations**

Updates are provided as follows against each of the recommendations in the original O&S report.

### **Recommendation 1**

*To request head-teachers, and chairs of governors of high schools (including academies and free schools) within the Borough to consider increasing the breadth, range and quality of impartial advice and guidance provision for young people in schools, prior to leaving year 11, to receive advice on the full range of options available to them, and for information to also be made available to parents.*

The September Offer was made in 2016 and 2017 and Career Connect Ltd have reported the results of their Activity Survey report

Schools, colleges and training providers are in the process of being issued with a customised extract from the Survey so they can assess their relative contribution to meeting the Participation Duty.

# Agenda Item 8

Sefton Education Partnership Board has initiated a conversation with the heads of Sefton's primary and secondary schools to improve pre-16 standards of English and Maths.

Career Connect Ltd, the Council's appointed CEIAG partner, are also commissioned by 11 Sefton Secondary schools, to deliver CEIAG services and are in regular dialogue with Head Teachers regarding the different services they offer, including a range of specialist programmes for students who are at risk of NEET. The Career Connect offer is designed to meet and exceed school's statutory responsibility to provide impartial information advice and guidance for students in Years 8 to 13.

Career Connect Ltd are also licensed providers of the nationally validated quality award, the Quality in Careers Standard, for schools and colleges. This enables schools to achieve a quality kitemark for CEIAG. Achieving a quality award is strongly recommended by the Government as it enables schools and colleges to review the effectiveness and impact of the CEIAG they offer. Four Sefton schools currently hold the Quality Award with one more school working towards accreditation.

## **Recommendation 2**

*To request head-teachers of high schools and principals of colleges within the Borough to consider increasing the level of mentoring support and guidance for young people , in order for them to be more aware of the range of options available to them, prior to leaving school and college.*

- Approximately 4 in 5 schools are contracted to Careers Connect for their Careers Education Information Advice and Guidance (CEIAG) service. Schools regularly evaluate the effectiveness and Value for Money of their CEIAG support.
- In addition, schools are purchasing additional services to extend the offer to students e.g. employer participation in mock interviews (SEBP), or extra-curricular support for 15-16 year olds at risk of NEET (Career Connect).
- The National Careers Service has let a contract for Careers Enterprise Co-ordinators to target NEET "cold spots" in the Liverpool City Region, and The Work Company is developing an action plan with five schools and colleges in Sefton: Chesterfield, Maghull, Stanley, SSSFC and KGV.
- Sefton EBP has recruited a panel of industry mentors to work with young people in school to support and prepare them for further education and work.
- Career Connect is to re-engage with schools about the need to forward school-leaver information to the learner's destination.
- Members will also note that the introduction of the Gatsby benchmarks as a quality standard for information advice and guidance in schools and colleges includes one area which specifically relates to " Personal Guidance " .

Sefton Council has also co-invested in the Unlocking Potential social Impact bond delivered by Career Connect in schools. This programme is aimed at 14/15 year olds and 16/17 year olds developing their individual resilience, raising their aspirations, coping with stress and supporting students to achieve goals and outcomes. The key focus is on developing good mental wellbeing, improving attitude to learning, behaviour and attendance. This 13 week programme involves:

- Access to a personal resilience coach for up to a year.
- Weekly coaching sessions for 13 weeks in school or college.
- Mental Toughness and Carrus Assessment.
- Managing Stress, relaxation and self-control.
- Improving behaviour and developing a positive attitude to learning.
- Addressing attendance issues.
- Goal setting and personal action planning.
- Employability skills if appropriate.
- Opportunity to undertake an Entry Level Award or Level 1 Certificate in personal effectiveness.

### **Recommendation 3**

*To produce a follow-up report, to be submitted to the relevant Overview and Scrutiny Committee(s) in twelve months' time, to include (i) whether the Council is receiving best value for money in terms of services provided within the NEETS area; and (ii) monitoring of looked after young people leaving Council care and their achievements or whether they subsequently fall into the NEETS category.*

The Council has endeavoured to achieve best value by openly procuring an Information Advice and Guidance service in line with Contract Procurement Regulations. An invitation to tender in 2013 attracted four applications from different companies. Following scrutiny of the applications and interviews, Career Connect Ltd were appointed and have been providing this service since then.

However, following extensive consideration of these issues through Informal Cabinet and Cabinet Member for Regeneration and Skills, the Cabinet has taken the decision to explore a new approach for the future direction of IAG NEET services for Sefton. Focusing on service improvement and achieving best value, it has been resolved to shift towards an Outcomes based commissioning model which can secure additional resource through the inclusion of social investment. As a result, a contract extension has been arranged with the current provider so that a specification of a new service can be developed which secures these aims.

The Council has secured some Development Funding from the Life Chances Fund to undertake a Feasibility study intended to explore and test the key metrics of this Outcomes Based commissioning approach and help the Council identify suitable social investment partners. The intention is to develop an IAG service offer that comprises re-engagement support and market-focused careers guidance activity to prevent long term exclusion from learning and work, rolling this provision back to an earlier age than 16 so as to address issues for younger people before they fall into the 16/17 NEET categories for reporting under the LA's statutory duty.

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Monitoring of Looked After Children and Care Leavers takes place quarterly at the Corporate Learning Board. A detailed report is submitted to the Board which now includes young people up to the age of 22. Further to this, Career Connect provide a dedicated resource working with the Corporate Parenting team, with a series of support activities and interventions. The council also provides a specific employability scheme of its own to give maximum support to those Care Leavers who are considered furthest from the employment market, provision which is monitored by the Corporate Parenting Board.

Furthermore, The Sefton Participation Group has asked Career Connect to:

- Map 14-29 providers and intermediaries, to establish Sefton's current strengths and weaknesses
- Organise (with partners) a meet-the-provider event for young people
- Contact employers of young people in employment but not in receipt of training, to remind them of their statutory obligations under RPA (the Council does not have an enforcement role as such)
- Survey the young people not currently meeting their duty to participate on what would draw them back into education, training or employment
- Data tracking systems that have been adapted specifically for LAC have become integral to the Early Help Intervention & Prevention practice in Sefton. These requirements will be incorporated into the Procurement of a new service offer going forward for 2018 and beyond.

## **Recommendation 4**

*To produce six monthly reports, to be submitted to the relevant Overview and Scrutiny Committee, outlining the latest position with regard to the NEETS.*

Reports have been provided on a six monthly basis in accordance with the requests of the Scrutiny Committee. However, with the re-organisation of responsibility for NEETs, the subsequent deletion of the post of Head of Service for Investment & Employment and the forthcoming adoption of the Sefton Economic Strategy, it is recommended that future reporting be undertaken as part of the Performance reporting system to be put in place once the Council formally adopts the Strategy, which is expected in 2018.

## **Recommendation 5**

*That the Council and its partners be encouraged to use all available statistical evidence to identify NEET hotspots and agree robust intervention targets to reduce numbers in these areas, together with agreed robust systems for monitoring and evaluating the impact of joint interventions.*

The use of robust data and tracking systems has enabled the Council to identify "hotspots" for NEET. Joint work with projects such as Troubled Families, Youth Contract, Sefton Education Business Partnership, along with schools, colleges and training providers has taken. Sefton training providers have secured opportunities to meet directly with young people in order to better understand their needs in a variety of locations across the Borough.

# Agenda Item 8

Monthly contract management meetings with the current supplier are undertaken and this allows service delivery to be flexed in accordance with patterns of demand as they emerge.

A post-16 Participation Group supports joint working and an agreed system between the council, schools and Career Connect continues to provide an interchange of information designed to enable the swift “pick up” and tracking of NEET young people. This process could benefit from more resource to improve the flow of information between the Council commissioned NEET tracking system, Council departments and providers in order to provide more responsive, targeted provision.

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# Agenda Item 9

<b>Report to:</b>	Overview and Scrutiny Committee - Regeneration and Skills	<b>Date of Meeting:</b>	13 March 2018
<b>Subject:</b>	Update on United Utilities Increase in Surface Water Charges to Schools		
<b>Report of:</b>	Head of Corporate Resources	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Cabinet Member Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt Confidential Report:</b>	No		

## Summary:

To update members of Overview and Scrutiny Committee from resolutions made at the 4 July 2017 meeting.

## Recommendation(s):

It is recommended that

1. The Senior Democratic Services Officer writes to the Strategy and Regulation Officer at United Utilities to thank him for his letter stating United Utilities commitment to maintaining their own policy on reduced drainage charges.
2. The Senior Democratic Services Officer re-contacts The Department for Environment, Food and Rural Affairs (DEFRA), Department for Business, Energy and Industrial Strategy (BEIS) and other relevant bodies to arrange a meeting offered to discuss their concessionary scheme and the setting up of a SALIX style funding options for Surface Water drainage reduction schemes.
3. The Senior Democratic Services Officer contacts OFWAT and United Utilities to establish their involvement in further discussions with DEFRA and other relevant bodies.

## Reasons for the Recommendation(s):

To conclude the opportunities for nationally equitable charges for Sefton (and NW) schools which have thus far delivered a 50% reduction in proposed charges by United Utilities and approx. £400K avoided charges to parks/greenspaces and cemeteries.

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

## What will it cost and how will it be financed?

### (A) Revenue Costs

There are no direct financial implications arising from this report.

### (B) Capital Costs: N/A

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## Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> None
<b>Legal Implications:</b> None
<b>Equality Implications:</b> 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: securing equitable charging structure for water will be beneficial to all areas of Council business and schools.	
Facilitate sustainable economic prosperity:	not applicable
Greater income for social investment:	not applicable
Cleaner Greener:	

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Head of Corporate Resources has been consulted and his comments have been included in this report ([FD5066/18](#))

Head of Regulation and Compliance ([LD4350/18](#)) have been consulted and any comments have been incorporated into the report.

### (B) External Consultations

#### Implementation Date for the Decision

Immediately following the Overview and Scrutiny meeting

<b>Contact Officer:</b>	Ian Weller / Jonathan Williams
<b>Telephone Number:</b>	0151 934 4221
<b>Email Address:</b>	<a href="mailto:ian.weller@sefton.gov.uk">ian.weller@sefton.gov.uk</a>

#### Appendices:

There are no appendices to this report

#### Background Papers:

Overview and Scrutiny Regeneration and Skills

04 July 2017

## **1.0 BACKGROUND**

1.1 The Senior Democratic Services Officer wrote to DEFRA, OFWAT and United Utilities outlining:

- The Committee's disappointment that community assets such as parks, cemeteries and schools are still not formally recognised in DEFRA's Concessionary Scheme guidance and therefore there is concern that United Utilities could retract its policies at any point.
- To recognise whilst the United Utilities proposed solution for schools is welcomed, that it falls short of a fair solution for schools in the North West set against the national situation.
- To arrange a joint meeting at DEFRA's Offices as offered by Carol Skilling, the Water Services Head of Consumer Protection via letter, 6<sup>th</sup> March 2017.

1.2 DEFRA did not respond to this request.

1.3 United Utilities responded and offered to visit Sefton for a meeting and made arrangement with OFWAT to also attend. This meeting subsequently took place on 16<sup>th</sup> November at Bootle Town Hall.

## **2.0 UNITED UTILITIES MEETING – 16 NOVEMBER 2017**

2.1 The continued omission of parks, cemeteries and schools from DEFRA's concessionary scheme and the concern that United Utilities policy could be retracted was raised. United Utilities reiterated their commitment to retaining their own policy. Furthermore, it was clear that their own policy was accepted by both OFWAT and DEFRA however, it was concluded that it was still vulnerable to changes beyond United Utilities control in future.

2.2 United Utilities have put in writing to this Committee their commitment to their own policy, which can now be shared amongst the North West cohort of Local Authorities [Appendix 1].

