

# Public Document Pack

# Sefton Council



MEETING: OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)

DATE: 18th September 2018

TIME: 6.30 pm

VENUE: Birkdale Room, Town Hall, Southport

## Member

Councillor  
Cllr. John Sayers (Chair)  
Cllr. Michael O'Brien (Vice-Chair)  
Cllr. Mike Booth  
Cllr. Tony Brough  
Cllr. Clare Louise Carragher  
Cllr. Liz Dowd  
Cllr. Nina Killen  
Cllr. David Pullin  
Cllr. Michael Roche  
Cllr. Bill Welsh

## Substitute

Councillor  
Cllr. Brenda O'Brien  
Cllr. Paula Murphy  
Cllr. Tony Dawson  
Cllr. Harry Bliss  
Cllr. Anne Thompson  
Cllr. Daniel Terence Lewis  
Cllr. Mhairi Doyle, M.B.E.  
Cllr. Pat Keith  
Cllr. Anthony Carr  
Cllr. Steve McGinnity

COMMITTEE OFFICER: Paul Fraser Senior Democratic Services Officer  
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E-mail: [paul.fraser@sefton.gov.uk](mailto:paul.fraser@sefton.gov.uk)

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

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# **A G E N D A**

- 1. Apologies for Absence**
- 2. Declarations of Interest** (Pages 3 - 4)  
Members are requested to give notice of any disclosable pecuniary or personal interest  
  
An advice note on declaration of interests is attached
- 3. Minutes of the Previous Meeting** (Pages 5 - 12)  
Minutes of the meeting held 3 July 2018
- 4. Winter Service Policy and Operational Plan** (Pages 13 - 20)  
  
Report of the Head of Locality Services - Commissioned
- 5. Refuse Collection, Recycling and Food Waste Update** (Pages 21 - 28)  
  
Report of the Head of Locality Services Provision
- 6. Update on Recommendations as outlined in the Peer Review Working Group Final Report March 2017** (Pages 29 - 34)  
  
Report of the Head of Communities
- 7. Effectiveness of Local Authority Overview and Scrutiny Committees – Government Response to DCLG Select Committee Report** (Pages 35 - 112)  
  
Report of the Head of Regulation and Compliance
- 8. "Work Programme 2018/19, Scrutiny Review Topics and Key Decision Forward Plan - September 2018** (Pages 113 - 132)  
  
Report of the Chief Legal and Democratic Officer
- 9. Cabinet Member Reports – July 2018 to September 2018** (Pages 133 - 174)  
  
Report of the Chief Legal and Democratic Officer

## **Declarations of Interest**

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

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## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)

### MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE ON TUESDAY 3RD JULY, 2018

PRESENT: Councillor John Sayers (in the Chair)  
Councillor Michael O'Brien (Vice-Chair)  
Councillors Bliss, Carragher, Dowd, Killen, Roche and Bill Welsh

ALSO PRESENT: Councillor Atkinson, Cabinet

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brough and Pullin.

#### 2. DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary or personal interests were received.

#### 3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 13 March 2018 be confirmed as a correct record.

#### 4. SEFTON ECONOMIC STRATEGY FRAMEWORK

The Committee considered the report of the Executive Director that updated on the Sefton Economic Strategy consultation exercise which concluded on 4 May 2018.

The report indicated that following a decision by the Cabinet Member – Regeneration and Skills authorising the preparation of an Economic Assessment and Economic Strategy a borough wide consultation was undertaken (by consultants Regeneris) who asked people what they thought was important for Sefton now and in for the future; that over 5,000 people took part and the information helped to develop the Vision for Sefton 2030; and that the Sefton Economic Assessment, a factual statement of the borough's strengths and weaknesses, opportunities and threats, was subsequently approved by the Cabinet Member – Regeneration and Skills who also approved the preparation of a draft Strategic Framework for Action, or the building blocks of the Strategy.

The report also detailed how the business and public consultation exercise was undertaken including the completion of a stakeholder analysis and the methodology used; together with a breakdown of responses received.

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The report concluded by indicating that final data was currently being analysed; that the Strategy was intended to provide a clear framework for action to assist the Council with its ambitions for:

- Business Growth & Investment
- Business Generation & Enterprise Culture
- Sector Development
- Nurturing new Growth Clusters
- Place Marketing and Inward Investment
- Town Centre Investment Strategies and Frameworks
- Post-Inspection Revision of the Local Plan (2017), including Land Availability for Housing and Employment
- Infrastructure Planning
- Strategic Transport Planning and Scheme Identification
- Workforce Development
- Employability and Inclusive Growth
- Public Sector Reform and the Council's Transformation Programme
- Social Value in Commissioning and Procurement

and that the final stage of the process was to produce the final Sefton Economic Strategy including a set of more detailed Strategic Action Plans that detailed the actions required to give effect to the Strategy, key milestones, delivery choices and/or partners, and forecast phased costs and outputs.

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

- Clarification was sought on the bar chart identifying the Priority Action Areas- Ranking. Jayne Vincent, Consultation and Engagement Lead indicated that she would provide a detailed explanation to Committee Members
- The Strategy Framework was an invaluable piece of work as it would help to provide a framework to benchmark and prioritise the Council's investments in accordance with the Sefton 2030 Vision

RESOLVED:

That the report updating on the Sefton Economic Strategy consultation exercise be noted.

## **5. NEET**

The Committee considered the report of the Executive Director setting out the progress made against each recommendation of the Not in Education, Employment or Training (NEET) Working Group Final Report published in 2013.

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The report detailed the evolving Context for NEET Support relating to the Liverpool City Region (LCR) Careers Hub, the LCR Apprenticeship Hub, the LCR Apprenticeship Growth Plan, the National Careers Strategy, provision for special educational needs and disability and Youth Employment Initiatives through Sefton@work; and the local impacts for Sefton.

The report concluded by detailing updates against each of the recommendations in the Final Report; and recommended that future reporting on this issue form part of the reporting framework to be devised once the Council had adopted the forthcoming Sefton Economic Strategy as this would supersede and update the recommendations of the NEET Working Group dating back to 2013.

Claire Maguire, Service Manager (Employment and Learning) referred to Career Connect key performance measures, “unlocking potential” statistics and 4 case studies which highlighted the work being undertaken by Career Connect.

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

- The relationship of Working Group 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) and changes to Education Maintenance Allowance and the leaving care cohort
- The relationship of Working Group 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) and Working Group 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) to tackle and reduce the numbers of NEET
- The provision for SEND as identified in paragraph 3.7 of the report

RESOLVED: That

- (1) the report setting out the progress made against each recommendations of the Not in Education, Employment or Training Working Group Final Report be noted;

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- (2) future reporting on this issue form part of the reporting framework to be devised once the Council adopts the forthcoming Sefton Economic Strategy, as this will supersede and update the recommendations of the NEET Working Group dating back to 2013; and
- (3) the information relating to Career Connect key performance measures, “unlocking potential” statistics and 4 case studies which highlighted the work being undertaken by Career Connect be circulated to all Committee Members.

## **6. PARKS AND GREENSPACES FINAL REPORT**

Further to Minute No. 18 (2) (b) of 20 September 2016 the Committee considered the report of the Head of Regulation and Compliance that presented formally the final report of the Parks and Greenspaces Working Group.

The Working Group was established with the following Terms of Reference and Objectives:-

- Review the General Reduction in Standards’ saving proposal for 2015-17, and the evolved draft ‘Better Places, Greener Spaces - Future Management Parks and Greenspaces’ document
- To support and/ or challenge this and make recommendations as appropriate to improve the proposed strategic approach and its resulting resource allocation and future changes to service delivery
- To undertake annual reviews of the impact of the approach once enacted in order to track the impact of changes to service and react/ make recommendations accordingly

Accordingly, the Working Group met on four occasions as part of the review and undertook site visits of parks and greenspaces across the borough; and its Final Report, together with associated recommendations, was attached to the report.

Councillor Bliss was appointed as Lead Member of the Working Group and introduced the Final Report and commended the recommendations within it to the Committee; and thanked officers and his colleague on the Working Group, for their hard work and input into the Final Report.

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

- An update on the management of allotments was requested and Mark Shaw, Service Manager – Green Sefton agreed to circulate an update to all Members of the Council
- There appeared to be no direct reference in the Final Report to first of the terms of reference of the Working Group, namely, to Review the General Reduction in Standards’ saving proposal for 2015-17,



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and the evolved draft 'Better Places, Greener Spaces - Future Management Parks and Greenspaces' document

- The submission of annual reports to track the progress on the implementation of Working Group recommendations
- Alternative service delivery mechanisms, such as 'Parks Trusts'
- The possibility of a Sefton Parks and Greenspaces application for electronic devices to enable visually impaired individuals to safely and confidently navigate around Sefton's Parks and Greenspaces and the trial of such an application in Kings Gardens

### RESOLVED:

That Cabinet be recommended to approve the following recommendations:-

- (1) That consideration and further research continues to take place on future service delivery mechanisms for the newly forming 'Green Sefton' service. These, together with other day to day innovations, to seek to reduce the reliance on the service on revenue budgets whilst still providing sites that communities value, feel safe in, and remain freely accessible;
- (2) That the Head of Communities in consultation with Corporate Communications be requested to investigate the possibility of a Sefton Parks and Greenspaces application for electronic devices to enable visually impaired individuals to safely and confidently navigate around Sefton's Parks and Greenspaces, encouraging individuals to visit parks and greenspaces;
- (3) That the Head of Communities be requested to continue exploring and developing food growing projects, such as communal allotments in parks;
- (4) That the Head of Communities be requested to continue exploring and developing the volunteer hubs, such as that at Botanic gardens old nursery site;
- (5) That the Head of Communities be requested to continue to arrange 'Volunteer Celebrations' and offer thanks formally to all volunteers who contribute so much to our Parks and Greenspaces; and
- (6) That the Head of Communities be requested to report annually or when appropriate, whichever is the sooner, to the Overview and Scrutiny Committee updating the Committee on progress.

### **7. WORK PROGRAMME 2018/19, SCRUTINY REVIEW TOPICS AND KEY DECISION FORWARD PLAN – JULY 18**

The Committee considered the report of the Head of Regulation and Compliance that sought the views of the Committee on the draft Work Programme for 2018/19, the identification of potential topics for scrutiny

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reviews to be undertaken by a Working Group appointed by the Committee and the identification of any items for pre-scrutiny by the Committee from the Key Decision Forward Plan.

The Senior Democratic Services Officer indicated that the Executive Director had suggested that the Strategic Leadership Board be contacted with a request that it identifies topics for consideration by Working Groups.

Members discussed the following as potential topics for Working Groups to review:-

- Apprenticeships – what is on offer; what is the Council doing; availability of external funding; identification of best practice
- Contracts – scrutiny of a major contract within the Committee's responsibility; how the award of the contract has added value; social capital; employment of local labour/apprenticeships terms
- Economic Strategy – potential to review once the strategy had been adopted

RESOLVED: That

- (1) the Work Programme for 2018/19 be approved subject to the report updating on the Mental Health and Employment Task Group being submitted to the meeting on 6 November rather than 18 September 2018;
- (2) a Working Group be established to review the topic of Apprenticeships;
- (3) the Head of Regulation and Compliance be requested to contact Members of the Committee to seek membership of the Working Group and to contact the Head of Corporate Resources to produce the Scoping Document; and
- (4) notwithstanding the selection of Apprenticeships as a Working Group topic the Strategic Leadership Board be requested to identify future topics for consideration by Working Groups.

### **8. CABINET MEMBER REPORTS – MARCH 2018 TO JUNE 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.

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

- The positive impact of the introduction of the private landlord licensing scheme that had resulted in an increase in the numbers of gas safety certificates issued

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- The Overview and Scrutiny Committee responsible for receiving Cabinet Member updates on Parks and Greenspaces issues
- Crosby Village Investment Strategy and associated traffic management and transport issues

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, Cabinet Member - Regeneration and Skills be thanked for her attendance and contribution at the meeting.

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# Agenda Item 4

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	Tuesday 18 September 2018
<b>Subject:</b>	Winter Service Policy and Operational Plan		
<b>Report of:</b>	Head of Locality Services - Commissioned	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Locality Services		
<b>Is this a Key Decision:</b>	N	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	N		

## Summary:

To consider the revised policy document for approval for 2018/19.

## Recommendation(s):

That the Overview and Scrutiny Committee (Regeneration and Skills) be requested to consider the Policy and Operational Plan and advise Cabinet Member – Locality Services of any issues or recommendations.

## Reasons for the Recommendation(s):

To approve a revised policy following consultation with Elected Members during the summer of 2018.

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

The Council could choose to retain the existing policy. Winter service is a statutory function and not following the latest guidance will lead to an increased litigation risk to the authority.

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

### (A) Revenue Costs

The service is funded from the Transport and Highway Infrastructure revenue budget. Whilst every effort is made to contain costs, it is understood that it is difficult to forecast expenditure due to the fact that the level of service is dependent upon weather conditions.

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## (B) Capital Costs

None.

### Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>
None.
<b>Legal Implications:</b>
Section 41(1A) of the Highways Act 1980 places a duty on Highway Authorities in respect of winter conditions, as follows:-  'In particular, a Highway Authority is under a duty to ensure, as far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice'.
<b>Equality Implications:</b>
There are no equality implications.

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

Protect the most vulnerable: This is a universal service for the benefit of all.
Facilitate confident and resilient communities: This is a universal service for the benefit of all.
Commission, broker and provide core services: The Council has a statutory duty to provide a winter service function.
Place – leadership and influencer: Providing sustainable services to support our communities and businesses.
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: Providing sustainable services to support our communities and businesses.
Greater income for social investment: N/A
Cleaner Greener Supports the latest technology to minimise the impact of the carbon economy.

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

#### (A) Internal Consultations

The Head of Corporate Resources (FD 5270/18) and Head of Regulation and Compliance (LD 4494/18) have been consulted and any comments have been incorporated into the report.

#### (B) External Consultations

Merseytravel.

## Implementation Date for the Decision

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

<b>Contact Officer:</b>	Gary Jordan
Telephone Number:	Tel: 0151 934 4731
Email Address:	<a href="mailto:gary.jordan@sefton.gov.uk">gary.jordan@sefton.gov.uk</a>

## Appendices:

Annex A - Consultation letter to Elected Members

## Background Papers:

None

### 1. Introduction/Background

- 1.1 The Department provides a Highway Winter Service to the Borough in accordance with the Winter Service Policy and Operational Plan. Officers monitor the weather conditions 24 hours a day throughout the winter season and enact the plan when weather conditions dictate.
- 1.2 The Railways and Transport Safety Act 2003 (section 111) has inserted an additional section 41(1A) to the Highways Act 1980 which places a duty on the Highway Authorities in respect of winter conditions, and states ‘In particular, a Highway Authority is under duty to ensure, as far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice’.
- 1.3 In addition, The Traffic Management Act 2004 placed a Statutory Network Management Duty on all local traffic authorities in England. It requires authorities to do all that is reasonably practicable to manage the network effectively to keep traffic moving. In meeting the duty, authorities should establish contingency plans for dealing promptly and effectively with unplanned events, such as unforeseen weather conditions, as far as is reasonably practicable.
- 1.4 The Council operates to a Winter Service Policy and Operational Plan which has been approved by the Council and is reviewed each summer to ensure that it remains ‘fit for purpose’.
- 1.5 Cabinet, at its meeting on 13<sup>th</sup> October 2011, resolved to authorise the Director of Built Environment (now Head of Locality Services – Commissioned) to make any further revisions to the Winter Service Policy and Operational Plan in consultation

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with Cabinet Member Transportation ( now Locality Services). There is, therefore, no requirement to take this revision back to Cabinet for further approval.

## **2.0. Consultation**

- 2.1 The Winter Service Policy and Operational Plan is subject to an annual review, reassessment and consultation.
- 2.2 In accordance with Cabinet Member's wishes, a consultation letter was sent to every Elected Member and a copy is attached as Annex A. The closing date for responses was 29<sup>th</sup> June 2018.
- 2.3 Merseytravel has also been contacted and asked if there have been any revisions to their bus routes since last year.

## **3.0 Revisions to the Policy**

- 3.1 The Winter Service Policy and Operational Plan is based on guidance provided by the government in a document entitled 'Well Maintained Highways – Code of Practice for Highway Maintenance Management.' This was substantially revised in September 2013. Officers reported in 2014 of the extent of the guidance which runs to 158 pages.
- 3.2 A new code of practice was published in 2016 entitled 'Well Managed Highway Infrastructure'. This superseded all previous codes. The section relating to winter Service has been delayed a number of times and has yet to be released. Officers will address any revised guidance as and when this is available, reporting back to Cabinet Member and subsequently Overview and Scrutiny (Regeneration and Skills) Committee. In the meantime the Council will continue to comply with the existing guidance from September 2013.
- 3.3 In accordance with the policy, all routes as advised by Merseytravel, will be gritted as part of the routine gritting operations. Merseytravel has confirmed that there are no amendments required to this year's routes and has reported no issues with last year's winter gritting operations.
- 3.4 A new tender has recently been awarded for the winter service operations and includes a number of enhancements for the forthcoming season.
- 3.5 The enhancements include a new purpose built winter service facility with a salt barn capable of holding 3500 tonnes of rocksalt. This enables the authority to meet the recommended minimum salt storage requirements and increase resilience in the event of any prolonged winter weather.
- 3.6 A new gritting fleet is being provided by the contractor with the latest technology to allow for optimum salt spread rates and meet the requirements of 'Good Coverage' as detailed in the code of practice.
- 3.7 Other enhancements include a new weighbridge to accurately monitor salt usage and new vehicle trackers to monitor real time activities more effectively.



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- 3.8 The procedures in the event of an Extreme Weather Event have been updated, in consultation with the risk and audit team, to include new contact information and processes.
- 3.9 There were no responses received as a result of the consultation with Elected Members.
- 3.10 At the time of writing this report, the Policy and Operational Plan document is still being revised to incorporate the revisions detailed above. The final document will be presented to Elected Members prior to Overview and Scrutiny Committee (regeneration and Skills) on 18th September 2018.

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## Annex A



### Locality Services - Commissioned

Magdalen House  
30 Trinity Road  
Bootle  
Merseyside L20 3NJ

### Councillors

Date:  
Our Ref: NWM/WM/GJ  
Your Ref:  
**Please contact: Gary Jordan**  
**Contact Number: 0151 934 4731**  
**Fax No: 0151 934 4801**  
e-mail: [network@sefton.gov.uk](mailto:network@sefton.gov.uk)

Dear Councillor

### Winter Service Review 2018

I am writing to you on behalf of my Cabinet Member Councillor John Fairclough regarding the above. Each year during the early summer, we review the winter service policy and operational plan from the previous season to ascertain if members have any comments they would like taken into account in the review.

By way of some background, the winter of 2017/18 was a particularly prolonged winter during which time we gritted the carriageway routes on 78 occasions and the footway routes 18 times. This compares to 43 carriageway and 15 footway in 2016/17, 33 carriageway and 1 footway in 2015/16, and 49 carriageway and 15 footway in 2014/15.

The codes of practice for winter service are now published by the National Winter Service Research Group (NWSRG). We are expecting updated guidance to be published this year and whilst officers are confident that the changes to our policy we have made in recent years will hold us in good stead, we will review this information when available and incorporate any new guidance as necessary.

With the above in mind, the winter service policy continues to serve the Council well and officers, who were on duty 24 hours per day over the whole season, were always able to provide the appropriate response to the prevailing conditions. Again, as in previous years, at no time was the availability of salt an issue. The Council always had sufficient stock levels to deal with the winter conditions.

Whilst officers are confident that the policy remains fit for purpose (we will address the issues raised by the new code of practice when this is published), Councillor Fairclough has requested that all Elected Members be contacted to seek their views on the service during the winter of 2017/18, ensure that any issues can be addressed during the summer period and any further revisions considered before the commencement of the winter season 2018/19. I would therefore be grateful if you could advise me of any issues you would like to raise regarding the policy and the provision of the winter service. I would be grateful to hear from you by 29<sup>th</sup> June 2018 to allow sufficient time to revise and present the policy for approval.

The existing policy and operational plan is available to view by following this link:

<http://www.sefton.gov.uk/parking,-roads-travel/crittina.aspx>

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Following receipt of any issues raised by Elected Members, the policy will be revised as appropriate and presented to Cabinet Member for approval and adoption for the coming winter season. The finalised policy and operational plan will then be presented to Overview & Scrutiny Committee (Regeneration & Skills) on 18<sup>th</sup> September 2018.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Marrin', written on a light-colored background.

Dave Marrin  
Highway Management Manager

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# Agenda Item 5

<b>Report to:</b>	Overview & Scrutiny Committee – Regeneration & Skills	<b>Date of Meeting:</b>	18 <sup>th</sup> September 2018
<b>Subject:</b>	Refuse Collection, Recycling & Food Waste Update		
<b>Report of:</b>	Andrew Walker - Head of Locality Services Provision	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Locality 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 Overview & Scrutiny Committee as requested in relation to refuse collection, recycling and food waste collections over the last financial year 2017/2018.

**Recommendation(s):**

That the Committee note the report and its contents and agrees to a future report in 2019 on progress

**Reasons for the Recommendation(s):**

Report is for information only

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

N/A

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

**(A) Revenue Costs**

There are no revenue costs associated with this report

**(B) Capital Costs**

There are no capital costs associated with this report

**Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> N/A – For information only
<b>Legal Implications:</b> There are no legal implications arising from this report
<b>Equality Implications:</b> There are no equality implications.

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## Contribution to the Council's Core Purpose:

<b>Protect the most vulnerable:</b> Services provided for all vulnerable residents
<b>Facilitate confident and resilient communities:</b> Services contribute to confident and resilient communities by removing refuse and recycling on a regular and planned basis.
<b>Commission, broker and provide core services:</b> Refuse and recycling collections constitute 'core' services.
<b>Place – leadership and influencer:</b> Not Applicable
<b>Drivers of change and reform:</b> Not Applicable
<b>Facilitate sustainable economic prosperity:</b> Not Applicable
<b>Greater income for social investment:</b> Not Applicable
<b>Cleaner Greener:</b> Cleansing Services assist in promoting and delivering cleaner, greener spaces for residents, businesses and visitors.

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

### (A) Internal Consultations

The Head of Corporate Resources (FD 5279/18) and Head of Regulation and Compliance (LD 4503/18) have been consulted and have no comments on the report.

### (B) External Consultations

Not Applicable

## Implementation Date for the Decision

Immediately following the Committee / Council meeting.

Contact Officer:	Gary Berwick
Telephone Number:	0151 288 6143
Email Address:	<a href="mailto:gary.berwick@sefton.gov.uk">gary.berwick@sefton.gov.uk</a>

## Appendices:

There are no appendices to this report

## Background Papers:

There are no background papers available for inspection.

## **Introduction/Background**

1. The waste collection operation within the Council's Cleansing Services Section effectively consists of four strands:
  - Waste which cannot be recycled (collected via black sack or grey wheeled bin)
  - Waste which can be recycled (collected via hessian sack or brown wheeled bin)
  - Food waste (collected via a green caddy and compostable liner system)
  - Green 'Garden' Waste (collected via green wheeled bin)
2. In April 2014, Cabinet agreed to change the method of green waste collection, introducing a three weekly (predominantly) Monday collection. Cabinet also agreed that there would be no charge for this service. Households were able to have a second or even a third bin if they generated large amounts of green waste. However, a delivery and administration charge of £35 per bin was applicable.
3. In November 2015 Cabinet agreed to insource the previous externalised dry recycling and food waste service. The aim was to 'streamline' the existing collection operation by using the grey, brown and green wheeled bins as the main source of collection systems for the majority of households in Sefton. Small variations continue to exist in terraced properties that use plastic sacks for waste collections and hessian sacks for recycling collections. In addition, the frequency of food waste collections was amended from weekly to fortnightly, but compostable liners were provided free of charge for all residents and households utilising this service.
4. The insourcing of the contract for dry recycling involved a TUPE (Transfer of Undertakings (Protection of Employment)) process, and approximately 50 staff transferred to the in-house operation. As a result of this decision the Council would undertake to deliver all dry recyclable material to the Merseyside Waste & Recycling Authority (MRWA) Materials Recycling Facility (MRF) at Gillmoss, Liverpool, and be a fully-fledged comingled Council in line with neighbouring Liverpool City Region Councils.

## **Current Position**

5. It is now just over two years since the dry recycling service was brought in-house, and a number of interesting outcomes have become apparent since the service was changed to fully comingled operation on 1<sup>st</sup> August 2016.
6. The anticipated extra tonnages of recycled materials have not materialised and recycling performance across the Council has actually reduced since last year's update by 2% (from 40% in 2016/ 2017) and the figure now stands at 38%. However, evidence from MRWA shows that all other Liverpool City Region Councils have actually achieved lower recycling rates in 2017, and Sefton still leads the way, although with a much lower recycling rate than was expected. Following discussion with a number of parties such as WRAP (Waste, Resources Action Group) the MRWA (Merseyside Recycling & Waste Authority) and RWM (Waste Resources Management), it is felt that the decision to leave the EU and the existing directive of

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a compulsory 50% recycling level of every Council by 2020 has been affected by the 'Brexit' decision, effectively Councils squeezed by reduced budgets and coupled with the subsequent confirmation by the Government that waste and recycling policy would only be considered and developed following the UK leaving the EU in 2019, recycling has slipped in the agenda of priorities.

7. MRWA, however, and the City Region Councils are about to organise a City Region wide strategy called " Recycle Right", targeting areas of poor recycling rates and contamination, in an effort re-engage the residents of the City Region into recycling and re-use.
8. The tonnage of collected food waste has reduced from approximately 2,700 tonnes in 2016 per annum to around 1,250 tonnes in the last financial year, despite the availability of free compostable caddy liners and a free additional food waste storage bin if requested. It is felt that more people are choosing to dispose of food waste via the residual waste stream, which somewhat mirrors the lack of increase in dry recycling rates over the last year. The recent hot weather of this summer will also have impacted on collection rates again despite the free issue of caddy liners / sacks.
9. The Green (garden) waste service has continued its upward growth since the last report with the collected tonnage at 19,900 tonnes in the financial year 2017 / 2018. There was an initial drop of some 3,000 tonnes per year when the service was changed to a three weekly cycle from a fortnightly cycle in April 2014. The Council's Green (garden) waste service is still free at source and this 'free' service is a major driver in increasing tonnages and yields.
10. Just three City Region Councils now provide a 'free' garden (green bin) waste service, namely Knowsley, Liverpool and Sefton, with the others, Wirral and St Helens & Halton, charging for green waste collection varying from £32 per household/bin (St Helens) to £42 per annum (Wirral). St Helens being the latest Council to charge for garden waste collections.
11. The total of household waste collected in 2017/2018 increased over the previous twelve months by approximately 900 tonnes. In 2017/18 the service collected just over 65,000 tonnes of household waste which was not sent for recycling or re-use or composting in total, the main explanation for this increase is the growth in house building which in the last year amount to over 1,000 additional properties to be serviced / collected by the refuse crews.

## **Current Issues within Refuse, Recycling and Green Waste Services**

12. In 2014/15 one of the saving proposals for Cleansing Services saw the removal of the provision of clear plastic sacks to residents/households in the 'sack collection areas'. A 'clear-all' policy was introduced whereby all refuse presented in these areas was removed and residents provided their own sacks/plastic bags to present the refuse. It was envisaged that as well as providing a financial saving, this policy would assist with the growing problem of fly tipping in these areas, and also rubbish being presented as 'side waste' in containers or bags not suitable for collection.
13. All of the above has led to a poor or worsening visual amenity in certain areas, with the perception of residents, Members and businesses being that large piles of



unsightly rubbish are left prior to collection, and in some cases are added to with materials that cannot be collected, such as furniture, flat contents, etc.

14. As a result of feedback received a 'new' agreed procedure is to be trialled in the terraced properties from September, whereby crews will sticker all excessive presentation of bags for inspection by officers within Cleansing and followed up by colleagues in enforcement, with a view to fixed penalties notices and in extreme cases resorting to the courts for action against continuous offenders
15. Green (garden) waste collections have proved to be extremely popular and currently some 99.9% of all collections are undertaken on a Mondays, including public holidays. To accommodate this dedicated Monday recycling operation, collections are now undertaken between the hours of 06.30am and 8.30pm in the night. This later operation has proved very popular with residents who are notified of the later collection, this operation is continually reviewed with a view to the additional 0.1% of properties currently collected on a Tuesday being brought into line with Monday collections.
16. The growth in recent years in new-build (see paragraph 11 above) and converted housing stock has also placed considerable strain upon existing resources within Cleansing Services. Since 2014 some 3,500 additional properties have required refuse collection services. By 2021 it is expected that some 7,000 additional houses/properties will have been built/developed within the Borough. The refuse collection service, and to a lesser extent the street cleansing service, is having at present to 'absorb' these large increases in properties built or planned to be built, the latest total property count in the Borough is 127,050 some 3,000 above the 2014 level for which no additional funding has been received by Cleansing, be it for refuse / recycling / green waste collections or street cleansing.
17. These increases in housing stock amounts to effectively a new collection vehicle and crew being required as each collection crew collects on average 4,000 properties per week. The cost of a vehicle and crew amounts to approximately £200k per year. The flexibility built into the last major review of operations in 2014 has been completely absorbed by existing new build, especially in Formby, Maghull (some 1,600 are planed here alone) and Southport, where the current collection arrangements are under particular pressure, resulting in some collections being delayed until the subsequent day.

## **Additional Information relating to Refuse Collection / Recycling / Green (Garden) Waste Collections and Food Waste Collections**

18. There are currently some 127,000 properties that receive a waste collection service across the Borough every week, either a grey wheeled bin, a brown wheeled bin, or a sack collection. In addition, each Monday another 33,000 properties receive a 'free' green waste collection. Therefore, in effect, there are 160,000 collections each week. This equates to over 8 million collections over the course of the year.
19. The Council receives approximately 11,000 contacts per year relating to refuse collections. These figures also include collection issues during the Christmas & New Year period which are invariably subject to disruption or change of some sort. The number of 'on time' refuse / recycling / green waste collections is 99.98% of all scheduled collections, and Sefton has one of the highest % of scheduled

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collections, but this figure is under pressure from the 'new builds' outlined above in paragraphs 11, 16 17 & 18 above.

