



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

**MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL BOOTLE
ON TUESDAY 11TH SEPTEMBER, 2018**

PRESENT: Councillor Bradshaw (in the Chair)
Councillor Byrom (Vice-Chair)
Councillors Doyle, Grace, Jamieson, Killen,
Daniel Lewis, McKinley and Marshall

ALSO PRESENT: Cllr. Paulette Lappin

10. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Brodie-Browne.

11. DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary or personal interests were received.

12. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 12 June 2018 be confirmed as a correct record.

**13. ASSET MANAGEMENT AND THE ACCOMMODATION
STRATEGY**

Mr. Stephan Van Arendsen advised that the agile working arrangements in Magdalen House and the Southport Hub were both nearing completion; and that once works were completed then an evaluation of the new working arrangements could be undertaken. This would make the presentation to Members much more meaningful. Accordingly, it was recommended that the presentation be submitted to the next meeting of the Committee to be held on 30 October 2018.

RESOLVED:

That the presentation on the Asset Management and the Accommodation Strategy be submitted to the next meeting of the Committee to be held on 30 October 2018.

**14. MID-YEAR REVIEW 2018/19 AND MEDIUM TERM FINANCIAL
PLAN UPDATE 2019/20 ONWARDS (INCORPORATING THE
REVENUE AND CAPITAL BUDGET UPDATE 2018/19)**

The Committee considered the report of the Head of Corporate Resources that provided information on:-

- (a) the current forecast revenue outturn position for the Council for 2018/19 following the Mid-Year Review;
- (b) the current forecast budget gap for 2019/20 following the Mid-Year Review and the actions required to ensure a balanced budget can be set early in 2019;
- (c) an initial view on the potential budget gap for 2020/21 and factors that might have a significant impact on this budget gap;
- (d) the current forecast on Council Tax and Business Rates collection for 2018/19; and
- (e) the current position of the Capital Programme.

The report advised that In March 2017, the Council approved a three-year budget plan to March 2020. The final two years of this plan were revised in March 2018 as part of the process of setting the 2018/19 budget. As the Council was nearly half way through the second year of this budget plan it remained confident that its continued strategic approach to budget planning, alongside good financial management and extensive community engagement, meant that the plan continued to develop on solid foundations, remained flexible and would secure the future sustainability to 2020 and beyond. However, in-year demand for social care services was currently resulting in the costs for these services exceeding the budget. Corrective action would be required to bring the overall budget into balance.

The recommendations in the report started to provide the basis on which the budget plan would be balanced for the financial year 2019/20 and would ensure that the Council's statutory obligations were met; and ensured that the Committee was informed of the forecast outturn position for the 2018/19 revenue and capital budgets as at the end of July 2018 and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

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

- The management of risk within the budget and the rigorous monitoring of the 2018/19 budget
- Vacancy management issues across the Council and the use of agency staff

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- The risk management structure approved by the Audit and Governance Committee and the adoption by each service area of their own risk register and the Corporate Risk Register
- The net overspend of £6 million contained within the budget and the remedial measures required to bridge the gap
- The potential scenario whereby the Council could not balance its budget
- The Fair Funding Review currently being undertaken by the Government to determine the means of allocating funding across local authorities

RESOLVED: That

- (1) the forecast deficit revenue outturn position for 2018/19 following the Mid-Year Review (including the achievement of approved Public Sector Reform savings) and the proposed actions to mitigate this deficit, be noted;
- (2) the forecast budget gap for 2019/20 following the Mid-Year Review and the proposed approach to identifying proposals to meet this budget gap, be noted;
- (3) the potential budget gap for 2020/21 and the factors that could have a significant impact on this budget gap, be noted;
- (4) the forecast position on the collection of Council Tax and Business Rates for 2018/19, be noted; and
- (5) the current progress in the delivery of the 2018/19 Capital Programme, be noted.

15. DIGITAL INCLUSION WORKING GROUP FINAL REPORT

The Committee considered the report of the Head of Regulation and Compliance that presented formally the final report of the Digital Inclusion Working Group.

Councillor McKinley, Lead Member of the Working Group introduced the report and commended the recommendations contained within it to Cabinet.

RESOLVED:

That Cabinet be recommended to:-

1. The Working Group was impressed with the Visitor Economy (VE) 'Passport to Success' scheme aimed at college students across the Liverpool City Region coming into the tourism industry; whereby students are able to

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achieve a bronze, silver or gold passport standard to provide them with a range of opportunities to either gain quality work experience, an interview, apprenticeship or a full-time job.

The Working Group, at its meeting held on 23 May 2018 acknowledged that literary and numeracy skills should be embedded as a priority along with digital skills.