2.3 However, in conclusion to the meeting it was noted that DEFRA could still make further allowance and include certain community assets in their concessionary scheme. On this basis, DEFRA should be contacted once again to arrange a meeting at their London offices as originally offered.

2.4 Regarding the continued, albeit reduced unfairness of charges for schools, a presentation was made by Sefton Officers on the situation schools still face to reduce their charges.

2.5 Some of the successes within Sefton were highlighted on how our schools have taken actions to reduce their drainage charges in accordance with United Utilities

# Agenda Item 9

charging policies, such as simple Sustainable Urban Drainage (SUDS) interventions.

2.6 In the absence of any further concession reduction or investment plan from United Utilities the particular, points were made:

- The remit to assist reduction in drainage charges from April 2017 lies with the North Wests' retailer WaterPlus rather than the wholesaler United Utilities. The new water market currently provides no market options for Sefton Council to procure for schools, despite still spending similar amounts on Surface Water drainage as it does on water consumption charges (approx. £400K on each service)
- United Utilities are prevented from providing further financial support due to the current market conditions. This includes the request to consider a revolving investment fund to facilitate SUDS projects in the same way SALIX funding facilitates Energy investment projects in the Council currently.

2.7 OFWAT showed an interest in the SALIX funding model [Appendix 2] and proposed this to be an option that this Committee should explore for development in conjunction with BEIS as well as OFWAT and the water companies where possible.



United Utilities Water Limited  
Haweswater House  
Lingley Mere Business Park  
Lingley Green Avenue  
Great Sankey  
Warrington WA5 3LP

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Jonathan Williams  
Energy & Environmental Management Officer  
Sefton Council  
Bootle Town Hall  
Oriol Road  
Bootle  
L20 7AE

**BY EMAIL:** [Jonathan.Williams@sefton.gov.uk](mailto:Jonathan.Williams@sefton.gov.uk)

15 December 2017

Dear Jonathan

### **Concessionary charges for surface water and highways drainage charges to schools**

At our meeting on 16 November 2017 I committed to write to you to confirm in writing United Utilities' views on the compatibility of the concessionary scheme for schools' site area based charges with relevant charging guidance – including Defra's guidance on concessionary schemes for surface water drainage charges – and our view on the longevity of the scheme.

In introducing the concessionary scheme for schools, United Utilities has considered both the Defra guidance on concessionary schemes as well as broader regulatory and policy considerations. These include Ofwat's charging rules and Government's objectives for water charges as set out in its own charging guidance. Taking these into account in the round, we consider that the concessionary scheme for schools being implemented in 2018/19 is compatible with these requirements. Based on our communications with Ofwat and Defra, we understand that they are also supportive of this approach.

In terms of the longevity of the scheme, I can confirm that there are no current plans by U UW to remove the scheme once it has been put in place for 2018/19 and we expect it to remain in place for the foreseeable future. Any future decision to remove a concessionary scheme would not be taken lightly. In view of the impact such a decision would have on affected customers we would want to undertake an impact assessment and consult with stakeholders about the potential implications and what transitional arrangements would be necessary before changes were confirmed. We would also consider these issues carefully in the event that external factors (such as

Cont'd

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Jonathan Williams  
Sefton Borough Council

15 December 2017

a change in regulation, policy or legislation) mandated a change in charges or concessionary arrangements which we were bound to implement. So far as we are aware no such changes are currently being contemplated.

I trust that this is helpful in providing additional clarity and transparency on our approach on this matter.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JB', written over a horizontal line.

James Bullock  
Director of Economic Regulation

## Appendix 2

### SALIX FUNDING

Salix Finance Ltd. is funded by BEIS the Department for Education, the Welsh Government and the Scottish Government and was established in 2004 as an independent, publicly funded company, dedicated to providing the public sector with loans for energy efficiency projects.

Salix Finance Ltd. provides interest-free Government funding to the public sector to improve their energy efficiency, reduce carbon emissions and lower energy bills. Sefton Council has operated a Salix invest to save loan fund pot for over 12 years, for its corporate sites to reduce energy consumption. Lifetime savings to date from these investments are now in excess of £1M.

Additional individual one off interest free loans are also available from SALIX through which Sefton Council have delivered street lighting savings schemes.

Recently Salix Finance Ltd responded to a Business, Energy and Industrial Strategy consultation in December 2017 "*Leading by example: cutting energy bills and carbon emissions in the wider public and higher education sectors*".to highlight their successes in Carbon/Financial saving in the Public Sector. In particular, Salix Finance Ltd believes their successful model could be applied to wider areas such as renewables and water saving. Whilst this is welcomed, it is not clear how investment mechanisms would be applicable to SUDS technologies and will form part of the proposed meeting with them.

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# Agenda Item 10

Report to:	Overview and Scrutiny Committee (Regeneration and Skills)	Date of Meeting:	13 March 2018
Subject:	Leasehold House Sales in Sefton		
Report of:	Head of Economic Growth and Housing	Wards Affected:	(All Wards);
Portfolio:	Communities & Housing		
Is this a Key Decision:	N	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

## Summary:

To provide Committee with:

- i) an update on the Government's current position regarding consultation outcomes and future proposals to tackle unfair and unreasonable abuses of leasehold; in particular the sale of new leasehold houses and onerous ground rents.
- ii) Highlight the information, help and guidance published on the Council's web site regarding leasehold sales.

## Recommendation(s):

Committee notes this report.

## Reasons for the Recommendation(s):

Elected Members previously requested information about outcomes of the Government's consultation on measures to tackle unfair practices in the leasehold market.

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

Not applicable

## What will it cost and how will it be financed?

### (A) Revenue Costs

No costs arising from this report

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## (B) Capital Costs

No costs arising from this report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
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: The proposed reform of Government legislation regarding leasehold sales will enable Sefton Residents to purchase new-build homes without the risk of potentially onerous terms and future liabilities.
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 5057/18) has been consulted and notes the report indicates no direct financial implications arising for the Council. The Head of Regulation and Compliance (LD 4341/18) has been consulted and has no comments on the report.

## Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer:	Neil Davies
Telephone Number:	Tel: 0151 934 4837
Email Address:	neil.davies@sefton.gov.uk

## **Background Papers:**

Report to Overview & Scrutiny Committee; Leasehold house sales (19/09/2017) - <http://modgov.sefton.gov.uk/moderngov/documents/s76626/Leasehold%20house%20sales.pdf>

# Agenda Item 10

## 1. Introduction/Background

1.1 At its meeting of the 19<sup>th</sup> September 2017, this Overview and Scrutiny Committee considered a report on Leasehold house sales. The Committee resolved that:

*(1) the report on leasehold house sales be noted;*

*(2) a response by the Cabinet Member – Communities and Housing to the Government’s consultation on measures to tackle unfair practices in the leasehold market be supported;*

*(3) the Cabinet Member – Regulatory, Compliance and Corporate Services be recommended to amend the Council’s Asset Disposal Policy so that when the Council sells its own land for residential development it considers including provisions that require developers to sell houses on a freehold basis and that this provision should still apply if the developer subsequently disposes of the land to another company;*

*(4) the Head of Regeneration and Housing in consultation with the Head of Regulation and Compliance be requested to investigate whether a “jargon buster” or other information can be published on the Council’s website to raise the issue of leasehold sales; and*

*(5) the Head of Regeneration and Housing be requested to report back to the Committee on the outcome of the Government’s consultation on measures to tackle unfair practices in the leasehold market.*

1.2 A response by the Cabinet Member Communities and Housing to the Government’s consultation was submitted and supported by this Committee. On the 21<sup>st</sup> December 2017 the Ministry of Housing, Communities and Local Government (MHCLG) published its response to the consultation ‘Tackling unfair practices in the leasehold market’.

1.3 This consultation identified a number of measures to tackle unfair and unreasonable abuses of leasehold; in particular the sale of new leasehold houses and onerous ground rents. Views were also sought on excluding leaseholders from possession orders because of arrears of ground rent; and on freeholders being able to challenge service charges for mixed tenure estates with shared facilities

## 2. Raising Awareness of Leasehold Sales in Sefton

2.1 Councillors, Members of Parliament, pressure groups and the local and national press have all been active in drawing attention to the issues regarding leasehold housing sales and ground rents. Many of these issues have been well documented with information sources and guidance readily available & accessible to affected residents, including potential home buyers and conveyancing solicitors acting on their behalf.

- 2.2 To help reinforce the awareness of this issue within Sefton, the Council will promote and publicise information via its preferred communication channels including; the Council's Housing and Investment Services departmental web pages alongside news items published on the MYSefton news site.
- 2.3 The Council's concern regarding the increase in the number of leasehold sales and further information and guidance regarding this issue can be accessed via the following link. <https://www.sefton.gov.uk/leasehold>
- 2.4 This web page will be promoted more widely utilising news items on Sefton's home page, MYSefton site, banners & social media communications channels alongside direct communication to residents who have contacted the Housing and Investment Services team requesting further assistance on this issue.
- 2.5 With regards to paragraph 1.1 (4) above; ie. using the Council's website to offer guidance on leasehold sales and the publication of a "jargon buster". Council Officers researched a number of sources of information regarding guidance on leasehold sales and concluded that the most appropriate source of information was: *The Leasehold Advisory Service (LEASE). This service is an executive non-departmental public body, sponsored by the Department for Communities and Local Government (DCLG). Their website gives free legal advice to leaseholders on the law affecting residential leasehold in England and Wales and also provides easy to understand frequently asked questions (FAQs).* A link to this web-site has been provided on the Council's web-page.

### 3 Outcomes of the Government's Consultation Response

- 3.1 The Government's response to this consultation was published on the 21st December 2017. The full published response can be accessed here: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/670204/Tackling\\_Unfair\\_Practices\\_-\\_gov\\_response.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670204/Tackling_Unfair_Practices_-_gov_response.pdf)
- 3.2 In summary: **Leasehold Sales** – The Government have stated *"other than in exceptional circumstances, we cannot see any good reason for new build houses to be sold on a leasehold basis. We will bring forward legislation as soon as Parliamentary time allows to prohibit new residential long leases from being granted on houses, whether new build or on existing freehold houses. It will still be possible for existing leaseholders to extend their lease, or purchase the freehold, and we will consult on proposals to support leasehold house owners to do this on more favourable terms"*.
- 3.3 *"However, the Government will ensure that future legislation to ban the sale of leasehold houses applies to land that is not subject to an existing lease at the date of publication of this consultation response"*.
- 3.4 *"In bringing forward legislation we will consider further if there are particular cases where leasehold houses can be justified and, if they can, we will work with sectoral partners to ensure that they are provided on acceptable terms to the consumer"*.