20. However, even with this apparent large number of contacts relating to potential missed or delayed collections, the refuse collection service still undertakes some 99.98% of all collections as per the schedules on the Council website. This is a particularly impressive operation when viewed across the industry as a whole and based on current APSE (Association of Public Service Excellence) data Sefton has the best performing service across the Merseyside region.
21. Sefton also is also best placed (as stated by APSE) amongst its City Region neighbours in terms of collection cost per household and numbers of households collected by each refuse crew. The APSE cost of collection within Metropolitan Councils is £55.94 whilst the Sefton cost is less than £42.00. In addition, the Metropolitan Council average for properties collected per crew is 1,097 per day per crew, whilst in Sefton is its 1,168 per day per crew.
22. The 0.02% of the complaints regarding potentially missed refuse and recycling collections is mainly due to the on-going issue of access into narrow or roads with parked cars. The issue of parked cars and cars which transgress the 'normal' parking arrangements (e.g. parking on the crown of roads denying refuse vehicles the turning circle to gain access into roads) is becoming a major issue of concern for the cleansing operation. The operation has only two smaller vehicles whose primary function is to deal with these specific types of issues. However, the two vehicles are at maximum capacity and are also not as cost effective in terms of cost per household / per crew.
23. Working alongside a number of elected members, surveys have been undertaken in certain 'problem' areas and additional measures have been taken in conjunction with the Council's Highways Section in order to assist with the collection process. These have included extending existing yellow lines around the corners of smaller or narrower roads, as well as reviewing and amending parking restrictions during the day. This process also benefits other agencies which require access in such areas, such as the emergency services. Letters are also delivered to specific households or areas when repeated problems occur, requesting understanding and support from local residents in ensuring that access is maintained on collection days for the good of the whole area.
24. The Cleansing Services refuse collection operation employs some 100 frontline staff across a variety of collection rounds and collection systems. Each crew has a designated driver and two operatives, and as such, each crew is responsible for collecting from an average of 4,000 properties per week. Staff commence work at 6:30am and finish at 4:00pm (operatives) and 5:00pm (drivers).
25. When account is taken of the necessary rest and meal breaks for the collection staff during the day, coupled with the 'down time' when the vehicle is travelling to and from the tip, over 4,000 collections are taking place every working hour across the Borough. This equates to some 70 collections every minute or 5 collections every 4 seconds!
26. Sefton generates the highest tonnage of green (garden) waste arisings sent for composting across the region. In 2017 just short of some 20,000 tonnes of garden waste was sent for composting into soil fertilizers. This compares with Liverpool

who generate on a fortnightly collection operation (and whilst still free) some 12,000 tonnes and Wirral (who charge £42 per annum) some 13,000 tonnes.

## **Summary**

27. In the years 2010 to date any reduction in budget across the service has effectively been found via efficiencies alone as the Council is still required to collect refuse or empty bins from every property across the Borough. As such, no services have ceased, but the service still operates with a much-reduced budget. This arrangement obviously cannot continue ad infinitum, especially when compounded by the increasing pace of new-build houses, the development of properties across the Borough, the ever worsening access issues into some roads caused by parked cars, and the general demands upon the refuse and recycling operation.
28. A range of new initiatives have been developed in recent years to mitigate the budgetary reductions. These include zonal arrangements, extended working week, reducing green collections to three weekly, vehicle and route optimisation and varying shift patterns. However, the cleansing refuse and recycling operation is at a critical stage in maintaining the required level of service against the backdrop of real time reducing budgetary provision. Work is currently being undertaken to assess the likely future impact of expanding service requirements, and further details, including financial and operational requirements going forward, will be presented for further debate in due course.
29. Locality Services (Cleansing) will continue to seek ways to maximise its existing expenditure and will continue, wherever possible, to increase efficiencies across the Refuse Collection Service. As such, the service always welcomes any observations, comments and suggestions from any interested party, parties or stakeholders.

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# Agenda Item 6

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	18 September 2018
<b>Subject:</b>	Update on Recommendations as outlined in the Peer Review Working Group Final Report March 2017.		
<b>Report of:</b>	Ian Willman, Service Manager – Locality South	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Communities and Housing		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

The purpose of this report is to update Members of the Overview and Scrutiny Committee on progress to achieving the recommendations outlined in the Peer Review Working Group report of March 2017.

## Recommendation(s):

(1) That Members of the Overview and Scrutiny Committee note the progress made in achieving the recommendations contained within the report of March 2017.

## Reasons for the Recommendation(s):

Members of Overview and Scrutiny Committee requested an update regarding the implementation and recommendations of the report of March 2017.

**Alternative Options Considered and Rejected:** Not Applicable.

## That 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.

**(B) Capital Costs** – There are no financial implications arising for the Council as a direct result of this report.

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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>  There are no equality implications.

## Contribution to the Council's Core Purpose:

<b>Protect the most vulnerable:</b>  The findings and recommendations of the Peer Review Working Group have assisted in protecting not only the most vulnerable but all who live, work and visit Sefton and the surrounding Liverpool City Region area.
<b>Facilitate confident and resilient communities:</b>  Sefton Council promotes a Multi-Agency approach to engaging with its communities in order that individuals are confident in how to report instances of concern and to ensure that our vibrant communities continue to thrive.
<b>Commission, broker and provide core services:</b> Not applicable.
<b>Place – leadership and influencer:</b>  The recommendations contained within the report promotes the 2030 Vision in ensuring that, as far as possible, Sefton Council with its Partners provides and environment that is a safe place to live, work and visit.
<b>Drivers of change and reform:</b>  The partnership approach to tackling serious and organised crime in Sefton is regarded as a positive approach and the recommendations have improved the way in which the partnership approaches and tackles this issue.
<b>Facilitate sustainable economic prosperity:</b> Not applicable.
<b>Greater income for social investment:</b> Not applicable.
<b>Cleaner Greener:</b> Not applicable.

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

### (A) Internal Consultations

The Head of Corporate Resources (FD 5244/18) and Head of Regulation and Compliance (LD 4468/18) 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 Overview and Scrutiny Regeneration and Skills meeting.

<b>Contact Officer:</b>	<b>Ian Willman</b>
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### **Appendices:**

The following appendices are attached to this report:

### **OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION & SKILLS), PEER REVIEW WORKING GROUP FINAL REPORT, MARCH 2017.**

### **Background Papers:**

There are no background papers available for inspection.

## **1. Introduction/Background**

**1.1** At its meeting held on 4 July 2017 the Overview and Scrutiny Committee (Regeneration and Skills) reviewed the final report of the Peer Review working group and made recommendations to improve service delivery.

The table below shows the progress made against each recommendation.

<b>Recommendation</b>	<b>Response</b>
That tribute be extended to all those Partnership Members who play a vital role in ensuring that Sefton is a safe community to live, work and visit	The final report was circulated to all partners and the outcomes and recommendations were discussed and an implementation plan was developed.
That the MARSOC be requested to investigate the merits and feasibility of a secure and sophisticated Information Sharing System/Programme to be shared/used by key Officers in the Partnership	Due to the complexities of Information and Communications Technology across the Partnership this proved difficult to achieve, however, through a reviewed and robust information sharing agreement requests for information are shared swiftly and securely in line with General Data Protection Regulations. Regular

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	Partnership meetings continue with all contributing partners.
That the MARSOC be requested to approach Further Education establishments to investigate the feasibility of developing a course specifically aimed at targeting a cohort of young offenders.	Since the report was finalised several young people associated with Targeted Youth Support and Youth Offending Services have completed a Digital Advantage course. The young people involved reported improved confidence and improved skills. The partnership is continuing to source alternatives and is working with Merseyside Police regarding Operation Hagrid. This is an alternative course over 45 weeks (one day a week) in construction to improve confidence, skills and to be ready for work.
That the MARSOC be requested to develop a pathway leading to the signposting of services for those individuals with a desire to change their behaviour and depart from being involved with SOC (Using Partnership funds were available to invest in programmes for young people who are vulnerable or at risk to becoming adopted into SOC. For example, business training, Modern Technology Training or Mentoring)	<p>The Partnership has invested in some alternatives as mentioned above, however, it recognises there is a need to develop an approach in line with regional and national best practice. Discussions are on-going regarding how this can be delivered in Sefton.</p> <p>The Partnership has developed an innovative and proactive approach to Criminal Exploitation. This has resulted in a regional child exploitation pathway and referral mechanism being developed and implemented.</p> <p>The Partnership has continued to invest in early intervention and prevention programmes such as the Get Away and Get Safe (GANGS) project and Child Criminal Exploitation Advocates. Several awareness campaigns have been undertaken and various presentations to professionals across the borough and beyond.</p> <p>The Partnership have invested in several proactive projects with Merseyside Police.</p>
That the MARSOC be requested to speak with schools across Sefton about how the data they hold on every child can be shared between schools when the child is departing from one to another in order that schools can be alerted to	There is a mechanism in place via the Education Welfare offer which ensures all relevant information is shared between schools and the necessary community contacts in line with General Data Protection Regulations.



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<p>SOC or vulnerability in the community</p>	<p>There are representatives from the Education sector who are members of the Partnership and are members of related sub-groups.</p>
<p>That the Youth Prevention Team and Youth Offenders Team receive, where possible support and/or funding to improve, introduce and promote the 'Neglect Strategy' which will further support the prevention of young adults accessing SOC while also helping young people prepare to become young adults</p>	<p>As part of the Councils early intervention and prevention approach a pilot Adverse Child Experiences (ACE's) project has been implemented. As part of a workforce development strategy 4 practitioners have been trained in the ACE's recovery tool kit to move forward with the initial pilot for Sefton. The Toolkit provides an evidenced based assessment of the impact of childhood trauma. These can include emotional abuse, sexual abuse, criminal exploitation, physical abuse and emotional neglect.</p>
<p>That the Council submit this report with feedback from success stories to the Government department and Minister to request increased funding from central Government for this borough so that there is not a decrease in some of the highest quality serious and organised crime prevention work in the UK</p>	<p>We have contributed to several calls for evidence from Central Government via the Partnership. We have outlined the positive peer review undertaken in Sefton and the outcomes of the Overview and Scrutiny review. We have championed our proactive and effective partnership approach to tackling serious and organised crime in Sefton. This has resulted in the Partnership being approached by other areas and local authorities to examine our approaches and to learn from us.</p>

## **2.0 Recommendation**

(1) That Members of the Overview and Scrutiny Committee note the progress made in achieving the recommendations contained within the report of March 2017.

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# Agenda Item 7

<b>Report to:</b>	Overview and Scrutiny Committee (Adult Social Care and Health)	<b>Date of Meeting:</b>	4 September 2018
	Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)		11 September 2018
	Overview and Scrutiny Committee (Regeneration and Skills)		18 September 2018
	Overview and Scrutiny Committee (Children's Services and Safeguarding)		25 September 2018
<b>Subject:</b>	Effectiveness of Local Authority Overview and Scrutiny Committees – Government Response to DCLG Select Committee Report		
<b>Report of:</b>	Head of Regulation and Compliance	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Adult Social Care Children, Schools and Safeguarding Communities and Housing Health and Wellbeing Locality Services Planning and Building Control Regeneration and Skills 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 advise Members on 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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## Recommendation:

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.

## Reasons for the Recommendation(s):

To make Overview and Scrutiny Committees aware of current issues affecting local authority scrutiny functions.

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

No alternative options have been considered.

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

There are no direct financial implications arising from this information report. Any financial implications arising from the implementation of updated Government guidance regarding the scrutiny function will be set out in future reports 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.
Facilitate confident and resilient communities: None directly applicable to this report
Commission, broker and provide core services: None directly applicable to this report.
Place – leadership and influencer: None directly applicable to this report.

Drivers of change and reform: None directly applicable to this report.
Facilitate sustainable economic prosperity: None directly applicable to this report.
Greater income for social investment: None directly applicable to this report.
Cleaner Greener: None directly applicable to this report.

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

### (A) Internal Consultations

The Head of Corporate Resources (FD 5215/18) has been consulted and notes the report indicates no direct financial implications arising for the Council. The Head of Regulation and Compliance (LD4439 /18) has been consulted and has no comments on the report.

### (B) External Consultations

Not applicable

## Implementation Date for the Decision

Immediately following the Committee meeting.

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## Appendices:

The following appendices are attached to this report:

- First Report of Session 2017–19 Effectiveness of local authority overview and scrutiny committees
- Government Response to the Communities and Local Government Committee First Report of Session 2017-19 on the Effectiveness of Local Authority Overview and Scrutiny Committees

## Background Papers:

There are no background papers available for inspection.

### 1. Introduction/Background

- 1.1 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.

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1.2 The CLG Committee had noted that overview and scrutiny arrangements were introduced by the Local Government Act in 2000 as a counterweight to increasing decision-making powers of Leaders and Cabinets or directly elected mayors; and had made reference to shortcomings that had been exposed, following a number of high profile cases, including child sexual exploitation in Rotherham, poor care and high mortality rates at Mid Staffordshire NHS Foundation Trust and governance failings in Tower Hamlets.

1.3 Clive Betts MP, Chair of the CLG Committee, said:

“This inquiry is long overdue. Local authority executives have more powers than ever before but there has not been any review about how effectively the current overview and scrutiny arrangements are working since they were introduced in 2000.

Local authorities have a considerable degree of discretion when it comes to overview and scrutiny. We will examine these arrangements and consider what changes may be needed to ensure decision-makers in councils and local services are better held to account.”

## 2. Publication of the CLG Report

2.1 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 is attached as **Appendix 1**.

2.2 The proposed revisions to Government guidance on Overview and Scrutiny Committees contained in the report were as follows:-

- That overview and scrutiny committees should report to an authority’s Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.
- That Scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.
- That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.
- That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.
- That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils
- That overview and scrutiny committees should be given full
- access to all financial and performance information, and have the right to call witnesses, not just from their local authorities, but from other public

bodies and private council contractors. They should be able to follow and investigate the spending of the public pound.

- That the DCLG works with the Local Government Association and the Centre for Public Scrutiny to identify councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered.

### 3. Government Response to the CLG Report

3.1 The Government's response to the CLG report was published on 12 March 2018; and the 8 CLG recommendations and accompanying Government responses are set out below in paragraphs 3.2 to 3.9. A full copy of the Government response is attached to the report as **Appendix 2**.

#### 3.2 Recommendation 1:

Proposed revisions to Government guidance on scrutiny committees  
(Note: this recommendation was in five parts (a) to (e) and the individual recommendation and Government response are set out consecutively)

##### **Government Response:**

The Government acknowledges that the current guidance was issued in 2006 and is happy to ensure it is updated. New guidance will be published later this year.

a) That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.

##### **Government Response:**

a) The Government notes the evidence supplied to the Committee. Updated guidance will recommend that scrutiny committees report to the Full Council.

b) That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.

##### **Government Response:**

b) The Government accepts the need to limit the executive's involvement in the scrutiny meetings. Updated guidance will make clear that members of the executive should not participate in scrutiny other than as witnesses.

c) That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.

##### **Government Response:**

c) Scrutiny committees already have powers to access documents and updated guidance will stress that councils should judge each request to access sensitive documents on its merits and not refuse as a matter of course. We will also have discussions with the sector to get a better understanding of the issues some scrutiny committees appear to have in accessing information and whether there are any steps the Government could take to alleviate this.

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d) That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.

**Government Response:**

d) Updated guidance will make clear that support officers should be able to operate independently and provide impartial advice. It will also stress the need for councils to recognise and value the scrutiny function and the ways in which it can increase a council's effectiveness. However, the Government believes that each council should decide for itself how to resource scrutiny committees, including how much access to senior officers is appropriate to enable them to function effectively.

e) That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.

**Government Response:**

e) The Government fully believes that local authorities should take account of the views of the public and service users in order to shape and improve their services. Scrutiny is a vital part of this, and scrutiny committees should actively encourage public participation. Updated guidance will make this clear.

3.3

**Recommendation 2:**

That DCLG works with the Local Government Association and Centre for Public Scrutiny to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered.

**Government Response:**

The Government will give further consideration to this recommendation.

The Government fully accepts that the chair of a scrutiny committee can have a great impact on its effectiveness. As the then Minister told the Select Committee at the oral evidence session on 6 November 2017, a chair needs to have the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve.

The Government also accepts that, in some instances, the election, rather than the appointment, of a chair might help ensure that the right individual is ultimately selected, but feels that this is a decision for every council to make for itself - we note that the Select Committee is "wary of proposing that [election] is imposed upon authorities by Government".

A local authority is already free to elect a chair if it wishes, and the updated guidance will recommend that every council bears this in mind when deciding on a method for selecting a chair.

The Government is happy to explore with the sector how best to establish the



impact of elected chairs on scrutiny committees' effectiveness, but is not yet convinced that running pilot schemes is the best way to achieve this. The Government will therefore discuss this recommendation with the sector, including the Local Government Association and Centre for Public Scrutiny, and write to the Select Committee on this matter when we publish updated guidance.

## 3.4 **Recommendation 3:**

Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator.

### **Government Response:**

The Government does not accept this recommendation.

Many councils do not have dedicated scrutiny support staff - officers work on issues and engage with committees as part of the flow of business - so this would make quantifying the support that scrutiny committees receive very difficult. In the Government's view, the quality of the support is the more important issue.

The Government firmly believes that each individual authority is best-placed to decide for itself how to support scrutiny most effectively.

## 3.5 **Recommendation 4:**

That the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them.

### **Government Response:**

The Government does not accept this recommendation.

As the then Minister outlined during the oral evidence he gave to the Select Committee, decisions about the allocation of resources for the scrutiny function are best made at a local level. Each council is best-placed to know which arrangements will suit its own individual circumstances. It is not a case of one size fits all.

The key requirement for effective scrutiny is that the culture of the council is right. Where councils recognise the benefits effective scrutiny can bring, and put in place suitable arrangements, it is working well. Local authorities with a strong culture of scrutiny may invite regular reports to full council on the state of scrutiny in the council and this idea will be reflected in the updated guidance.

## 3.6 **Recommendation 5:**

The Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the Local Government Association and on the wider effectiveness of local authority scrutiny committees.

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## **Government Response:**

The Government does not accept this recommendation.

Local authorities are independent bodies and it is for them to ensure that their scrutiny arrangements are effective.

The Government firmly believes that every council should be able to access the training it needs to carry out its functions effectively, and recognises that Government itself has a role to play in making this happen. That is why we provide funding to the Local Government Association for sector-led improvement work. It should be noted that this funding is to support local authorities on a wide range of improvement work. It is not purely to assist with overview and scrutiny.

The funding is determined annually and for 2017/18 is £21 million. The package of work that is funded from the grant is set out in a jointly agreed Memorandum of Understanding between the Department and the Local Government Association, which is refreshed annually to ensure that it remains relevant to the sector's needs.

The Government is, of course, very keen to ensure that this funding provides value for money and that local authorities feel that the training on offer serves their needs. To this end, the Department has quarterly performance monitoring and review meetings with the Local Government Association, which are chaired by the Director-General for Local Government and Public Services.

The Government notes that not all the councillors who provided evidence to the Select Committee felt that the scrutiny training provided was as effective as they would have liked, and that the Local Government Association wrote to the Committee on 20 December 2017 to provide more information on the feedback it received on its support work.

The Government will ensure that the 2018/19 Memorandum of Understanding with the Local Government Association clearly sets out our expectation that they remain responsive to feedback they receive to ensure all training, including scrutiny training, remains relevant and effective.

3.7

## **Recommendation 6:**

Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens

## **Government Response:**

Updated guidance will remind councils of the requirements set out in regulations that allow scrutiny members to access exempt or confidential documents in certain circumstances. As mentioned in response to the Select Committee's recommendation on guidance, the Department will also have discussions with the sector to get a better understanding of the issues some scrutiny committees appear to have in accessing information and whether there are any steps the Government could take to alleviate this.

In terms of service providers' attendance at meetings, when councils are tendering contracts with external bodies they should carefully consider including requirements to ensure they are as open and transparent as appropriate. Ultimately, however, it is up to each council to decide how best to hold to account those who run its services.

## 3.8 **Recommendation 7:**

The Government to make clear how LEPs are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required.

### **Government Response:**

The Government agrees on the importance of clear and transparent oversight of Local Enterprise Partnerships (LEPs). The Industrial Strategy made clear the continuing important role of LEPs in delivering local economic growth.

The MHCLG Non-Executive Director Review (published in October 2017), looked at a range of governance issues for LEPs. The Review made a series of recommendations that we have accepted in full and are now implementing. As part of this we have published guidance for LEPs on a range of issues including publication of agenda and papers for LEP Board meetings. This will make the proceedings of LEPs more transparent for local people.

The National Assurance Framework for LEPs states that democratic accountability for the decisions made by the LEP is provided through local authority leader membership of LEP Boards. In places where not all local authorities are represented directly on the LEP board it is important that their representatives have been given a mandate through arrangements which enable collective engagement with all local authority leaders. Many LEPs already go much further in allowing democratic scrutiny of their decision making.

The MHCLG Non-Executive Director Review into LEP governance and transparency explored the extent to which scrutiny was embedded into LEP decision making. The review acknowledged that each LEP had their own arrangements to reflect: legal structure, the complexity and needs of the locality and local requirements to ensure value for money; engagement; and democratic accountability. The Review concluded that it was not appropriate to be prescriptive on the specific arrangements that all LEPs needed to adopt due to the variation in LEP operating models.

The Government committed in the Industrial Strategy White Paper to reviewing the roles and responsibilities of LEPs and to bringing forward reforms to leadership, governance, accountability, financial reporting and geographical boundaries. Working with LEPs, the Government committed to set out a more clearly defined set of activities and objectives in early 2018. MHCLG will write to the Select Committee following the conclusion of this Ministerial review into LEPs to provide an update.

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## 3.9 **Recommendation 8:**

We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals

and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.

### **Government Response:**

The Government accepts this recommendation.

At the Budget it was announced that the government will make available to mayoral combined authorities with elected mayors a £12 million fund for 2018-19 and 2019-20, to boost the new mayors' capacity and resources. Combined Authorities could use some of this resource to ensure that scrutiny and accountability arrangements within the CAs are effectively resourced and supported.

Further to this, the recent Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, developed with assistance from the Centre for Public Scrutiny and the National Audit Office, provides for the rules of operation for local overview and scrutiny and audit committees to robustly hold combined authorities and mayors to account. The order ensures that there are strong scrutiny arrangements in place consistently across every combined authority area and sets out clear requirements, strengthened appropriately to match the new powers and budgets being devolved, for the arrangement of overview and scrutiny and audit committees in all combined authorities.

Combined authorities are subject to existing relevant legislation applying to local authorities, including the strong finance and audit requirements around ensuring value for money and sustainability. Local democratic accountability, including through the scrutiny of directly-elected mayors, is a crucial and fundamental aspect of devolution.

## **4. Centre for Public Scrutiny Involvement**

It has been established from a recent County/Unitary Scrutiny Network meeting involving Ed Hammond at Centre for Public Scrutiny (CfPS), that CfPS are 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 will 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.



House of Commons  
Communities and Local  
Government Committee

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**Effectiveness of local  
authority overview and  
scrutiny committees**

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**First Report of Session 2017–19**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons to be printed  
11 December 2017*

**HC 369**

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# Agenda Item 7

## Communities and Local Government Committee

The Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government.

### Current membership

[Mr Clive Betts MP](#) (*Labour, Sheffield South East*) (Chair)

[Mike Amesbury MP](#) (*Labour, Weaver Vale*)

[Bob Blackman MP](#) (*Conservative, Harrow East*)

[Helen Hayes MP](#) (*Labour, Dulwich and West Norwood*)

[Kevin Hollinrake MP](#) (*Conservative, Thirsk and Malton*)

[Andrew Lewer MP](#) (*Conservative, Northampton South*)

[Fiona Onasanya MP](#) (*Labour, Peterborough*)

[Mr Mark Prisk MP](#) (*Conservative, Hertford and Stortford*)

[Mary Robinson MP](#) (*Conservative, Cheadle*)

[Liz Twist MP](#) (*Labour, Blaydon*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

Committee reports are published on the Committee's website at [www.parliament.uk/clg](http://www.parliament.uk/clg) and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

### Committee staff

The current staff of the Committee are Edward Beale (Clerk), Jenny Burch (Second Clerk), Craig Bowdery, Tamsin Maddock, Nick Taylor (Committee Specialists), Tony Catinella (Senior Committee Assistant), Eldon Gallagher (Committee Support Assistant), Gary Calder and Oliver Florence (Media Officers).

### Contacts

All correspondence should be addressed to the Clerk of the Communities and Local Government Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 4972; the Committee's email address is [clgcom@parliament.uk](mailto:clgcom@parliament.uk).

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## Summary

Overview and scrutiny committees were introduced by the Local Government Act 2000 and were tasked with acting as a counterweight to the increased centralised power of the new executive arrangements. Whilst some authorities were not covered by the changes brought in by the Act, the Leader and Cabinet system is the predominant model of governance in English local authorities. However, since the Localism Act 2011, councils have had the option of reverting to the committee system of governance. Some authorities that have chosen to do so have expressed dissatisfaction with the new executive arrangements, including concern at the limited effectiveness of scrutiny. Noting these concerns, and that there has not been a comprehensive assessment of how scrutiny committees operate, we decided to conduct this inquiry. The terms of reference placed an emphasis on considering factors such as the ability of committees to hold decision-makers to account, the impact of party politics on scrutiny, resourcing of committees and the ability of council scrutiny committees to have oversight of services delivered by external organisations.

We have found that the most significant factor in determining whether or not scrutiny committees are effective is the organisational culture of a particular council. Having a positive culture where it is universally recognised that scrutiny can play a productive part in the decision-making process is vital and such an approach is common in all of the examples of effective scrutiny that we identified. Senior councillors from both the administration and the opposition, and senior council officers, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. When this does not happen and individuals seek to marginalise scrutiny, there is a risk of damaging the council's reputation, and missing opportunities to use scrutiny to improve service outcomes. In extreme cases, ineffective scrutiny can contribute to severe service failures.

Our inquiry has identified a number of ways that establishing a positive culture can be made easier. For example, in many authorities, there is no parity of esteem between the executive and scrutiny functions, with a common perception among both members and officers being that the former is more important than the latter. We argue that this relationship should be more balanced and that in order to do so, scrutiny should have a greater independence from the executive. One way that this can be achieved is to change the lines of accountability, with scrutiny committees reporting to Full Council meetings, rather than the executive. We also consider how scrutiny committee chairs might have greater independence in order to dispel any suggestion that they are influenced by partisan motivations. Whilst we believe that there are many effective and impartial scrutiny chairs working across the country, we are concerned that how chairs are appointed can have the potential to contribute to lessening the independence and legitimacy of the scrutiny process.

Organisational culture also impacts upon another important aspect of effective scrutiny: access of committees to the information they need to carry out their work. We heard about committees submitting Freedom of Information requests to their own authorities and of officers seeking to withhold information to blunt scrutiny's effectiveness. We believe that there is no justification for such practices, that doing so is in conflict with the

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principles of democratic accountability, and only serves to prevent scrutiny committees from contributing to service improvement. We have particular concerns regarding the overzealous classification of information as being commercially sensitive.

We also considered the provision of staff support to committees. Whilst ensuring that sufficient resources are in place is of course important, we note that if there is a culture within the council of directors not valuing scrutiny, then focussing on staff numbers will not have an impact. We are concerned that in too many authorities, supporting the executive is the over-riding priority, despite the fact that in a time of limited resources, scrutiny's role is more important than ever. We also consider the skills needed to support scrutiny committees, and note that many officers combine their support of scrutiny with other functions such as clerking committees or executive support. It is apparent that there are many officers working in scrutiny that have the required skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. Decisions relating to the resourcing of scrutiny often reflect the profile that the function has within an authority. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated lead scrutiny officer to promote scrutiny across the organisation. We have found that the statutory scrutiny officer role has proven to be largely ineffective as the profile of the role does not remotely reflect the importance of other local authority statutory roles. We believe that the statutory scrutiny officer position needs to be significantly strengthened and should be a requirement for all authorities.

We believe that scrutiny committees are ideally placed and have a democratic mandate to review any public services in their area. However, we have found that there can sometimes be a conflict between commercial and democratic interests, with commercial providers not always recognising that they have entered into a contract with a democratic organisation with a necessity for public oversight. We believe that scrutiny's powers in this area need to be strengthened to at least match the powers it has to scrutinise local health bodies. We also call on councils to consider at what point to involve scrutiny when it is conducting a major procurement exercise. It is imperative that council executives involve scrutiny at a time when contracts are still being developed, so that all parties understand that the service will still have democratic oversight despite being delivered by a commercial entity. We also heard about the public oversight of Local Economic Partnerships (LEPs), and have significant concerns that public scrutiny of LEPs seems to be the exception rather than rule. Therefore, we recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees.

We recognise that the mayoral combined authorities are in their infancy, but given the significance of organisational culture in effective scrutiny, it is important that we included them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny in combined authorities. Mayors are responsible for delivering services and improvements for millions of residents, but oversight of their performance is currently hindered by limited resources. We therefore call on the Government to ensure that funding is available for this purpose. We also argue that when agreeing further

devolution deals and creating executive mayors, the Government must make it clear that scrutiny is a fundamental part of any deal and must be adequately resourced and supported.

## Introduction

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1. This inquiry was initially launched in January 2017 by our predecessor committee. However, the dissolution of Parliament and the General Election prevented any oral evidence sessions from taking place. Following the Committee's reconstitution, we considered carefully which issues we should initially pursue in our work and how best we could build on the work of our predecessors. It was clear to us from the level of interest and concern expressed in the evidence received that the effectiveness of overview and scrutiny committees in local authorities was something that we should investigate as an immediate priority. We therefore relaunched the inquiry in September 2017 and undertook to take account of the wealth of written evidence provided by councils, officers, members and stakeholders prior to the election.

2. We are extremely grateful to everyone who contributed to our inquiry. Scrutiny varies significantly across the country, and the level of interest in the inquiry has enabled us to hear from a wide range of authorities and form a representative picture of local authority scrutiny in England. To assist us in forming this picture, and to ensure we spoke with as many authorities as possible, we supplemented our oral evidence sessions with a less formal workshop event in October 2017. Our workshop was attended by over 45 councillors and officers working in scrutiny across the country and we thank them all for their attendance and contributions.

3. This report will consider why scrutiny is important and what the role of scrutiny committees should be in local authorities. We do not believe that certain models should be imposed on councils, but we do believe that there should be an organisational culture that welcomes constructive challenge and has a common recognition of the value of scrutiny, both in terms of policy development and oversight of services. In order to achieve this, we believe that scrutiny committees must be independent and able to form their own conclusions based on robust and reliable data, and that decision-makers should not seek to obstruct their role by withholding information. We also consider the role of the public in local scrutiny, both in terms of their participation in committees' work and in how scrutiny committees can represent their interests to service providers, even when those providers are external commercial organisations. The final chapter of this report considers the role of scrutiny in the recently created mayoral combined authorities in an attempt to help these organisations to establish positive working practices as early as possible. Throughout this report we call on the Government to revise the guidance on scrutiny that it issues local authorities. For clarity, the specific points that we believe should be covered by such a revision are listed below.

## Proposed revisions to Government guidance on scrutiny committees

- That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.
- That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.
- That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.
- That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.
- That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.

## 1 The role of scrutiny

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4. Before considering whether scrutiny committees are working effectively, it is important to consider what their role is and what effective scrutiny looks like. Local authorities are currently facing a number of challenges and competing demands, from an ageing population to budget shortfalls to promoting local growth in an often-hostile economic environment. It is therefore imperative that all expenditure is considered carefully and its impact is measured. However, measuring the impact of overview and scrutiny committees can be a significant challenge. Whilst identifying ‘good’ scrutiny is not always possible, the consequences of ineffectual scrutiny can be extreme and very apparent.