Accordingly, it is recommended that:-

- (A) The Liverpool City Region Combined Authority Employment and Skills Board be requested to consider the development of a Digital Skills Passport Scheme (incorporating numeracy, literacy and communication skills) to help Sefton residents to gain future employment, via the Learning and Skills budget to be devolved from 2019; and
 - (B) Sefton Council, via Sefton@Work, in conjunction with local organisations such as Sefton Community Learning Service, work with the Liverpool City Region with the aim of exploring the application of such a Skills Passport for the benefit of Sefton employers and residents;
2. Using the Poverty Modelling and Digital Inclusion “Mosaic” data, areas of high unemployment be targeted to enable those Sefton residents excluded from the labour market to develop their ICT skills to improve their opportunities for gaining future employment;
 3. To facilitate the above the Liverpool City Region Combined Authority be requested to devolve sufficient funding to Sefton Council to appoint a project worker with the clear objectives of:-
 - (A) Working with local employers to map ICT/digital skills;
 - (B) Working with local partners such as Sefton Community Learning Service to develop and deliver bespoke training programmes to target residents in the areas identified in the Poverty Modelling and Digital Inclusion “Mosaic” data;
 - (C) Identifying, using the data from the Poverty Modelling and Digital Inclusion “Mosaic”, a number of residents who would benefit from and

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- be able to undertake training as referred to in 3.
(B) above; and
- (D) Working with local employers to develop a compact agreement to enable those residents who successfully complete the bespoke training programme(s) to gain relevant employment;
4. If further opportunities arise for a roll out of the Include-IT project and to support the objectives of recommendation 2 then Sefton CVS be requested to consider such roll out to the priority areas identified within the Poverty Modelling and Digital Exclusion document; and
5. the Head of Regulation and Compliance be requested to submit a monitoring report to the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Resources to be held on 5 March 2019, setting out progress made against each of the recommendations set out in the report and that thereafter, monitoring reports be submitted to the Committee on a six monthly basis.

16. ACCESS TO JUSTICE

The Committee considered the report of the Head of Regulation and Compliance on the impact of the reductions in legal aid on access to justice with a focus on its affect within family justice.

The report indicated that the Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO) revoked its predecessor, the Access to Justice Act 1999, and introduced unprecedented cuts in legal aid; that up until the passing of LASPO, legal aid was available for almost all areas of law, subject to specified exceptions; that as a result of LASPO legal aid was cut across both criminal and civil law matters and Legal aid ceased to be available in the following areas of law:-

- Clinical negligence cases (except certain cases involving neurological injury to infants)
- Employment cases (except those under the Equality Act 2010 or in relation to victims of human trafficking)
- Private family law cases, such as divorce and child contact (except cases involving domestic violence, child abuse or abduction)
- Housing disputes (except where there is serious disrepair, homelessness or anti-social behaviour)
- Debt (except where there is a risk of homelessness)
- Immigration (except cases involving detention and refugee claims)
- Education (except special needs cases)
- Welfare benefits claims (except appeals to the Upper Tribunal or higher courts)

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The report focussed primarily on the impact that LASPO had had in respect of private family law cases and indicated that in relation to all private (not public, i.e. Sefton Children's Services case matters) family law matters legal aid had been removed in its entirety, save for those individuals who had specific, recent, evidence of domestic violence or child abuse and that without the necessary evidence proving that an individual was a victim of domestic abuse any application for legal aid would not be considered; and detailed the effect that the cuts have had on the legal system, which included an increased number of Litigants in Person, particularly in the family and civil courts, which placed unprecedented pressures on courts and voluntary services. Nearly 90% of respondents who worked with family courts reported an increase in self-representation; and this resulted in cases not being properly presented, which could lead to extra delays, pressures and costs on the court system, as well as litigants not making points or speaking up when they should, so damaging their case.

The report concluded that a report published by The Commons Justice Committee on the 4th March 2015 commented:-

- “while it had made significant savings in the cost of the [legal aid] scheme, the Ministry had harmed access to justice for some litigants and had not achieved the other three out of four of its stated objectives for the reforms.” and
- “It was clear to us that the urgency attached by the Government to the programme of savings militated against having a research-based and well-structured programme of change to the provision of civil legal aid.”

and that the Ministry of Justice was in the process of undertaking a Post-Implementation Review of Part 2 of LASPO and that a report would be prepared later in 2018 drawing on the views of stakeholders and available data.

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

- The resource implications for the Council in becoming involved in cases relating to Section 37 of the Children's Act 1989
- People being excluded from the justice system due to the implications of LASPO

RESOLVED:

That the report on the impact of the reductions in legal aid on access to justice with a focus on its affect within family justice be noted.

**17. AREA COMMITTEES WORKING GROUP FINAL REPORT –
UPDATE ON RECOMMENDATIONS**

Further to Minute No. 56 of 6 March 2018 the Committee considered the report of the Head of Regulation and Compliance that set out progress made in respect of the recommendations formulated by the Area Committees Working Group and approved by Cabinet.