# Agenda Item 10

- 3.5 Reducing Help to Buy equity loan support for leasehold houses – The Government stated they *“do not think it is appropriate for Help to Buy to support the sale of leasehold houses. It is not possible to impose a requirement on developers to stop building leasehold houses under existing contracts, but we expect developers to work with us to take forward this change. The Secretary of State for Communities and Local Government has written to all developers to strongly discourage the use of Help to Buy equity loans for the purchase of leasehold houses in advance of new legislation”*.
- 3.6 **Ground rents on leasehold properties** – *“The Government is concerned that ground rents have risen from historically small sums to hundreds of pounds per year in many cases. Where onerous rent review clauses are used, consumers can find that ground rents escalate to thousands of pounds causing considerable financial distress and leaving some facing difficulty selling their property”*.
- 3.7 *“We will introduce legislation so that, in the future, ground rents on newly established leases of houses and flats are set at a peppercorn (zero financial value). Costs incurred by landlords for overseeing and appointing a managing agent, or carrying out wider services, can be recovered through the service charge or a marginally higher sales price”*.
- 3.8 The Government will also consider how existing leaseholders can be supported and some developers have introduced schemes to compensate individuals. The Government have stated that they would wish *“to see this support extended to all those with onerous ground rents, including second hand buyers, and for customers to be proactively contacted. We will be keeping a close eye on progress and will consider measures that could be pursued to take action if necessary”*.
- 3.9 Further to this: *“To help consumers access justice we will work with the redress schemes and Trading Standards to provide leaseholders with comprehensive information on the various routes to redress available to them, including where their conveyancer has acted negligently. We will also work with the Law Commission to consider whether unfair terms apply when a lease is sold on to a new leaseholder. This will help resolve the current ambiguity around this, and provide better protection for leaseholders”*.
- 3.10 *“We also want to make it easier for leaseholders to be able to exercise their right to buy their freehold, or extend their lease, and for this right to be available as soon as possible. The Government will prioritise solutions for lessees of houses. We will work with the Law Commission on this and consult on introducing a prescribed formula that provides fair compensation to the landlord, whilst also helping leaseholders avoid incurring additional court costs”*.
- 3.11 Service charges for maintaining communal areas and facilities on freehold and mixed tenure estates - *“The Government will legislate to ensure that freeholders who pay charges for the maintenance of communal areas and facilities on a private or mixed use estate can access equivalent rights as leaseholders to challenge the reasonableness of service charges”* [and ensure] *“where a freeholder pays a rent charge, the rent charge owner is not able to*

*take possession or grant a lease on the property where the rent charge remains unpaid for a short period of time”.*

- 3.12 Housing sales issues identified for further reform – The Government’s aims to ensure that *“flat and house owners who want to buy out their freeholds, or extend their lease, can access a simplified means of doing this”*. Also *“introduce a minimum lease term for new long leases on flats”* and support the Commonhold tenure to improve the freehold tenure within a multi-occupancy building.

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# Agenda Item 11

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	13 March 2018
<b>Subject:</b>	Work Programme 2017/18, Scrutiny Review Topics and Key Decision Forward Plan		
<b>Report of:</b>	Head of Regulation and Compliance	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To update the Committee on the draft Work Programme for 2017/18, topics for scrutiny reviews to be undertaken by a Working Group(s) appointed by the Committee and to identify any items for pre-scrutiny by the Committee from the Key Decision Forward Plan.

## Recommendation:

That:-

- (1) the Work Programme for 2017/18, as set out in Appendix 1 to the report, be considered, along with any additional items to be included and thereon be agreed; and
- (2) the Committee considers items for pre-scrutiny from the Key Decision Forward Plan as set out in Appendix 2 to the report, which fall under the remit of the Committee and any agreed items be included in the Work Programme referred to in (1) above.

## Reasons for the Recommendation(s):

The determination of the Work Programme containing items to be considered during the Municipal Year 2017/18 and the identification of scrutiny review topics demonstrates that the work of the Overview and Scrutiny 'adds value' to the Council.

The pre-scrutiny process assists effective decision making by examining issues before the Cabinet Member or Cabinet make formal decisions.

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

# Agenda Item 11

No alternative options have been considered as the Overview and Scrutiny Committee needs to approve its Work Programme and identify scrutiny review topics.

## What will it cost and how will it be financed?

There are no direct financial implications arising from this report. Any financial implications arising from the consideration of a key decision or relating to a recommendation arising from a Working Group review will be reported to Members at the appropriate time.

(A) **Revenue Costs** – see above

(B) **Capital Costs** – see above

## Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> None
<b>Legal Implications:</b> None
<b>Equality Implications:</b> There are no equality implications.

## Contribution to the Council's Core Purpose:

Protect the most vulnerable: None directly applicable to this report but reference in the Work Programme to the Peer Review Working Group – Final Report which reviewed Sefton's approach to Serious and Organised Crime (SOC), in light of the Home Office Peer Review findings in November 2015 highlighted that Working Group Members were reassured that those leading on the Agenda of SOC in Sefton have a sound approach and would continue to ensure that Sefton was a safe community to live, work and visit.
Facilitate confident and resilient communities: As above.
Commission, broker and provide core services: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of reports, as referenced in the Work Programme, relating to the review of Winter Service and Operational Plan; the Merseyside Recycling and Waste Authority – Service Delivery Plan 2017/18; Refuse Collection; and the Parks and Greenspaces Final Report
Place – leadership and influencer: None directly applicable to this report.
Drivers of change and reform: None directly applicable to this report but reports would be submitted to the Committee detailing how the Council is leading on beneficial changes to be made with reference to United Utilities charging policies and new houses being sold as leasehold.
Facilitate sustainable economic prosperity: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of reports, as referenced in the Work Programme, relating to the Economic Strategy for Growth; and the implementation of recommendations arising from Working Groups relating to Town Centres; the Port Masterplan; Employment Development; and Not in Education, Employment or Training.
Greater income for social investment: None directly applicable to this report.
Cleaner Greener: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of reports, as referenced in the Work Programme, relating to the Merseyside Recycling and Waste Authority – Service

Delivery Plan 2017/18; Refuse Collection; and Parks and Greenspaces together with the implementation of recommendations arising from the Shale Gas Working Group.

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Work Programme Report is not subject to FD/LD consultation. Any specific financial and legal implications associated with any subsequent reports arising from the Work Programme report will be included in those reports as appropriate

### (B) External Consultations

Not applicable

## Implementation Date for the Decision

Immediately following the Committee meeting.

<b>Contact Officer:</b>	Paul Fraser
<b>Telephone Number:</b>	0151 934 2068
<b>Email Address:</b>	<a href="mailto:Paul.fraser@sefton.gov.uk">Paul.fraser@sefton.gov.uk</a>

## Appendices:

The following appendices are attached to this report:

- Overview and Scrutiny Committee Work Programme for 2017/18
- Latest Key Decision Forward Plan items relating to this Overview and Scrutiny Committee

## Background Papers:

There are no background papers available for inspection.

## Introduction/Background

### 1. WORK PROGRAMME 2017/18

- 1.1 The Committee at its meeting held on 4 July 2017 approved a Work Programme of items to be submitted to the Committee for consideration during the Municipal Year 2017/18 and the Work Programme is set out in **Appendix 1** to the report. The programme has been produced in liaison with the appropriate Heads of Service, whose roles fall under the remit of the Committee.
- 1.2 Members are also requested to consider whether there are any other items that they wish the Committee to consider, that fall within the terms of reference of the Committee. The Work Programme will be submitted to each meeting of the Committee during 2017/18 and updated, as appropriate.

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## 2. SCRUTINY REVIEW TOPICS 2017/18

- 2.1 The Housing Licensing Performance Framework Working Group has now finished its review and its Final Report is elsewhere on the agenda.
- 2.2 The Parks and Greenspaces Working Group's Final Report is also elsewhere on the agenda.

## 3. PRE-SCRUTINY OF ITEMS IN THE KEY DECISION FORWARD PLAN

- 3.1 Members may request to pre-scrutinise items from the Key Decision Forward Plan which fall under the remit (terms of reference) of this Committee. The Forward Plan which is updated each month, sets out the list of items to be submitted to the Cabinet for consideration during the next four month period.
- 3.2 The pre-scrutiny process assists effective decision making by examining issues before the Cabinet Member or Cabinet make formal decisions.
- 3.3 The Overview and Scrutiny Management Board has requested that only those key decisions that fall under the remit of each Overview and Scrutiny Committee should be included on the agenda for consideration.
- 3.4 The latest Forward Plan is attached at **Appendix 2** for this purpose. For ease of identification, items listed on the Forward Plan for the first time appear as shaded.
- 3.5 Should Members require further information in relation to any item on the Key Decision Forward Plan, would they please contact the relevant Officer named against the item in the Plan, prior to the Meeting.
- 3.6 The Committee is invited to consider items for pre-scrutiny from the Key Decision Forward Plan as set out in **Appendix 2** to the report, which fall under the remit of the Committee and any agreed items be included in the Work Programme referred to in (1) above.

**APPENDIX 1**

**OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)  
WORK PROGRAMME 2017/18**

<b>Date of Meeting</b>	<b>4 JULY 2017</b>	<b>19 SEPTEMBER 2017</b>	<b>7 NOVEMBER 2017</b>	<b>23 JANUARY 2018</b>	<b>13 MARCH 2018</b>
Cabinet Member Update Report	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
Work Programme Update	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
<b>Service Operational Reports:</b>					
Flood & Coastal Risk – Annual Report			<b>x</b>		<b>x</b>
Preliminary Flood Risk Assessment Review			<b>x</b>		
Review of Winter Service and Operational Plan		<b>x</b>			
Merseyside Recycling and Waste Authority – Service Delivery Plan 2017/18				<b>x</b>	
United Utilities – Update on Increase in Charges	<b>x</b>		<b>x</b>		<b>x</b>
Economic Strategy for Growth					<b>x</b>
Refuse Collection		<b>x</b>			
New Houses being sold as leasehold		<b>x</b>			
Peer Review Working Group – Final Report	<b>x</b>				
Parks and Greenspaces Final Report					<b>x</b>
<b>Scrutiny Review Progress Reports:</b>					
Shale Gas		<b>x</b>			
Town Centres			<b>x</b>		
Port Master Plan			<b>x</b>		
Employment Development				<b>x</b>	
NEET					<b>x</b>

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## SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

**FOR THE FOUR MONTH PERIOD 1 APRIL 2018 - 31 JULY 2018**

This Forward Plan sets out the details of the key decisions which the Cabinet, individual Cabinet Members or Officers expect to take during the next four month period. The Plan is rolled forward every month and is available to the public at least 28 days before the beginning of each month.

A Key Decision is defined in the Council's Constitution as:

1. 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;
2. 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

As a matter of local choice, the Forward Plan also includes the details of any significant issues to be initially considered by the Executive Cabinet and submitted to the Full Council for approval.

Anyone wishing to make representations about any of the matters listed below may do so by contacting the relevant officer listed against each Key Decision, within the time period indicated.

Under the Access to Information Procedure Rules set out in the Council's Constitution, a Key Decision may not be taken, unless:

- it is published in the Forward Plan;
- 5 clear days have lapsed since the publication of the Forward Plan; and
- if the decision is to be taken at a meeting of the Cabinet, 5 clear days notice of the meeting has been given.

The law and the Council's Constitution provide for urgent key decisions to be made, even though they have not been included in the Forward Plan in accordance with Rule 26 (General Exception) and Rule 28 (Special Urgency) of the Access to Information Procedure Rules.

Copies of the following documents may be inspected at the Town Hall, Oriel Road, Bootle L20 7AE or accessed from the Council's website: [www.sefton.gov.uk](http://www.sefton.gov.uk)

- Council Constitution
- Forward Plan
- Reports on the Key Decisions to be taken
- Other documents relating to the proposed decision may be submitted to the decision making meeting and these too will be made available by the contact officer named in the Plan
- The minutes for each Key Decision, which will normally be published within 5 working days after having been made

# Agenda Item 11

## APPENDIX 2

Some reports to be considered by the Cabinet/Council may contain exempt information and will not be made available to the public. The specific reasons (Paragraph No(s)) why such reports are exempt are detailed in the Plan and the Paragraph No(s) and descriptions are set out below:-

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the Authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
6. Information which reveals that the authority proposes a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
8. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—
  - (a) the Companies Act 1985;
  - (b) the Friendly Societies Act 1974;
  - (c) the Friendly Societies Act 1992;
  - (d) the Industrial and Provident Societies Acts 1965 to 1978;
  - (e) the Building Societies Act 1986; or
  - (f) the Charities Act 1993.
9. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992
10. Information which—
  - (a) falls within any of paragraphs 1 to 7 above; and
  - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Members of the public are welcome to attend meetings of the Cabinet and Council which are held at the Town Hall, Oriel Road, Bootle or the Town Hall, Lord Street, Southport. The dates and times of the meetings are published on [www.sefton.gov.uk](http://www.sefton.gov.uk) or you may contact the Democratic Services Section on telephone number 0151 934 2068.