5. The Francis Report<sup>1</sup> was published in 2013 following failings at the Mid Staffordshire NHS Trust. Whilst the failings were not attributed to local committees, the report was critical of local authority health scrutiny, highlighting a lack of understanding and grip on local healthcare issues by the members, little real interrogation and an over-willingness to accept explanations. Similarly, the Casey Report<sup>2</sup> in 2015 on Rotherham Council cited particular failings in Rotherham’s approach to scrutiny, noting that “Inspectors saw regular reports to the Cabinet and Scrutiny committees, but not the effective challenge we would expect from elected Members.”<sup>3</sup> The report also found that scrutiny had been undermined by an organisational culture that did not value scrutiny and that committees were not able to access the information they needed to hold the executive to account. Mid Staffordshire and Rotherham are two of the most high-profile failures of overview and scrutiny committees, but the issues raised in the two reports can easily occur in other local authorities, and we consider some of them in this report.

6. Overview and scrutiny committees were created by the Local Government Act 2000 and were designed to off-set increased centralised power established by the new executive arrangements. The Act replaced the committee system whereby decisions were made either by meetings of the full council or in cross-party committees which managed council services. For proponents of the committee system, one of its strengths was that all members had an active role in decision-making. However, as Professor Colin Copus from De Montfort University told us, it was “an illusion of power. If you put your hands up at the end of a meeting you feel, “I am powerful. I am making something happen”. I am sure I am not giving any trade secrets away, but most of those decisions are made two nights before in the majority party group meetings.”<sup>4</sup> With the exception of councils with a population under 85,000, the 2000 Act created a requirement for authorities to establish an executive of a leader, or elected mayor, and cabinet members.<sup>5</sup> Mirroring the relationship between Parliament and government, the Act also required the non-executive members of councils to scrutinise the executive by creating at least one overview and scrutiny committee.

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1 Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, [HC947](#), February 2013

2 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015

3 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015 p65

4 Q38

5 There was also initially an option for Mayor and council manager executive, but this was later repealed. Smaller authorities were able to retain the committee system, as long as there was at least one overview and scrutiny committee. The Localism Act 2011 extended this option to all authorities, but the requirement of a designated scrutiny committee was removed.

However, beyond some statutory requirements (for example designating committees to scrutinise health bodies, crime and disorder strategies, and flood risk management), how councils deliver scrutiny is a matter of local discretion.

7. Some councils have multiple committees that broadly align with departmental functions, while others have fewer formal committees but make greater use of time-limited task and finish groups. Similarly, as the Centre for Public Scrutiny (CfPS) identifies, different councils use different labels for their scrutiny work, including “select committees, policy development committees, or a number of other names. The use of different terminology can prove confusing [but] This is probably a good thing—it reflects the fact that scrutiny has a different role in different places, which reflects local need rather than arbitrary national standards”.<sup>6</sup> Throughout this report references to ‘scrutiny’ and ‘scrutiny committees’ mean all committees and work associated with the overview and scrutiny committees required by the Local Government Act 2000.

8. Whilst acknowledging that scrutiny fulfils different roles in different areas, we believe that at its best, scrutiny holds executives to account, monitors decisions affecting local residents and contributes to the formation of policy. We therefore support CfPS’s four principles of good scrutiny, in that it:

- Provides a constructive “critical friend” challenge;
- Amplifies the voices and concerns of the public;
- Is led by independent people who take responsibility for their role;
- Drives improvement in public services.<sup>7</sup>

9. We believe that as well as reacting to decisions and proposals from local decision makers, effective scrutiny can also be proactive and help to set a policy agenda. For example, Birmingham City Council’s Education and Vulnerable Children Overview and Scrutiny Committee carried out a review of the council’s work to tackle child sexual exploitation. As a result of the Committee’s work, the executive responded and addressed the issues raised:

The committee heard much harrowing evidence but produced a hard hitting report containing 19 strong recommendations. As a result of the report extra resources were allocated to the team co-ordinating CSE on behalf of the city. The council also undertook to strengthen its approach to safeguarding children by reviewing its statement of licensing and being more pro-active in using its executive powers of “the protection of children from harm”.<sup>8</sup>

10. Pre-decision scrutiny is also a vital part of a committee’s role. By commenting on and contributing to a decision before it has been made, scrutiny committees are able to offer executives the benefit of their ability to focus on an issue in greater depth over a longer period of time. For example, the London Borough of Merton’s Children and Young People Overview and Scrutiny Panel considered a site proposal for a new secondary school. As a

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6 Centre for Public Scrutiny ([OSG098](#)) para 6

7 Centre for Public Scrutiny ([OSG098](#)) para 38

8 Birmingham City Council ([OSG087](#)) part 3

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result of its work, the Panel was “able to provide a detailed reference to Cabinet focusing on how to optimise use of the selected site and mitigate any negative impact”, helping the Cabinet to make a more informed and considered decision.<sup>9</sup>

11. The role of scrutiny has evolved since its inception. The 2000 Act empowers committees to review decisions made by the executive and to make reports and recommendations for the executive’s consideration. In the seventeen years since, the way in which scrutiny committees perform their function has understandably changed. One such way has been an increase in scrutiny of external bodies, most notably health bodies. Councils have delivered services through increasingly varied partnership arrangements - including contracting to private companies, creating arms-length bodies or working with other public bodies - and scrutiny has responded by adjusting how it scrutinises the issues that matter to local residents. The Department for Communities and Local Government (DCLG) highlights that “To support local councils adopting good practice, the Department for Communities and Local Government issues statutory guidance, to which councils must have regard when developing their localist scrutiny arrangements.”<sup>10</sup> This guidance was last issued in 2006<sup>11</sup> and predates several legislative changes as well as changes to ways of working such as an increasing focus on external scrutiny and public participation (both discussed later in this report). When we asked Marcus Jones MP, Minister for Local Government, about the guidance, he told us:

It has been some time since we looked at the guidance on scrutiny ... The initial evidence that you have taken indicates that in many places scrutiny is working well, but there are also instances in which overview and scrutiny committees could improve. It is therefore important that once we see the outcome of this Committee in the report that you provide, I take those recommendations very seriously. If there are areas where it is sensible and pertinent to update the guidance, we will certainly consider that.<sup>12</sup>

12. We welcome the Minister’s willingness to consider our recommendations carefully. We believe that there are many instances across the country where scrutiny committees are operating effectively and acting as a voice for their communities, however there remains room for improvement for too many and we believe that updated guidance from the Department is long overdue. ***We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny’s evolving role.***

13. Throughout our investigations, we heard about a range of positive examples of effective scrutiny, some of which we have referenced in this report. ***We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach.***

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9 London Borough of Merton ([OSG037](#)) page 12

10 Department for Communities and Local Government ([OSG122](#)) para 5

11 Department for Communities and Local Government, [New council constitutions: guidance to English Authorities](#) (May 2006)

12 Q111



## 2 Party politics and organisational culture

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### Organisational culture

14. As discussed above, councils across the country deliver scrutiny in a wide range of different ways. We are of the view that whichever model of scrutiny a council adopts it is far less important than the culture of an organisation. Council leaders, both politicians and officials, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. Jacqui McKinlay from the CfPS explained to us:

If you have buy-in to scrutiny at the top of the organisation—that is the leader, the cabinet and the chief executive—it tends to follow that scrutiny is resourced ... However, if you do not get buy-in to a scrutiny approach—that openness and transparency and the willingness to be questioned, seeing the value of scrutiny—it tends to follow that it is not resourced as well and you do not get that parity of esteem ... If your leadership is closed to that sort of challenge, it does not just affect scrutiny; it affects a lot of how the organisation is run.<sup>13</sup>

15. The Minister for Local Government echoed this view when he told us:

I think that where scrutiny is done properly in local authorities that have the right culture, and where scrutiny is taken seriously, it can perform an excellent function in relation to how the executive works by holding them to account and putting them in a position where they probably make decisions that are more in the interests of the people they represent and local residents than they otherwise might be.<sup>14</sup>

16. All of the examples of effective scrutiny that we have heard about have in common an organisational culture whereby the inherent value of the scrutiny process is recognised and supported. Senior councillors and officers that seek to side-line scrutiny can therefore miss out on the positive contributions that scrutiny is capable of, and put at risk a vital assurance framework for service delivery. The Nottingham City Council Overview and Scrutiny Committee explains that:

there can be a perception that overview and scrutiny is an ‘add on’ rather than an integral part of the organisation’s governance arrangements... [with the executive arrangements] there can be a tendency for council officers to feel that they are primarily accountable to one councillor which risks overlooking the important role of other councillors, including those engaged in scrutiny activities, within the decision making structure. As a result the function is not always afforded the prominence it deserves and opportunities to make the most of its potential can be missed.<sup>15</sup>

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13 Q15

14 Q109

15 Nottingham City Council Overview and Scrutiny Committee ([OSG024](#)) para 1.3

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## The relationship between scrutiny and the executive

17. We are concerned that the relationship between scrutiny and the executive has a tendency to become too unbalanced. With decision-making powers centralised in the executive, scrutiny can be seen as the less-important branch of a council's structure. Professor Copus highlighted that there is no parity of esteem in the eyes of many councillors:

One of the things I have noted in all of the work I have done on scrutiny since 2002 is I have only ever once come across a councillor who said, "If you offered me a place in the cabinet, I would reject it. I want to stay a chair of scrutiny". I am sure there are more than the one I have met, but that is an indication.<sup>16</sup>

18. Professor Copus argued that this imbalance in esteem is also reflected in council officers:

I found many officers will know the council leader's name and the name of the portfolio-holder for their particular area of interest, but they might not know the scrutiny chairperson's name. Once you start to see that, you see the whole thing begin to crumble.<sup>17</sup>

19. If neither councillors or officers explicitly recognise the importance of the scrutiny function, then it cannot be effective. Part of the challenge lies in identifying what effective scrutiny actually looks like, as discussed earlier in this report, as councils are more likely to allocate diminishing resources to functions where there can be a quantifiable impact. **However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham.**

20. Council leaderships have a responsibility to foster an environment that welcomes constructive challenge and debate. However, opposition parties also have a key role to play in creating a positive organisational culture. We agree with the Minister who told us that:

At the end of the day, if an opposition takes a reasonable view on these things and treats the executive with respect, but challenges them when challenge is necessary, rather than just for the sake of challenge, I think you can get to a situation where you have—not much of an agreement politically, probably, but there could be mutual respect. That would serve the scrutiny function well.<sup>18</sup>

## The role of Full Council

21. Parliamentary select committees have a well-established independence from the executive in that they do not report to the Government, but to the House of Commons as a whole. In contrast, it is less clear where local authority scrutiny committees report to, with most reporting to the executive that they are charged with scrutinising. The Institute

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16 Q4  
17 Q15  
18 Q137

of Local Government Studies (INLOGOV) at the University of Birmingham argues that it should be made clear in guidance that scrutiny reports and belongs to Full Council, not the executive:

As of now, most scrutiny committees report to the Executive—with only some inviting the scrutiny chair and members who have written a report to present it. A few present reports to the full council. When they do so, this has the opportunity to create a relevant and interesting debate on a matter of local concern which has been investigated in depth by a group of councillors. Such a debate enables other councillors to see what scrutiny has done, and to add their own experiences. Councils should be required to have Reports from scrutiny on all council agendas.<sup>19</sup>

22. Cllr Mary Evans told us that she welcomed the suggestion that scrutiny should be accountable to Full Council.<sup>20</sup> We also heard from Cllr John Cotton from Birmingham City Council, whose scrutiny committees do report to Full Council. He told us that:

speaking from Birmingham’s perspective, due to the fact that everything reports through to full council we have been able to preserve some of that independence of approach, but from the conversations I have been having that certainly needs to be echoed in other authorities.<sup>21</sup>

***23. To reflect scrutiny’s independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months.***

## The impact of party politics

24. Scrutiny committees must have an independent voice and be able to make evidence-based conclusions while avoiding political point-scoring. In order to do this, they need to be sufficiently resourced, have access to information (both discussed in greater detail below) and operate in an apolitical, impartial way. Committees of local councillors will always be aware of party politics, but sometimes this can have too great an influence and act as a barrier to effective scrutiny. Jacqui McKinlay from the CfPS told us that “We often say that local government scrutiny is a perfect system until you add politics to it. In our last survey, 75% of people say that party politics affects scrutiny.”<sup>22</sup> Professor Copus also recognised the party-political dynamic to scrutiny when he described to us:

members from opposing political parties, one seeing their role as using scrutiny to attack the executive and the other seeing it as a forum in which to defend the executive. If that is the interaction, you are not going to get executive accountability ... In terms of a lot of the issues that are problematic for overview and scrutiny, the interplay of party politics is often at the

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19 Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

20 Q68

21 Q68

22 Q12

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heart of it. I will quite often hear councillors, even from majority groups, admitting that one of the reasons scrutiny is not as effective as it can be is because of the relationship between the opposing groups.<sup>23</sup>

25. The Local Government Act 2000, and the guidance issued by DCLG, specifies that members of a council's executive cannot also be members of overview and scrutiny committees. A Private Members' Bill in 2009<sup>24</sup> made provisions to allow executive members to sit on committees during scrutiny of external bodies (on the basis that in such instances, it was not the executive that was being scrutinised). The Bill did not pass through the House of Commons, and we are wary of any such attempts to dilute the distinction between executive and scrutiny functions. We heard of instances at the workshop of executive councillors effectively chairing scrutiny committee meetings where the NHS was under scrutiny, and are concerned by such practices. **We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive.**

## Committee chairing arrangements

26. Political impartiality can also be encouraged through the process for appointing chairs of committees. Overview and scrutiny committees are required to have a membership that reflects the political balance of a local authority, but there are a range of different approaches for appointing the chairs and vice chairs of committees. Many authorities specify that committee chairs must come from opposition parties, others allocate chair positions proportionally among the parties on the council and others reserve all committee chair positions for the majority party. The Centre for Public Scrutiny states that:

Legally, the Chairing and membership of overview and scrutiny committees is a matter for a council's Annual General Meeting in May. Practically, Chairing in particular is entirely at the discretion of the majority party. Majority parties can, if they wish, reserve all committee chairships (and vicechairships) to themselves ... the practice of reserving all positions of responsibility to the majority party is something which usually happens by default, and can harm perceptions of scrutiny's credibility and impartiality.<sup>25</sup>

27. Chairs from a majority party that are effectively appointed by their executive are just as capable at delivering impartial and effective scrutiny as an opposition councillor, but we have concerns that sometimes chairs can be chosen so as to cause as little disruption as possible for their Leaders. **It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage.**

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23 Q12

24 [Local Authorities \(Overview and Scrutiny\) Bill 2009–10](#)

25 [Centre for Public Scrutiny \(OSG098\)](#) paras 130–132

28. Cllr Mary Evans, chair of the scrutiny committee at Suffolk County Council, told us of her efforts to keep party politics out of scrutiny as a chair from a party with a sizeable majority: “We do it by involving the membership of the scrutiny committee at every point of an inquiry ... we had a workshop just after our elections in May to look at what our forward work programme would be. The membership together has picked the programme.”<sup>26</sup> When asked whether the size of her party’s majority made this easier, Cllr Evans explained that “When I first chaired scrutiny, in 2015, we had a majority of only one. I wanted to work across the committee. I did not have the luxury of a large majority ... We try to be as open and transparent as scrutiny should be, so the membership is engaged and involved in every aspect of the inquiry.”<sup>27</sup> Cllr John Cotton, lead scrutiny member at Birmingham City Council, is also a scrutiny chair from a majority party and he told us that whilst it is important to acknowledge the role of party politics, scrutiny works best when non-partisan:

In terms of the discharge of the scrutiny function, certainly we proceed on a very non-partisan basis. All of our full scrutiny reports go to full council. I can only recall one occasion in the last 15 years where we have had a minority report because there has been a partisan division. Frequently those reports are moved by the chair and seconded by a member from an opposition party. You then have collective ownership of those recommendations, because they are taken by full council. The scrutiny process draws its strength from the fact that we have those inputs from members across the piece ... There is a little bit of grit in the system, if you like, which comes from the party-political roots of members, which you do not want to remove entirely.<sup>28</sup>

29. Cllr Sean Fitzsimons, chair of the Scrutiny and Overview Committee at Croydon Council, echoed this view when he told us that as a chair from a majority party that made critical recommendations of his executive “you have to go along with it if you believe that scrutiny is a function of the backbenches and that you have to put aside your party loyalties in the short term.”<sup>29</sup> However, Cllr Fitzsimons argued that scrutiny is at risk of becoming more partisan and that the process for choosing a chair needed consideration:

My worry is that, as people have drifted away, over time, from what the original aspect of overview and scrutiny was, party politics have played a greater role. If I was looking at this issue, I would look at the political culture of each political party. In the Labour group, under the standing orders of the national party, [scrutiny chairs are] not appointed by the leadership of the Labour group, so I am independent of my leader, so I have a little bit of leeway. My two best chairs that I ever had from the opposition group were so good at scrutiny that they were sacked by their political leader when he was in power. Within the Conservative group, chairs of scrutiny can be appointed effectively by the leader of the council or by the cabinet, and I do think the political cultures of the parties really influence it.<sup>30</sup>

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26 Q65

27 Q66

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30 Q66

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30. **We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety.** We note, for example, the views of the Erewash Labour Group:

The Scrutiny Committee in this Authority protects the Executive rather than holding them to account. If they are ever held to account it is within the privacy of their own Political Group Meetings which are not open to the public. Most of the important decisions are first made in the Group Meetings ... The opposition have made some very sensible suggestions during Scrutiny debates only to be told “We have already decided this.” Cabinet Members may not attend Scrutiny Meeting unless by the invitation of the Chair. This rule was brought in to stop Cabinet Members exerting any undue pressure on members by their presence. Now they simply exert pressure in other ways such as by the choice of member selection and also the selection of the chair.<sup>31</sup>

31. It is clear to us that scrutiny chairs must be seen to be independently minded and take full account of the evidence considered by the committee. We note the evidence from the Minister who outlined the Government’s prescription that chairs of scrutiny in the new mayoral combined authorities must be from a different political party to the executive mayor in order to encourage effective challenge.<sup>32</sup> Similarly Newcastle City Council where all scrutiny chairs are opposition party members, states that:

This has taken place under administrations of different parties and we believe that it adds to the clout, effectiveness and independence of the scrutiny process; it gives opposition parties a formally-recognised role in the decision-making process of the authority as a whole, more effective access to officers, and arguably better uses their skills and expertise for the benefit of the council.<sup>33</sup>

32. In 2010, recommendations from the Reform of the House of Commons Committee’s report ‘Rebuilding the House’<sup>34</sup> were implemented to change the way Parliament worked. One such recommendation was the introduction of elections for select committee chairs by a secret ballot of all MPs. In 2015, the Institute for Government published an assessment of parliamentary select committees and their impact in the 2010–15 Parliament. The report found that electing chairs had helped select committees to grow in stature and be more effective:

Every chair we spoke to told us that, since the introduction of elections for committee chairs, they had felt greater confidence and legitimacy in undertaking committee work because they knew they had the support of their peers rather than pure political patronage.<sup>35</sup>

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31 Erewash Labour Group ([OSG013](#)) page 1

32 Q131

33 Newcastle City Council ([OSG015](#)) para 10

34 Reform of the House of Commons Select Committee, First Report of Session 2008–09, [Rebuilding the House](#), HC1117

35 Institute for Government, [Select Committees under Scrutiny: The impact of parliamentary committee inquiries on government](#) (June 2015), page 34

33. The positive impact of elected chairs for parliamentary committees has led some to suggest that local authority scrutiny chairs should also be elected by their peers. Under such a system scrutiny chairs, regardless of whether they come from the majority party or the opposition, are more likely to have the requisite skills and enthusiasm for scrutiny by virtue of the election process. Electing chairs would also dispel the notion that being appointed scrutiny chair is a consolation prize for members not appointed to the cabinet. The CfPS argue that:

such a process would encourage those seeking nomination and election as chairs to set out clearly how they would carry out their role; it would also mean that they would be held to account by their peers on their ability to do so. The legitimacy and credibility that would come from this election could also embolden chairs to act more independently<sup>36</sup>

34. When we asked the Minister about the prospect of electing scrutiny chairs, he was concerned that doing so could actually increase political pressures, but stated that “The important thing is that we have the right person chairing a scrutiny committee with the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve.”<sup>37</sup>

**35. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government. We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny’s effectiveness can be monitored and its merits considered.**

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36 Centre for Public Scrutiny ([OSG098](#)) para 133

37 Q138

## 3 Accessing information

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36. Fostering the positive organisational culture discussed in the previous chapter can also determine another important aspect of effective scrutiny: access to information. When we asked Jacqui McKinlay whether scrutiny committees are able to access the information they need, she told us that:

The very determined ones can. I met one last week that had put an FOI request in to its own organisation in order to get the information. You should not have to do that, but there are ways there. There needs to be persuasion and influence in order to say, “This is an issue around flooding”, or whatever it might be, “that is really important”.<sup>38</sup>

37. **Scrutiny committees that are seeking information should never need to be ‘determined’ to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive.** For example a submission from a spouse of a scrutiny chair argues that it can seem to not be in council officers’ interests to divulge information freely:

There is an element of ‘silosism’ within the Authority whereby Directors or Heads of Service do not release, explain or otherwise divulge their operational objectives, strategies or tactics for fear of being challenged. This makes it almost impossible to scrutinise, for after all how can one scrutinise what you don’t know? There is also a reluctance by officers to divulge operational (in)efficiencies in case it shows that there is an excess of staff ratios for particular tasks. It leads to obfuscation of such measures in order to protect their fiefdom.<sup>39</sup>

38. Similarly, the Minister told us of the example of an authority to which he used to belong and how culture can affect councillors’ ability to scrutinise:

When I was in opposition on the district authority of which I was a member, the controlling group at the time had this unfortunate situation where they used to bring out their budget at the budget-setting council in March. They used to bring it out through the cabinet at 4 o’clock. That mini-meeting used to finish at 5 and then we used to go straight into the full council at 6 to approve the budget. Where you have that type of culture, even if you have resource and access to information, you are not going to get the outcomes that are in people’s best interests.<sup>40</sup>

39. Professor Copus highlighted to us another challenge for scrutiny committees seeking to understand an issue:

I often think, “If someone is willing to give you something you have just asked for, what are they hiding? Why are they being overly enthusiastic?” It is because it is not causing them any problems. The information that

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38 Q31

39 Anonymous submission ([OSG006](#))

40 Q119



scrutiny really needs is the stuff that people are a little bit more reluctant to hand over, whether that is the council itself or an external body. I hear quite often ... of councillors using FOIs against their own council for the want of any other way. It is a sign of an immense frustration among members that they have to do that.<sup>41</sup>

## Commercial confidentiality

40. A particular challenge for councillors wishing to access information in order to scrutinise an issue is related to commercial confidentiality. Jacqui McKinlay told us that “Every councillor I meet will talk about the barrier of commercial confidentiality. They will talk about, “We cannot give that information” and a lack of transparency.”<sup>42</sup> Local authorities are required by statute to publish all information relating to decisions taken and service delivery, however there are certain categories of information that they can withhold. For example information relating to an individual’s circumstances is considered exempt, as is information relating to the financial or business affairs of any particular person - including the authority holding that information. As a consequence, many councils argue that publicly releasing specific details of a contract or a procurement framework such as cost or the details of rival bidders for a contract are withheld on the basis that such information is commercially sensitive and exempt from the access to information rules. Professor Copus told us that:

Commercial confidentiality is always another cloak behind which people who do not want to provide information can hide. There is a need for a much tighter definition of what is acceptable as an exemption for commercial confidentiality. It is not just not wanting to tell somebody what they have asked you. There needs to be a much tighter definition for scrutiny purposes.<sup>43</sup>

41. Whilst we acknowledge that it is not always in the public interest for local authorities to publish all information and make it available to the public, we cannot see a justification for withholding such information from councillors. Councillors have regular access to exempt or confidential information, often distinguished on agendas by use of different colour paper. As Cllr Marianne Overton told us, “Councils are used to dealing with confidential information, and we recognise if it is on pink paper it is confidential. There is no question about it. There should not be any problem with sharing information with elected members. We are already under rules.”<sup>44</sup> **Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority.**

42. Legislation dictates what information should and should not be released to councillors. Regulations in 2012<sup>45</sup> clarified the position and granted additional access rights to members of overview and scrutiny committees. The Regulations state that

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41 Q32

42 Q30

43 Q32

44 Q32

45 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 ([SI2089](#))

scrutiny members can access any confidential material if they can demonstrate a ‘need to know’ in that it relates to any action or decision that that member is reviewing or scrutinising, or on any subject included on a scrutiny work programme. **We do not believe that there should be any restrictions on scrutiny members’ access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees’ ability to identify issues that might warrant further investigation in future, and reinforces scrutiny’s subservience to the executive. Current legislation effectively requires scrutiny councillors to establish that they have a ‘need to know’ in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.**

## Getting data from multiple sources and external advisors

43. Council officers are the primary source of information for many committees, however if they do not present the full picture, then those committees can get very limited assurances about the service they are scrutinising. Whilst scrutiny should be able have access to whatever information it needs, this also serves to emphasise the importance of scrutiny committees seeking to use data from multiple sources and challenge that which they are told. Professor Copus described to us how effective scrutiny should operate:

In some councils ... they are too reliant on officers and too reliant on a single source of advice. In too many councils the flexibility that scrutiny has over the committee system is not used ... sometimes, when you examine scrutiny agendas and scrutiny reports, and observe scrutiny meetings, what you see is a committee, and a one-off event that leads to not very much. In other councils, those that have really supported and understood scrutiny, you get a process ... Where you get scrutiny viewed as not a single event but a process, then the outcomes are much more effective, and there is a greater access to a wider range. What scrutiny should be doing is not taking one source of evidence and going, “That is from the officers. Great. That is okay. We agree the recommendations”. They should be looking at conflicting evidence. There is always conflicting evidence with big policy issues. They need to sift that evidence.<sup>46</sup>

44. Cllr Marianne Overton, Leader of the Independent Group of the LGA, agreed that effective committees seek to triangulate data to build a fuller picture: “That is part of what scrutiny is about ... one of the issues about scrutiny is that the whole point is that you can call all kinds of different witnesses ... You are not just sitting, looking at the papers that you have been fed.”<sup>47</sup> We are concerned that too many committees are overly reliant upon the testimonies of council officers, and that they do not make wider use of external witnesses. Very few councils have the resources to provide independent support to both the executive and scrutiny, and in light of the uneven balance between the two functions discussed earlier, most resources are prioritised upon the executive. This means that officers working in a service department are supporting executive members to develop and implement decisions, and the same officers are then supporting scrutiny committees as

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46 Q28

47 Q28

they seek to understand the impact of decisions and performance of departments. Whilst departmental officers may be able to distinguish the two roles and cater their support accordingly, we are concerned that too few councils are hearing alternative perspectives. However, we acknowledge that councils are operating on reduced budgets and that making use of specialist advisors can come at too high a cost for many committees. The LGA explains that:

Employing specialist external advice as part of oversight and scrutiny arrangements is not common ... Where councils do bring in external experts, it is because specific knowledge and skills are needed that are not available in house. Procuring specialist advice comes at a cost and, given the pressures on council budgets, not all committees have funding available to increase their standard staffing compliment, commission professional advice, secure external witnesses or even refresh recruitment of co-optees.<sup>48</sup>

45. We are disappointed that committees do not make greater use of expert witnesses. At the informal workshop event hosted by the Committee, we spoke with councillors and officers on their use of experts such as local academics. One attendee told us that it could sometimes be possible to engage a local academic at the start of an inquiry to help members understand an issue, but it was seldom possible to sustain this engagement throughout the life of an inquiry. ***We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.***

### Service users' perspective and public experiences

46. While recognising the constraints that committees operate under, we believe that it is possible to bring in a wider range of perspectives for limited expenditure, and that the benefits of doing so are significant. We note, for example, the case study presented by the LGA of Brighton & Hove City Council's scrutiny panel on equality for the transgender community:

The panel's review was underpinned by an effective and sensitive engagement strategy enabling the views of a hard to reach community to inform recommendations for action. The panel worked in partnership with the Council's Communities team, the city's LGBT Health Improvement Partnership, and a local charity which supported transgender people, co-opting experts to help better inform the process, and directly engaging through community events and specially designed workshops. A significant amount of time was devoted to the consultation process which was pivotal in helping to build up trust. The Panel's findings were well received by the transgender community and partners, with all 37 recommendations adopted by the Cabinet.<sup>49</sup>

47. Bringing in the perspectives of service users undoubtedly leads to more effective scrutiny, both in developing policy such as the example from Brighton & Hove and in monitoring services. Officers from the London Borough of Hackney described an example of effective scrutiny in their monitoring of services for disabled children in the borough.