The report indicated that the main recommendation of the Working Group was that the current Area Committee system in Sefton cease and be replaced by Constituency Forums; that the first round of Forum meetings were held in June/July 2018; and Paragraph 3 of the report detailed the number of visitors to the Forum and the partner agencies and Council Departments that attended together with feedback obtained by the Head of Communities from elected Members, residents and partners.

The report also indicated that the views of all Members of the Council on the first round of Constituency Forum meetings were sought and that in total, 26 responses were received, 6 from Bootle, 8 from Sefton Central and 12 from Southport. The table attached to the report set out Members' verbatim comments and these have been shared with the Head of Communities as the officer responsible for servicing Constituency Forum meetings.

In general, it appeared that Members supported the operation of the new arrangements more in Bootle and Sefton Central than in Southport; that it would be desirable if more Members of the public attended the Fora; and that to achieve this aim enhanced advertisement and marketing of the Fora should be undertaken.

RESOLVED: That:-

- (1) the report setting out progress made against the recommendations formulated by the Area Committees Working Group and approved by Cabinet be noted; and
- (2) the Chief Legal and Democratic officer be requested to submit a further update report to the Committee following the next round of Constituency Forum meetings.

**18. EFFECTIVENESS OF LOCAL AUTHORITY OVERVIEW AND
SCRUTINY COMMITTEES – GOVERNMENT RESPONSE TO
DCLG SELECT COMMITTEE REPORT**

The Committee considered the report of the Head of Regulation and Compliance that advised of the Government's response to the Communities and Local Government Select Committee report titled "Effectiveness of Local Authority Overview and Scrutiny Committees"

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The report indicated that the Communities and Local Government (CLG) Select Committee, on 24 January, 2017 launched an inquiry into overview and scrutiny in local government; as the CLG Committee wanted to consider whether overview and scrutiny arrangements in England were working effectively and whether local communities were able to contribute to and monitor the work of their councils; that the report of the Select Committee, titled "Effectiveness of Local Authority Overview and Scrutiny Committees" was published by the House of Commons on 15 December 2017; and a copy of the published report was attached to the report as Appendix 1; and that the Government's response to the CLG report was published on 12 March 2018; and the 8 CLG recommendations and accompanying Government responses were set out in paragraphs 3.2 to 3.9. A full copy of the Government response was attached to the report as Appendix 2.

The report concluded that It had been established from a recent County/Unitary Scrutiny Network meeting that the Centre for Public Scrutiny (CfPS) were hoping to be commissioned to help the Government produce the updated statutory Scrutiny Guidance which was promised in the response to the CLG Select Committee's report on the Effectiveness of Local Authority Scrutiny. If so, CfPS would seek to obtain the views of a wide range of interested parties during the drafting stage and there may be the possibility for the Council's Overview and Scrutiny Management Board and Committees to contribute as part of the consultation phase.

RESOLVED: That

- (1) the report be noted;
- (2) a further update be submitted to the Committee once the Government have published updated guidance in respect of recommendations 1 (a) to (e) and 6 and further consideration has been given to recommendation 2; and
- (3) if consultations are allowed to be undertaken as referred to in paragraph 4 then the views of the Overview and Scrutiny Management Board and individual Overview and Scrutiny Committees be obtained for inclusion in the consultation process.

**19. WORK PROGRAMME 2018/19, SCRUTINY REVIEW TOPICS
AND KEY DECISION FORWARD PLAN**

The Committee considered the report of the Head of Regulation and Compliance that updated Committee on the Work Programme for 2018/19, topics for scrutiny reviews to be undertaken by a Working Group(s) appointed by the Committee and the identification of items for pre-scrutiny by the Committee from the Key Decision Forward Plan.

RESOLVED: That

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- (1) the Work Programme for 2018/19, as set out in Appendix 1 to the report, be approved;
- (2) the report on the “Tool-Kit” for the Armed Forces Covenant be submitted to the next meeting of the Committee to be held on 30 October 2018; and
- (3) Councillors Doyle and McKinley be appointed to serve on the Working Group to review the Council’s Ethical Business Practices and the Chief Legal and Democratic Officer be requested to contact Committee members seeking their willingness to also serve on the Working Group.

20. CABINET MEMBER REPORT – JUNE 2018 TO SEPTEMBER 2018

The Committee considered the report of the Chief Legal and Democratic Officer that included the most recent report from the Cabinet Member – Regulatory, Compliance and Corporate Services.

Councillor Lappin, Cabinet Member – Regulatory, Compliance and Corporate Services was in attendance to answer any questions regarding her report.

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

- The performance and business intelligence function and how residents can engage with the Council
- The customer complaints process

RESOLVED: That

- (1) the update report from the Cabinet Member – Regulatory, Compliance and Corporate Services be noted;
- (2) the Head of Strategic Support be requested to submit a report to the next meeting of the Committee on the roll-out of the “Manage my Requests” (iCaseWork) system for capturing, managing and reporting all customer complaints, representations and feedback across the Council including the number and nature of complaints by Ward; and
- (3) Councillor Lappin be thanked for her attendance at the meeting.