### NOTE:

*For ease of identification, items listed within the document for the first time will appear shaded.*

**Margaret Carney**  
**Chief Executive**



## APPENDIX 2

**FORWARD PLAN INDEX OF ITEMS**

Item Heading	Officer Contact
Parks and Greenspaces Working Group	Ruth Harrison ruth.harrison@sefton.gov.uk Tel: 0151 934 2042
Housing Licensing Performance Framework Working Group Final Report	Paul Fraser paul.fraser@sefton.gov.uk Tel: 0151 934 2068
Bootle Heritage Complex	Paula Lowrey paula.lowrey@sefton.gov.uk Tel: 0151 934 2734
Sefton Economic Strategy Framework	Mike Mullin mike.mullin@sefton.gov.uk Tel: 0151 934 3442

**SEFTON METROPOLITAN BOROUGH COUNCIL  
FORWARD PLAN**

Details of Decision to be taken	<b>Parks and Greenspaces Working Group</b> To submit the findings of the Parks and Greenspaces Working Group.			
Decision Maker	Cabinet			
Decision Expected	5 Apr 2018 Decision due date for Cabinet changed from 01/02/2018 to 05/04/2018. Reason: To enable the Final Report to be considered by the Overview and Scrutiny Committee (Regeneration and Skills) on 13 March 2018			
Key Decision Criteria	Financial	No	Community Impact	Yes
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regeneration and Skills			
Persons/Organisations to be Consulted	Elected Members and Stakeholders			
Method(s) of Consultation	Meetings and Correspondence			
List of Background Documents to be Considered by Decision-maker	Parks and Greenspaces Working Group			

# Agenda Item 11

## APPENDIX 2

Contact Officer(s) details	Ruth Harrison ruth.harrison@sefton.gov.uk Tel: 0151 934 2042
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### SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<b>Housing Licensing Performance Framework Working Group Final Report</b> To seek approval of the Final Report and associated recommendations of the Housing Licensing Performance Framework Working Group			
Decision Maker	Cabinet			
Decision Expected	5 Apr 2018			
Key Decision Criteria	Financial	No	Community Impact	Yes
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regeneration and Skills			
Persons/Organisations to be Consulted	Cabinet Member - Communities and Housing Housing Standards Team Manager; Housing Licensing Development Project Officer; and Housing Strategy Officer			
Method(s) of Consultation	Meetings			
List of Background Documents to be Considered by Decision-maker	Housing Licensing Performance Framework Working Group Final Report			
Contact Officer(s) details	Paul Fraser paul.fraser@sefton.gov.uk Tel: 0151 934 2068			

### SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<b>Bootle Heritage Complex</b> To review the options for the complex and permission to undertake the next steps, such as external funding applications.
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## APPENDIX 2

Decision Maker	Cabinet			
Decision Expected	24 May 2018 Decision due date for Cabinet changed from 08/03/2018 to 24/05/2018. Reason: Funding streams are still being investigated for the development of the Complex			
Key Decision Criteria	Financial	Yes	Community Impact	Yes
Exempt Report	Open			
Wards Affected	Linacre			
Scrutiny Committee Area	Regeneration and Skills			
Persons/Organisations to be Consulted	Members and Stakeholders			
Method(s) of Consultation	Meetings and Correspondence			
List of Background Documents to be Considered by Decision-maker	Bootle Heritage Complex			
Contact Officer(s) details	Paula Lowrey paula.lowrey@sefton.gov.uk Tel: 0151 934 2734			

### SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<b>Sefton Economic Strategy Framework</b> Completion of the Sefton Economic Strategy Framework following consultation. The strategy presents a rationale for the Council's Growth Programme, one of four key pillars of Framework for Change, agreed by Council in January 2017			
Decision Maker	Cabinet			
Decision Expected	21 Jun 2018			
Key Decision Criteria	Financial	No	Community Impact	Yes
Exempt Report	Open			

# Agenda Item 11

## APPENDIX 2

Wards Affected	All Wards
Scrutiny Committee Area	Regeneration and Skills
Persons/Organisations to be Consulted	Businesses; Developers; Investors; Professional Intermediaries & Networks e.g. Chambers of Commerce, Federation of Small Businesses and Professional Sefton; Other Liverpool City Region Local Authorities/Chief Executives; LCR Combined Authority; Liverpool City Region Local Enterprise Partnership & Sector Boards; Liverpool City Region Employment & Skills Board; Prime Contractors & Supply Chains Members of Sefton Leadership Collaborative, including Further Education, CCGs; Sefton Council for Voluntary Services; The Ten Parishes; Organisations with insight into residents of Working Age especially Jobseekers, People on Low Incomes, and Equality Groups; Transport Providers/Commissioners; Any other relevant groups/organisations
Method(s) of Consultation	<p>High influence consultees – full suite of documentation made available via email, expectation that consultees will consult internally/with members through their networks, allow for informed and in-depth responses, expectation responses will be made public unless otherwise indicated</p> <p>Low influence consultees – Focus groups; also universal invitation to participate through web and other media, refer to the consultation questionnaire form;</p> <p>Online –Focus groups for job seekers via Sefton@Work , Strand by me and People First; web pages containing an invitation to consult, the Sefton Economic Assessment, the consultation document containing the draft Framework, and links to eConsult questionnaire</p> <p>Cascade Briefing – mass mail out of links to Online pages to stakeholders identified above, using existing networks &amp; mailing lists e.g Sefton Economic Forum, plus membership organisations such as InvestSefton electronic business mailing list (c.3000) Sefton CVS; Chambers of Commerce; Federation of Small Businesses et</p> <p>Personalised Invitations – to High influence consultees</p>
List of Background Documents to be Considered by Decision-maker	Sefton Economic Strategy Framework
Contact Officer(s) details	Mike Mullin mike.mullin@sefton.gov.uk Tel: 0151 934 3442

# Agenda Item 12

<b>Report to:</b>	Overview and Scrutiny Committee -(Regeneration and Skills)	<b>Date of Meeting:</b>	13 March 2018
<b>Subject:</b>	Cabinet Member Reports – January 2018 to March 2018		
<b>Report of:</b>	Head of Regulation and Compliance	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## **Summary:**

To submit the Cabinet Member - Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills reports relating to the remit of the Overview and Scrutiny Committee for the period January 2018 to March 2018.

## **Recommendation:**

That the Cabinet Member - Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills reports relating to the remit of the Overview and Scrutiny Committee be noted.

## **Reasons for the Recommendation:**

In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board has agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees.

## **Alternative Options Considered and Rejected:**

No alternative options have been considered because the Overview and Scrutiny Management Board has agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees.

## **What will it cost and how will it be financed?**

Any financial implications associated with the Cabinet Member report that are referred to in this update are contained within the respective reports.

# Agenda Item 12

(A) **Revenue Costs** – see above

(B) **Capital Costs** – see above

## Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>
<b>Legal Implications:</b>
<b>Equality Implications:</b> There are no equality implications.

## Contribution to the Council's Core Purpose:

Protect the most vulnerable: None directly applicable to this report. The Cabinet Member update provides information on activity within Councillor Atkinson's, Fairclough's, Hardy's, and Veidman's portfolios during a previous two/three month period. Any reports relevant to their portfolio considered by the Cabinet, Cabinet Member or Committees during this period would contain information as to how such reports contributed to the Council's Core Purpose.
Facilitate confident and resilient communities: As above
Commission, broker and provide core services: As above
Place – leadership and influencer: As above
Drivers of change and reform: As above
Facilitate sustainable economic prosperity: As above
Greater income for social investment: As above
Cleaner Greener: As above

## What consultations have taken place on the proposals and when?

### (A) **Internal Consultations**

The Cabinet Member Update Report is not subject to FD/LD consultation. Any specific financial and legal implications associated with any subsequent reports arising from the attached Cabinet Member update report will be included in those reports as appropriate

## (B) External Consultations

Not applicable

### Implementation Date for the Decision

Immediately following the Committee meeting.

<b>Contact Officer:</b>	Paul Fraser
Telephone Number:	0151 934 2068
Email Address:	<a href="mailto:paul.fraser@sefton.gov.uk">paul.fraser@sefton.gov.uk</a>

### Appendices:

The following appendices are attached to this report:

Cabinet Member – Communities and Housing;  
Cabinet Member – Locality Services;  
Cabinet Member – Planning and Building Control; and  
Cabinet Member - Regeneration and Skills

### Background Papers:

There are no background papers available for inspection.

#### 1. Introduction/Background

- 1.1 In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board has agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees.
- 1.2 Attached to this report, for information, are the most recent Cabinet Member reports for the Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills portfolios.

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<b>CABINET MEMBER UPDATE REPORT</b>		
<b>Overview and Scrutiny Committee (Regeneration and Skills – 13th March 2018)</b>		
<b>COUNCILLOR</b>	<b>PORTFOLIO</b>	<b>DATE</b>
Patricia Hardy	Communities and Housing	February 2018

## **NEIGHBOURHOODS AND PARTNERSHIPS**

### **Environmental Activities**

Cambridge and Dukes Ward Councillors have agreed to jointly fund an extra clean-up of the Southport Promenade revetment after issues of rubbish and litter were highlighted by residents at the Area Committee.

Residents have brought a number of issues to our attention regarding St Elizabeth's Place which includes dog fouling, street lighting and damaged pathways. A site visit has taken place with Mead Fleet (Bellway Land Maintenance) and work will be carried out to try to mitigate any further issues.

The community skip programme for the Linacre Bridge Area has come to an end after consultation with Ward Councillors. Sefton Cleansing Department confirmed the amount of domestic waste in the skips was minimal and the majority was being used for commercial waste.

The Hate Crime Officer liaised between Merseyside Police and the cleansing team regarding the removal of offensive graffiti in Formby.

### **Area Coordination**

#### **L30 Million**

The partnership group have commissioned "The Independent Initiatives" and "Intuitive Thinking" to undertake work, in regard, to drug and alcohol and healthy lifestyle choices in the area over the next 12 months.

#### **Formby HUB**

Formby Hub volunteers provided a Christmas Meal for 39 lonely and socially isolated people. The Mayor was in attendance and it was a great success.

#### **Scrambler Bike Initiative**

The presentation of this year's scrambler bike project took place at Merseyside Police Headquarters on the 9 January 2018. Young people and their parents attended the evening from four South Sefton schools to receive their prize. This was a four day skiing trip in Scotland. This is the third year the project has been delivered in partnership with Merseyside Police. This year, the young people were asked to work in groups of three to produce short videos about what they had learned during their educational sessions, highlighting the dangers of scrambler bike use and the potential consequences.

# Agenda Item 12

## **Domestic and Sexual Abuse**

The Domestic Abuse Executive met on 15 January 2018 and discussed progress against the Strategy. This included a discussion about the recent homicide in Southport and whether the case fitted the criteria for a Domestic Homicide Review and this has now been confirmed that it did not, however, the Chair of the Sefton Safer Communities Partnership/Cabinet Member for Communities and Housing has asked for a review to be undertaken outside of this process.

Access 27 has been commissioned to deliver the 'Like Glue' programme which explores unhealthy relationships and domestic abuse. Preview sessions are being promoted to safeguarding leads in schools and colleges and to other partners to encourage "buy in" into the programme.

The new joint Merseyside wide sexual violence support contract went out to tender. Bids were moderated by a representative from each organisation on 6 and 7 February 2018 and a preferred bidder has been approved. Further questions and moderation will be undertaken prior to the final award of the contract.

Sefton and Knowsley Councils are working together to develop a joint domestic abuse public awareness campaign. A procurement exercise has taken place and 5 bids were submitted for consideration. Moderation took place between officers on 1 February 2018. The Domestic Abuse Operational Group will be involved in parts of the campaign design.