48 Local Government Association ([OSG081](#)) paras 10.1–10.3

49 Local Government Association ([OSG081](#)) paras 13.8 – 13.10

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Rather than only using the testimony of the council officers delivering the service, “A major part of the evidence base for this review was the views of parents and carers of disabled children, as well as disabled children and young people themselves about the services they receive and the barriers they face in accessing current services.”<sup>50</sup> **We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users.**

## 4 Resources

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### Reducing council budgets

48. Local government has experienced significant reductions in funding in recent years, leading many authorities to choose to reduce their scrutiny budgets. Whilst understandable in the context of wider reductions, it is regrettable that the resources allocated to scrutiny have decreased so much. The Centre for Public Scrutiny (CfPS) explains that:

There are now significantly fewer “dedicated” scrutiny officers employed by English councils. In 2015 this dropped below one full time equivalent officer post providing policy support to scrutiny per council. In many councils, there might be only 0.2 or 0.3 FTE to carry out this role—or nothing at all. (We would describe a “dedicated” scrutiny officer as one whose sole duties involve providing policy advice to scrutiny councillors.)<sup>51</sup>

49. Cllr John Cotton from Birmingham City Council also described a significant reduction in resources in recent years:

if I look at staffing for scrutiny in Birmingham, if we go back to 2010–11, we had 19.4 full-time equivalent staff. We are now working with 8.2, so there has clearly been a substantial reduction and we have seen a similar reduction in the number of committees and so forth ... it does come back to this issue that, if you value something, you have to invest in it.<sup>52</sup>

50. Birmingham City Council explain that this reduction in resources has matched a reduction in the amount of scrutiny carried out:

Birmingham has had five standing O&S Committees for the last two years, whereas there were on average ten committees in the ten years prior to that. Whilst this is line with the reduction in council budgets overall, it should be noted that the main impacts are the negative effect on the breadth and depth of work that can be covered by each committee, plus the reduced capacity to research, reach out to external partners and to residents and service users—and so to “act as a voice for local service users”.<sup>53</sup>

### Officer support models and required skill sets

51. The CfPS also note that increasingly the officers providing day to day support to scrutiny committees are those whose role is combined with wider democratic services functions or with a corporate policy or strategy role.<sup>54</sup> Whilst those working in combined roles are able to provide effective support to scrutiny, there is a significant risk that non-scrutiny functions can take precedence. For example, democratic services officers supporting scrutiny must balance effective guidance, research and advice with the immediate time pressures and statutory deadlines of agenda publication and meeting administration. In such roles there is a risk that scrutiny is relegated to an ‘add-on’ that is only done once

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51 Centre for Public Scrutiny ([OSG098](#)) para 100

52 Q46

53 Birmingham City Council ([OSG087](#)) page 6

54 Centre for Public Scrutiny ([OSG098](#)) paras 101–105

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all other tasks are complete. Several officers attending our workshop expressed this view, with one officer explaining that she worked full time but her time was split with a wider corporate policy role and she estimated that no more than a quarter of her time was spent working on scrutiny matters. The ability of council officers to effectively support scrutiny can often depend entirely upon the personalities and enthusiasm of those officers. For example, when we asked Cllr Mary Evans from Suffolk County Council whether she felt that she had sufficient officer support, she told us: “I would say, “Yes, but”. Yes, we are adequately resourced, but it depends upon the fact that we have two extremely dedicated and experienced scrutiny officers who are working at full stretch.”<sup>55</sup>

52. We heard evidence that the skill sets of officers is just as important as the number of officers allocated to support scrutiny. Professor Copus for example told us that when considering whether an authority’s scrutiny function is effective, he asks:

Is the scrutiny function well supported by officers and by the right sort of officers? I used to be a committee clerk, so I am not decrying that grand profession, but scrutiny committees need access to policy officers; they need access to people who can manipulate statistics, for example. They need the right sort of support.<sup>56</sup>

53. Jacqui McKinlay also highlighted that certain skills are needed to effectively support scrutiny. She told us that:

We used to say a dedicated scrutiny officer [was the optimum approach, but] ... As long as they have the passion, dedication and commitment to the principle of scrutiny and the specialist skills to do it, I would say we should leave councils to configure how that happens. We do need to acknowledge that we do now have the internet, and the days of research and how that happens have changed. However, it is wrong to presume that councillors themselves will have the time and the capacity to do the level of research that is sometimes needed to do good scrutiny on complex issues. Fundamentally, it needs the bedrock of good scrutiny skills within the team to do that.<sup>57</sup>

54. From speaking with officers and councillors at our workshop, it is apparent that there are many officers working in scrutiny that have these skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. One councillor told us that in her authority scrutiny officers had become little more than diary clerks, with reports and data now coming from the service departments across the council, which were invariably overly optimistic about performance and unchallenging of the status quo.

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55 Q45

56 Q4

57 Q23

## Scrutiny's profile and parity with the executive

55. Whilst we regret that the level of resources allocated to scrutiny has diminished, we believe that the bigger issue relates to our earlier conclusions on organisational culture. In this respect, we agree with Cllr Sean Fitzsimons from Croydon Council who told us:

Yes, it clearly does make a difference where the level of resource is, but it is too easy to put the blame on scrutiny not being at its best because we do not have the right officer or the right amount of resource in place. To me, it is clear that it is the power relationship between scrutiny, the executive and the officers. That really is the focus of where strengths and weaknesses are. You could have a very well-resourced scrutiny with officers who know their subject, but if you cannot get the chief executive or the executive director of a department to feel that you have a legitimate role, you can bang your head against the wall for as long as you like. For me, resources would come if we had that power balance right, rather than starting to look at resources first.<sup>58</sup>

56. We are concerned that in many councils, there is no parity of esteem between scrutiny and the executive. Resources and status are disproportionately focussed around Leaders and Cabinet Members, with scrutiny too often treated as an afterthought. Professor Copus told us that:

in many councils, scrutiny lacks a parity of esteem with the executive. As a consequence, resources and focus are placed on the executive. For example, chief executives will find the time and have little problem in working directly with a council leader or with the cabinet. Expecting a chief executive then to work with the scrutiny process is always somewhat problematic. As soon as you differentiate between scrutiny and the executive with its officer base and its officer support, you start to chip away at the esteem that scrutiny has. One way around that, without expecting chief executives to work with every scrutiny committee, is to make sure that the scrutiny function has the resources to be able to produce evidence-based policy suggestions that the executive want to take on board, because they recognise scrutiny has done something they have not, which is spend three or four months looking at a particular issue in detail; cabinets cannot do that.<sup>59</sup>

57. As well as the disproportionate allocation of resources, we are also concerned that the uneven relationship between executives and scrutiny committees means that those officers supporting scrutiny can find themselves conflicted. Scrutiny officers can find themselves in the position of having to balance corporate or administration priorities with the challenge role of scrutiny, conscious that those they are scrutinising can make decisions regarding future resourcing and their personal employment prospects. Advice from officers must be impartial and free from executive influence. Cllr Fitzsimons told us that:

You have to trust your officers and you also have to understand that they will have careers outside scrutiny ... We need to make certain that they do not become part of the rock-throwing contingent, and that they are not seen

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58 Q45

59 Q15

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as part of the group of officers supporting councillors who are making life difficult. I believe officers can be impartial, but they need to network and to network strongly within the council. If you really want to know what is going on in a department, you need an officer advising you in scrutiny who has those contacts within that highways department, as well as being good with the figures and being able to produce a report. You need impartiality, but you also need great networking skills.<sup>60</sup>

58. We believe that if a local authority does not adequately resource the scrutiny function, such impartiality is harder to ensure. With officers supporting both the executive and scrutiny, there is a significant risk that real or perceived conflicts of interests can occur. For example, an officer from a London Borough explained that in her authority following reductions in scrutiny support, designated senior officers from service departments act as ‘scrutiny champions’:

The scrutiny champion’s role includes supporting the committee with finalising its work programme for the municipal year, and includes directing departmental officers to produce the scoping report for the area the Committee will undertake an ‘in-depth’ scrutiny review on in that year. As the same officers provide direct support to the executive, one can immediately see the defect in this model—officers supporting the scrutiny function are not independent of, and separate from, those being scrutinised.<sup>61</sup>

## Allocating resources

59. Councils are under extreme budgetary pressures, but we are concerned that decisions regarding the resourcing of overview and scrutiny can be politically motivated. Professor Copus told us that:

In some councils, councillors have said to me, “It is a deliberate ploy that we under-resource scrutiny so that it cannot do anything and it cannot challenge the executive. It has very little role to play.” Because of the financial constraint, supporting scrutiny is a soft and obvious target for reductions. It is a false economy, because good, effective scrutiny can save councils money, and indeed save other organisations money as well.<sup>62</sup>

60. When we asked the Minister about resourcing scrutiny committees, he told us:

What we have to consider here is that we have not got a scrutiny function that is in the pockets of the executive and the senior management team. We need a scrutiny function where those senior officers have a relationship with the scrutiny function and the people conducting the scrutiny get to see how the executive works and understand the executive, but that does not take away the fact that we need to make sure that scrutiny committees are properly resourced. That is not necessarily, in certain places, about having a

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60 Q53

61 An officer from a London Borough ([OSG091](#)) para 3

62 Q22



dedicated officer; it is more about having access to the information, support and, at times, research, to make sure that they do a good job of scrutinising the executive.<sup>63</sup>

61. **We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny’s role is more important than ever.**

*62. We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience.*

## The role of the Statutory Scrutiny Officer

63. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated scrutiny officer to promote scrutiny across the organisation. The Act does not require that the officer be of a certain seniority, or be someone that works primarily supporting scrutiny. The Institute of Local Government Studies (INLOGOV) at the University of Birmingham explains that:

The intention was to champion and embrace the role of scrutiny. In reality, in most councils, the designated post-holder, while willing, is a shadow of the other posts required by legislation—the Head of Paid Service, Section 151 Officer, and Monitoring Officer. It is seldom an officer with a level of seniority sufficient to ensure that scrutiny is taken seriously when the Executive (both cabinet members and senior council staff) seek to close ranks.<sup>64</sup>

64. We believe that the role of a statutory ‘champion’ of scrutiny is extremely important in helping to create a positive organisational culture for an authority. However, we are concerned that the creation of this role has resulted in too many instances of Statutory Scrutiny Officers fulfilling the role in name only, with little actual activity. At our workshop, councillors described to us how Statutory Scrutiny Officers were often ‘too low down the food chain’, while officers told us of the need for a higher profile for the role, arguing that officers from across the council should know who their Statutory Scrutiny Officer is in the same way they do for monitoring officers. We agree with INLOGOV that the creation of the post has “proved largely ineffective”<sup>65</sup> and believe that reform

63 Q114

64 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

65 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)), page 1

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is needed in order to achieve the aspirations of the Localism Act 2011. The Association of Democratic Services Officers (ADSO) argue that the profile of the Statutory Scrutiny Officer role should be on a par with the Statutory Monitoring Officer<sup>66</sup> and the County and Unitary Councils' Officer Overview and Scrutiny Network argue that the requirement for a Statutory Scrutiny Officer should be extended to all councils.<sup>67</sup> We note the positive example of Stevenage Borough Council choosing to fund a scrutiny officer despite not being covered by the provisions of the Act:

Some years ago this authority created a post of Scrutiny Officer and this has greatly helped with the running of an effective scrutiny function. We have prioritised this over other funding options. It is increasingly difficult to do so as this is not a statutory function at a District level, and the further funding cuts we face over the next three years place extreme pressure on existing budgets.<sup>68</sup>

***65. We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them.***

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66 Association of Democratic Services Officers ([OSG123](#)) page 7

67 Council and Unitary Councils' Officer Overview and Scrutiny Network ([OSG114](#)) para 8.1

68 Stevenage Borough Council ([OSG060](#)) page 1

## 5 Member training and skills

### The importance of training

66. Unlike the quasi-judicial council committees of planning and licensing, members of scrutiny committees are not required to have any specialist skills or knowledge. We have heard evidence suggesting that this can hinder the effectiveness of committees, and are concerned that some councillors might not take their scrutiny role as seriously as others. For example, an anonymous spouse of a scrutiny chair states that:

Whilst most Authorities have educational classes for members they are not well attended for the following reasons. Members who are in full time employment are not willing to attend in their ‘nonworking hours’; those who are long standing members think it beneath them and those who work for a political party are ‘instructed’ by the party’s position on the subject.<sup>69</sup>

67. If scrutiny members are not fully prepared and able to ask relevant questions, the committee will not be able to fully interrogate an issue and committee meetings can become little more than educational sessions for councillors to learn about a service, rather than scrutinise it. An officer from a London Borough explains that scrutiny meetings are:

typically between scrutiny members and senior officers where the temptation to ask questions to simply learn more about a subject matter is greater ... The Council’s Member Development Officer, together with Democratic Services Officers, do arrange training for scrutiny members when opportunities arise; but this has proved insufficient as members infrequently display the required level of listening and questioning skills to make scrutiny impactful. Too many discussions at meetings are based on requests for more information, without expressing why it is required or how it will facilitate good scrutiny.<sup>70</sup>

68. Jacqui McKinlay from CfPS explained that training for scrutiny members usually fell into one of two categories:

One is the generic skills element—questioning skills, and understanding data and performance management information. We then also run training, which is around children’s services, understanding health and social care integration, whatever it might be. We are getting into the nitty-gritty then to give people enough knowledge... [However,] it is about who comes forward and accesses that. The people who come forward and access that tend to come from good organisations.<sup>71</sup>

### The suitability of training provided

69. Without the legal requirement for training such as on quasi-judicial committees, councils are not able to ensure that scrutiny members have all of the skills or knowledge

69 Anonymous submission ([OSG006](#))

70 An officer from a London Borough ([OSG091](#)) para 10

71 Q30

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that they need to deliver effective scrutiny, and those that need it most are the least likely to engage. However, we also note the view of Professor Copus, who highlighted that the value of councillors is that they are lay persons:

There is a danger that we end up training councillors to be elected officers, and that has to be avoided. Officers are there to do their role. Councillors require a different type of skill and training. I am a great fan of council officers and I am not unfairly criticising them, but in many cases the training that is provided to members is what officers need members to understand, rather than what members need to understand.<sup>72</sup>

70. We agree that councillors require a different type of training from officers and that knowing a subject is not sufficient to ensure good scrutiny. The ability to question effectively, as well as actively listen to responses, is fundamental to successful scrutiny. Cllr Fitzsimons told us:

Indeed, some of the simpler questions are some of the most pertinent questions going. Someone coming in not knowing too much about a subject can almost get more from a session than someone who has drifted into data nirvana or something like that, where they are really drilling down and finding out why this figure does not match this other one.<sup>73</sup>

## The quality of training available and DCLG oversight

71. We are concerned that there is no mechanism to ascertain whether scrutiny councillors are able to fulfil their vital role or that the training they do receive is fit for purpose. We asked councillors about the training and support that they had received from the Local Government Association (LGA), and responses were mixed. Cllr Fitzsimons for example told us:

the LGA runs some really interesting courses, which I have attended. They outsource some of it to the Centre for Public Scrutiny. I am not particularly a fan of the way they do things, and their training has not really moved on for a long time. The skills training that a councillor has for a meeting about questioning-and-answering skills are good training sessions.<sup>74</sup>

72. He argued that fundamental requirements for training included more emphasis on a self-reflective approach:

I remember going to do a training session with the London Borough of Richmond in 2006, and my challenge to the councillors who were doing scrutiny was, “How much backbone do you have?” and I just do not see that within the training. Are you willing to ask difficult questions? Are you willing, in your own political group, after you have done a scrutiny meeting, to have people say to you, “You were a bit harsh on the leader”? They do not get that self-reflective type training about, “What is your role? Are you really going to hold to account?”<sup>75</sup>

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72 Q32  
73 Q59  
74 Q64  
75 Q64

73. Cllr Fitzsimons also criticised national conferences and networking events for having an insufficient emphasis on frontline scrutiny members:

You do not see ordinary councillors leading the events ... ultimately the LGA is focused on the executive and their whole setup. Scrutiny, I believe, is an add-on, and that is just a reflection of the way it works, because the people who are influential in LGA are more likely to be council leaders and cabinet members than the ordinary scrutiny people. Individual training is good, but overall I do not think it is hitting the mark.<sup>76</sup>

74. The Minister told us that the Department allocated £21 million to the LGA “so that it could support various activities to improve the governance in local authorities; and it is why we are absolutely committed to working with the LGA and its delivery partners—organisations such as the Centre for Public Scrutiny”.<sup>77</sup> DCLG states that:

The Government does not monitor the effectiveness of overview and scrutiny committees—which is a matter for the authorities themselves. However, the Secretary of State may intervene in authorities which have failed in their best value duty, as happened in 2014 in Tower Hamlets and in 2015 in Rotherham.<sup>78</sup>

75. We are concerned that DCLG gives the LGA £21 million each year to support scrutiny, but does not appear to monitor the impact of this support or whether this investment represents best value. When we questioned the Minister about his Department’s monitoring of scrutiny effectiveness and the extent to which this was delegated to the LGA, he told us that DCLG “will look very carefully at the recommendations that are made by the Committee.”<sup>79</sup>

**76. It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. *In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year’s time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees.***

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76 Q64

77 Q113

78 Department for Communities and Local Government ([OSG122](#)) para 19

79 Q125

## 6 The role of the public

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77. Earlier in this report, we discussed the need for scrutiny committees to have greater legitimacy and independence from their executives. A key way of delivering this is to ensure that members of the public and local stakeholders play a prominent role in scrutiny. By involving residents in scrutiny, the potential for a partisan approach lessens and committees are able to hear directly from those whose interests they are representing. Many local authorities have been very successful in directly involving their residents through open meetings, standing agenda items and public appeals for scrutiny topics. Other authorities, and indeed parliamentary select committees, can learn from such positive examples.

### Case studies of public engagement

78. Devon County Council argues that “Scrutiny serves as almost the only bastion of opportunity for local people to voice an opinion on changes to a wide range of services, not just those provided by the Council.” The authority also cites an example where scrutiny considered a national issue which had a local manifestation. Search and Rescue services were previously provided by RAF Chivenor, but when this changed “Local People were very concerned about the loss of the service and scrutiny reviewed the evidence in an independent way. The subsequent report helped to reassure local people that the evidence supported the change as well as to establish a baseline from which to challenge future incidents.”<sup>80</sup>

79. At its most effective, we believe that scrutiny amplifies the concerns of local residents and of service users. A positive example of this is in Exeter where the City Council established a ‘Dementia Friendly Council’ task and finish group. As part of its work, the group “invited members of the Torbay Dementia Leadership Group to visit the Customer Service Centre to observe the front line service and facilities from the point of view of a person with dementia and to see if the Council could make any improvements to the existing customer experience.” Subsequent recommendations to improve the service have since been made.<sup>81</sup>

80. At our workshop with councillors and officers, one councillor explained that she did not like the term ‘public engagement’ and instead preferred to think of it as ‘listen and learn’. This approach was evident in the example of Surrey County Council, cited by the LGA.<sup>82</sup> Surrey conducted extensive pre-decision scrutiny of the authority’s cycling strategy to help inform the final strategy. Following an independent consultation, it was apparent that there were mixed views on the proposals within the strategy and a joint meeting of two scrutiny committees was held to consider them, with a public forum to allow residents to express their views. The outcome was a better-informed and more successful strategy:

Having heard and considered the voice and concerns of the public on the Council’s proposed Cycling Strategy, the committees made recommendations to ensure the final strategy was acceptable to Surrey residents. These included: ensuring benefits for local businesses; including

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80 Devon County Council ([OSG008](#)) page 2

81 Exeter City Council ([OSG011](#)) para 7

82 Local Government Association ([OSG081](#)) paras 13.5–13.7

cycling infrastructure schemes on highways maintenance programmes; lobbying central government so that unregulated events were regulated; working with boroughs & districts to develop cycling plans; and amending the strategy to ensure roads would only be closed with strong local support.<sup>83</sup>

## Digital engagement

81. The examples above are illustrations of the value that greater public involvement can bring both to the scrutiny process and an authority's decision making process. However, we are also aware that the majority of scrutiny committees across the country are not well-attended by the public. Involving the public in scrutiny is time and resource intensive, but the rewards can be significant. In this context, it should also be noted that many members of the public do not want to engage with public services in the same way that they used to. Digital engagement is becoming increasingly important, with some councils embracing new media better than others (for example the twitter feed of Doncaster Metropolitan Borough Council recently received national attention for effective engagement regarding the naming of two gritters<sup>84</sup>). Jacqui McKinlay told us:

There are some real challenges about what public engagement looks like in the future. It is not necessarily the village hall where we are expecting people to turn up on a wet Wednesday. We need to start to accept that when we engage with people they do not necessarily always speak the same language as we do, particularly on contentious issues. People are very angry. They are very upset. In scrutiny and public services generally, we have to think about what engagement looks like in the future. We are also in a digital and social media world where the conversations now, probably in the last six months, are happening in WhatsApp. They were happening in Facebook earlier. That is something that scrutiny is really going to have to manage if it is going to stay relevant and part of the dialogue.<sup>85</sup>

**82. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practice of digital engagement to the wider sector.***

83 Local Government Association ([OSG081](#)) paras 13.5–13.7

84 "[David Plowie or Spread Mercury? Council asks public to name its new gritters](#)", The Telegraph, 17 November 2017

85 Q39

## 7 Scrutinising public services provided by external bodies

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### The conflict between commercial and democratic interests

83. We heard a lot of evidence that scrutiny committees are increasingly scrutinising external providers of council services, both in an attempt to avoid politically ‘difficult’ subjects and as a reflection that services are being delivered in increasingly diverse ways.<sup>86</sup> We believe that scrutiny committees are ideally placed, and have a democratic mandate, to review any public services in their area. However, we have heard of too many instances where committees are not able to access the information held by providers, or the council itself, for reasons of commercial sensitivity (as further discussed in Chapter 3 of this report). Jacqui McKinlay from CfPS told us that there can be an “unbelievable barrier” with commercial organisations as they “do not recognise they are contracting with a democratic organisation that has democratic governance processes.”<sup>87</sup>

84. The conflict between commercial and democratic interests means that many companies are not set up to accommodate public accountability. This is in contrast with health services, which have a more established history of engagement (backed up by legislative requirements). The London Borough of Hackney explains that:

Health scrutiny has been luckier than other areas in that the duties to attend meetings and engage with scrutiny are well established and accepted. For health scrutiny in Hackney there is an understanding that if invited to attend to be held to account on an issue, the invitation cannot be refused. Where service providers have appeared reluctant to attend scrutiny is often linked to their accountability to local government and whether their management structures are local. We have found where structures are regional or national and the organisation has very limited local accountability there can be difficulty with engagement in the local scrutiny function.<sup>88</sup>

### Scrutiny powers in relation to external organisations

85. Overview and scrutiny committees have a range of powers that enable them to conduct scrutiny of external organisations. The Health and Social Care Act 2012 gives local authorities the power to scrutinise health bodies and providers in their area or set up joint committees to do so. They can also require members or officers of local health bodies to provide information and to attend health scrutiny meetings to answer questions. Scrutiny also has powers with regard to the delivery of crime and disorder strategies, with those bodies which are delivering such strategies also being required to attend meetings and respond to committee reports. However, for all other organisations delivering public services, be they public bodies or commercial entities, their participation depends upon their willingness of both parties to do so and the ability of scrutiny committees to forge a positive working relationship. Attitudes to local scrutiny are varied, as Cllr Sean Fitzsimons from Croydon Council explained to us:

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86 See for example Q9

87 Q30

88 Overview and Scrutiny Team, London Borough of Hackney ([OSG110](#)) para 11



I would say that the smaller the organisation the better they are at coming along. The most difficult one I ever dealt with was probably the Metropolitan Police. Borough commanders do not think we have any legitimacy. Sometimes, you can see they are thinking about other things. As someone who has sat on a riot review panel, led by a judge, to get someone there was an effort. They may want to come and talk about a certain thing, but the moment you ask them anything specific it is like, "I cannot talk about it". Policing is a really difficult area, and it is actually within our remit. The fire brigade has been quite a useful organisation, and they are quite keen. The ambulance service is desperate to turn up.<sup>89</sup>

### Scrutinising council contracts

86. A significant obstacle to effective scrutiny of commercial providers is an over-zealous classification of information as being commercially sensitive (as discussed in relation to council-held information in paragraph 40). Council officers are wary of sharing the terms of contracts as they do not want to prejudice future procurements, and contractors do not always see why they should share information. As discussed earlier in this report, we can see no reason for withholding confidential information from scrutiny councillors, who can then consider it in a private session if necessary. We believe that councils and their contractors need to be better at building in democratic oversight from the outset of a contract. We note for example the views of Cllr Fitzsimons, who argued that scrutiny often gets involved in contracting situations too late:

It is only when the major recommendations can go to cabinet that you can say, "I am unhappy with that and I will bring it in." My experience, particularly in my local authority, is that the failure of the authority, at the time, to engage in scrutiny early on in the process so that we could help shape the outcomes meant that a decision had been taken by the relevant cabinet member, and really it allowed itself to drift into party political flag-waving, to say, "We are just not happy with the letting of this contract." If we had been allowed to look at it six months or a year beforehand, we may have been able to have had some influence for the betterment of the service. I have found that contractors are quite keen to talk, but what it again goes back to is how comfortable the executive is having their decisions challenged, when they may have done 18 months or two years of private work on it and they think they already have the answer.<sup>90</sup>

87. It is imperative that executives consider the role of scrutiny at a time when external contracts are still being developed, so that both parties understand that the service will still have democratic oversight, despite being delivered by a commercial entity. Scrutiny committees have a unique democratic mandate to have oversight of local services, and contracting arrangements do not change this. We therefore support the recommendations made by the scrutiny committee at Suffolk County Council, as described to us by Cllr Evans:

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89 Q77

90 Q52

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We had a task and finish group that did a lot of work on procurement and contracting, and we are asking that, in future, when the council signs any contracts, those people who are making the contract are aware that we could well expect to see them in front of scrutiny at some point. They cannot sign a contract with the authority and expect never to be put on the spot and be accountable.<sup>91</sup>

88. We heard examples where committees had successfully engaged external providers, such at Suffolk County Council where the contractors for highways and for social care come to scrutiny willingly.<sup>92</sup> However this is not always the case and such variance is an issue of concern for us. We are of the view that scrutiny committees must be able to scrutinise the services provided to residents and utilise their democratic mandate and we therefore agree with the Minister, who told us:

When councils put contracts out to external bodies, they should look at that in the context of how open and transparent those arrangements can be. That can quite often be difficult because of commercial confidentiality, but, as I say, that should not be a cover-all for everything. I think that that should be considered in the context of when a contract is let, in terms of making sure that a particular provider can be called to a scrutiny committee. However, when a particular local authority lets a contract to a particular company, I do not think it should lead to a situation where that particular local authority is able to sit back and just blame its contractor. The local authority in question should, when tendering out, put together a process over which it has a level of control that enables it to scrutinise a particular contractor and take enforcement action should that contract not be fulfilled.<sup>93</sup>

## Following the ‘council pound’

89. The CfPS highlight the difficulties that scrutiny committees can have monitoring services delivered in partnership, and notes that scrutiny has been effective when its formal powers give it a ‘foot in the door’:

We would therefore like to see these powers balanced across the whole local public service landscape. We would like to see the law changed and consolidated, to reflect the realities that local authorities now face—particularly the fact that much council business is now transacted in partnership. We would like to see an approach which uses the “council pound” as the starting point for where scrutiny may intervene—that is to say, that scrutiny would have power and responsibilities to oversee taxpayer-funded services where those services are funded, wholly or in part, by local authorities.<sup>94</sup>

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91 Q50

92 Q52

93 Q148

94 Centre for Public Scrutiny ([OSG098](#)) paras 149–151

90. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services.*

### Scrutiny of Local Economic Partnerships

91. We are also extremely concerned at the apparent lack of democratic oversight of Local Economic Partnerships (LEPs). There are 39 LEPs in operation across England, tasked with the important role of promoting local economic growth and job creation. However, we fear that they vary greatly in quality and performance, and that there is no public assurance framework, other than any information they themselves choose to publish. LEPs have been charged with delivering vital services for local communities and do so using public money, and so it is therefore right and proper that committees of elected councillors should be able to hold them to account for their performance. LEPs are key partners of mayoral combined authorities and we note that the relationship in London seems established. Jennette Arnold OBE AM, Chair of the London Assembly, told us:

The responsibility for the LEPs falls within the Mayor's economic strategy, so for us the buck stops with the Mayor. He then has a LEP board. There are local authority councillors and businesspeople on that. There is a Deputy Mayor who is charged with business and economic growth in London. Both members of that LEP board and that Deputy Mayor have appeared in front of our Economy Committee. We also had questions about skills, because skills was linked, so our education panel raised questions. Business as usual for us is that where there is a pound of London's money being spent, we will follow that and we will raise any issues as relevant.<sup>95</sup>

92. We applaud this approach and welcome the oversight of the London LEP provided by the London Assembly. In the next chapter we will consider the role of scrutiny in combined authorities, where we have concerns over the capacity of the newer organisations. Their relative infancy when compared to the London Assembly is reflected in unclear relationships with their local LEPs. Cllr Peter Hughes, Chair of the West Midlands Combined Authority Overview and Scrutiny Committee, told us:

There are non-voting LEP representatives on the board of the combined authority and there has been since the day it started. I have LEP representatives on the Overview and Scrutiny Committee. Again, they are non-constituent members, as are some of the rural authorities. Their commitment to overview and scrutiny and to audit is patchy, to say the least. There is one big authority or LEP area that does not contribute to scrutiny or audit ... We have not done so yet, but I am sure before the 12 months are up that the LEP involvement in the combined authority's work will be looked at.<sup>96</sup>

95 Q103

96 Qq104-106

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93. Whilst we welcome the established arrangements in London and the intentions of the newer mayoral combined authorities, we are concerned that there are limited arrangements in place for other parts of the country. We do note that examples exist, and call for such arrangements to be put in place across the country. Wiltshire Council states that:

Wiltshire Council is one of the few local authorities nationally to have a OS task group actively engaging with the region's Local Enterprise Partnership, providing extra public accountability to the LEP funding spent within the county. All LEP reports and expenditure are published to facilitate further scrutiny by members of the public.<sup>97</sup>

94. In October 2017, a review of LEP governance arrangements was published by DCLG. The review makes a number of recommendations and noted that while many LEPs have robust assurance frameworks, approaches vary. For example, LEPs are required to publish a conflict of interest policy and the review found that "Whilst LEPs comply with this requirement, the content of policies and approach to publication varies considerably and is dependent on the overall cultural approach within the organisation."<sup>98</sup> The review also noted that:

A number of LEPs, but not all, refer to the role of scrutiny in overseeing their performance and effectiveness. Some LEPs are scrutinised from time to time by their accountable body Overview and Scrutiny function. This is an area for further development which would give increased independent assurance. Given the different structures across LEPs it is not appropriate to specify any particular approach to scrutiny. It is an area which could benefit from the sharing of good practice/'what works' to assist LEPs in shaping their own proposals.<sup>99</sup>

95. When we asked the Minister about the democratic oversight of LEPs, he told us that local authorities will usually have representation on LEP boards and that expenditure will often be monitored by the lead authority's Section 151 finance officer. When we asked him about more public methods of scrutiny, he told us that:

in terms of the scrutiny there are ways in which a LEP can be scrutinised. At this point I do not believe that those arrangements need to be changed, but I will certainly be interested—I know you have asked this of a number of the witnesses at this Committee—in their views on local enterprise partnerships. Certainly that will be a Government consideration once the Committee has submitted its report.<sup>100</sup>

***96. In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required.***

97 Wiltshire Council ([OSG034](#)) para 10

98 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 6.1

99 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 9.3

100 Q146

## 8 Scrutiny in combined authorities

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97. We recognise that the mayoral combined authorities are in their infancy, but given how important organisational culture is, it is important that we include them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny. Mayors will be responsible for delivering services and improvements for millions of residents, but oversight of their performance will be hindered by limited resources.

### The London Assembly

98. The London Assembly has 25 members elected to hold the Mayor of London to account and to investigate any issues of importance to Londoners. London Assembly Members are elected at the same time as the Mayor, with eleven representing the whole capital and fourteen elected by constituencies. The Mayor holds all executive power and the Assembly's ability to override decisions is limited to amending budgets and rejecting statutory strategies. The most visible accountability tool is Mayor's Question Time, when the Mayor of London is required to appear in public before the Assembly ten times a year to answer for decisions made and their outcome. Oversight is also provided by ten thematic scrutiny committees. In 2016/17 the London Assembly controlled a budget of £7.2 million, of which £1.5 million was allocated to scrutiny and investigations, with the remainder used for other member services and democratic services functions. This compares with the Mayor's budget of around £16 billion.<sup>101</sup> The Chair of the Assembly, Jennette Arnold, told us:

You will see that we have been learning and changing over the last 16 years. I would say we are a much more robust body than we were, say, eight years previously because we have taken on learning. We set out to make sure that the centrepiece of our work, which is detailed scrutiny, is evidence-based, well resourced and is disseminated as widely as possible. We have two tracks: the first track is to follow the Mayor, i.e. we ensure mayoral accountability; and the other track we have is about any issue of public concern to London. I would say the combined authorities should look and see the clarity that we have. This is what good scrutiny looks like: it is separate; it has its own officers; it has its own budget; and there is money that is required to do that work.<sup>102</sup>

### The mayoral combined authorities

99. We welcome and applaud the approach of the London Assembly, however the wide discrepancy in the approach to scrutiny in the newer mayoral combined authorities which has come to light during our inquiry is an issue of concern. Combined authorities have a far smaller budget and do not have an equivalent body to the London Assembly, with scrutiny instead being performed by members of the constituent councils. The Local Government Research Unit at De Montfort University argue that:

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101 London Assembly, [The London Assembly Annual Report 2016–17](#), page 57

102 Q83

# Agenda Item 7

An opportunity was missed in the creation of combined authorities—because of the focus on leadership—to recreate a London Assembly style directly elected body with the responsibility to hold the mayor of any combined authority (and other organisations) to account. A directly elected scrutiny body with its own staff and resources may seem an expensive innovation, but ... serious governance failures resulting in damage to public services and the public can occur where O&S is inadequate or fails.<sup>103</sup>

100. In contrast with the London Assembly, Cllr Peter Hughes of the West Midlands Combined Authority told us:

The regulations for the combined authority actually state “a scrutiny officer”, as it stands at the moment. This has been the case for the last 18 months. The combined authority scrutiny chair, whether it is me or anybody else, is supported by a part-time person who is lent out from our own authority. That is the case across all of the other issues. Effectively, the West Midlands Combined Authority is run on the basis of good will and people, chief executives and directors, giving up their time. That is exactly the same with scrutiny. At the moment, we have a person who is lent, with no financial refund to Sandwell, to the combined authority. That has not yet been formalised.<sup>104</sup>

101. We recognise that the resourcing levels are not necessarily decisions for the combined authorities themselves, with Government funding dictating that they be organisations with minimal overheads. However, we also acknowledge that the absence of an allocated budget or a directly-elected scrutiny body does not mean that the approach to scrutiny in combined authorities is necessarily wrong. Cllr Hughes for example told us how he will be measuring the effectiveness of his committee:

Part of scrutiny is not just the questioning and scrutiny aspect of it; it is also that we are adding value to the work of the combined authority. As you have just said, it is in the very early stages at the moment. We feel that we can actually add value to some of the policy decisions that are being taken or being formed by actually taking specific pieces of work and drilling down and calling upon evidence from the local authorities beneath us to add value to the work of the combined authority itself.<sup>105</sup>

102. Susan Ford, Scrutiny Manager of the Greater Manchester Combined Authority, also told us that successful scrutiny in Greater Manchester will enable the Mayor and officers to:

understand the value that scrutiny can bring, and... sense-checking what might cause issues in particular districts and bringing that kind of wealth of in-depth knowledge that scrutiny members bring in with them. The scrutiny function also has a duty to the public to try to simplify some of what can be seen as a very complicated governance arrangement. Having different governance arrangements across different devolved areas has not helped. Mayors in different city region areas have different powers, so

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103 Local Government Research Unit, De Montfort University ([OSG022](#)) para 4

104 Q87

105 Q85

there is a duty to members of the public. There is also a duty to broaden the engagement in terms of thinking about things like younger people and the way in which elected members actually engage with their constituents. We have to support them to be able to make devolution governance and decision-making intelligible.<sup>106</sup>

103. We raised the issue of scrutiny of combined authority mayors with the Minister, who argued that the scrutiny arrangements were sufficient:

I consider that the scrutiny arrangements in that sense are stronger than they are for local authorities ... Certainly the powers that were being transferred to Mayors were generally powers that hitherto had been held by Secretaries of State and, therefore, on a virtually daily basis when this House was sitting there was a method, potentially, of scrutinising the decisions that were being made, and their outcomes ... That said, and I have mentioned this a number of times, I do not think there is any room, in this sense, for complacency. I would say that, in the same way as we are now talking about the scrutiny arrangements from the Local Government Act 2000 having bedded in ... the question is: should there now be more changes to update things because time moves on? There will legitimately be the question, as time moves on: how have those scrutiny arrangements worked? Do we need to change anything going forward to make sure that we are responding to circumstances that arise?<sup>107</sup>

104. We welcome the approach to scrutiny by new mayoral combined authorities such as the West Midlands and Greater Manchester, but we are concerned that such positive intentions are being undermined by under-resourcing. This is not a criticism of the combined authorities - which have been established to be capital rich but revenue poor - as they do not have the funding for higher operating costs. However, we would welcome a stronger role for scrutiny in combined authorities, reflecting the Minister's point that the Mayors now have powers hitherto held by Secretaries of State. ***We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.***

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106 Q85

107 Qq131-132

## Conclusions and recommendations

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### The role of scrutiny

1. *We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny's evolving role. (Paragraph 12)*
2. *We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach. (Paragraph 13)*

### Party politics and organisational culture

3. However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham. (Paragraph 19)
4. *To reflect scrutiny's independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months. (Paragraph 23)*
5. We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. *We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive. (Paragraph 25)*
6. It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage. (Paragraph 27)
7. We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety. (Paragraph 30)
8. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government.



*We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered.* (Paragraph 35)

## Accessing information

9. Scrutiny committees that are seeking information should never need to be 'determined' to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive. (Paragraph 37)
10. Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority. (Paragraph 41)
11. We do not believe that there should be any restrictions on scrutiny members' access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees' ability to identify issues that might warrant further investigation in future, and reinforces scrutiny's subservience to the executive. *Current legislation effectively requires scrutiny councillors to establish that they have a 'need to know' in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.* (Paragraph 42)
12. *We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.* (Paragraph 45)
13. We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users. (Paragraph 47)

## Resources

14. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever. (Paragraph 61)

# Agenda Item 7

15. *We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience. (Paragraph 62)*
16. *We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them. (Paragraph 65)*

## Member training and skills

17. *It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees. (Paragraph 76)*

## The role of the public

18. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practise of digital engagement to the wider sector. (Paragraph 82)*

## Scrutinising public services provided by external bodies

19. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by*

*commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services. (Paragraph 90)*

20. *In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required. (Paragraph 96)*

## Scrutiny in combined authorities

21. *We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported. (Paragraph 104)*

## Annex: summary of discussions at an informal workshop with councillors and officers

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As part of the inquiry, the Committee hosted a workshop in October 2017 attended by over 45 council officers and councillors from across the country. Split into four groups, attendees discussed their experiences of overview and scrutiny, with each group considering three questions. The following provides an edited summary of the discussions held and is not intended to be verbatim minutes. Comments are not attributed to individuals or organisations, but seek to reflect the variety of statements made and opinions expressed. This summary and its content does not necessarily reflect the views of the Committee, or all of the attendees present at the workshop.

### *Q1) Do local authority scrutiny committees operate with political independence and in a non-partisan way*

#### **Officers:**

- Scrutiny is only non-partisan on the surface: most of the discussion and debate takes place in group meetings, which officers and the public cannot see
- Scrutiny chairs often don't want to challenge their Leaders, so do more external scrutiny or pick 'safe' topics that are less controversial
- The ways that committee chairs are appointed means that chairs more likely to 'keep quiet', use the role as a way to prepare for a Cabinet position, or see it as a consolation prize for not being in the Cabinet
- Personalities of chairs and the ability to work well with executive colleagues is key
- Officers in combined roles struggle to adequately support scrutiny: the roles of scrutiny officer and committee clerk are fundamentally different with different skill sets needed
- Clerking a committee changes how officers are treated, with the value placed on their expertise and guidance lessened so they are treated as little more than admin assistants
- Task and finish groups are less partisan and work effectively cross-party. However, witness sessions are usually held in private with only the reporting of findings being in public. External scrutiny is also less partisan, and so can achieve much more while enthusing councillors
- Third party organisations can sometimes be reluctant to be scrutinised by lay persons. It takes significant time to build positive relationships
- There should be debate at Full Council for topic selection for scrutiny committees
- Committees need more power to force changes on executives

- There is too much executive control over what is scrutinised
- In some local authorities, cabinet members and the Leader attend health scrutiny meetings when the NHS is being scrutinised and sometimes lead the questioning of witnesses
- Appointment of members to scrutiny committees is in the hand of controlling political groups, so there will never be full independence

## **Councillors:**

- Focussing on the impact we want, like improved health and wellbeing, gets rid of the party-political aspect because we've agreed on what we want to achieve
- The better the quality of the opposition, the better the contribution it makes. Currently, we have a very weak opposition and I don't think they understand the difference between scrutiny and opposition
- One problem is engagement of one's own backbenchers to participate in scrutiny. It's often the poor relation, and shouldn't be
- Is aiming for political independence realistic and necessary? If you have people from both sides on committee, as long as they challenge effectively, that's all that matters
- I want to know about value for money, so I ask awkward questions. Politics comes into it when members score points to get votes. It suits my nature to be challenging and ask probing questions. But you need knowledge of subject to do this. A lot of colleagues don't have this
- The role of the Leader is key: they have to believe in good governance. Scrutiny's success depends on the attitude of the Leader, who needs to recognise that good scrutiny reflects on the reputation of council. Too many Leaders seek to block scrutiny
- Scrutiny is improved in authorities where scrutiny reports go to Full Council and not the executive
- Officers have to be supportive of scrutiny. It's not just about the Leader
- Some chairs can be fiercely independent regardless of which party has control. An effective chair of a scrutiny committee need to be apolitical and work collaboratively across party lines. A lot depends on the group of individuals on the committee
- A lack of political independence is often more pronounced in small shire district councils where there is often too much domination by strong leaders and executives
- There is a problem with committees lacking teeth - the executive will often not listen regardless of what scrutiny committees say

# Agenda Item 7

- Joint scrutiny often works well, sometimes with different chairs. Working groups also increase political independence
- Decisions on who will chair a committee is often whipped vote, and there is considerable remuneration which binds chairs' approach
- The executive has control over scrutiny funding and budgets which is a big problem

*Q2) Do officers and members working on scrutiny have sufficient resources, expertise and knowledge to deliver effective scrutiny?*

## **Officers:**

- Limited access to expertise is a bigger issue than resources: committees struggle to access expert advisors and find it hard to build relationships
- Scrutiny support is often combined with wider a corporate policy role, meaning officers often spend relatively little of their time actually working on scrutiny
- There is a tension in trying to scrutinise people with whom you might later seek to work with or for
- The reduced resources allocated to scrutiny has led to a corresponding reduction in scrutiny committees: local authorities cannot have committees that mirror each portfolio like in Parliament, leading to committees with extremely large remits
- Districts need to work better with upper tier authorities: on their own, districts are limited in what they can influence
- Scrutiny has fewer resources, but increasingly wide remits: it's not possible to do everything justice
- Health scrutiny has a huge workload so committees often struggle to do much more than the statutory requirements
- Scrutiny has become much leaner, but this is not necessarily a bad thing: it is more focussed now so that it achieves more impact and demands greater attention
- Accessing outside experts is easier in London as they are always relatively nearby
- Questioning skills for members are key, and remain the biggest training need
- Getting input from external experts such as academics is possible at the start of an inquiry, but sustaining this engagement throughout an inquiry is difficult
- There should be a separate budget for scrutiny, commissioning research and recommending options
- In authorities that are reducing staff numbers for budgetary reasons, more resources for scrutiny is often unrealistic

- In many councils, there are enough resources, but they aren't allocated appropriately: there needs to be a top-down reallocation of resources, with more priority given to the scrutiny team
- There is often a lot of resistance to scrutiny at the senior officer level. Many actively seek to keep scrutiny to a minimum, as they don't want to be challenged in what they're doing
- Information requested from senior officers is often sanitised or of limited usefulness. Officers need to realise they work for all councillors, not just the executive

## **Councillors:**

- I'm not impressed by the quality of members. They need more training—it's only then they have the knowledge to ask probing questions
- We have people on our Committee with no expertise
- The way round the resource problem is to get members to do more work themselves.
- It is incumbent on members who chair committees and task and finish groups to take on knowledge and expertise and motivate other members to do so too
- The clerks don't prepare papers, someone from the relevant department (e.g. health and social care) does it
- We have found that scrutiny officers have taken on the role of being nothing more than glorified diary clerks. We need to motivate them to become more involved in the background and research. If you rely on reports from individual departments, they are too optimistic
- The key is understanding which questions to ask
- It's about the officers understanding the key role of scrutiny and not seeing it as a nuisance
- Commercial confidentiality is a big issue which impedes scrutiny committees
- Investment in member development is insufficient, but also hampered by large turnover of committee members
- Individual committees often have too wide a remit to cover individual issues sufficiently
- There is a growing trend to merge scrutiny function with corporate policy team. This negatively impacts on scrutiny because of conflicts of interest among officers
- Too many scrutiny committees remain talking shops. There should be more emphasis on measuring how effective scrutiny is in influencing policy and decisions
- Scrutiny staff must be completely separated from the executive

# Agenda Item 7

50 Effectiveness of local authority overview and scrutiny committees

- There has been a trend towards fewer members on scrutiny committees in recent years. This has negatively affected good scrutiny
- To give scrutiny more agency scrutiny reviews should be regularly produced which go to the full council for consideration
- More focus of scrutiny committees should be placed on upstream policy formation

*Q3) If you could make a single change, what would you change about the way scrutiny in your authority operates?*

## **Officers:**

- The whole process should be more independent of departmental officers: chairs are reluctant to challenge or disagree with senior officers
- Having opposition chairs would get much better engagement and input from other members
- More members need to actually read their committee papers—however some officers make the papers intentionally long to dissuade members from doing so
- There is a capacity issue for ‘double-hatted’ councillors, and those who work in outside employment
- With meetings being held in the evenings, discussions can go on quite late: with many of the best councillors having demanding day jobs, it’s unrealistic to expect high performance
- Scrutiny committees should share expected questions with witnesses before meetings to ensure all information is available in advance: it shouldn’t be a closed-book exam as some officers can deflect questions by promising to look into an issue and write back later
- Scrutiny in general needs a higher profile, including the role of statutory scrutiny officer: people across the council should know who it is with their status being far closer to that of the monitoring officer
- Scrutiny has become too broad and complex over the years: it is not achievable to do everything asked of it. There needs to be a clear remit for scrutiny with up to date guidance from Government
- Scrutiny will only succeed if the Leader and Chief Executive think it is important—strong scrutiny chairs and strong scrutiny managers are required when they do not
- Ensuring legislation is enforced regarding undue interference from the Leader and cabinet
- Resident-led commissions help to improve scrutiny. Broadening the scrutiny process out to involve the public and prominent campaign groups, inviting them onto task groups, or to serve as chairs of commissions



- There should be an independent secretariat for scrutiny committees with separate ring-fenced budget, independent of the council, to create greater organisational autonomy
- Councils should be able to compel witnesses to attend from publicly funded bodies, such as housing associations
- Legislation relating to scrutiny powers should be simplified, putting them all into one place
- Removing conflicts of interests where scrutiny committees are supported by officers responsible for the policies that are being scrutinised

## **Councillors:**

- Better selection of candidates to be councillors, as well as improving their calibre through training
- We need full time councillors: the part time nature of the role means variable quality
- It should be constitutionally established that scrutiny is on a level with cabinet
- Greater public involvement: if you want to be effective, what really changes a Leader's mind is people and residents, and if you don't get them to meetings, you won't make changes
- Statutory Scrutiny Officers are too low down the food chain to influence people. This statutory post has to be a similar level and have access to the corporate management level
- We've also got to make use of modern technology. It's about getting the message out through facebook and twitter
- One of the changes is taking meetings out in the community
- Political groups need to treat each other with fairness and respect
- Completely disconnect all aspects of scrutiny (formation, governance, resources) from the executive
- Increase connection with residents and public through co-opted members. More witnesses and public evidence sessions
- Clearer feedback loops to quantify scrutiny influence
- Council leadership should be assessed on how they take into account work of scrutiny committees, for example through annual report on scrutiny considered by full Council or annual evidence sessions with cabinet members
- Allocate chairs on the basis of political proportionality
- All scrutiny work should be considered by Full Council, rather than the cabinet

## Formal Minutes

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**Monday 11 December 2017**

Members present:

Mr Clive Betts, in the Chair

Mike Amesbury	Fiona Onasanya
Bob Blackman	Mark Prisk
Helen Hayes	Mary Robinson
Kevin Hollinrake	Liz Twist
Andrew Lewer	

Draft Report (*Effectiveness of local authority overview and scrutiny committees*) proposed by the Chair, brought up and read.

*Ordered*, That the Draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 104 read and agreed to.

Summary agreed to.

Annex agreed to.

*Resolved*, That the Report be the First Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned until Monday 18 December at 2.15 p.m.]

## Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Monday 16 October 2017

*Question number*

**Professor Colin Copus**, Director of the Local Governance Research Unit, De Montfort University; **Jacqui McKinlay**, Chief Executive, Centre for Public Scrutiny (CfPS); **Councillor Marianne Overton**, Leader of the Independent Group, Local Government Association

[Q1-43](#)

### Monday 30 October 2017

**Councillor Mary Evans**, Chair of Scrutiny Committee, Suffolk County Council; **Councillor Sean Fitzsimons**, Chair of Scrutiny and Overview Committee, Croydon Council; **Councillor John Cotton**, Lead Scrutiny Member, Birmingham City Council

[Q44-82](#)

**Jennette Arnold OBE AM**, Chair, London Assembly; **Ed Williams**, Executive Director, Secretariat, London Assembly; **Susan Ford**, Scrutiny Manager, Greater Manchester Combined Authority; **Councillor Peter Hughes**, Chair, Overview and Scrutiny Committee, West Midlands Combined Authority

[Q83-107](#)

### Monday 6 November 2017

**Marcus Jones MP**, Minister for Local Government, Department for Communities and Local Government

[Q108-152](#)

# Agenda Item 7

## Published written evidence

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The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

OSG numbers are generated by the evidence processing system and so may not be complete.

- 1 B4RDS (Broadband for Rural Devon & Somerset) ([OSG0006](#))
- 2 Birmingham City Council ([OSG0002](#))
- 3 Chester Community Voice UK ([OSG0022](#))
- 4 Councillor Tony Dawson ([OSG0019](#))
- 5 Dr Laurence Ferry ([OSG0017](#))
- 6 Dr Linda Miller ([OSG0018](#))
- 7 F&G BUILDERS LTD ([OSG0005](#))
- 8 Gwen Swinburn ([OSG0015](#))
- 9 Heston Residents' Association ([OSG0008](#))
- 10 Local Government and Social Care Ombudsman ([OSG0007](#))
- 11 MNRAG ([OSG0020](#))
- 12 Mr Bryan Rylands ([OSG0003](#))
- 13 Mr Mark Baynes ([OSG0009](#))
- 14 Mr Stephen Butters ([OSG0001](#))
- 15 Ms Christine Boyd ([OSG0013](#))
- 16 Ms Jacqueline Thompson ([OSG0012](#))
- 17 Nicolette Boater ([OSG0016](#))
- 18 North Lincolnshire Council ([OSG0021](#))
- 19 Research for Action ([OSG0014](#))
- 20 Susan Hedley ([OSG0004](#))

The following written evidence was received in the last Parliament by the previous Committee for this inquiry and can be viewed on the [inquiry publications page](#) of the Committee's website.

- 1 A Journalist ([OSG0004](#))
- 2 ADSO ([OSG0123](#))
- 3 An Officer from a London Borough ([OSG0091](#))
- 4 Anonymous ([OSG0006](#))
- 5 Anonymous ([OSG0065](#))
- 6 Anonymous ([OSG0103](#))
- 7 Bedford Borough Conservative Group ([OSG0069](#))
- 8 Birmingham City Council ([OSG0087](#))
- 9 Bournemouth Borough Council ([OSG0071](#))
- 10 Bracknell Forest Council ([OSG0010](#))
- 11 Bristol City Council ([OSG0082](#))
- 12 Broadland District Council ([OSG0014](#))
- 13 Cardiff Business School ([OSG0056](#))
- 14 Central Bedfordshire Council ([OSG0019](#))
- 15 Centre for Public Scrutiny Ltd ([OSG0098](#))
- 16 Charnwood Borough Council ([OSG0080](#))
- 17 Chesterfield Borough Council ([OSG0052](#))
- 18 Citizens Advice ([OSG0076](#))
- 19 Cllr Jenny Roach ([OSG0104](#))
- 20 Committee on Standards in Public Life ([OSG0027](#))
- 21 Cornwall Council ([OSG0051](#))
- 22 Councillor Ann Munn ([OSG0109](#))
- 23 Councillor Charles Wright ([OSG0088](#))
- 24 Councillor Chris Kennedy ([OSG0106](#))
- 25 Councillor James Dawson ([OSG0016](#))
- 26 Councillor James Dawson ([OSG0118](#))
- 27 County and Unitary Councils' Officer Overview and Scrutiny Network ([OSG0114](#))
- 28 Debt Resistance UK ([OSG0094](#))
- 29 Department for Communities and Local Government ([OSG0122](#))
- 30 Devon County Council ([OSG0008](#))
- 31 Dr Laurence Ferry ([OSG0023](#))
- 32 Dr Linda Miller ([OSG0095](#))
- 33 Dudley MBC ([OSG0058](#))
- 34 Durham County Council ([OSG0079](#))
- 35 Ealing Council ([OSG0041](#))
- 36 East Devon Alliance ([OSG0040](#))

# Agenda Item 7

56 Effectiveness of local authority overview and scrutiny committees

- 37 East Riding of Yorkshire Council ([OSG0061](#))
- 38 Epping Forest District Council ([OSG0012](#))
- 39 Erewash Labour Group ([OSG0013](#))
- 40 Exeter City Council ([OSG0011](#))
- 41 Federation of Enfield residents & Allied Associations ([OSG0097](#))
- 42 Gloucestershire County Council ([OSG0050](#))
- 43 Green group on Norwich City Council ([OSG0057](#))
- 44 Hereford and South Herefordshire Green Party ([OSG0119](#))
- 45 Herefordshire Council ([OSG0101](#))
- 46 INLOGOV ([OSG0053](#))
- 47 Institute of Local Government Studies, University of Birmingham ([OSG0115](#))
- 48 It's Our County ([OSG0124](#))
- 49 Julian Joinson ([OSG0112](#))
- 50 Ken Lyle ([OSG0032](#))
- 51 Leeds City Council ([OSG0043](#))
- 52 Leicestershire County Council ([OSG0036](#))
- 53 Lewisham Overview and Scrutiny Business Panel ([OSG0078](#))
- 54 Liberal Democrats on Wokingham Borough Council ([OSG0125](#))
- 55 Local Governance Research Unit, De Montfort University ([OSG0022](#))
- 56 Local Government Association ([OSG0081](#))
- 57 London Assembly ([OSG0117](#))
- 58 London Borough of Enfield ([OSG0075](#))
- 59 London Borough of Hackney ([OSG0110](#))
- 60 London Borough of Merton ([OSG0037](#))
- 61 London Borough of Tower Hamlets ([OSG0105](#))
- 62 Marc Hudson ([OSG0116](#))
- 63 Medway Council ([OSG0021](#))
- 64 Mr G M Rigler ([OSG0002](#))
- 65 Mr Gerry O'Leary ([OSG0092](#))
- 66 Mr John Galvin ([OSG0102](#))
- 67 Mr Martyn Lewis ([OSG0003](#))
- 68 Mr Peter Cain ([OSG0007](#))
- 69 Mrs Tracy Reader ([OSG0009](#))
- 70 Ms Christine Boyd ([OSG0086](#))
- 71 Ms Jacqueline Annette Thompson ([OSG0074](#))
- 72 Newcastle City Council ([OSG0015](#))
- 73 NHS Providers ([OSG0064](#))
- 74 Nicolette Boater ([OSG0107](#))

- 75 North East Combined Authority ([OSG0084](#))
- 76 North East Councils Scrutiny Officers Network ([OSG0083](#))
- 77 North Tyneside Council - Scrutiny Chairs/Deputy Chairs ([OSG0028](#))
- 78 North Yorkshire County Council ([OSG0018](#))
- 79 Nottingham City Council ([OSG0024](#))
- 80 Officer from a Fire & Rescue Authority ([OSG0121](#))
- 81 Pendle Borough Council ([OSG0020](#))
- 82 Rachel Collinson ([OSG0066](#))
- 83 Ryedale District Council ([OSG0030](#))
- 84 Scrutiny Committee of East Devon District Council ([OSG0035](#))
- 85 Sheffield City Council ([OSG0073](#))
- 86 Sheffield for Democracy ([OSG0025](#))
- 87 South Gloucestershire Council ([OSG0113](#))
- 88 Southampton City Council ([OSG0029](#))
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- 105 Wyre Council ([OSG0047](#))
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# **Government Response to the Communities and Local Government Committee First Report of Session 2017-19 on the Effectiveness of Local Authority Overview and Scrutiny Committees**

Presented to Parliament  
by the Secretary of State for  
Housing, Communities and Local Government  
by Command of Her Majesty

March 2018

CM 9569

# Agenda Item 7



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## **Government Response to the Communities and Local Government Committee First Report of Session 2017–19 on the Effectiveness of Local Authority Overview and Scrutiny Committees**

### **Introduction**

In September 2017, the Communities and Local Government Select Committee relaunched the inquiry into the effectiveness of local authority overview and scrutiny committees that had been started by its predecessor earlier that year. The Select Committee published its report on 15 December 2017: <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/369/36902.htm>.

The Government will be looking at further ways to extend and improve transparency and is grateful both to the Committee for its consideration of the effectiveness of overview and scrutiny committees and to all those organisations and individuals who provided oral and written evidence.

Scrutiny can play a vital role in ensuring local accountability on a wide range of local issues. It is one of the key checks and balances in the system and the Government is committed to ensuring councils are aware of its importance, understand the benefits effective scrutiny can bring and have access to best practice to inform their thinking.

The Government firmly believes that every council is best-placed to decide which scrutiny arrangements suit its individual circumstances, and so is committed to ensuring that they have the flexibility they need to put those arrangements in place.

The Government is pleased the Select Committee acknowledges overview and scrutiny is functioning effectively in many local authorities and that committees are playing a key role in helping executives develop and review policy. The Government accepts, however, that in some councils scrutiny is not functioning as well as might be expected.

The Select Committee has made a number of recommendations, most, but not all, of which are for the Government to consider. The response in the following pages addresses only those recommendations aimed at the Government.

### **Recommendation 1: Proposed revisions to Government guidance on scrutiny committees (Page 7)**

- a) That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.**
- b) That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.**
- c) That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.**

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- d) That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.
- e) That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.

## **Government Response:**

The Government acknowledges that the current guidance was issued in 2006 and is happy to ensure it is updated. New guidance will be published later this year.

- a) The Government notes the evidence supplied to the Committee. Updated guidance will recommend that scrutiny committees report to the Full Council.
- b) The Government accepts the need to limit the executive's involvement in the scrutiny meetings. Updated guidance will make clear that members of the executive should not participate in scrutiny other than as witnesses.
- c) Scrutiny committees already have powers to access documents and updated guidance will stress that councils should judge each request to access sensitive documents on its merits and not refuse as a matter of course. We will also have discussions with the sector to get a better understanding of the issues some scrutiny committees appear to have in accessing information and whether there are any steps the Government could take to alleviate this.
- d) Updated guidance will make clear that support officers should be able to operate independently and provide impartial advice. It will also stress the need for councils to recognise and value the scrutiny function and the ways in which it can increase a council's effectiveness. However, the Government believes that each council should decide for itself how to resource scrutiny committees, including how much access to senior officers is appropriate to enable them to function effectively.
- e) The Government fully believes that local authorities should take account of the views of the public and service users in order to shape and improve their services. Scrutiny is a vital part of this, and scrutiny committees should actively encourage public participation. Updated guidance will make this clear.

**Recommendation 2: That DCLG works with the Local Government Association and Centre for Public Scrutiny to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered (Paragraph 35).**

## **Government Response:**

The Government will give further consideration to this recommendation.

The Government fully accepts that the chair of a scrutiny committee can have a great impact on its effectiveness. As the then Minister told the Select Committee at the oral evidence session on 6 November 2017, a chair needs to have the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve.

The Government also accepts that, in some instances, the election, rather than the appointment, of a chair might help ensure that the right individual is ultimately selected, but feels that this is a decision for every council to make for itself - we note that the Select Committee is "wary of proposing that [election] is imposed upon authorities by Government".

A local authority is already free to elect a chair if it wishes, and the updated guidance will recommend that every council bears this in mind when deciding on a method for selecting a chair.

The Government is happy to explore with the sector how best to establish the impact of elected chairs on scrutiny committees' effectiveness, but is not yet convinced that running pilot schemes is the best way to achieve this. The Government will therefore discuss this recommendation with the sector, including the Local Government Association and Centre for Public Scrutiny, and write to the Select Committee on this matter when we publish updated guidance.

**Recommendation 3: Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator (Paragraph 62)**

**Government Response:**

The Government does not accept this recommendation.

Many councils do not have dedicated scrutiny support staff - officers work on issues and engage with committees as part of the flow of business - so this would make quantifying the support that scrutiny committees receive very difficult. In the Government's view, the quality of the support is the more important issue.

The Government firmly believes that each individual authority is best-placed to decide for itself how to support scrutiny most effectively.

**Recommendation 4: That the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them (Paragraph 65).**

**Government Response:**

The Government does not accept this recommendation.

As the then Minister outlined during the oral evidence he gave to the Select Committee, decisions about the allocation of resources for the scrutiny function are best made at a local level. Each council is best-placed to know which arrangements will suit its own individual circumstances. It is not a case of one size fits all.

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The key requirement for effective scrutiny is that the culture of the council is right. Where councils recognise the benefits effective scrutiny can bring, and put in place suitable arrangements, it is working well. Local authorities with a strong culture of scrutiny may invite regular reports to full council on the state of scrutiny in the council and this idea will be reflected in the updated guidance.

**Recommendation 5: The Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the Local Government Association and on the wider effectiveness of local authority scrutiny committees (Paragraph 76).**

## **Government Response:**

The Government does not accept this recommendation. Local authorities are independent bodies and it is for them to ensure that their scrutiny arrangements are effective.

The Government firmly believes that every council should be able to access the training it needs to carry out its functions effectively, and recognises that Government itself has a role to play in making this happen. That is why we provide funding to the Local Government Association for sector-led improvement work. It should be noted that this funding is to support local authorities on a wide range of improvement work. It is not purely to assist with overview and scrutiny.

The funding is determined annually and for 2017/18 is £21 million. The package of work that is funded from the grant is set out in a jointly agreed Memorandum of Understanding between the Department and the Local Government Association, which is refreshed annually to ensure that it remains relevant to the sector's needs.

The Government is, of course, very keen to ensure that this funding provides value for money and that local authorities feel that the training on offer serves their needs. To this end, the Department has quarterly performance monitoring and review meetings with the Local Government Association, which are chaired by the Director-General for Local Government and Public Services.