## **Hate Crime**

The regional hate crime week was 5 - 12 February 2018. We had a fully-booked training event that week and we promoted the week using Yammer and other communications channels.

A Hate crime training session was held for members of staff in Access Sefton. Further briefings are planned for the Community Rehabilitation Company, Probation Service and the Hesketh Centre in 2018.

## **Equality and Diversity**

The Navajo application has been submitted and has passed first stage of assessment. We are awaiting further details regarding the next stage of assessment.

A new disability group was launched on 19 February 2018. This group replaces the Sefton Access Forum and ABILITY groups. Sefton Equalities Partnership was also relaunched on the 20 February 2018 by Sefton CVS.

There will be an Exhibition at The Atkinson on 8 March in support of International Women's Day which has also been supported by the Sefton Safer Communities Partnership.

## **SSCP Update**

The SSCP has agreed to fund a further number of initiatives with our local Police team since the last report which includes/included the purchasing of 45 Knife wands for premises within our night-time economy, extra resource to target high risk offenders of crime, additional resources for tackling issues in Southport and drug wipes.

## **Community Transition fund**

A total of £604,762 has been approved for projects, leaving a balance of £420,431 uncommitted.

## **INTEGRATED YOUTH SERVICE**

### **Youth Offending Team (YOT) Performance**

**First Time Entrants** - Performance is good and further reductions of first time entrants continue through successful out of court disposals such as Community Resolution interventions for low risk, minor offending.

In comparison with other Merseyside YOTs Sefton has achieved the largest reduction looking at figures from 2015/16 to 2016/17.

**Custody Rate** - Sefton's performance in the past has been historically high but has much improved and is now good. Sefton's rate is currently lower than England, Merseyside, and the North West.

**Re-offending** - The latest figures show an increase of reoffending, Sefton's rating is higher when compared with England, the North West and compared to other Merseyside YOTs. The number of young people re-offending has reduced therefore a smaller number of young people commit more offences.

The number of offenders (those that offend once) has significantly reduced, as a result of effective interventions. Less impact has been made with those that continue to re-offend. This group of young people are entrenched offenders, with complex needs and who are at increased risk of re-offending. It is harder for interventions to positively impact upon young people who may have a long history of neglect, domestic violence, or involvement with criminal groups/ gangs and may be subject to criminal exploitation.

### **Targeted Youth Prevention (TYP)**

The quarterly performance report regarding TYP highlighted positive feedback from families,

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partner agencies and young people who have accessed the service between September and December 2017. Family feedback is pivotal to quality assuring and improving the offer delivered through Targeted Youth Prevention.

As services transition to a locality model the team recognises the need to have young people and families' part of that process. The team will develop a focus group in January 2018 which will focus on the views of the family ensuring that their engagement and 'voice' can influence and contribute to service design.

There are numerous examples of positive feedback including the following:

- Voice of the Parent *"You are the only one who has actually said you could help us, other agencies have said you need to do something else first. I feel confident that you have said you can co-ordinate the agencies and that has given us hope that we can be helped."* (Feedback from parent who have Early help assessment in place living in Southport).
- *"Just wanted to call you directly to say thank you to TYP for the work you are doing with students at Hillside high School. Sue has been a breath of fresh air and we are seeing a real difference with behaviours of the students she is working with"* (Feedback from partner agency Hillside High School)
- *"Thanks for all your help with my son he is managing his anger better and taking his medication."* (Feedback from a parent with 11 old son diagnosed with ADHD).

## **Recommendations**

It is requested that the Overview and Scrutiny Panel notes the report.

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## **LIBRARY & INFORMATION SERVICES**

### **Suffragettes on Tour**

The library service has worked in partnership with Edge Hill University to produce four pull-up banners celebrating the Suffrage movement in Sefton. Events such as the 1909 'campaign of disruption' in Southport are highlighted, as is the role of courageous local women such as Dora Marsden. The banners have been unveiled at Crosby Library and will tour the libraries over the next 12 weeks. It is also hoped they will be displayed at Southport Town Hall, where Emmeline and Christabel Pankhurst gave speeches. Students from the University will undertake further research to highlight the contribution of more Sefton women toward the Suffrage cause, and this new material will be used to create additional banners to extend the profile of the display.

## **Beyond the War Memorials**

The first stage of this WWI commemorative project has been completed. Local artist Angie Thompson has worked with four local primary schools across Sefton to reveal the experiences of Sefton soldiers during the War. The children have produced artwork inspired by War Memorials in Bootle Crosby & Formby, and their pictures will go on display in each school's local library. The images will also be featured in letters sent out to the last known residences of the fallen soldiers.

## **THE ATKINSON**

**Year of the Volunteer** was launched at The Atkinson on 6 Feb in the Children's Library in conjunction with CVS and Sefton Comms.

Atkinson will be hosting a June **Volunteer fair** as part of the year-long celebration.

**Dementia Training** – From January 2018 The Atkinson is providing Dementia Friends Training to the general public, we have two champions who can deliver training, they have offered it to all staff, volunteers and partners and are now hosting sessions for anyone interested to learn about becoming a Dementia Friend. Booking is through the Alzheimer's Society website

**Viking: Rediscover the Legend** – The Atkinson launches a major touring exhibition of Viking treasures from the British Museum and York Museum on Thursday 29 March 2018. Historian and broadcaster Michael Wood will launch the exhibition with an illustrated talk at 3.00 p.m.

**Under The Sea** was launched at The Atkinson on Saturday 11 February. Funded by the Postcode Lottery and The Atkinson Development Trust, participants from the Sefton CVS 'Buddy Up' scheme created a new animation for The Atkinson's museum exploring environmental sustainability.

## **HOUSING**

### **Liverpool City Region**

I represent the Council on the Sub-Regional Housing & Spatial Planning Board (feeds into the LCR Combined Authority Strategic Agenda) and plans had been progressing with identifying sub-regional Housing Needs and development of a Strategy. The Board have agreed the framework for a Strategy, and officers across the sub-region will be contributing to the development of this strategy.

Recently the Homes and Communities Agency announced the availability of a Housing Infrastructure Fund (HIF) to help unlock large housing development schemes. Part of the fund is only available for Combined Authorities to bid for. The LCR CA have a completed a bid and application for the city region, which was submitted at the end of September 2017. The outcome of this bid was due to be announced at the end of January, but we still await notification of the outcome.

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The Government have also announced additional funding to develop services to combat rough sleeping. £27m has been offered to 3 Combined Authorities: Liverpool City Region, West Midlands, and Manchester. The Board will be looking to oversee the development of proposals to utilise the resources to be offered to LCR CA. It is likely that some form of a 'Housing First' service proposal will be developed.

I am overseeing this work and engagement on behalf of Sefton.

## **Registered Provider Sector**

We are looking to re-establish new relationships with the Registered Provider (RP) sector in the context of their operating models and principles. It is apparent to many that some are increasingly behaving as private companies; we need to redefine our partnerships in this context, particularly given other regulatory changes.

There are also opportunities to work positively with housing associations on issues such as welfare reform, improving health outcomes, sharing data and support to deliver council priorities, which I would like to explore.

I have recently received a report, which reveals that housing associations have recently completed or are currently building 337 new affordable homes across 12 different sites in the borough. There are also a number of other schemes in the pipeline, including some that will be delivered through Planning Section 106 agreements.

Work by a collaboration of 5 housing associations has led to a successful Estates Renewal bid focussing on parts of Bootle. The value of the bid was £150k, and was seeking a share of the £30 million of 'enabling funding'. Enabling funding is provided to help landlords at the early stage of estate regeneration proposals, and to help them develop such proposals.

The RP consortia have confirmed they will use this funding to pay for consultancy work to look at designing a collaborative investment plan for all RPs property in the area. The RPs have procured Halsall Lloyd Partnership consultancy to carry out this work. The funding provides an opportunity to allow us to collectively look at the issues in the area, and come up with some plans to address these issues over the next 12 months or so.

## **Homes and Community Agency**

The Homes and Communities Agency (HCA) have announced a number of programmes and funding, which are designed to help deliver new house building. Some specifics:

- £1.7bn accelerated construction fund – aimed at bringing forward surplus public sector land. HCA will require developers to build at a faster pace on selected sites. Sefton submitted an expression of interest in February, and we have been invited to submit proposals, with Bellway Homes, for the former Peoples & TT Cables site in Bootle. We will be liaising with HCA and develop proposals over the coming months;
- Housing Infrastructure Fund, Two programmes exist to support infrastructure including the 'Marginal Viability Fund' available to all Councils, and the 'Forward Funding Programme' available to upper tier authorities including Combined Authorities (see above LCR comments). I approved a Sefton bid for infrastructure funding to help deliver new housing on the 503-509 Hawthorne Road site. We have recently learnt that this bid wasn't successful. However, the notification we received

from HCA states; *...for unsuccessful bids MHCLG will explore using some of the additional £10 billion of funding allocated to housing delivery in the Autumn Budget to support some local authorities to develop their housing ambitions.* This suggests there may still be opportunities to explore funding support for our scheme/site.

## **Housing Development Company**

I am the Cabinet Member sponsoring the establishment of a council wholly owned housing company that could build and sell (and/or rent) properties, which was approved by Cabinet in October. For just over a year a project team investigated the viability of establishing a company to develop new housing across the borough primarily for Sefton residents to purchase.

Over the next few months, the company will be formally established and will then begin to bring forward detailed designs and proposals for priority sites across the borough. There are a lot of detailed activities to be addressed during the transition to delivery period, leading to the legal establishment of the company.

The activities fall under broad headings, covering:

- (i) Corporate & Governance arrangements, such as the development of the formal governance arrangements, setting out in more detail decisions the Council will take as shareholder and decisions the company will take;
- (ii) People and support services arrangements for the company will include recruiting suitable lead staff, and providing Service Level Agreements to pay for council support services;
- (iii) Development preparation including determining the right constructor procurement arrangements;
- (iv) Financial arrangements for funding and financial management of the company

## **Private Rented Sector Licencing**

We are progressing well with the private landlord licensing scheme. We urgently need licensing schemes in Bootle, Seaforth/Waterloo and Southport. A formal report and business case was approved by Cabinet on 1st December 2016, setting out our proposals.

Legal provisions will enable us to have three different schemes - focusing on the licensing of all private landlords in Bootle, but developing stronger 'Additional HMO' licensing schemes to cover more types of HMO properties for Southport and Waterloo.

Cabinet formally approved the establishment of these schemes on the 7th of September. The three schemes will be implemented in Sefton on 1<sup>st</sup> March 2018.

An Overview & Scrutiny working group has met to consider setting up a performance framework, so we can try to evaluate the effect of our schemes in future.

## **High Rise Fire Safety**

Since the awful events suffered in the fire at Grenfell Towers in London, all high-rise residential properties have been subject to fire safety concerns. The Government

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required all (stock owning) Local Authorities and housing associations to submit samples of cladding materials for fire safety testing. One Vision Housing (OVH) own two high-rise blocks, which were found to have external cladding made of aluminium composite materials (ACMs), which had failed Government fire safety tests. OVH responded immediately to remove this cladding.

Since then the Council (together with Merseyside Fire & Safety Service) have worked with OVH to ensure the safety of residents who live in the buildings. OVH came forward with their preferred solution for the treatment of the blocks and replacement of the cladding in September 2017, and submitted a planning application which was approved early in October. They are currently in dialogue with the Councils Building Control team to agree the detail of the work they will undertake. OVH have begun undertaking preparation works in advance of implementing reinstatement works.

Council officers together with Merseyside Fire & Safety Service have undertaken fire safety audits of all (21) high rise buildings in Sefton over July and August, to ensure they are safe. Officers from Housing Standards and Building Control have spent approximately 270 hours of work on inspecting the properties, and completing reports for the owners in conjunction with MF&RA.