The Government notes that not all the councillors who provided evidence to the Select Committee felt that the scrutiny training provided was as effective as they would have liked, and that the Local Government Association wrote to the Committee on 20 December 2017 to provide more information on the feedback it received on its support work.

The Government will ensure that the 2018/19 Memorandum of Understanding with the Local Government Association clearly sets out our expectation that they remain responsive to feedback they receive to ensure all training, including scrutiny training, remains relevant and effective.

**Recommendation 6: Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens (Paragraph 90).**

## **Government Response:**

Updated guidance will remind councils of the requirements set out in regulations that allow scrutiny members to access exempt or confidential documents in certain circumstances. As mentioned in response to the Select Committee's recommendation on guidance, the Department will also have discussions with the sector to get a better understanding of the issues some scrutiny committees appear to have in accessing information and whether there are any steps the Government could take to alleviate this.

In terms of service providers' attendance at meetings, when councils are tendering contracts with external bodies they should carefully consider including requirements to ensure they are as open and transparent as appropriate. Ultimately, however, it is up to each council to decide how best to hold to account those who run its services.

**Recommendation 7: The Government to make clear how LEPs are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required (Paragraph 96).**

#### **Government Response:**

The Government agrees on the importance of clear and transparent oversight of Local Enterprise Partnerships (LEPs). The Industrial Strategy made clear the continuing important role of LEPs in delivering local economic growth.

The MHCLG Non-Executive Director Review (published in October 2017), looked at a range of governance issues for LEPs. The Review made a series of recommendations that we have accepted in full and are now implementing. As part of this we have published guidance for LEPs on a range of issues including publication of agenda and papers for LEP Board meetings. This will make the proceedings of LEPs more transparent for local people.

The National Assurance Framework for LEPs states that democratic accountability for the decisions made by the LEP is provided through local authority leader membership of LEP Boards. In places where not all local authorities are represented directly on the LEP board it is important that their representatives have been given a mandate through arrangements which enable collective engagement with all local authority leaders. Many LEPs already go much further in allowing democratic scrutiny of their decision making.

The MHCLG Non-Executive Director Review into LEP governance and transparency explored the extent to which scrutiny was embedded into LEP decision making. The review acknowledged that each LEP had their own arrangements to reflect: legal structure, the complexity and needs of the locality and local requirements to ensure value for money; engagement; and democratic accountability. The Review concluded that it was not appropriate to be prescriptive on the specific arrangements that all LEPs needed to adopt due to the variation in LEP operating models.

The Government committed in the Industrial Strategy White Paper to reviewing the roles and responsibilities of LEPs and to bringing forward reforms to leadership, governance, accountability, financial reporting and geographical boundaries. Working with LEPs, the Government committed to set out a more clearly defined set of activities and objectives in early 2018. MHCLG will write to the Select Committee following the conclusion of this Ministerial review into LEPs to provide an update.

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**Recommendation 8: We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported. (Paragraph 104)**

## **Government Response:**

The Government accepts this recommendation.

At the Budget it was announced that the government will make available to mayoral combined authorities with elected mayors a £12 million fund for 2018-19 and 2019-20, to boost the new mayors' capacity and resources. Combined Authorities could use some of this resource to ensure that scrutiny and accountability arrangements within the CAs are effectively resourced and supported.

Further to this, the recent Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, developed with assistance from the Centre for Public Scrutiny and the National Audit Office, provides for the rules of operation for local overview and scrutiny and audit committees to robustly hold combined authorities and mayors to account. The order ensures that there are strong scrutiny arrangements in place consistently across every combined authority area and sets out clear requirements, strengthened appropriately to match the new powers and budgets being devolved, for the arrangement of overview and scrutiny and audit committees in all combined authorities.

Combined authorities are subject to existing relevant legislation applying to local authorities, including the strong finance and audit requirements around ensuring value for money and sustainability. Local democratic accountability, including through the scrutiny of directly-elected mayors, is a crucial and fundamental aspect of devolution.



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<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	18 September 2018
<b>Subject:</b>	Work Programme 2018/19, Scrutiny Review Topics and Key Decision Forward Plan – September 2018		
<b>Report of:</b>	Chief Legal and Democratic Officer	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Communities and Housing; Health and Wellbeing (Green Sefton) 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 seek the views of the Committee on the Work Programme for 2018/19, identify potential topics for scrutiny reviews to be undertaken by a Working Group(s) appointed by the Committee and identify any items for pre-scrutiny by the Committee from the Key Decision Forward Plan.

## Recommendation:

That:-

- (1) the Work Programme for 2018/19, as set out in Appendix 1 to the report, be considered, along with any additional items to be included and thereon be agreed;
- (2) the reports updating on the implementation of recommendations arising from the Shale Gas Working Group and United Utilities – Update on Increase in Charges be submitted to the next meeting of the Committee to be held on 6 November 2018;
- (3) consideration be given to the establishment of a Joint Working Group with Members of the Overview and Scrutiny Committee (Children’s Services and Safeguarding) to examine post-19 provision for Special Educational Needs and Disability, in order to improve conditions for this vulnerable group of young people;
- (4) if the Committee agree to the establishment of the Working Group as referred to in (2) above then consideration be given to the appointment of three Members to serve on the Joint Working Group;
- (5) the establishment of the Apprenticeships Working Group as agreed by Minute No.

# Agenda Item 8

7 (2) of 3 July 2018 be no longer pursued;

- (6) consideration be given to the selection of potential scrutiny review topics; establish the Working Group(s) for each topic; and appoint at least 3 Members of the Committee to each Working Group; and
- (7) the Committee considers items for pre-scrutiny from the Key Decision Forward Plan as set out in Appendix 3 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):**

To determine the Work Programme of items to be considered during the Municipal Year 2018/19 and identify scrutiny review topics which would demonstrate that the work of the Overview and Scrutiny 'adds value' to the Council.

The pre-scrutiny process assists Cabinet Members to make effective decisions by examining issues before making formal decisions.

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

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 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:

- Overview and Scrutiny Committee Work Programme for 2018/19
- Criteria Checklist For Selecting Topics For Review

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- 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 2018/19

- 1.1 The Work Programme of items to be submitted to the Committee for consideration during the Municipal Year 2018/19 was approved by the Committee on 3 July 2018 and 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 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 2018/19 and updated, as appropriate.
- 1.3 Shale Gas Working Group Update Report  
The Work Programme indicates that a report will be submitted to this meeting updating on progress regarding the implementation of recommendations arising from the Shale Gas Working Group. Following consultation with the Chief Planning Officer it is considered that there are, at present, no substantive items of progress to report to Committee since the last progress report was submitted. However, work is advancing on the good practice and expectations document with informal consultation on-going within the Council. It is therefore recommended that the progress report be submitted to the next meeting of the Committee to be held on 6 November 2018. The Work Programme (Appendix 1) has been amended to reflect this change.
- 1.4 United Utilities – Update on Increase in Charges  
The Work Programme also indicates that a report will be submitted to this meeting on “United Utilities – Update on Increase in Charges”. The Head of Corporate Resources has advised that the Committee had previously requested that United Utilities, OFWAT, DEFRA, BEIS, SALIX, BITC and Waterplus be contacted to establish their further involvement to highlight the need and encourage the development of the needed funding arrangements. To date, responses and contact details have been provided by United Utilities and OFWAT; BEIS have responded but not provided any contact details for their department and they have advised that water management and flooding policy is handled by DEFRA and advised the lead is Sarah Hendry CBE. At the time of writing this report, no responses have yielded any substantial interest in further engagement and therefore there is nothing of any substance to report at this time. It is therefore recommended that the progress report be submitted to the next meeting of the Committee to be held on 6 November 2018. The Work Programme (Appendix 1) has been amended to reflect this change
- 1.5 The Work Programme has been updated to include an update report on

Apprenticeships and this is detailed in Paragraph 2 below.

- 1.6 **The Committee is requested to comment on the Work Programme for 2018/19 and note that additional items may be submitted to the Programme at future meetings of the Committee during this Municipal Year.**

## **2. SCRUTINY REVIEW TOPICS 2018/19**

- 2.1 At its meeting held on 3 July 2018 the Committee agreed to establish a Working Group to review the topic of Apprenticeships.
- 2.2 As is the usual practice when a Working Group is agreed, the appropriate officer(s) are contacted with a request that a Scoping Document is produced; and the following issues were identified for inclusion:-
1. The general economic and employment framework for Apprenticeships
  2. Government Policy on Apprenticeships and the levy
  3. The effectiveness of Government policy and the levy and its effect on the Liverpool City Region
  4. Liverpool City Region initiatives generally in terms of Apprenticeships and the wider economy
  5. The impact and Sefton Apprenticeships story for the Council

Following further investigation it was considered that the information required to illuminate the topics described in 1 – 4 above would need to take into account the time and commitment of officers within the Liverpool City Region (LCR) Combined Authority (CA) as apprenticeships are a key theme of the portfolio held by the CA under the guidance of the Metro Mayor; and a complete picture could not be provided without significant resource and time from the CA.

Furthermore, it was found that LCR Overview and Scrutiny Committee has previously had a Working Group to look into the issue of apprenticeships; and the Final Report was approved respectively by LCR O&S and the CA in January and March 2017; and the matter continues to be the subject of updates to LCR O&S with the last one being 25 October 2017.

Further investigation has found that the terms of the review suggested for Sefton were very similar to the LCR work to provide much value.

It is therefore recommended that to avoid duplicating work already undertaken by the LCR CA O&S Committee the Apprenticeships Working Group be not pursued further; but instead, an update report be submitted to the Committee on 6 November 2018 on points 1 to 5 above.

- 2.3 At its meeting held on 3 July 2018 the Committee also agreed (Minute No. 7. (4)) that the Strategic Leadership Board (SLB) be requested to identify future topics for consideration by Working Groups.

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2.4 This matter has been considered by SLB and the following suggestions have been made and prioritised in the following order:-

- Career Connect and Adult Learning Service
- NEET Performance January 19
- Impact of Brexit on the Employment Service
- Sefton Coast Delivery Plan
- Sefton Economic Delivery Plan

2.5 For information, the Committee at its meeting held on 3 July 2018 also agreed the following potential topics for review and further consideration can be given to these topics along with the SLB suggestions referred to in 2.4 above:-

- Contracts – scrutiny of a major contract within the Committee’s responsibility; how the award of the contract has added value; social capital; employment of local labour/apprenticeships terms
- Economic Strategy – potential to review once the strategy had been adopted

2.6 A criteria checklist for selecting and rejecting potential topics to review is attached at **Appendix 2**, to assist the Committee in selecting topics and appointing Working Group(s) for the Municipal Year.

2.7 At its meeting held on 10 July 2018, the Overview and Scrutiny Committee (Children’s Services and Safeguarding) considered the Final Report of the Special Educational Needs and Disability Process of Assessment Working Group that included the following recommendation:-

“10. (3) That the Overview and Scrutiny Committee (Children’s Services and Safeguarding) be requested to consider the establishment of a Working Group in the future to examine post-19 provision for SENDs, in order to improve conditions for this vulnerable group of young people. This could be a Joint Working Group with the Overview and Scrutiny Committee (Regeneration and Skills);”

The Overview and Scrutiny Committee (Children’s Services and Safeguarding) agreed to request this Committee to consider the establishment of a joint Working Group to consider post-19 provision for Special Educational Needs and Disability.

The views of the Committee are requested. Should the Committee agree to this request, 2-3 Members of the Committee will need to be appointed to the joint Working Group.

2.8 The Committee is requested to select potential scrutiny review topics; prioritise the order in which they start; establish the Working Group(s) for each topic; and appoint at least 3 Members of the Committee to each Working Group.

## 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

# Agenda Item 8

Cabinet for consideration during the next four month period.

- 3.2 The pre-scrutiny process assists the Cabinet Members to make effective decisions by examining issues beforehand and making recommendations prior to a determination being made.
- 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 published on 30 September 2018 is attached at **Appendix 3** 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 3 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.**

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**APPENDIX 1**

**OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)  
WORK PROGRAMME 2018/19**

<b>Date of Meeting</b>	<b>3 JULY 2018</b>	<b>18 SEPTEMBER 2018</b>	<b>6 NOVEMBER 2018</b>	<b>22 JANUARY 2019</b>	<b>12 MARCH 2019</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 2018/19				<b>X</b>	
United Utilities – Update on Increase in Charges			<b>X</b>		<b>X</b>
Economic Strategy for Growth	<b>X</b>				
Refuse Collection		<b>X</b>			
Leasehold House Sales					<b>X</b>
Sefton’s Empty Homes Strategy				<b>X</b>	

Parks and Greenspaces Final Report	<b>X</b>				
Mental Health and Employment Task Group – Update			<b>X</b>		
Apprenticeships			<b>X</b>		
<b>Scrutiny Review Progress Reports:</b>					
Peer Review Working Group		<b>X</b>			
Housing Licensing Performance Framework Annual Report					<b>X</b>
Shale Gas			<b>X</b>		
NEET	<b>X</b>				

## APPENDIX 2

### CRITERIA CHECKLIST FOR SELECTING TOPICS FOR REVIEW

<b>Criteria for Selecting Items</b>
▪ Issue identified by members as key issue for public (through member surgeries, other contact with constituents or volume of complaints)
▪ Poor performing service (evidence from performance indicators/benchmarking)
▪ Service ranked as important by the community (e.g. through market surveys/citizens panels)
▪ High level of user/general public dissatisfaction with service (e.g. through market surveys/citizens panels/complaints)
▪ Public interest issue covered in local media
▪ High level of budgetary commitment to the service/policy area (as percentage of total expenditure)
▪ Pattern of budgetary overspends
▪ Council corporate priority area
▪ Central government priority area
▪ Issues raised by External Audit Management Letter/External audit reports
▪ New government guidance or legislation
▪ Reports or new evidence provided by external organisations on key issue
▪ Others

### CRITERIA FOR REJECTION

<b>Potential Criteria for Rejecting Items</b>
▪ Issue being examined by the Cabinet
▪ Issue being examined by an Officer Group : changes imminent
▪ Issue being examined by another internal body
▪ Issue will be addressed as part of a Service Review within the next year
▪ New legislation or guidance expected within the next year
▪ Other reasons specific to the particular issues.

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## APPENDIX 2

### SCRUTINY CHECKLIST DO'S AND DON'TS

<b>DO</b>
◆ Remember that Scrutiny <ul style="list-style-type: none"><li>◆ Is about learning and being a "critical friend"; it should be a positive process</li><li>◆ Is not opposition</li></ul>
◆ Remember that Scrutiny should result in improved value, enhanced performance or greater public satisfaction
◆ Take an overview and keep an eye on the wider picture
◆ Check performance against local standards and targets and national standards, and compare results with other authorities
◆ Benchmark performance against local and national performance indicators, using the results to ask more informed questions
◆ Use Working Groups to get underneath performance information
◆ Take account of local needs, priorities and policies
◆ Be persistent and inquisitive
◆ Ask effective questions - be constructive not judgmental
◆ Be open-minded and self aware - encourage openness and self criticism in services
◆ Listen to users and the public, seek the voices that are often not heard, seek the views of others - and balance all of these
◆ Praise good practice and best value - and seek to spread this throughout the authority
◆ Provide feedback to those who have been involved in the review and to stakeholders
◆ Anticipate difficulties in Members challenging colleagues from their own party
◆ Take time to review your own performance

<b>◆ DON'T</b>
◆ Witch-hunt or use performance review as punishment
◆ Be party political/partisan
◆ Blame valid risk taking or stifle initiative or creativity
◆ Treat scrutiny as an add-on
◆ Get bogged down in detail
◆ Be frightened of asking basic questions
◆ Undertake too many issues in insufficient depth
◆ Start without a clear brief and remit
◆ Underestimate the task
◆ Lose track of the main purpose of scrutiny
◆ Lack sensitivity to other stakeholders
◆ Succumb to organisational inertia
◆ Duck facing failure - learn from it and support change and development
◆ Be driven by data or be paralysed by analysis - keep strategic overview,

## APPENDIX 2

and expect officers to provide high level information and analysis to help.

### KEY QUESTIONS

**Overview and Scrutiny Committees should keep in mind some of the fundamental questions:-**

Are we doing what users/non users/local residents want?
Are users' needs central to the service?
Why are we doing this?
What are we trying to achieve?
How well are we doing?
How do we compare with others?
Are we delivering value for money?
How do we know?
What can we improve?

### INVESTIGATIONS:-

To what extent are service users' expectations and needs being met?
To what extent is the service achieving what the policy intended?
To what extent is the service meeting any statutory obligations or national standards and targets?
Are there any unexpected results/side effects of the policy?
Is the performance improving, steady or deteriorating?
Is the service able to be honest and open about its current performance and the reasons behind it?
Are areas of achievement and weakness fairly and accurately identified?
How has performance been assessed? What is the evidence?
How does performance compare with that of others? Are there learning points from others' experiences?
Is the service capable of meeting planned targets/standards? What change to capability is needed.
Are local performance indicators relevant, helpful, meaningful to Members, staff and service users?

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## SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

**FOR THE FOUR MONTH PERIOD 1 OCTOBER 2018 - 31 JANUARY 2019**

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

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## APPENDIX 3

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 3

### FORWARD PLAN INDEX OF ITEMS

Item Heading	Officer Contact
Housing Development Company	Kerry Smith kerry.smith@sefton.gov.uk
Information, Advice and Guidance Service for Not in Education, Employment or Training (NEET) Young People	Claire Maguire claire.maguire@sefton.gov.uk Tel: 0151 934 2684, Ian Weller ian.weller@sefton.gov.uk
Bootle Heritage Complex	Nicky Owen nicky.owen@sefton.gov.uk
Homelessness Strategy (2018 - 2023)	Alistair Malpas alistair.malpas@sefton.gov.uk

### SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<b>Permit Scheme for Road and Street Works</b> Review of Permit Fees			
Decision Maker	Cabinet			
Decision Expected	4 Oct 2018			
Key Decision Criteria	Financial	Yes	Community Impact	No
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regeneration and Skills			
Persons/Organisations to be Consulted	Utility companies			
Method(s) of Consultation	Emails			
List of Background Documents to be Considered by Decision-maker	Pemit Scheme for road and street works			
Contact Officer(s) details	Gary Jordan gary.jordan@sefton.gov.uk Tel: 0151 934 4731			

### SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

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Details of Decision to be taken	<b>Housing Development Company</b> To approve the process for selecting and recruiting board members			
Decision Maker	Cabinet			
Decision Expected	4 Oct 2018 Decision due date for Cabinet changed from 06/09/2018 to 04/10/2018. Reason: the selection of the short-list of Non-Executive Board members is still under consideration			
Key Decision Criteria	Financial	Yes	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			
Method(s) of Consultation	Briefings			
List of Background Documents to be Considered by Decision-maker	Housing Development Company			
Contact Officer(s) details	Kerry Smith kerry.smith@sefton.gov.uk			

### SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<b>Information, Advice and Guidance Service for Not in Education, Employment or Training (NEET) Young People</b> For the authority to award a new 4 year contract to commence 01 April 2019, with annual break clauses, to enable the inclusion of Life Chance Funding (Social Impact Bond) outcomes in delivery.
Decision Maker	Cabinet
Decision Expected	4 Oct 2018 Decision due date for Cabinet changed from 06/09/2018 to 04/10/2018. Reason: there is a need to consult further with

## APPENDIX 3

	the Cabinet Member – Regeneration and Skills and thereafter to reconsider the recommendations for Cabinet			
Key Decision Criteria	Financial	Yes	Community Impact	Yes
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regeneration and Skills			
Persons/Organisations to be Consulted	Not applicable			
Method(s) of Consultation	Not applicable			
List of Background Documents to be Considered by Decision-maker	Information, Advice and Guidance Service for Not in Education, Employment or Training (NEET) Young People			
Contact Officer(s) details	Claire Maguire <a href="mailto:claire.maguire@sefton.gov.uk">claire.maguire@sefton.gov.uk</a> Tel: 0151 934 2684, Ian Weller <a href="mailto:ian.weller@sefton.gov.uk">ian.weller@sefton.gov.uk</a>			

## 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.			
Decision Maker	Cabinet			
Decision Expected	1 Nov 2018 Decision due date for Cabinet changed from 06/11/2018 to 01/11/2018. Reason: The Marketing Options Appraisal work still requiring completion			
Key Decision Criteria	Financial	Yes	Community Impact	Yes
Exempt Report	Open			
Wards Affected	Linacre			
Scrutiny Committee Area	Regeneration and Skills			

# Agenda Item 8

## APPENDIX 3

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	Nicky Owen nicky.owen@sefton.gov.uk

### SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<b>Homelessness Strategy (2018 - 2023)</b> To seek approval to publish the Homelessness Strategy for Sefton (2018 - 2023)			
Decision Maker	Cabinet			
Decision Expected	6 Dec 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	Members of the public, key stakeholders.			
Method(s) of Consultation	Via Council website and other appropriate channels.			
List of Background Documents to be Considered by Decision-maker	Homeless Strategy (2108-2023)			
Contact Officer(s) details	Alistair Malpas alistair.malpas@sefton.gov.uk			

# Agenda Item 9

<b>Report to:</b>	Overview and Scrutiny Committee - (Regeneration and Skills)	<b>Date of Meeting:</b>	18 September 2018
<b>Subject:</b>	Cabinet Member Reports – July 2018 to September 2018		
<b>Report of:</b>	Chief Legal and Democratic Officer	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Communities and Housing; Health and Wellbeing (Green Sefton element) 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; Health and Wellbeing (Green Sefton element); Planning and Building Control; and Regeneration and Skills reports relating to the remit of the Overview and Scrutiny Committee for the period July 2018 to September 2018.

## Recommendation:

That the Cabinet Member - Communities and Housing; Locality Services; Health and Wellbeing (Green Sefton element); 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?

# Agenda Item 9

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

**(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, Moncur's (relating to Green Sefton) 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
<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:

Cabinet Member – Communities and Housing;  
Cabinet Member – Locality Services;  
Cabinet Member - Health and Wellbeing (Green Sefton element);  
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**

1.1In 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.

1.2Attached to this report, for information, are the most recent Cabinet Member reports for the Communities and Housing; Health and Wellbeing (Green Sefton element); Locality Services; Planning and Building Control; and Regeneration and Skills portfolios.

1.3 Members will note that this report also contains an update on the Green Sefton element of the Cabinet Member – Health and Wellbeing’s portfolio; and that this report was also be considered by the Overview and Scrutiny Committee (Adult Social Care and Health) at its meeting held on 4 September 2018. The Overview and Scrutiny Management Board, at its meeting to be held on 25 September 2018, will consider which Overview and Scrutiny Committee issues associated with Green Sefton should be reported to. Following determination by the Management Board on the Green Sefton element of the Cabinet Member – Health

# Agenda Item 9

and Wellbeing's portfolio will be reported to the appropriate Overview and Scrutiny Committee.



**CABINET MEMBER UPDATE REPORT**  
**Overview and Scrutiny Committee (Regeneration and Skills - 18 September 2018)**

COUNCILLOR	PORTFOLIO	DATE
Patricia Hardy	Communities and Housing	August 2018

**NEIGHBOURHOODS AND PARTNERSHIPS**

**Area Co-ordination**

Prior to the new playground equipment being installed at Smithy Green playground Formby Parish and Ward Councillors asked Community Payback to paint the park railings.

As part of the Netherton action plan developed after the recent incidents works undertaken have included graffiti removal, installation of new lighting and weed spraying/removal in and around the Marian Square. Work is continuing to address the issues highlighted by Cabinet Member Communities and Housing and Ward Councillors and regular updates have been provided.

An event to celebrate the re-opening of the Aintree Youth and Community Centre took place on Saturday 25 August.

A feedback report has been prepared for Overview and Scrutiny Committee Regulation and Compliance which includes Resident, Member and Partner feedback about the three Constituency forums that took place in June and July 2018.

Throughout the School holidays a number of activities were delivered in our parks and green spaces. These have been well attended and supported via the Community Safety Partnership, Merseyside Police, Voluntary Community and Faith Sector and Active Sefton.

**Welfare Reform**

Summer Food project

The Summer Food Project ran across the school summer holidays. Meals were given to families from 8 Children’s Centres, 6 voluntary organisations and 1 school across the Borough. 505 meals were served in the first week of the project and further information will be provided at the next meeting.

Food Bank

First quarter 2018	South Sefton	Southport
Total Vouchers received	456	159
Adults Fed	583	220
Children Fed	409	160
Total Fed	992	380
Crisis Type	Low income 218 vouchers presented 465 people fed	Low income 74 vouchers presented 203 people fed
Family Type	Single 253 vouchers presented 55.4%	Single 77 vouchers presented 48.43%
Age group	25 – 64 years 502 people fed	25 – 64 years 195 people fed

**Domestic and Sexual Abuse**

The joint Sefton and Knowsley domestic abuse campaign ‘Escape the Control’ was launched on 21 July 2018 and so far has included the following:

- Advertising on bus, taxi and fire engines across Knowsley and Sefton
- Mail outs and information supplied to a range of organisations including hospitals, GPs, One Stop Shops, hairdressers.

# Agenda Item 9

New website [www.escapethecontrol.co.uk](http://www.escapethecontrol.co.uk) developed which includes key facts about domestic abuse and coercive and controlling behaviour along with support options.

- Regular social media updates via Council websites, Facebook and twitter pages.
- Local press coverage including Radio City Talk, BBC Radio Merseyside and Liverpool Echo. Full details can be found on the Escape the Control website.

For more information visit [www.escapethecontrol.co.uk](http://www.escapethecontrol.co.uk)

Sefton is joining four other Liverpool City Region local authorities in submitting a bid to a new government fund to continue the Domestic Abuse Dispersed Housing programme started with DCLG (Department for Communities and Local Government) funding. If successful, we will continue to have an additional accommodation option for victims of domestic abuse, and provide a safe alternative to refuge. Successful bids will be announced in the autumn.

Sefton is working with local authorities across the City Region to consider a joint bid to the new Child Domestic Abuse Fund recently launched by the Home Office. The focus of this fund is to provide further support to children experiencing domestic abuse.

## **Hate Crime**

Sefton's Hate Crime Strategy is being developed. The Corporate Equalities Group (CEG) have reviewed the strategy and provided their comments. The strategy will be taken to the consultation panel for their consideration. Once completed Sefton's strategy will feed into the Merseyside Hate Crime Strategy.

## **Equality and Diversity**

Online consultation on the draft Equality and Diversity Policy has ended. The majority of responses were in favour of the draft policy. Further responses from partner agencies are being gathered and a report outlining the outcomes of the consultation will be provided at the next meeting.

## **SSCP Update**

The SSCP has approved the purchase of 1000 Breath Testing kits in preparation for the festive season. The highly successful Get Away and Get Safe (GANGS) project has commenced in our community centres and will be accessing Schools in the new term and beyond. In response to community concerns regarding Anti-Social Behaviour in the Waterloo Area the SSCP approved the purchase and installation of a lighting column and CCTV camera. The SSCP purchased 200 drug wipes to support a highly successful campaign targeting those who drive whilst under the influence.

## **Syrian Resettlement Programme**

Under the Syrian Resettlement programme Sefton currently have 11 households accommodating 54 individuals. Under a slightly different scheme, known as the Resettlement of Vulnerable Children, Sefton has 2 households with 4 individuals. Sefton currently have a 16% share of cases in the Liverpool City Region (LCR). In Sefton, we currently have no individuals over the age of 50. 79% of Sefton households are made up of either 5 or 6 individuals.

Most of our adults have achieved entry level 1 in English since their arrival which equates to between 50-52% in total. 84% of our individuals are attending some form of English as a Secondary Language. All children in the programme of compulsory age are attending school.

We currently have 8% of individuals in employment. 79% of individuals aged between 18-64 in Sefton's programme are receiving Jobseekers Allowance which indicates they are actively seeking work. 12% of 16-64 years in our programme are receiving Universal Credit and no individuals under 65 are receiving any form of health-related benefits and out of 12 households the benefit cap had been applied to 5.

48% of individuals in Sefton have reported improved health since arriving. 78% reported good or very good health. 5% reported having a long-term condition or disability which limited their daily activity.

48% of Sefton's cohort aged over 16 have undertaken voluntary work since arriving. 78% have been involved in groups, clubs and organisations within the last 6 months.

84% of Sefton's cohort agreed that their local area was a place where people from different backgrounds get on well.

## **YOUTH OFFENDING TEAM (YOT)**

### **YOT - Performance**

There is no change to YOT performance since the last report, performance against key measures remains good.

The key performance measures are:

- Reduce the number of first time entrants into the criminal justice system
- Reduce reoffending
- Reduce the use of custody

### **Youth Service and Targeted Youth Prevention**

#### **Adverse Childhood Experiences (ACES) Pilot Programme**

The 10 week ACES pilot programme has concluded with excellent feedback from the 8 parents who took part. They reported that they feel enabled and empowered to tackle issues that exist in their lives and improve their ability to parent, ensuring that their children don't have adverse childhood experiences themselves. Sefton has piloted this programme in partnership with Knowsley and Liverpool, the second programme is due to start in September.

#### **UKYP Annual Conference**

The two Members of Youth Parliament (MYP's) for Sefton attended the UK Youth Parliament's Annual Conference. The highlight of the weekend was the 'big debate' of which there were four key areas of discussion.

The MYP's for Sefton submitted 2 motions that were debated:

- Let's Tackle Homelessness
- Support Youth Services

Both motions were passed and made it to the manifesto. From this manifesto, MYP's will then vote on the issues they feel are most important for young people. The top 10 issues will then feature in the 'Make Your Mark' campaign, where Sefton's young people across the borough can vote for the top ranking issue.

#### **Sefton Rocks**

Youth groups across Sefton have decorated dozens of rocks with colourful designs and hidden them in parks and green spaces across borough. Children, young people and families have been encouraged to explore your local parks and green spaces and if they are lucky enough to find a painted rock with a #seftonrocks or a seftonyouth.co.uk link, they are requested to post a picture of it to Twitter and Instagram.

#### **Lost Castles**

Young people from Sefton Youth Voice took part in a series of workshops to create the parts ready for the Lost Castles build on Thursday 8<sup>th</sup> August. Sefton's project focused on a re-creation of Miller's Castle which stood in Bootle in the early 19th century and was displayed in North Park on 11<sup>th</sup> and 12<sup>th</sup> August. The young people worked alongside French artist Olivier Grossetête who creates amazing edifices using nothing more than cardboard boxes and lots of sticky tape.

At the end of the project the Castle was recycled, making it artwork that's also environmentally-friendly.

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## Youth Cabinet

Over the Summer holidays the Youth Cabinet are considering the issue of poverty including the causes, impact and affects it has on people. Following consultation with a High School in Sefton, the first session considered the cost of school uniforms. The cabinet compared the cost of the official uniforms from the recommended supplier and the unbranded uniforms from high street shops. The results revealed that the high street uniforms were considerably cheaper by up to 60%.

### **Youth Bus**

The young people from the Peel Road area of Bootle have been taking part in a cooking programme where they have learned how to make basic meals from scratch. The timing of this programme coincides with the school holidays to provide the young people with a nutritious meal as they cannot access school meals. The young people really enjoyed the project and learned new skills as some of them have never had the opportunity to cook before.

### **SPACE Project**

We have continued to support the music sessions at SPACE and young people have been rehearsing during the summer holidays ready to take part in a production of Beauty and the Beast on the Friday 17th August at SPACE Marsh Lane, Bootle.

Three young people from this project have gained places at Liverpool Institute of Performing Arts (LIPA) to continue with their music, drama and the arts as full-time students.

## **LIBRARY AND INFORMATION SERVICES**

### **Commemoration poetry competition launched**

As part of Sefton's plans to commemorate the centenary of the end of World War I, the Library Service is running a poetry competition and has invited poets from across the borough to put pen to paper to commemorate the end of the war. The poems can deal with loss, celebration, the futility of war or remembrance. During World War I, three of the great war poets, Siegfried Sassoon, Robert Graves and Wilfred Owen spent time in Sefton, so it seemed a fitting way to mark the end of the centenary commemorations.

Poet Steph Pike will perform the winning entries at an event in Crosby library on National Poetry Day, 4<sup>th</sup> October. Steph's rendition of the winning poems will also be broadcast on remembrance Sunday via social media channels.

### **Marine Art Workshops**

The Government has announced its ambition to create 6 more Marine Conservation Zones in the Irish Sea, adding to the 4 that have already been designated. To raise awareness, Sefton Libraries are offering a series of Marine Art Workshops this summer in conjunction with North West Wildlife Trusts. Sessions will be held at Bootle, Crosby and Formby Libraries. Adults and children can learn about creatures that can be found along the Sefton coast and in Liverpool Bay. Using recycled materials from local beaches, participants will be shown how to create artwork which will contribute to an installation. The process will be filmed, culminating in an Open day on Saturday 25th August.

### **Summer Reading Challenge Launch.**

Storyteller John Kirk has recently visited Sefton, to launch this year's Summer Reading Challenge Mischief Makers. Over 300 children across Sefton enjoyed John's madcap story and heard the message 'to keep reading throughout the long summer holidays'.

All Sefton libraries will be running Mischief Makers, (which links with the 80th anniversary of the first publication of the Beano). Library staff have been visiting school assemblies throughout June to encourage children to take part. Last year over 3,000 children started the challenge; with over 2,500 finishing it by reading at least six books. For the last 3 years Sefton has had the highest number of completers, per size of population.

### **Women at War**

Sefton Libraries have been involved in researching the women hailing from the local area who gave their lives in World War One and whose names appear on local war memorials.

# Agenda Item 9

These brave women were initially re-discovered whilst research was ongoing for the current 'Beyond the War Memorials', HLF-funded project. Following research through a variety of sources and a public appeal for information their stories and some photographs were uncovered. The Women at War display banners will be touring the borough as part of the commemorations for the 100<sup>th</sup> anniversary of the war's end in November 2018.

## **Bees coming to Bootle Library**

Following the success of the bee hives at Formby Library, the Big Lottery funded project is to be extended, with a bee hive planned for Bootle Library. Bootle Library has an enclosed area of land at the side and rear of the library where a bee hive will be sited by partners Bee4Biodiversity. Once the hive is installed, the first colony of bees will arrive at the end of September and a range of activities and courses based around the bees is planned for the new year. Formby Library is the first public library in the country to host a bee hive and residents have enthusiastically volunteered to maintain it following training.

## **Library Litter Critters!**

Sefton's Libraries have been supporting the Lancashire Wildlife Trust and Sefton Coastal Partnership to develop a creative 'Litter Critter' display. The project will see families collect flotsam and jetsam from Sefton's beaches. The materials will then be transformed into 3D models of sea creatures for presentation in the community room at Crosby library. The transformation will be captured via slow motion photography to portray the importance of ecological responsibility within our local habitats.

## **THE ATKINSON**

### **Lost Castles**

Liverpool City Region wide project engaging with communities to create structure made of cardboard, brown tape and community spirit. Millers Castle stood in Bootle c1860, lovingly recreated by the people of Bootle; more than 200 helpers came to North Park to work with the artistic team and the result was breath taking, a 40ft castles with battlements, windows and decorative features. All six structures will be the centrepiece to celebrations for each community and its heritage. Family friendly activities take place on sat 11 August on North Park Bootle from 11am-4pm.

### **Vikings: Rediscover the Legend**

Was a hugely successful exhibition for the venue and Sefton. Attracting 17005 visitors, 600 staff-led educational visits, 34 volunteers and achieved a total income of £6,046 with shop retail sales at £5103.

### **Sefton Open**

An exhibition of art by people from across Sefton, opened on 28 July with over 300 people attending the opening event. The exhibition showcases 625 artworks by local artists and involves working with 17 art groups and societies from across Sefton.

### **Autumn Exhibition Launch**

The autumn exhibition season launches on 20 September with profile three new exhibitions:

- The Art of Noise, curated with local groups and individuals and linking artworks with specific pieces of music
- Frank Hampson: The Man Who Drew Dan Dare
- Southport Double Take – historic photographs of Southport blended with modern images

### **Armistice Day**

To mark the 100<sup>th</sup> anniversary of Armistice Day we will launch two linked exhibitions on 6 October, 'Sacrifice: Stories of Bravery & Resilience After Recent Conflicts' and 'Moss Side and the Great War Remembered', an Arts Council funded project created in partnership with Manchester Metropolitan University and local volunteers

## **HOUSING**

### **Liverpool City Region**

The Government have provided additional funding of £27m, which has been offered to 3 Combined Authorities (CA): Liverpool City Region, West **Page 141** Manchester.

# Agenda Item 9

The Board will be looking to oversee the development of a 'Housing First' service proposal to utilise the £7.7m share of these resources offered to LCR CA. A service proposal is still being finalised, and the CA is currently appointing staff who will oversee the development and implementation of this proposal, in collaboration with the LCR Councils. I have recently met the lead officer from the CA for this initiative.

The LCR has also recently received Homelessness Trailblazer funding. This will be a 2 Year funded programme. More details are yet to be shared relating to any grant conditions that may be imposed. There will then need to be agreement and arrangements for proposals to be progressed.

It may be possible to utilise the homeless prevention element of the LCR Trailblazer funding for local service development that would help deliver our homeless prevention interventions.

## **Homes England (HE)- (formerly Homes and Community Agency)**

The HE has an 'Accelerated Construction Programme', under which they will look to provide tailored solutions to help bring sites forward for development. The former Peoples site on Hawthorne Road is being considered under this programme.

## **Private Rented Sector Licencing**

Our 3 private landlord licensing schemes went live on the 1st of March - 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.

As at the 24th July, we had received 356 full applications and 353 partially completed applications, and have issued 66 full licences. We estimate that there are approximately 3,200 properties that will require a license in total.

From September onwards we will be looking to identify landlords who have not applied for a license and begin to take enforcement actions.

## **Housing and Planning Act - Private Rented Sector Enforcement**

I have recently reviewed the Council's own housing enforcement policies, which has now been updated to take account of;

- the introduction of Selective and Additional (HMO) licensing
- the extension to Mandatory (HMO) Licensing from October 2018
- new legislative powers for local authorities introduced under the Housing and Planning Act 2016 which include
  1. Civil Penalties as an alternative to Prosecution
  2. Banning Orders
  3. Database of Rogue Landlords
  4. Extended use of Rent Repayment Orders for other Housing Act Offences - (no longer just for Mandatory HMO Licensing offences)
- the introduction of the Smoke and Carbon Monoxide Regulations
- the introduction of the Redress Scheme for Letting Agents and Management work
- targeting our staff resources - prioritising which properties require inspection and providing more detailed advice to empower tenants to address issues with their landlord themselves.

## **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. The first homes have been completed and new families began to move in since January. They are also preparing a planning application for 9 new homes for the small site on the corner of Hawthorne Rd and Harris Drive.

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

The Council has a legal duty to adopt a Homelessness Strategy. I have recently considered the results of the Homelessness Review and approved a draft Homelessness strategy, which will go forward for formal public consultation.

We are beginning to see the impact of the new measures on the demand for Council services, such as a small increase in client presentations, more clients qualifying for active help, longer periods to assess cases and put in place Personal Health Budgets and the 56-day duty to keep cases alive.

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## **Unauthorised Gypsy and Traveller encampments**

The Council has encountered a particularly challenging time for handling illegal encampments on Council land, in a period of 3 weeks (June) there was 8 traveller encampments in Sefton of which 7 were on Council land; mainly in Netherton, Formby and Southport. In 2018, there have been a total of 11 instances of Unauthorised Encampments involving 90 caravans over 25 days (as at July). Merseyside Police have been helpful and remained in contact with us with regards the handling of traveller encampments.

This activity has been demanding on Council staff resources, as we have to carry out a welfare visit to any unauthorised encampment prior to undertaking legal eviction action, then organise and carry out any reinstatement works on our land.

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## CABINET MEMBER UPDATE REPORT

**Overview and Scrutiny Committee (Adult Social Care and Health – 4<sup>th</sup> September 2018)**

**Overview and Scrutiny Committee (Regeneration and Skills – 18<sup>th</sup> September 2018)**

<i>COUNCILLOR</i>	<i>PORTFOLIO</i>	<i>DATE</i>
Ian Moncur	Health and Well Being	August 2018

### **GREEN SEFTON**

**Launch of Green Sefton** - Green Sefton brings together the previous Coast & Countryside, Parks & Greenspaces, Flooding & Coastal Erosion, Risk Management and Grounds Maintenance teams all together to ensure a joined up approach to the vital management, development and oversight of Sefton’s coastline, parks and green spaces. The public launch took place on 8<sup>th</sup> June, with a combined event with a litter pick and plastic pollution awareness for World Oceans Day.

A service vision and service plan are being developed which will be shared with all Councillors in the Autumn and will be guided by discussions with Ward Councillors and Friends groups etc.

**Apprenticeships** - A key support for the development of the new service, and to succession plan, is the development of six Apprenticeships across the service. In the population of the structure, two previous apprentices were successful in being appointed as full time employees.

**Community Rangers** – Volunteering (either ‘public’ or ‘partnering’) remains key to service delivery. The three Community Rangers are to undertake an audit with all Friends/ community groups in order to establish what support they require and how the service will work with them in the future.

### **Community self-management/Market testing of empty buildings**

The service continues to explore new opportunities to facilitate community, sports and other groups taking on self-management of their facilities and features. In addition to existing arrangements, developing discussions are ongoing with a combination of groups and a market test exercise is to be undertaken to hopefully find suitable users for empty buildings (which may include commercial lettings).

### **Community / Partnerships**

**Hesketh Park** – two new volunteer groups i.e. Hesketh Centre volunteers and the ‘Lake Group’ have recently started to volunteer in the Park and are making a huge contribution. Negotiations have begun for the ‘lake group’ to take on self management aspects of the lake and floral clock and for them to look to bring back boats for hire on the lake. The contribution of the new Groups is alongside the various existing volunteer groups.

### **Flooding Issues**

Following thunderstorms on 31st May, two houses in Birkdale were affected by flooding - mitigation put in place (flood doors) were effective on one house, and the other was flooded under floorboards, but this did not reach within the actual house.

The previous months have been one of the driest periods on record, however, in June and July have seen 2 incidents of flooding.

# Agenda Item 9

The first one was on the 12<sup>th</sup> June, near Waddicar, when a piped watercourse under the Leeds Liverpool canal collapsed allowing canal water to flow out uncontrolled. There was only 1 property internally flooded and we are working with Canal and Rivers Trust on fixing the collapse.

The second one, happened on the 12<sup>th</sup> July when an area of Aintree experienced intense rainfall associated with a thunderstorm. The majority of the flood water was contained within the highway however, a number of residents on Sherwoods Lane had external (garden) flooding, had Merseyside Fire and Rescue not responded there would have been internal flooding.

## **Bank Holiday/ busy days**

On the early May bank holiday, several coast gateway sites (including Ainsdale, Crosby, Formby and Southport) enjoyed unprecedented visitor numbers. (This was actually common across the country with a 'perfect storm' of the bank holiday and fantastic weather). While this was hugely welcome to us all, and it is pleasing that so many people saw Sefton's Coast as a destination on such an occasion, it also presented many challenges so processes have been updated to put in place measures to increase resources on such days in the future. This also includes working with National Trust and other Partners.

## **Capital schemes**

**Buckley Hill Playing fields extension of car parking** - Funding of a car park extension has been allocated by Full Council in order to alleviate severe roadside car park issues experienced last playing season. Works are being procured and the scheme will be complete in the Autumn

**Ovington Drive and Smithy Green Play Areas** - Works are being procured, and will be undertaken in the Autumn.

## **Benchmarking/ Awards**

**Green Flag Award** - The following sites all retained the Award for 2018/19: Botanic Gardens, Hesketh Park, Lord Street Gardens, King's Gardens, Coronation Park, Hatton Hill Park, Derby Park, North Park and Duke Street Park, Formby.

**Green Flag Community Award** - In 2018/19 the service assisted several community groups in retaining the Green Flag Community Award: Rotten Row, Southport, St Luke's Church Grounds, North Park Community Garden (involving the Gateway Collective and Ykids), Bridge Inn Community Farm, Formby, Friends of Ainsdale Village Park (who achieved the award for the first time in 2017), and Edda, also located in Ainsdale.

**Britain in Bloom** - All town and neighbourhood entries have been made, judging took place in July, results will be announced in a ceremony in the Autumn. The BBC have taken an interest in Southport in Bloom, and have begun filming the development of this years entry.

**Bathing Water quality** - The Environment Agency have begun their monitoring of our three bathing waters. We are following requirements for providing public notices etc (e.g. at high tide, or after storms). No issues have been raised to date.

<b>CABINET MEMBER UPDATE REPORT</b>		
Overview and Scrutiny Committee (Regeneration and Skills) - 18 September 2018		
Councillor	Portfolio	Period of Report
John Fairclough	Cabinet Member Locality Services	September 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 and improvements to signals at Earlestown West are scheduled to be completed by March 2019.
- A new rail freight service between the Port of Liverpool and Mossend (Glasgow) was launched in May 2018. Three trains per week will run in each direction. This is the first inter-modal service for about 10 years since Freightliner ceased their service in 2007. A new regular transatlantic container service started at the Liverpool 2 deep-water container terminal in July 2018. The service has been switched from Felixstowe to Liverpool on a temporary basis. At the same time, Maersk Line’s South American transatlantic service, Colombia Express, will also start calling at the Port of Liverpool.
- The judicial review of the options consultation process for the major highway scheme is scheduled to be heard on 23<sup>rd</sup> October 2018. The Chief Executive has submitted evidence on behalf of the Council.
- Highways England has continued with the design and assessment of their preferred option. The Council has advised Highways England that it considers that work on the scheme should be suspended until the Judicial Review has been concluded and has not granted access to Council owned land. Requests for information are being dealt with as requests under the Environmental Information Regulations. Highways England is planning the statutory consultation with the local community and key stakeholders for autumn 2018, although the exact date is not yet determined. If the statutory consultation takes place in autumn 2018 as programmed Highways England hope to be able to submit their application to the Planning Inspectorate in summer 2019.

### **LTP and Growth Plan**

- Sefton is continuing to work with the LCR Combined Authority, Merseytravel and the other local authorities on the delivery of the transport capital programme.

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- The development of the M58 Junction 1 scheme continues although the start of construction has been delayed because the Council does not yet have access to the land. The Council successfully negotiated the withdrawal of the single objection to the Compulsory Purchase Order, which has now been signed by the Secretary of State. Once the notices have been signed by Highways England, they can be issued to the relevant parties. The Council continues to seek acquisition by agreement and is also discussing with landowners' representatives the possibilities of securing early access to the land. This has been agreed in principle but the details are being finalised. Highways England have approved all of the necessary departures and the Safety Audit Work has been undertaken. Acquisition of one of the plots of land in Sefton's section of the scheme has been completed and the other plot will be secured through the CPO process. Vesting of the site should take place in October.
- Works are progressing on the A565. Works within the Sefton section of Derby Road have been re-scheduled to enable static diversions, but are expected to start in autumn. The works along Regent Road are continuing. The scheme is programmed for completion in 2019.
- Maghull North station has been completed and opened in June 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 Kirkby and East-West cycle improvements in Southport. Schemes for the A565 in Thornton and on Buckley Hill Lane (to relieve Edge Lane) and improvements to Southport East West cycle links are planned for delivery this financial year.
- The traffic modelling and options testing for the Southport Eastern Access and the Maritime Corridor projects is continuing. The forecasting work for the Southport Eastern Access scheme indicates that there should be a viable business case. City Region funding is being used for both projects and strategic outline cases for both projects are expected to be completed in the autumn.
- The programme of Local Growth Fund schemes on the Key Route Network includes proposals for a major junction improvement at the Dover Road junction on the A59 Northway. An outline design has been prepared, some site investigation has been completed and discussions with the main landowner are ongoing.

## **Local Transport Schemes**

- Delivery of the Transportation Capital Programme for 2018/19 is continuing following approval of the programme by Cabinet Member in June 2018.

## **Sustainable Transport**

- The Combined Authority is still waiting to hear whether the bid for the European Sustainable Urban Development (SUD) fund submitted to the Department for Communities and Local Government (DCLG) in February 2018 has been approved. A decision was expected in the summer.

- 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 were included in the bid.

## **Highway Development and Design**

### **Planning Applications**

- Since the beginning of June 2018 the team has processed 237 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, Brackenway, Lydiate Lane, Bankfield Lane and others.

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

- There has been a considerable increase in submissions and the subsequent processing of these at times, lengthy and complex 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 - 27
- No of stalled or no activity (on the part of a developer) - 10
- Number of development sites adopted within the last 6 months (March 2018 to June 2018) -4
- No of submissions awaiting technical approval - 6
- Number of new and recent submissions awaiting administrative set up - 3

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

- There is an on-going increase in the numbers of these type of applications generally due to the approval of planning applications for Local Plan sites. Whilst a number of these schemes have been completed in the last period, a number of new applications have also been received.
- The team are currently managing 55 live s278 HA 1980 highway works schemes in various stages of development on behalf of the Council and with values exceeding £1.5m. The successful delivery of these schemes is dependent on close liaison with the Legal, Finance and Planning Departments.

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

- Rights of Way Improvement Plan (ROWIP) 2 – Ongoing negotiations with the Liverpool City Region and other neighbouring Authorities
- English Coastal Path – On site route feasibility reviews commenced with Natural England and a final year claim submitted of £5,400 of which covers officer time incurred on the project
- Green Sefton are now closely involved in this project with available time charging to cover staffing resources and overheads. Consideration is also being given to some stewardship responsibilities in the longer term.
- Advising on the preparation of two Schedule 14 Applications for up to nine additional PROW's.

# Agenda Item 9

St Lukes Church Road claim has been submitted to the Licensing and Regulatory Committee which all being well, will mitigate the potential for a major Public Inquiry for which the Council would have to bear associated costs

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

- The team is continuing to take a lead in managing the transportation issues involved with the Land East of Maghull and this is ongoing with a submitted masterplan document now under consideration.
- The team is continuing to work 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.
- The team is seeing more developments affecting the daily operation of the highway and as such, at the request of the Planning Committee, we are asking to see more construction traffic management plans so that we can manage the highway network efficiently and effectively with minimum disruption to users of the highway and with the important benefit of highway safety.

## **Design**

- This part of the team is also supporting the delivery of the Step programme  
Current schemes include:
- Feasibility study for Southport Eastern Accesses – to improve the connectivity to Southport Town Centre and the seafront
- A59 Port Capacity – a scheme to improve capacity along the A59 through Maghull, on its approach to Switch Island
- Various cycle improvement schemes to link the eastern side (Kew area) to the centre of Southport and a scheme to link the borough boundary at Kirkby to Maghull.

## **Permit Scheme**

- The third year review of the Permit scheme has been completed and published in accordance with legislative requirements. Permit fees levels have been analysed and evidence is such that a revision to those fees is appropriate. Part of this process includes consultation with interested parties. The consultation period ended on Friday 31<sup>st</sup> August 2018. A subsequent report will be presented to Cabinet Member and Cabinet in due course.

## **Winter Service**

- The annual consultation with Elected Members has been completed. The revised policy and operational plan will be presented to Overview & Scrutiny (Regeneration & Skills) Committee on 18<sup>th</sup> September.

## **Street Lighting**

- The Councils new Street Lighting contractor is continuing to deliver services to a high standard which is reflected in the early KPI reports. There is currently no backlog of faults which are being responded to within 5 working days.
- New faults are still being received daily from the public which continue to be recorded and processed accordingly.

## Traffic Signals

- The LCR joint Traffic Signal Maintenance Contract continues to function well across the city region.
- The Council has entered into an Agency Agreement with the LCRCA to facilitate the delivery of the UTC Communications upgrade to digital along the KRN. This project is being funded 100% by the Combined Authority

## Highway Maintenance

- All works for general maintenance, resurfacing, weed spray and grass cutting continue to be delivered with no relevant operational issues

## Cleansing Services

- Green garden waste collections have been severely affected by the hot, dry and sunny summer. In July this year we collected some 600 tonnes less garden waste than we collected in July 2017. However, following the recent rainy conditions and continuing warmth and intermittent sunshine, we are hopeful that collection tonnages for August and September should be higher than previous years.
- In an effort to improve recycling rates in 'weekly sack collection areas', and also to combat dumped bags of waste at gated entries and the issue of 'spillages' in many terraced streets, tighter systems are being introduced to improve the visible and amenity value of the environment in these collection areas. Many sacks are currently placed in the wrong position, or are left outdoors after a collection has occurred, or are not tied or secured properly leading to spillage in the streets. Whilst crews have a brush and shovel for spillage all too often vermin or birds spread the contents of the split bags across a wide area which hinders the collection of the spillage. Crews will be sticking bags that are open/incorrectly presented or dumped outside gate entries. This will then be investigated and any evidence found will be passed to enforcement colleagues for 'fixed penalty' notices or prosecution, the stickered bags will then be collected.
- The recent long spell of hot weather has also seen litter bins across the Borough needing additional collections due to the increased volume of waste generated from both the increased number of visitors and also residents and families spending more time outdoors. Over the summer period so far we have collected almost double the tonnage of previous holiday periods. It should be noted that all litter bin waste is sent for recycling and re-use.
- The Cleansing operation is continuing to re-schedule refuse and recycling collections in 'difficult to access' roads and streets. However, the issue is becoming increasingly difficult as more cars and inconsiderate parking of cars prevents access to the standard size refuse collection vehicles. This results in either having to re-send the original collection vehicle, or a smaller vehicle, to collect the missed bins. An exercise is being undertaken in conjunction with colleagues in the Highways Section to review TRO's (Traffic Regulation Orders) to see if the use of double yellow markings, or similar deterrents, can alleviate some of the problems.

# Agenda Item 9

- The Cleansing operation has again recruited additional “temporary” staff to remove weeds/leaves and assist with the general cleansing operation in known or identified ‘grot spots’. This scheme provides valuable work experience for unemployed people who have been unemployed for in excess of nine months, and all operatives live within the Council boundaries. The aim is to upskill these staff and get them back into the ‘work routine’ with a view to making them more flexible, adaptable and employable within the labour market in the future.
- The Cleansing operation has helped to deliver a range of successful events and shows throughout the summer. To date, the operation has provided services and assistance to the Food & Drink Festival, Formby Festival, Air Show, Southport Flower Show, Bootle Festival, Tall Ships, etc. All have been successful in benefitting local residents and visitors alike that see Sefton Council staff delivering such efficient services across a wide and varied range of events. There is just the Fireworks event in late September to conclude this year’s major events.

## **Cemeteries and Crematoria**

### Cremation Regulations 2017 Update

In 2017 the regulations under which the crematoriums in Sefton operate were amended (updates). The main change was the introduction of new application forms (Form 1, 2 and 3) from 06 April 2018. In order to facilitate this amendment, the Authority’s preliminary application form has been changed and updated with the new service area branding.

### New Software

The service area has a statutory duty to maintain records (e.g. burial, cremation and grave registers) in perpetuity. Since 2000 records have been stored electronically on bespoke software. However, this software is no longer compatible with the current ICT infrastructure and is now also not being supported. A procurement process is currently being undertaken for a new bespoke system and it is planned that a new system will be in place before the ‘busier’ period commences this winter coming.

### Cremator Maintenance

Cremation is permitted and monitored via the ‘Environmental Permitting Regulations’. Regular maintenance is essential to meet the permit’s statutory requirements. Maintenance of Southport Crematorium’s cremators was procured (through open competitive tender) via the cremator supplier and a contract is in place until 2020. This maintenance contract was to be extended to the new cremators at Thornton Garden of Rest, where the same supplier was awarded the supply contract (again through open competitive tender) in 2016. However a framework now exists for cremator maintenance, which was not previously identified at the time of supply. The framework will now be considered, but due to late identification, a contract waiver secured this year’s essential maintenance.

### Accredited non-traditional coffins now accepted for cremation

After completion of a programme of rigorous testing, non-traditional coffins (such as, ‘green’ coffins e.g. willow or sea-grass) manufactured by members of the FFMA or CCSA, are now accredited for cremation at Sefton’s two crematoriums. This will now provide an enhanced service for bereaved families and undertakers alike.

### Former Office at Thornton Garden of Rest

The process to lease out the former cemetery office (until spring 2020) has begun. A cemetery-related business will be sought, e.g., stone mason, florist or funeral director.



The building is currently part-occupied by the grounds contractor until spring 2020. After this period the building and depot will be considered for disposal/lease.

## Bootle Cemetery – Section 106 works

Work to protect graves on the corner of sections has been completed, and a number of further options are being considered and discussed with elected members and site users.

## Duke Street Cemetery

£8k of ward funding was granted for improvement works, including signage, planting, flower beds, and works to improve the entrance. All works are continuing and it is expected that all shall be completed over the coming month.

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<b>CABINET MEMBER UPDATE</b>		
Overview and Scrutiny Committee (Regeneration and Skills) - 18 September 2018		
COUNCILLOR	PORTFOLIO	DATE
Daren Veidman	Cabinet Member Planning and Building Control	September 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. They were consulted on in March/April. The SPDs were adopted by Cabinet in June, whilst the Sustainable Drainage and Flood Risk Information Notes were adopted in July.
- 1.3 SPDs for the Crosby Coastal Park and Pavement cafes, outdoor sales and A boards will be prepared during the course of 2018, and the Design and Shop fronts, security and signage SPD will be updated. Work has also commenced on updating and incorporating the Landscape Character SPG into a new Landscape SPD.

### Liverpool City Region work

- 1.4 Work on the proposed Strategic Spatial Framework for the Liverpool City Region is now being led by the Combined Authority. Follow up work required relating to the need for a strategic B8 (warehousing) Study has been commissioned. This will initially identify the need for new logistics development associated with the growth of the Port of Liverpool. A subsequent piece of work will assess optimal locations where this need could be located.
- 1.5 We are also involved in the preparation of a 'Visitor Management Strategy' for the Greater Merseyside area. This will sets out how each LPA can address its legal obligations under the Habitat Regulations relating to the impact residential allocations and tourism-related development will have on sensitive habitats on the Sefton coast resulting from increased visitor pressure. Consultants have been engaged by the Combined Authority and we are contributing to its preparation.

# Agenda Item 9

## Neighbourhood Planning

- 1.6 Four Neighbourhood Plans which are being prepared by five Town and Parish Councils in Sefton. The Maghull and Lydiate NPs were submitted for examination in April. The statutory 6-week consultation for each plan (known as the Regulation 16 Consultation) was been completed and all documents sent to independent Examiners. We expect to hear whether the Neighbourhood Plans can go forward to a referendum (for each Plan) by the end of the year. Assuming the Plans are approved by the local community, they will then become part of the Development Plan and have the same status as our Local Plan. If there are any conflicts in policy advice, the Neighbourhood Plans will take precedence, although this will only apply to the designated Neighbourhood Plan areas.
- 1.7 This will impose new challenges on the team as we organise examinations for each Neighbourhood 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. In addition, several members of the team are helping Development Management by processing their own caseload of applications.
- 1.9 As a result of the Local Plan being adopted, we 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 have resumed 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.
- 1.10 As a result of the Government's publication of a revised National Planning Policy Framework, we are reviewing our Local Plan policy approach to the provision of affordable housing as a result of new threshold and definitions that have been introduced. Consequently we have asked our retained consultants to assess what the implications are for Sefton and whether we need to change our existing policy approach.
- 1.11 As part of the requirements set out in the NPPF we not only have a 5-year supply of deliverable housing, but we also need to ensure that we pass the 3-year Housing Delivery Test. If we do not, we have to set out an action plan setting out what steps we will undertake to address the deficit and boost the delivery of housing in Sefton. This could result in us having to review our Local Plan, which will require a major input of both financial and staff resources. One simple way that would assist is that Local Plan sites allocated for housing that are owned by the Council are brought forward for development. The appointment of the Head of Commercial Development will assist us bringing these sites forward.

- 1.12 As part of our statutory requirements, and to ensure we meet these requirements, we are updating our Strategic Housing Land Availability Assessment (SHLAA) to April 2018, and up-dating the Brownfield Register which we are required to submit to the DHCLG by the end of each year. We are also about to commence work on updating the Urban Capacity Study, so we know what sites are potentially available in the urban area and whether they are developable. This work is expected to take about 6 months. We are also aiming to produce our Authority Monitoring Report by the end of the year.

## **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 Works have started on a number of Heritage at Risk sites following planning permission being granted, this includes 2 Oxford Road, Birkdale, 8 Oxford Road, Birkdale and former Sunnymede School, 4 Westcliffe Road, Birkdale. A number of planning applications have been approved that include the improvement of Heritage at Risk sites including 30 Lulworth Road. A scheme is also being assessed on the major Heritage at Risk site of 40 Lancaster Road (former school for the partially hearing).

### Development Management

- 2.4 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 85 detailed consultation responses from May to July 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 continues at a high level as we are considering the submission of a number major applications relating to sites identified for development in the Local Plan.
- 3.2 Between May 2018 and July 2018 we have approved 207 units of residential accommodation (taking account of the numbers in full or 'reserved matters' applications only, and not 'outlir

# Agenda Item 9

The following 5 major developments were considered and approved by Planning Committee.

REFVAL	Address	PROPOSAL
DC/2017/01641	71-73 Scarisbrick New Road and 1-1A Balfour Road, Southport	Erection of a three storey residential care home including layout of car parking with vehicular and pedestrian access and associated landscaping following demolition of existing dwellings
DC/2017/02138	Land Off Lenton Avenue, Formby	Application for approval of reserved matters for the erection of 34 dwellinghouses pursuant to outline planning permission DC/2015/02194 granted 22/11/2016 - for layout, scale, appearance and landscaping
DC/2018/00910	Former Peerless Refinery Site, Dunnings Bridge Road, Netherton	Variation of condition application attached to planning application DC/2016/02454 approved 07/07/2017 to vary Conditions 2, 10, 22, and 25 and to remove Conditions 31 and 32
DC/2014/01312	Former Arriva Bus Depot, 503-509 Hawthorne Road, Bootle	Outline Planning Application for redevelopment of former industrial land for mixed use development purposes comprising: demolition of all existing buildings; construction of 2,323 sq.m. Class A1 retail development; erection of 119 family dwellings, 100 space car park, servicing space and rationalisation of existing vehicular accesses onto Hawthorne Road to create 2 vehicular access points and 1 pedestrian access, new link road from Barton Close together with site wide landscaping and enhancement of the canal frontage area.
DC/2017/02359	Land East Of Waddicar Lane, North Of Footpath Melling No 3, North Of Rainbow Park Waddicar Lane Melling	Erection of 149 dwellings, construction of new vehicular access, flood attenuation basin, landscaping and associated works

- 3.3 We have received a total of 608 applications in this time scale, including 71 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 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 the adoption of the Local Plan.
- 3.6 Staff levels have improved following extended periods of sickness within the team, and we have been able to recruit a team leader to strengthen the enforcement side of the service which has been under constant and increasing pressure in recent times.