We continue to work closely with the Fire Authority and have begun to carry out follow up visits on some of the higher risk tower blocks, to ensure any hazards identified have been removed or reduced to acceptable levels.

I have agreed further communications that will be managed with Sefton MP's at the request from the Department for Communities and Local Government.

## **Housing and Planning Act - Private rented sector enforcement**

The Act was introduced in the summer of 2016 and includes six measures designed to tackle rogue landlords and property agents:

- Banning orders for most prolific offenders;
- Database of rogue landlords/property agents;
- Civil penalties of up to £30,000;
- Extension of Rent Repayment Orders;
- Tougher Fit and Proper Person test for landlords;
- Tenancy Deposit Protection Scheme data sharing.

I have recently considered and approved a policy on the introduction of Civil Penalties, which will allow us to fine landlords as an alternative to pursuing prosecutions through the legal system. I hope this will begin to be implemented in the coming months.

The Database of Rogue landlords and Banning Orders will be introduced in April 2018, even though we await the new regulations to be introduced by Government on their implementation. I intend to review the Council's own housing enforcement policies when there is greater clarity over all of these new measures.

In the meantime officers in the Housing Standards team take enforcement actions and occasional prosecutions.

## **Empty Properties**



I recently received a report which monitored the levels of empty homes in the borough, and provided information on the actions we are taking to address this issue. The following table shows the total numbers of empty homes and the numbers of Long Term empty homes (6 months+), over recent years in the borough.

	Apr-13	Apr-14	Apr-15	Apr-16	Apr-17	5 yr Avg.
<b>Number of empty homes</b>	<b>5,426</b>	<b>5,822</b>	<b>5,865</b>	<b>5,228</b>	<b>5,252</b>	<b>5,519</b>
<b>Proportion of empty dwellings (% of all dwellings)</b>	4.33	4.63	4.65	4.13	4.14	<b>4.4</b>
<b>Number of long term empty homes (&gt; 6 months)</b>	3,315	3,190	3,359	3,080	3,086	<b>3,206</b>
<b>Proportion of long term empty homes (% of all dwellings)</b>	2.64	2.54	2.66	2.44	2.43	<b>2.55</b>

Source: Sefton Council Tax

### Properties left vacant for greater than two years

Sefton's Empty Homes Strategy focuses on returning long-term empty residential properties back into use, with particular focus on problematic properties which have been empty for more than 2 years. The table below identifies the number and proportion of homes that are left empty for over two years. It is these properties that tend to have the greatest negative impact on neighbourhoods and communities. Poorly maintained properties can act as a magnet for anti-social behaviour, alcohol and drug abuse, fly tipping and other environmental problems. The Council uses both informal and formal action to help bring these longer-term properties back into use.

	Apr-13	Apr-14	Apr-15	Apr-16	Apr-17	5 yr Avg.
<b>Number of longer term empty homes (&gt; 2 years)</b>	<b>1,222</b>	<b>1327</b>	<b>1,350</b>	<b>1,131</b>	<b>1,153</b>	<b>1,237</b>
<b>Proportion of longer term empty homes as a proportion of the total dwellings in Sefton</b>	0.97	1.06	1.07	0.89	0.91	<b>0.98</b>

Source: Sefton Council Tax

We continue to take actions to bring long term empty properties back into use. We have recently completed an enforced sale on a property in Southport, which had been empty many years and had caused problems in the neighbourhood, described in the case study below.

We are pursuing similar action on a further 4 problematic empty properties.

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## Empty Homes case example.

A house at Manchester Road, Southport had been left abandoned for over 17 years since the previous owner went into a nursing home and has since deceased. A very large nursing homes fee debt of circa £88,000 owed to the Council had arisen which was secured against the property by way of registered legal charges. The Council also received several complaints about the property: causing damp issues to a neighbouring property, becoming a magnet for anti-social behaviour and was insecure. This led to the Council having to undertake costly statutory enforcement works and registering more local land charges on the property of circa £4,000 owed to the Council.

This left the Council with a very large debt over a property which was deteriorating, devaluing, having a negative impact on the local area and causing distress to the neighbours.

The Council had to think imaginatively in our dealings with the property to find a long-term solution that would bring the property back into use and recover all the debts owing to the Council, bearing in mind it was a sensitive issue dealing with nursing home fees. In addition no one had taken out probate when the previous owner died creating a problem with the ownership title.

The Council was successful in obtaining a Court Order for Possession and Sale; this allowed the Council to act as Mortgagee in Possession to enforce the sale. In December 2017 the property sold for £120,000. The Council were able to recover all of its debts registered on the property. It is the new owner's intention to renovate the property, move in and make it a family home.

## **Housing Development**

Developer Bellway Homes have made progress with the Klondyke Phase 2&3 site, which is the final phase of new development from the former HMRI programme. Bellway Homes began construction of new housing in August 2017. Communications have been ongoing with local residents and will continue. The first homes have been completed and new families have begun to move in during January.

## **Homeless Services and Housing Options Service**

The Council has a legal duty to adopt a Homelessness Strategy. We adopted the current strategy back in September 2013, together with a Delivery Plan. During the course of 2018, we will have to undertake a formal review of homelessness in Sefton, with a view to adopting a new strategy by September 2018. Neil Morland consultancy have been appointed to undertake this work.

The Homeless Reduction Act (HRA) is due to come into force from April 2018. The principle behind the Act is to confer a legal duty on local authorities to provide homeless prevention services to all people who are potentially homeless. This mirrors the current legislation already enacted in Wales.

The current legislation (Housing Act 1996 as amended) broadly states that we must provide "housing advice to all" and "homeless assessment and resolution to those in priority need". There was previously no legislation covering what is referred to as "prevention activity," rather it is promoted as good practice. Most local authorities only offer specific homeless prevention services to those who are deemed to be in priority need.

The Act will enforce a statutory duty to provide homeless prevention services to all people who are threatened with homelessness irrespective of whether they are in priority or not. The Act will offer more protection for people who are homeless or threatened with homelessness, at an earlier stage, to a greater number of people than we are currently obliged to assist.

We will need to monitor and assess the impact of the new measures on the demand for Council services, particularly as we move toward the introduction of Locality teams in 2018 as part of the Councils Public Sector Reform Programme.

A **Rough Sleeper Count** was undertaken on one night in November 2017. As it is undertaken during one night it can only demonstrate a snapshot of the extent of Rough Sleeping, which can obviously change on a daily basis.

The final estimated figure for Sefton that has been submitted to the DCLG for this year (2017) is nine (9) people, all of whom we were already aware of and had been offered and refused services. All were identified in Southport. The figure of nine (9) is an increase on the figure for last year, which was 4. The Council commissions rough sleeper outreach service to engage with this client group, and encourage them into services and off the streets. The Council also commissions overnight 'sit up services' for rough sleepers, with 15 spaces available within hostels in Southport and Bootle.

For comparison the number of reported Rough Sleepers for our neighbouring Councils is:

Liverpool- 33 (an increase from the 2016 figure of 21)

Halton- 4 (an increase from the 2016 figure of 1)

Knowsley- 0 (a decrease from the 2016 figure of 3)

Wirral- 14 (an increase from the 2016 figure of 10)

St. Helens- 9 (an increase from 2 in 2016)

## **Leasehold house sales**

At its September meeting, this O&S Committee considered a report on leasehold house sales, as requested at a Meeting of the Council held on 26 January 2017. The report showed the extent of leasehold house sales nationally and in Sefton over recent years. Committee will have noted the high proportion of leasehold house sales in Sefton in recent years (eg 92.7% in 2016-17).

However the purchasers of these homes, including a large number of first-time buyers (including those within Sefton) are increasingly complaining that at the point of sale they are not being made fully aware of the associated and ongoing costs of buying a leasehold property. Members of the Committee share concerns about the alleged abuses of leaseholders by housing developers or the companies who take on the freehold titles.

The Government have responded to these concerns and undertook a consultation exercise in advance of potential new legislation. I can confirm that I submitted a response to this consultation on behalf of Sefton Council, to share the evidence on leasehold house sales in Sefton, to express the concerns about the alarmingly rapid rise in new build houses sold as leasehold and support reform which results in new house sales which can no longer be sold as leasehold.

The Government's response to this consultation was published on the 21st December 2017. The full published response can be accessed here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/670204/Tackling\\_Unfair\\_Practices\\_-\\_gov\\_response.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670204/Tackling_Unfair_Practices_-_gov_response.pdf)

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A further report on the Governments consultation response and proposals will be brought to the Overview & Scrutiny Committee.

I have also be working with officers to agree information which has been placed on the Council's website offering guidance on leasehold sales to help raise the awareness of the issues of leasehold house sales. This is available;

<https://www.sefton.gov.uk/housing/tackling-unfair-practices-in-the-leasehold-market.aspx>

<b>CABINET MEMBER UPDATE REPORT</b>		
<b>Councillor</b>	<b>Portfolio</b>	<b>Period of Report</b>
Cllr Fairclough	Cabinet Member for Locality Services	March 2018

## **Strategic Transport**

### **Port Access**

- The programme of multi-modal interventions is continuing including rail infrastructure requirements, promotion of coastal and inland shipping, short term highway improvement measures and options for long term major highway improvement. Work on the doubling of the rail line into the Port is expected to start later this year.
- The announcement by DfT of the preferred route option for the major highway improvement to the Port was made on 1<sup>st</sup> September. The Council's request for a judicial review of the options consultation process has been accepted by the Court and the review is expected to take place later this year.
- Highways England is continuing with the design and assessment of their preferred option and submitted a request to the Planning Inspectorate (PINS) for a scoping opinion on the Environmental Impact Assessment. A detailed response on the EIA scoping report was prepared and sent to PINS.

### **LTP & Growth Plan**

- Sefton is continuing to work with Merseytravel and the other Merseyside authorities on the delivery of the transport capital programme.
- The development of the M58 Junction 1 scheme continues. The Compulsory Purchase Order was made and notice published in January along with the Side Roads Order. In the meantime, negotiations are still progressing with the landowners and offers have been made with the aim that agreement can be reached shortly. Enabling works including vegetation clearance started in February 2018 as planned and the main works are scheduled to start in April 2018, subject to completion of the land acquisition. Highways England have approved all of the necessary departures and the Safety Audit Work has been undertaken.
- The CPO and Side Road Orders for the North Liverpool Key Corridor scheme were confirmed in December 2017 and the necessary land will be vested in the respective Councils. Heads of Terms have been agreed with one of the land owners, WJ Leech and the land should shortly be secured. Works have been completed on the Leeds Street junction (within Liverpool) and are progressing northwards on the A565. Works within the Sefton section of Derby Road are slightly delayed because of the delay in acquiring the land, but are expected to start before the summer. Some site clearance work has already been completed. The details of the scope of the works along Regent Road will be confirmed by Liverpool CC in March, which will allow the Regent Road works, including the resurfacing of the length, to progress soon afterwards. The works are programmed for completion in 2019.
- Network Rail is continuing construction of Maghull North station and there has been substantial ongoing dialogue with local residents. The Council is monitoring activities in support of residents, particularly noise levels. Opening to passengers is scheduled to coincide with the start of the Summer 2018 timetable in May 2018.
- Work continues on the sustainable transport intervention proposals for Years 3-6 as part of the City Region programme. Sefton has three schemes approved as part of the programme, amounting to almost £3m of allocated funding. This consists of three phases of improvements on the A565, in Seaforth, Waterloo and Thornton, as well as a cycle route between Maghull and

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Kirkby and East-West cycle improvements in Southport. The first phase of the A565 improvements in Seaforth has been completed and the next year's projects (A565 Thornton and Southport East West cycle improvements) are being developed.