- 3.7 We continue to look for opportunities to 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 continue to explore these where we feel they lead to an improved service.

## Enforcement update

- 3.8 Review of the quarter from 1 May 2018 to the 31st of July 2018
- New cases - 223
  - Cases resolved - 179
  - 24 retrospective applications totalling £10,543 fees.

## **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 for the 1st quarter of financial year 2018/19 show that the Team's market share is 75% - 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 (and local) targets for plan assessment and the carrying out of site inspections.

### Income and financial performance

- 4.2 Building Regulation income for the 1st quarter of 2018/19 shows an increase of 5% when compared with the same stage in the previous financial year. Whilst costs have also increased, the fee earning element of the Teams work has produced a surplus, which will be used to part subsidise the other various related statutory work elements of Building Control work - such as ensuring safety at sports grounds and dealing with reports of dangerous structures.

### Safety at Sports Grounds

- 4.3 Over the close season, the Building Control Team has been inspecting improvement works to the main grandstand at Southport FC's Haig Avenue stadium. As a result of those works (and a change to the named safety certificate holder) the Team has also produced revised safety certificates and presented them to the Licencing and Regulatory Committee for their approval. The revised safety certificates for the Main Grandstand and the Jack Carr Stand were issued prior to the Club's first home game of the 2018/19 season.

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## Commencement on site of new schemes

- 4.4 A number of new schemes across the Borough have recently commenced on site - the Medium Secure Unit, Maghull, Lifeboat Station, Southport, Stage 4 of the David Wilson Housing site, Kew, Stage 2 of the Priory Assets site, Maghull and a new housing development in Oxford Road, Bootle. Work on the re-cladding of Cygnet House and Wren House Bootle continues and the change of use of 3TC House in Waterloo (to a residential property) is due to commence early September 2018.

## **5. Technical Support**

### Performance

- 5.1 Performance against targets for the period of May to July is detailed below. We have endeavoured to meet our targets but due to the influx of largescale housing applications, the seasonal increase in land charge search requests and the increase in market share of Building Regulation applications we have had to allocate resources to ensure all services are covered.

The validation of planning applications for this period within the target of 5 days is 54% (with an overall average of 6 days). This level of performance represents an increase from this time last year when the performance level was just 45%. A point of note, in July (the last full month in this reporting period) our performance was at 83% with an average of 5 working days. This 3-month period included a number of significant applications that required extensive consultation, notification and validation.

The team registered and acknowledged 97% of enforcement cases within 5 working days. This time last year it was 93%. There has been a significant increase in the number of enforcement cases for the comparable period last year.

Booking in of Building Control applications stands at 51% within 3 working days with the average number of days to book in being 5 days.

99% of pre-application enquiries were registered within 3 days, the average is 1 day to book in these. The same period last year it was 71% on target (+28%).

The team achieved 98% of land charge searches within 10 working days.

### Service Development

- 5.2 Work has commenced on the transfer of the Local Land Charge Register to HM Land Registry. Detailed specification of extract routines for the back office software has been undertaken. New software has been installed on our test system to ensure we are able to facilitate the transfer. Initial testing of the extract routines will take place in due course.
- 5.3 Our data cleaning project is continuing, 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. It is anticipated that the Local Land Charges register and searches of it will be transferred by the end of 2018.



- 5.4 Initial meetings of the service improvement group have identified areas for service development. This includes review of standard letter templates, making our web pages more user friendly, preparing guidance notes for staff. Further opportunities for savings and income generation will be explored in the coming months.
- 5.5 Following the introduction of the General Data Protection Regulations key members of staff have undertaken training on the data management tool for our back office systems. This will enable the department to comply with its obligations under the new regulations.
- 5.6 Team members have been preparing for the decant of the Service to the 4<sup>th</sup> floor of Magdalen House. This has involved changes to working practices to ensure a smooth transition to agile working.

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<b>CABINET MEMBER UPDATE REPORT</b> Overview and Scrutiny Committee (Regeneration and Skills) - 18 September 2018		
Councillor	Portfolio	Period of Report
Marion Atkinson	Cabinet Member Regeneration and Skills	September 2018

## Tourism Update

### **Business Tourism**

- In the first quarter of the 2018-19 financial year, three conferences were confirmed worth around £1m to the local economy. These events will bring approx. 1900 bed nights to Sefton.
- In terms of conferences that have taken place since April, incorporating the 1<sup>st</sup> quarter and part way through the 2<sup>nd</sup> quarter we have hosted 10 events in total. These events brought £4.48m into the local economy and generated around 9,715 bed nights
- We confirmed attendance at the TUC main conference in Manchester in order to hopefully generate more enquiries. A review of exhibition attendance is underway to make best use of resources.

### **Destination Marketing**

- Summer advertising campaign ran July and August. It was a mix of radio (Heart) and digital (Google/Facebook) activity.
- Design work commenced on 2019 Southport Visitor Guide. Design styling approved and first draft of copy received.
- Marketing Southport current membership stands at 115.
- Six journalist (print and blogger) visits were hosted in July / August, the first few reviews from these visits have now appeared – generally very positive about their experience of Sefton.
- Familiarisation trip hosted for Marketing Liverpool staff to ensure an up to date understanding of the Sefton offer.
- Travel Trade (coach operators and group travel organisers (GTO's)) PR over the last quarter included coverage of coach host award from Rotary Club and Southport 'Pick'n' Mix' product.
- Travel Trade familiarisation trip planned for September. Ten coach operators/GTO's will attend with journalist from one of the trade magazines.

# Agenda Item 9

- Golf figures show a 52% increase on accommodation booked via England's Golf Coast for their directly sold packages.
- Planning for autumn advertising campaign nearing completion, again a mix of radio and digital.

## Events

### Southport Air Show

- This year's Air Show took place in July due to the tidal patterns in September not being suitable.
- The Friday Night Flying Event was successful with visitor numbers doubling from the previous year. The Red Arrows made an appearance on the Friday along with air displays featuring LED lights and pyro's as part of the displays with a grand finale firework display.
- The World Cup clashed with the Saturday having a slight impact on attendance numbers but the Sunday had good attendance.
- Dates for the 2019 event will be announced in the next few weeks.

### British Musical Firework Championship

- The event will be the same format as previous years with 2 displays on the Friday and Sunday and 3 displays on the Saturday.
- Tickets sales are going well and are up on last year – the seated area has been increased this year due to its popularity and tickets have sold out for the Saturday.

### Other Events

- Advice and support is continuing to be given to other event organisers such as the Crosby and Waterloo Food Festival. The last event had to be postponed due to adverse weather conditions.

## Tourism Operations

### Southport Market

- Current national and local trading conditions continue to impact on the market trading performance.
- There continues to be interest for short term licences, and potential pop up experiences. This is following on from dedicated advertising aimed at new start-ups on digital platforms, local press and industry PR.
- To attract greater footfall targeted digital marketing campaigns are continuing.

### Outdoor Markets

- The Outdoor Markets continue to grow, the Tuesday market in Southport and Friday Market in Formby are particularly strong, with a high demand for pitches.
- We also have visiting markets (Modern Markets) booked in throughout the season.

## Seafront

- Southport Pier Phase one is now complete, the new kiosk has been fitted out to a very high standard, and is a welcome asset to this iconic visitor attraction. Vast sections of steelwork under the Pier have been painted and treated securing the Pier's future for years to come.
- Following contractor appointment phase two work will start on site by 1<sup>st</sup> October 2018 and will be completed by 21<sup>st</sup> December, 2018 ready for the Pier Concessionaire to fit-out the new food and drink retail kiosk and improvements to the end pavilion.
- **24 Hour Yacht Race** starts on Friday 7<sup>th</sup> September with over 70 teams taking up the challenge, this will result in a large contingent of onlookers, Sefton have supported this event by delivering skips to the three clubs involved to aid in the recovery of litter from the event while ensuring The Marine Lake is of a standard to hold such a race.

## **Visitor Economy**

- The 2017 Sefton visitor economy figures have been released;
  - Visitor Numbers - 9.1m - 4.2% increase
  - Staying visitors - 755,000 - 4.6% increase
  - Economic Impact - £555m - 7% increase
  - Total Employment - 6,755 - 4.8% increase
- These figures are published by the STEAM (Scarborough Tourism Economic Activity) model, which is used throughout the UK tourism industry to measure economic impact of the visitor economy, and International Passenger Survey.

## **Employment and Skills Programme**

### **Sefton@work**

#### ESF funding extension.

Reports have been prepared for the September Cabinet meeting to ensure that a process is agreed for the timely acceptance of extensions for European Social Fund. Sefton@work attracts European grant to sustain its services to workless residents through these means and an extension will allow the continuation of delivery through to end March 2020.

### **Employer Engagement**

Sefton continues to engage with employers to capture vacancies to be targeted at workless people and to develop pre-recruitment arrangements that can enable clients seeking assistance to apply on a level playing field with the wider labour market. Recent activity on this reporting period has included:

- Pre-recruitment training and open days in collaboration with security companies for local people seeking to gain appropriate accreditation for work in this sector. This has included guaranteed job interviews for those who complete the programme.

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- Ongoing partnership working with new local Food Manufacturing and processing company producing sushi and other snacks for large retailers. Training in this instance has been undertaken directly by the company. Sefton@work has provided premises for interviews and testing and has delivered a number of information sessions and interview preparation to interested clients, enabling the company to be presented with shortlists of prepared applicants. These jobs have proven very popular as the terms and conditions are attractive for this sector.
- Peel Ports Ltd has recently appointed a new third-party labour supply company. During the tenure of the last contractor, opportunities to work as Port operatives and other ancillary occupations connected with the Dock were difficult to access for our workless clients, or through Jobcentre plus. Fortunately, however, the new supplier has a long-standing relationship with local agencies and they have already entered into negotiations with Sefton@work about how they can collaborate during future recruitment rounds to encourage more local residents to apply.
- Pre-recruitment activity sessions have also been developed in partnership with Santander to be delivered throughout September.
- A recruitment scheme is ongoing for Docklands Logistics. This company provides essential services at the Freeport in terms of the monitoring of vehicles entering and leaving the port estate from the road network. They also transport cargo through their own vessels across the Eire. They have recruited through Sefton@work since their inception. The company has taken on more contracts and now needs new staff for additional stevedoring and Gatehouse roles. Cabinet Member for Regen and skills visited the company last year during her tour of employers hosting our ILM opportunities.
- Large scale recruitments have been undertaken with Flip Out, the Trampoline activity centre opening shortly. The company has commenced training with their new recruits in advance of their opening date and Sefton@work maintain relationships with the company for a potential second wave of local recruitment.

## ILM Programme - paid employment contracts with local SME companies

There have been limited new starts during this reporting period whilst awaiting confirmation of ESF extension funding has been outstanding. However, some activity for people from vulnerable groups has been ongoing including the creation of a new ILM in a third sector special needs housing provider, which was able to offer a start to a resident of the L30's Million project. Members will recall from previous reports that more than 130 Sefton residents have benefited from ILMs so far using European Social Fund.

## Summer Activity for School Leavers

Every Friday Afternoon over summer Sefton@work and Career Connect has undertaken marketing activity around The Strand shopping centre to attract promote the services for younger people and engage with them in an informal way about their next steps. This year, the aims has been to also promote Sefton@work's personalised budgets to ease the financial burden of starting College or training and also encouraging young people to consider apprenticeships. This is part of Sefton's commitment to the Liverpool City Region Apprenticeship Growth Action Plan.

## Aspiring Instructors 2018

A Graduation afternoon was held in July to celebrate the achievement of the participants. This was the fifth iteration of a very successful collaboration between Active Sefton and Sefton@work. This is an innovative and intensive intervention conducted over 16 weeks aiming to give unemployed residents a high quality, vocational pathway into the leisure, sports and fitness industries. Discussions have since been held, led by Cabinet Member for Regen and Skills, to consider options for securing the delivery of this vocational route way into future years.

## Social Value - Targeted Recruitment for Sefton's new Domiciliary Care Providers

Early dialogue between the Investment and Employment team and Social Care commissioners during the procurement exercise to secure new contractors to deliver these contracts has resulted in ongoing intervention and recruitment support to enable more local residents to enter employment with the incoming providers. Introductions to the new providers were made via Commissioners and dialogue with Sefton@work has resulted in a number of mitigations to the employment practices of the suppliers which have improved the quality of the terms and conditions being offered in terms of hours, arrangements for clearance vetting, uniforms, travel times etc. Sefton @work have held information sessions across Sefton offered in conjunction with the contractors which have improved take-up and interest in a sector which frequently faces recruitment problems. Sefton@work has agreed to maintain regular contact with the suppliers to help them keep to their employment & training commitments throughout the contracting period. This exercise is an example of good practice in securing Social Value in allowing the Council to deliver maximum local economic impact with its own expenditure on essential services.

## Sefton Adult Community Learning Service

- Progress on Devolution of Adult Education Budget

Consultation process has begun with the Combined Authority as the Adult Education Budget is to be devolved as part of the agreement with national government to the Liverpool City Region. The current delivery year 18/19 has been considered a transitional period with limited change but from 19/20 delivery will be much more flexible according to local priorities. The commissioning of the Adult Education budget undertaken through devolution will be driven by the 5 year LCR Skills Strategy. Annual Skills Investment Statements will be developed and agreed through the LCR Employment and Skills Board to provide insight into annual planning and commissioning. It is essential that Sefton ensures it is fully engaged with these processes in order to ensure we have access to a level of funding for adult learning that will enable us to continue to achieve our ambitions.

- SACL Delivery Summary

This year has proven to be a most successful one for our adult community learning service. At end of the delivery year in July 2018, the contractual target for the number of learners have been met and the anticipated level of delivery of qualifications has been exceeded.

The service has enrolled 2100 learners, with 2990 enrolments, (as certain learners choose to undertake more than one course). 94.1% of all learners were retained to complete their chosen course and 98.6% of these were able to be claimed as an achievement, where learners completed their agreed outcomes and qualifications. Over recent years there has been a concerted effort to re-focus the service on meeting the introductory skills needs of unemployed residents to help them access the world of work. This has been successful this year, as more than 39.8% of learners were unemployed.

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The achievement rate for unemployed learners was also particularly positive, with 92.2% of these achieving their learning outcomes.

- SACL Awards Ceremony

SACL hosted an awards evening at the end of the summer term which was well attended by learners and staff. The event was attended by Cabinet Member Regen and Skill and it proved to be a successful tribute to the efforts and achievements of all the learners.

- Development of Curriculum offer and building improvements

The service has this year expanded its curriculum offer in a number of new directions, taking on responsibility for an allotment to deliver horticulture courses and also delivering preparation for retail at premises in The Strand in Bootle. Travel arrangements have been put in place to transport learners to these new facilities from the Cambridge Road site. Ongoing collaborations with Sefton@work and Jobcentreplus have meant that work preparation sessions have been delivered that have focused on the rollout of Universal Credit and Digital recruitment practices. Learning facilities at the building at Cambridge road have been upgraded with the provision of new kitchens and it is expected that a workshop for the delivery of woodwork/metalcraft will be available in the forthcoming academic year.

## Information, Advice and Guidance (IAG) for young NEET residents

The contract with Career Connect Ltd for the provision of IAG to NEET young people has been extended through to end March 2019. In the intervening time, arrangements will be put in place for the re-procurement of a new service which will incorporate elements of outcomes based commissioning and will look to extend the scope of the current offer to younger people aged from 14 who are deemed to be at risk of becoming NEET. This is in keeping with the Council's wider drive towards early intervention and prevention and is also in line with its commitment to providing improved careers guidance for our younger residents to help them prepare for adulthood.

## InvestSefton update

### **Sefton Growth Hub/ERDF Business Growth Programme**

InvestSefton is one of the Liverpool City Region growth hubs working alongside the Local Enterprise Partnership, other local authorities, Chambers of Commerce and The Women's Organisation. This is part of current UK Government funded activities delivered locally by Local Enterprise Partnerships. In Sefton this activity has been merged with the ERDF Business Growth Programme to help provide a more cohesive service to businesses. InvestSefton has been awarded a further 12 month contract until 31 March 2019 to deliver.

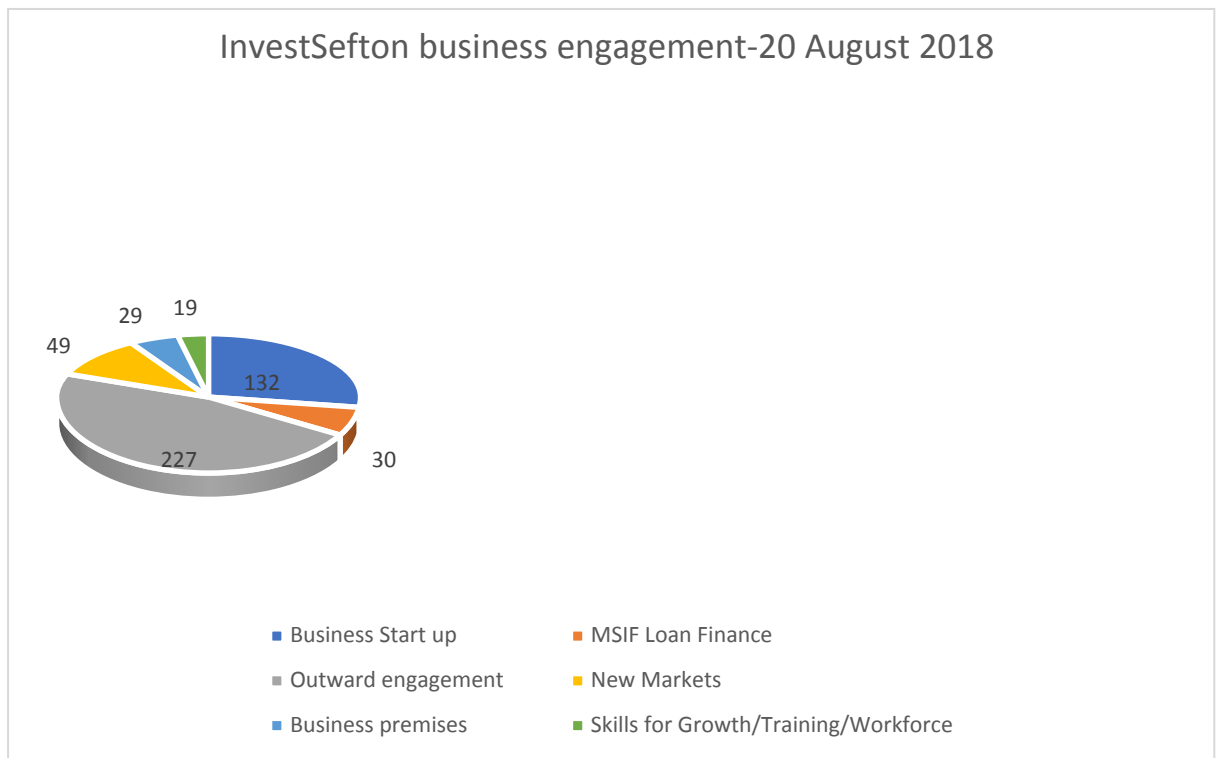
The Ministry of Housing, Communities and Local Government has given in-principle approval to extend two ERDF projects of which Sefton Council is a partner. Subject to meeting final conditions both the aforementioned Business Growth Programme and Place Marketing for Investment will be extended until 31 December 2021. Place Marketing for Investment covers Liverpool City Region overseas promotion to attract new investment and forms a key part of InvestSefton's inward investment activities described later in this report. InvestSefton is also the strategic lead for both ERDF programmes.



**As at 20 August 2018 InvestSefton has engaged with 1,949 businesses, carried out 1,624 diagnostics and brokered 1,919 businesses into other areas of support.**

Business enquiries through Sefton Growth Hub continue to rise with the same mix of firms from a range of industry sectors seeking advice, guidance and more intensive support. Key trends emerging include diagnostic and managed referral support from the team in areas such as sales and marketing, including diversification, access to finance, business start-up, intellectual property, selling goods to and access to council services such as procurement and planning. More recently the introduction of the General Data Protection Regulation Act has caused some businesses to seek advice and the response to this is covered under 'Outward Engagement'.

Business enquiries by type are illustrated below:



## Site visits-27 July 2018

Cabinet Member Regeneration and Skills visited two Southport based businesses supported by InvestSefton:

**Morgan Hope Industries**-An owner-managed business that manufactures supplies and installs lighting and electronic energy control systems which reduce energy consumption. The Company has a strong social ethos, and has participated in a UK prison manufacturing scheme for years, giving offenders the opportunity to learn a skill and earn money. They were assisted by InvestSefton in three ways, 1) tendering for public sector contracts, 2) engaging facilities managers and low carbon officers in Liverpool City Region Councils, and 3) using LCR Council planning portals to identify commercial developments, for targeted marketing purposes.

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**Immersive Interactive Limited - Company was established in October who was initially developing Interactive floors.** In 2011 they were approached by a special needs school in Essex. The school had a pupil who refused to get a haircut at his local barbers, as he had a total phobia. A barbers shop was simulated in the school and in a very short time provided a solution to the problem. From that small beginning a company was formed, the directors have innovated and developed the products they market today. In December 2015 Enterprise Ventures (Part of NW Fund) made a further loan/equity advance to the Company taking a 22.5% shareholding. They offer futuristic interactive learning spaces in schools in both mainstream and special needs education, together with simulation training for the emergency services. The system can be used to simulate a burning building for fire rescue training, long lost locations such as roman amphitheatres for schools projects or to combat phobias such as the dentist in a controlled, gradual manner. Support provided - grant application paperwork submitted for appraisal/approval.

## Business Clinics

InvestSefton have organised business clinics in the Atkinson, Southport every Tuesday from 10am-1pm. The clinics are for anyone thinking of starting or growing their business covering a range of topics such as accessing finance, sales, business ideas, sales and marketing. InvestSefton's Advisers will be joined by a range of Business Mentors offering their services for free.

## Outward engagement

InvestSefton responds to spikes in demand by organising business workshops for groups of businesses. The events form a key part of delivery as it allows InvestSefton to reach a wider number of businesses on key topics relevant to their needs. These have recently included:

- **A Taste of Business-20<sup>th</sup> June** -Rent a Space, Dunnings Bridge Road; held in conjunction with the Enterprise Hub and Rent a Space; Promotional flyer below:

WE INVITE SEFTON RESIDENTS TO ...

# A TASTE OF BUSINESS

rent a space

**HAVE YOU EVER THOUGHT OF STARTING A BUSINESS?**

Join us for the 3 p's of business (pizza, prosecco and peroni) to:

- FIND OUT MORE ABOUT SELF-EMPLOYMENT
- HEAR FROM LOCAL BUSINESS-OWNERS
- ENJOY A BEHIND THE SCENES TOUR OF THE ENTREPRENEURS BASED AT RENT A SPACE

Free event! book via Eventbrite, or contact us on 0151 706 8113 / enterprisehub@thewo.org.uk

**20TH JUNE, 6 - 7:30PM @ RENT A SPACE  
9 DUNNINGS BRIDGE RD, LIVERPOOL L30 6UU**

European Union European Regional Development Fund

investsefton

Enterprise Hub

- Kevin Murphy, owner of Switch island based 'Rent a Space' opened the storage and business facility out of hours to welcome budding local entrepreneurs.

The evening offered talks from businesses who were between 7 weeks and 3 years into their business journey to give those attending an idea of what to expect from going self-employed. **More than 50 guests** were also treated to a tour of the facility to see the variety of local enterprise housed there, from a Gym to fashion design studio and the 'Scouse Bird' shop. Cabinet Member for Regen and Skills attended the tour.

- **Sefton Economic Forum-8<sup>th</sup> June** - The forum provided an eclectic mix of updates, business growth opportunities and business leadership through the principles of football management. Chaired by Kevin Murphy (Rent a Space) the panel comprised:
  - Tony Evans - Journalist, author and former football editor of the Times
  - Peter Moore - Head of Commissioning, Sefton Council
  - Rob Capleton - International Business Festival, Liverpool Vision
  - Robin Tudor - Liverpool John Lennon Airport

The event also had the usual marketplace of 20 providers of business support in place together with a range of council services providing 'a One Council' approach to support under the InvestSefton led 'Business Friendly Sefton' initiative. **Some 92 delegates from 41** businesses attended, including Peter Dowd MP and a selection of comments received are below:

- *Insite Technology Solutions – Would like opportunity to meet and network with not just Head of Commissioning but to network with people from different departments and understand what they want/how they function*
- *Egg Box Web Design – We are looking to expand our digital service offering video production and marketing that helps business build their brand story more effectively with a wider audience using video marketing films & content that can be utilised on websites all social media platforms and online adverts (Facebook ads, Instagram, linkedin, Twitter ads).*
- *Bliss Radio – Looking forward to future business networking events and to working with Sefton to promote local business and provide an outlet for news/information.*

## Digital Workshop

InvestSefton is hosting a third digital workshop, Social Media and Web Site Content in partnership with Adaptive Comms Ltd and Eggbox Design. This involves two events in Defton CLC Ainsdale (19 September) and Hugh Baird L20 Centre, Bootle (20 September). The aim is to help businesses learn how to market themselves on social media platforms including Twitter, Facebook, Instagram and Google.

## Inward Investment update

The Mersey Reach project's (Chancerygate) revised S73 application was approved on 4<sup>th</sup> July 2018. Funding is at final stages of contracting as planned with SIF application aligned with Chrysallis, with this likely to be finalised in September. The developer is intending to immediately commence contracting for remediation works upon signing of finance agreements. InvestSefton and Chancerygate are managing ongoing early interest in the scheme from local businesses that are looking for c. 20,000-30,000 sq ft units, both would result in job creation.

# Agenda Item 9

Atlantic Park - the SIF application was approved by the Combined Authority in July, with funding of over £700k agreed. The planning application for a 105,000 sq ft B8 building, plus a decked car park will be awaiting determination. A meeting will take place on 3<sup>rd</sup> September to resolve issues relating to utilities/drainage on the site.

There are two inward investment enquiries being managed by InvestSefton relating to Atlantic Park. The first of these would see occupation of the planned 105,000 sq ft new build unit for use by a manufacturing business. A site visit with the investor is scheduled to take place on 3<sup>rd</sup> September. The initial investment would result in c. 200 new jobs being created, opportunities for apprenticeships and supply chain opportunities for local businesses. A further phase of investment could take place which would lift the impact of this investment further.

A further requirement exists for the existing Big Ft 2 building for a recycling business, which could create up to 300 new jobs. This will be subject to environmental and planning scrutiny.

Domino UK Ltd's new 172,000 sq ft facility was officially opened in July at a ceremony attended by the Domino Board and a senior executive from the parent Brother Group. Senior dignitaries included the Leader of Sefton Council, Sefton Council's Cabinet Member for Regeneration and Skills and the Liverpool City Region Metro Mayor. They were joined by Sefton Council's Chief Executive and Invest Sefton. The initial investment will create a further 19 new jobs over the next 18 months, with Invest Sefton working with the leadership team at Domino to create further opportunities at the [site.Sefton@work](mailto:site.Sefton@work) will be engaged in this process. There are opportunities to increase the number of shifts, a further 40% of the space available for expansion and the opportunity to bring high value Research and Development functions to the site.

InvestSefton continues to provide ongoing support for regeneration opportunities, including Bootle Town Centre, Crosby Town Centre, Southport Business Park, Southport Town Centre amongst others.

InvestSefton leads the operational single inward service for the city region (Chairing the Group), utilising ERDF funding through the Place Marketing Project and represents the group on the Internationalisation working group. The existing project is scheduled to end December 2018, however an application to extend the project for a 3 year period from January 2019 has been approved at the initial stage, with a Project Change Request to be submitted to MHCLG by 14<sup>th</sup> September 2018.

The Business Development Manager is a member of the International Business Festival Local Sounding Board. As part of the LCR role and in representing Sefton the BDM has been in attendance at the business festival. THE BDM has spoken at a Fintech conference, been part of the welcoming delegation for Prince William and supported staffing at the LCR stand at the festival. More widely the InvestSefton team has attended the IBF with a range of local businesses, providing support and introductions to supply chain and investment opportunities.

The BDM is continuing work with 'The Extraordinary Club' and Bruntwood to create a new Creative and Digital Incubator in St Hughs, Bootle Town Centre. Information was shared at the previous CM Briefing and an introduction made to Cabinet Member. The BDM is supporting the development of the proposal and looking at potential revenue streams to enable this to be delivered. The BDM has developed the opportunity for SIF with the CA and made several introductions to support the project. Currently working with 'The Extraordinary Club' to develop the business model and scale of ambition. An initial outline proposal was submitted to the Combined Authority for SIF funding on 20<sup>th</sup> August 2018.

## Growth Project Updates

### Regeneration Team

Recruitment has now been concluded and 4 appointments have been made to enhance the capacity and capability of the team. The new appointments are as follows:

- **Garry Lewis - Programme Manager:** Garry has a strong commercial background having originally worked for BT and Skanska before undertaking complex project and programme roles in the Middle East. In addition to his project management experience Garry has also extensive experience in delivering IT infrastructure projects and will support Gavin Quinn in the digital expansion project.
- **Heather Jago - Strategic Lead (Regeneration and Development):** Heather joins from Liverpool LEP and has extensive regeneration experience in a local authority environment. Her connections and understanding of Liverpool and the Combined Authority will enhance our ability to influence and engage across the wider region.
- **Keith Molloy - Strategic Lead (Regeneration and Development):** Keith joins from South Ribble Council where he held the role of Enterprise Manager and was responsible for supporting businesses including the delivery of the City Deal project. He has a career spanning 30 years in local government and has experience of running his own business.
- **Rebecca Johnstone - Regeneration Support Officer:** Rebecca is an internal transfer from Sefton Council's Energy Team, where she has been employed since 2009. In this role she was responsible for leading the Council's Carbon Management Plan, commissioning energy and water efficiency projects and managing the council's gas and electricity contracts. Her commercial experience and knowledge of the Council will provide key support alongside Joanne Doyle

### **Transport Access and Connectivity Studies**

Through the Transport Framework Atkins have delivered to programme the scoping stage of the access and connectivity surveys for both Southport and Bootle. These reports are now being evaluated by the transport team within the Council and we envisage progressing to the next stage later this month.

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