- The project development work on the Southport Eastern Access and the Maritime Corridor projects is continuing as planned. City Region funding is being used for option development and testing and development of a strategic outline case for Southport Eastern Access and for traffic modelling and option testing for the Maritime Corridor.
- The business case for the Local Growth Fund schemes on the Key Route Network is being considered for approval by the CA on the 9<sup>th</sup> March. The programme includes proposals for a major junction improvement at the Dover Road junction on the A59 Northway.

## **Local Transport Schemes**

- Delivery of the Transportation Capital Programme for 2017/18 is continuing and an outline programme for 2018/19 is being developed and will be discussed with Cabinet Member.

## **Sustainable Transport**

- Proposals for a new, inland pedestrian and cycle route at Crosby Coastal Park, which will avoid the issue of wind-blown sand on the promenade and proposals for a major upgrade of the Coastal Road cycle route have been included in the Combined Authority bid for the European Sustainable Urban Development (SUD) fund. The bid was submitted to the Department for Communities and Local Government (DCLG) in February 2018.
- The Council has been allocated some additional funding to extend the project funded through the DfT Cycling and Walking to Work Fund to September 2018, which provides support for cycling through the existing community hubs, particularly aimed at jobseekers.

## **Highway Development and Design**

### **Planning Applications**

- Since the beginning of December 2017 the team has processed 201 planning applications. This includes applications for sites identified in the Council's adopted Local Plan. This has involved liaising closely with case officers from the planning department. The team are currently assessing a number of applications including some of the local plan sites such as:
  - Land east of Maghull
  - Land North of Brackenway in Formby
  - Land east of Waddicar Lane

### **Section 38 Highways Act 1980 legal agreements**

- There has been a considerable increase in submissions and the subsequent processing of these at times, lengthy applications, particularly following the approval of planning applications for Local Plan sites.

The report is as follows: -

- No of live s38 and current developments subject to a s38 application - 20
- No of stalled or no activity (on the part of a developer) – 10
- Number of development sites adopted within the last 6 months (July 2017 to February 2018) – 5
- No of submissions awaiting technical approval – 3
- Number of new and recent submissions awaiting administrative set up – 2 (Andrews Lane and Turnbridge Lane)

### **Section 278 Highways Act 1980 legal agreements**

- There has been a considerable increase in the numbers of these at times, lengthy applications, particularly following the approval of planning applications for Local Plan sites.

- The team are currently managing 48 live s278 HA 1980 highway works schemes in various stages of development on behalf of the Council. The successful delivery of these schemes is dependent on close liaison with the Legal Department.

## **Public Rights Of Way (PROW)**

- Rights of Way Improvement Plan (ROWIP) 2 – Completion of consultation period, review of the comments received and the updating of the draft plan. Approval by LCR Combined Authority was received in January for the new ROWIP 2018-2028. Publication is scheduled for April.
- English Coastal Path – On site route feasibility reviews commenced with Natural England
- Advising on the preparation of two Schedule 14 Applications for up to nine additional PROW.

## **Strategic Highways Development and Future Planning**

- The team has taken a lead in managing the transportation issues involved with the Land East of Maghull and is working closely with the Planning Department, and the Developers involved ensuring the success of this project. Notwithstanding this, there are a number strategic sites and pre-applications which require a considerable involvement in order to ensure a seamless transition between the local plan allocations and subsequent planning application submission.
- The team is working closely with the Planning Department on new initiatives to ensure a 'One Council' strategic approach to development to ensure that the necessary new transport infrastructure is in place to support new developments coming forward in future years.

## **Street Lighting**

- The Council's new Street Lighting contractor commenced work on the 29th January and inherited a backlog of circa 1700 faults that had accumulated from the previous in-house service and the transitional period over Christmas. To date they have successfully repaired almost 1000 faults and are continuing to work through the backlog.
- It's encouraging that new faults are still being received daily from the public which continue to be recorded and processed accordingly. This will assist the Council in the absence of the 'Night Scouting' service. Until the backlog is cleared the Council will be unable to provide its usual service standard of fault repairs within five working days. It is anticipated that the backlog will be clear by late March.
- All emergency and urgent faults continue to be attended to within 2 hours of their report.

## **Traffic Signals**

- The LCR joint Traffic Signal maintenance Contract is in the final stages of Contract award and is due to commence on the 1st April 2018. Our current Contractor Siemens have been successful so this will simplify the transition between Contracts for Sefton.
- Discussions are continuing on beginning to migrate some of the traffic signal communication circuits from analogue to digital technology. This work will need to be developed and delivered over the next few years as the current analogue circuits provided by BT are to be withdrawn after March 2020. Without the communication circuits the Council will be unable to monitor and coordinate the traffic signals remotely. A business case for Combined Authority funding has been submitted and is awaiting approval.

## **Highway Maintenance**

- All programmed works for 2017/18 are now generally completed with the exception of a few schemes.
- There are currently some remedial works ongoing within the Borough in relation to some defective surface treatments that were laid in 2017.
- This year's highway weed spray programme will commence in March (subject to the weather). An alternative chemical is being used for the first spray to try and retard some of the early weed growth.

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- Grass cutting of the highway verges will recommence in April.

## Winter Service

- We have so far gritted our carriageway routes 66 times and our footway routes 16 times. At the time of this report more snow is forecast over the coming days and nights. Officers monitor the weather 24 hours a day throughout the season and we continue to have sufficient stockpiles of salt for our needs.

## FCERM

- **Planning**

We are currently reviewing how the team reviews planning applications and gives pre application advice. After 12 months of monitoring our resources we feel our priorities and focus of risk management for development should be more heavily weighted towards major planning applications and re allocating resources from minors to majors and also inspecting all major development on site when being constructed to ensure what is designed and approved is being built.

- **Crosby**

Coastal defences at the northern end of Crosby are under review. There are three separate defences that require intervention; the Alt training bank, the informal rubble defences and the timber faced coastal defences. These stretch approximately 1km north and 1km south of the Coastguard station at Hall Road. We are currently in the process of developing an outline business case to secure funding to undertake the scheme in 2 phases during summer 2020 and summer 2021.

- **Winter storms**

Winter 2018 saw Storm Eleanor hit the UK on 2 and 3 January 2018 and brought gusts of up to 90mph across the country. For Sefton the strongest winds were during the night of the 2nd January into the early hours of 3rd January 2018 when the wind was blowing in a westerly direction and coincided with a storm surge and high spring tide of 4.97mAOD. At Crosby, the car park at hall road was inundated with sea water and the cliff edge north of Hall Road was eroded by 2m. The sand dunes around Formby Point were eroded by up to 10m during this storm.

## Reviewing Sefton's Local Flood Risk Strategy

- We are currently reviewing our Local Flood and Coastal Erosion Risk Management Strategy first written to cover the period of 2015-2018. We will be reviewing risk; aligning the strategy to the Sefton2030 vision and ensuring all the latest strategic plans and policies are considered and supported in our strategy going forward.

## Highway Tree Maintenance.

### Chapel Lane, Formby

- Tree works were intended to commence in Chapel Lane, Formby in January. These works included the removal of 5 mature Horse Chestnut trees. Due to the extent of public interest, and the onsite protest, the decision was made to stop the works. Formby Parish Council commissioned an independent arborist report. This report differed from the views of the council's tree experts and a discussion then followed between a council officer and the author of the report. The report recommended a variety of works which would require a variety of changes in the highway management of the area, such as larger tree pits, use of different de-icing salt, a change in weed killing and creation of a retaining area to allow mulch to be placed around the tree, the report also recommends treating the trees with mycorrhizae. The Parish Council has been made aware that the council is not in a position to fund works such as this and would not want to set a precedent in treating this highway differently that other areas around the borough.
- A short term solution has been found where by works can commence next week to mitigate any Health and Safety risks. The works which will be undertaken next week will see one tree being removed, essential health and safety work undertaken on two others and all will be re-inspected in spring. This gives time for any discussions to take place with regards to the long term future of each tree, and the responsibility for funding of any ongoing maintenance and the associated health and safety liability should these trees continue to present a risk.



- The council will not be implementing any of the wider report recommendations as this falls outside the Council's current policy.

## **Procurement of Machinery and equipment for Green Sefton Service.**

- Capital investment funding was approved for the Green Infrastructure Service in June 2017. A tender exercise has been completed via the YPO framework for the supply of horticultural/landscape machinery and equipment. The Tender was divided into lots for supply of smaller handheld and pedestrian machinery; and supply and contract maintenance for the larger items, e.g. ride on grass cutting machinery, tractors, utility vehicles and excavators. The tender documentation included options to reduce the quantities indicated and reversed the right 'not to buy'.
- The Contract is for an initial 3 year supply contract with additional option for 2 x +1 year extensions (based upon performance).
- Tender evaluations were completed on the 20<sup>th</sup> October 2017. The successful bidder was Sharrocks, based upon price and quality factors, including additional benefits beyond the required specification.
- The successful bid of £815,298.50 can be accommodated out of the Capital Investment funding secured via the SKIG meeting in June 2017. The intention will be to phase purchasing over a 12-18 month period in order to ensure the procurement matches the needs of the evolving Green Sefton Service. (Currently undergoing restructure consultation as part of the PSR7 Pride in Sefton project)
- During the winter 2017/18 a detailed ordering matrix and delivery schedule has been developed with Sharrocks in order to drawdown in phases based around the seasonal requirements of the operation.
- The first order being for the supply of the large tractors required primarily for grass cutting and beach cleansing operations
- The second order is in development for the supply of the majority of the kit, which will include, ride on grass cutting machinery, golf maintenance equipment and general pedestrian and handheld machinery for grass cutting and cleansing operations.

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<b>CABINET MEMBER UPDATE REPORT</b> Overview and Scrutiny Committee (Regeneration and Skills)		
COUNCILLOR	PORTFOLIO	DATE
Daren Veidman	Cabinet Member Planning and Building Control	13 March 2018

## 1. Local Planning

### The Sefton Local Plan

- 1.1 Planning applications continue to be submitted on allocated sites.

### Supplementary Planning Documents (SPDs) and other policy documents

- 1.2 Having had 5 updated and new SPDs adopted by the Council in September, a further 5 SPDs and a series of Information Notes have been prepared and we anticipate adopting them in May 2018.
- 1.3 The Statement of Community Involvement has been updated and consulted on, and consultation has also taken place on an Information note relating to Recreational Pressure on the Sefton coast. These are due to be considered by Cabinet in March 2018.
- 1.4 A series of Information notes on Flood risk and drainage have also been produced, and an SPD for the Crosby Coastal Park will be prepared during the course of 2018.

### Liverpool City Region work

- 1.5 Work on the proposed Strategic Spatial Framework for the Liverpool City Region is now being led by the Combined Authority. Discussions have begun about follow up work that may be required to take this forward, including the need for a strategic B8 (warehousing) Study which will identify the need and optimal locations for new logistics development associated with the growth of the Port of Liverpool.

### Neighbourhood Planning

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- 1.6 Four Neighbourhood Plans which are being prepared by five Town and Parish Councils will be submitted for examination in the near future. This will impose new challenges on the team as they organise examinations for each. Changes have been made to the Council's constitution to streamline the approval of a submitted Neighbourhood Plan, enabling it to proceed to examination in a timely manner in accordance with good practice.
- 1.7 We have also streamlined the procurement process in order to enable the Council, in conjunction with the body who submitted the Plan, to agree which Examiner to appoint as and when required. We have appointed a 'co-operative' which will be able to nominate suitably qualified and experienced persons to examine each Plan.

## Other work

- 1.8 Members of the Local Plans team continue to provide policy advice on all relevant planning applications and pre-application inquiries, with members of the Local Plan team processing their own caseload of applications.
- 1.9 As a result of the Local Plan being adopted, the team have provided a lot of policy advice to developers on sites allocated in the Local Plan as well as providing advice once the planning applications have been submitted. Discussions are about to resume with the developers of the Land east of Maghull site and the other landowners / developers in relation to the preparation of a Master Plan to ensure this strategic site is developed in a comprehensive manner with all appropriate infrastructure being provided at the right time and in a coordinated way.

## **2. Heritage and Conservation**

### Heritage at Risk

- 2.1 We are continuing to work towards the removal of the 6 Heritage at Risk Areas from the National Register. This includes a number of different work areas including raising their profile, regeneration funding bids, working with the local community, Conservation Area Appraisals, taking enforcement and other legal action in relation to a number of derelict sites and listed buildings in these Areas including the major Lord Street Verandah project.
- 2.2 Recent success includes the continued restoration of Verandahs on Lord Street, Southport along with the improvements undertaken at previous derelict sites.

- 2.3 In terms of the general day to day responsibilities, allied to the increased development pressure which the wider Service is facing, the Conservation officers have formulated 89 detailed consultation responses from November to January on planning applications and pre-applications relating to a number of Listed Buildings and developments within a number of our Conservation Areas. We have also continued involvement in various appeals, on site monitoring and enforcement cases.

## 3. Development Management

- 3.1 The pressure on this part of the Service has continued to increase over the last quarter following the adoption of the Local Plan and the submission of both pre-application inquiries and more recently with applications relating to sites identified for development in the Local Plan.
- 3.2 Between November 2017 and January 2018 we have approved 144 units of residential accommodation.

The following 2 major developments were considered and approved by Planning Committee.

Ref	Address	Proposal
DC/2017/01716	St Philips Church Hall And Land Adjacent Orrell Road Litherland L21 8NG	Demolition of St Philip's Church Hall and the erection of 10 no. semi-detached dwellings with associated access, parking and landscaping
DC/2017/00606	Land To The South Of Andrews Lane Formby L37 2YH	Construction of 99 dwellings comprising a mix of houses and apartments together with the construction of access road and the laying out of open space (to include the installation of an attenuation pond) (Amended plans and description)

- 3.3 We have received a total of 526 applications in this time scale, including 66 pre-application enquiries.
- 3.4 The capacity of the Service is stretched by the increased pressure relating to the processing of these applications. It is a huge team effort across the Service to process, assess and determine applications expediently and in line with Government targets.
- 3.5 The 20% increase of planning fees (introduced in January 2018) and additional fee income through entering Planning Performance Agreements (PPAs) has allowed us to recruit further staff. They are proving critical to maintaining a high level of performance as we respond to significantly more complex and contentious proposals following Page 125 of the Local Plan.

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- 3.6 We have experienced long term illness to three of our staff which has put extra pressure on the rest of the team. This has demonstrated how little spare capacity there is in the team and our performance has begun to be affected by these absences.
- 3.7 We are looking at how we organise our staff and procedures to make sure that the maximum effort is directed towards those schemes which are the most sensitive, complex and contentious, and that we provide the best possible service within existing constraints. This will mean new ways of working and we will be exploring these over the next few months.

## Enforcement update

### 3.8 Review of the quarter from 1<sup>st</sup> November 2017 – 31<sup>st</sup> January 2018

- New cases – 119
- Cases resolved – 265
- Formal action: 1 x Breach of condition notice.
- 17 retrospective applications totalling £7,350 fees.

3.9 On 22 January 2018, the owner of 1-3 Chapel Lane, Netherton, attended Sefton Magistrates' Court in respect of charges brought against him in relation to being in breach of two Enforcement Notices. One was in connection with a change of use at the property (keeping more than 6 dogs) and another in connection with operational development undertaken in respect of this (failure to remove a building).

3.10 At the trial, it was agreed that that the Council would discontinue the charge against the Operational Development Enforcement Notice given a guilty plea to the Change of Use Enforcement Notice. The breach/offence rested with keeping more than 6 dogs on the property at any one time and at the time of the offence (February 2017). The owner pleaded guilty to this and received a conditional discharge by way of sentence for a 12 month period. The owner agreed to pay the Council costs of £1,250 within 28 days.

A further site inspection will be carried out at end of February

## **4. Building Control**

### Performance targets

4.1 The Building Control Team continues to meet its key statutory targets in relation to plan checking and the carrying out of site inspections. It also meets the majority of the locally set performance targets it sets itself. Results up to the middle of the 4th quarter show that the Team's market share is

76% - which remains equal to or better than that of neighbouring authorities and is significantly above the average for English Councils, which stands at 67%. The Building Control Team also continues to meet all key statutory targets for plan assessment and the carrying out of site inspections.

## Income and financial performance

- 4.2 Building Regulation income to the middle of the 4<sup>th</sup> quarter of 2017/18 shows an increase of 10% when compared with the same stage in the previous financial year. As a result, it is projected that by the end of the current financial year, the Council's (fee-earning) Building Regulation service will continue to be self-funding and will be able to part subsidise the other various related statutory work elements it carries out - such as ensuring safety at sports grounds and dealing with reports of dangerous structures.

## Safety at sports grounds

- 4.3 The Building Control Team has completed its annual round of inspections at the various sports stadiums within the Borough - where a safety certificate is held, including Southport Football Club and Aintree Racecourse. The Team is currently assessing plans for temporary grandstands / hospitality units for the Grand National Meeting at Aintree Racecourse in April 2018 and will then be carrying out site inspections to ensure their safe construction. Building Control Officers continue to work closely with the emergency services in relation to safety at sports grounds issues and they always consult with colleagues in the police, fire brigade and the ambulance service on the contents of issued safety certificates.

## ISO 2001 quality Assurance standard

- 4.4 From the beginning of 2018, in a move to reduce costs, the Building Control Team changed its independent ISO 9001 accreditation provider. The new provider is Local Authority Building Control (LABC) and the first inspection audit by the new assessors is due to take place in April 2018. Having ISO 9001 accreditation is seen by many developers, as a pre-requisite for providing a building control service.

## **5. Technical Support**

### Performance

- 5.1 Performance against targets within the last quarter is detailed below. The team have struggled to meet their targets over this period due to the mandatory Christmas shutdown and the influx of large scale planning applications.
- The validation of planning applications for this quarter (Nov 2017 - Jan 2018) within the target of 5 days is 55%, with cases taking an average of 6 working days. This includes the validation of 7 large scale applications. Major applications take more time and process than other applications.

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- The team registered and acknowledged 96% enforcement complaints within 3 days (16% over target, an increase of 3% on the previous quarter)
- Booking in of Building Control applications stands at 83% within 3 working days (13% below target).
- 65% of pre-application enquiries were validated within 3 working days.
- The team achieved 99% of land charge searches within 10 working days.

## Service Development

- 5.2 The scanning of historic documents is still ongoing with a target of June 2018 in line with the agile working timetable. We are currently looking at outsourcing some of the scanning of historic files to ensure service continuity and to meet the deadline. Staff have been identifying and disposing of surplus and redundant information using confidential disposal services.
- 5.3 The data cleaning project is continuing, this project is to ensure our planning and land charge data is accurate and up to date in preparation for the migration of the local land charges register to HM Land Registry.
- 5.4 A review of registration and validation procedures has been undertaken and changes implemented to ensure a more efficient and effective flow.
- 5.5 Following the successful implementation of the mobile working solution for Building Control, officers have been working with our IT suppliers to develop a similar solution for development management and enforcement cases. This will tie in with the Agile Working initiative.



CABINET MEMBER UPDATE REPORT		
Councillor	Portfolio	Period of Report
Marion Atkinson	<b>Overview &amp; Scrutiny</b> Cabinet Member Regeneration & Skills	January 2018

## REGENERATION

The Regeneration Team is playing an active role in delivering and programme managing the Authority's Growth Programme. Several initiatives are long-term activities and highlights include:

### Town Centres

Action Plans have been prepared for Bootle, Crosby and Southport town centres. These Action Plans identify work streams/ activities to be progressed over the coming months and years. They are not Sefton MBC centric and relate to all potential stakeholders. The Authority's role is to stimulate, facilitate and enable the regeneration of each of the town centres with developers, other agencies and stakeholders providing the direct investment.

Across each of the town centres discussions are ongoing with potential investors and developers to bring viable development sites to fruition. Data is being collated and project ideas are being scoped out and options reviewed for each of the thematic areas. To support this a detailed programme of delivery has been developed. Specific activity being progressed in the Bootle, Crosby and Southport Action Plans are outlined below:

### **Bootle:**

- We continue to actively engage with stakeholders and developers regarding opportunities for repurposing the Grade 2 listed building complex adjacent to the Town Hall. A developer site visit was undertaken in January 2018 and we have also met with Hugh Baird College to understand potential collaboration. This does not include the Bootle Town Hall building (included under Public Sector Reform, Asset Maximisation, PSR#8);
- A masterplan for the site is being developed by the internal project design team to support with an expression of interest for Heritage Lottery Funding application being submitted in March 2018;
- A consultation exercise was held in The Strand Shopping Centre in October and November 2017 and a report will be taken to the March Consultation and Engagement Panel with the results of the findings;
- A transport and connectivity study for Bootle town centre is being commissioned using the new transport framework, with the aim of

# Agenda Item 12

understanding the connectivity issues facing Bootle town centre including parking in the town centre and access in and around The Strand;

- At Coffee House Bridge, SAFE Regeneration's proposed redevelopment of the St. Mary's Complex and Carolina Basin in Bootle offers an opportunity to bring together direct purchase, private rented or affordable housing alongside extra care supported living and other shared facilities.

## **Crosby:**

- The commissioned access and connectivity study for the village centre has now been received, reviewed and plans for implementation initiated including identification of a funding stream;
- The study identifies the potential for the Green car parking site to be released and options for development here are being considered.
- Regular dialogue continues with St Modwen's regarding their investment on either side of Moor Lane. Their works in this area are now complete and a photo call with Cllr. Atkinson was taken in February 2018;



## **Waterloo Town Hall:**

- Donald Insall Associates have completed carrying out a condition and heritage assessment for the complex. This report will be issued, together with associated costings in late March 2018;

## **Southport:**

- Major refurbishment of the Pier is underway, with the phased programme of works continuing until November 2018. Underdeck painting is continuing with good progress being made and structural repairs being carried out; The installation of the new retail kiosks on the pier is expected to take place from February 2018;
- Consultants Systra have been appointed to review eastern access to the town, the finding will inform future highway improvements;

- An access and connectivity study for the town centre is being commissioned using the new transport framework and initial engagement with the transport consultants has taken place;
- Planning Services submitted the Stage 1 Application entitled “Southport Townscape Heritage Project – Restoration and Regeneration” to the Heritage Lottery Fund in time for the 8 December 2017 deadline. A decision on the stage 1 application will be made by the Heritage Lottery Fund National Board in May 2018.

## **Southport Business Park:**

- Appointment for a Market Demand and Development Strategy was made in January 2018 and receipt of the strategy report is targeted for the end of April 2018;
- The Site Investigation Report on the southern section of the Business Park has been reviewed favourably/ positively by the Councils’ Contaminated Land Officer. Officers met the Environment Agency (EA) in early February 2018 and a response is anticipated in late March 2018;

## **Funding Opportunities**

The team are exploring opportunities for funding to support regeneration initiatives through:

- **Broadband – ‘gain share’**  
The Regeneration Team is supporting delivery of the Merseyside Connected project in Sefton. Phase 1 of the project funded under UK Government’s Superfast Broadband and ERDF Programme provided top up funding without which upgrading of the broadband network would not have been financially viable. Phase 2 (gain share) commenced in June 2017 and will further upgrade the broadband network, running until late 2018. The gain share funding is provided via BT as take up of services from Phase 1 delivery has exceeded agreed thresholds. Despite a slow start (principally due to the work planning constraints within BT) construction work is now underway. All the planning work was programmed for completion by the end of 2017 which will allow the early delays to be caught up. Of the anticipated 110 cabinet upgrades across the LCR under the gain share element of the project, 4 have been completed with 423 premises connected against a total target of 3088.

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