

Overview
& Scrutiny



MEETING: OVERVIEW AND SCRUTINY COMMITTEE (REGULATORY,
COMPLIANCE AND CORPORATE SERVICES)

DATE: Tuesday 14th January, 2020

TIME: 6.30 pm

VENUE: Committee Room, Town Hall Bootle

Member

Councillor
Councillor Bradshaw (Chair)
Councillor Byrom (Vice-Chair)
Councillor Brodie - Browne
Councillor Brough
Councillor Doyle
Councillor Grace
Councillor Killen
Councillor Lewis
Councillor McCann
Councillor McKinley

Substitute

Councillor
Councillor McGinnity
Councillor Murphy
Councillor Sathiy
Councillor Jones
Councillor Myers
Councillor Roche
Councillor Roscoe
Councillor Shaw
Councillor Bennett
Councillor Thomas

COMMITTEE OFFICER: Paul Fraser
Senior Democratic Services Officer
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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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AGENDA

1. Apologies for Absence

2. 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.

3. Minutes of the Previous Meeting (Pages 5 - 10)

Minutes of the meeting held on 22 October 2019

4. Air Quality Update (Pages 11 - 36)

Report of the Head of Highways and Public Protection

5. Public Health Annual Report

Report of the Head of Health and Wellbeing to follow

6. Climate Emergency (Pages 37 - 48)

Joint report of the Head of Corporate Resources and Executive Director

7. Council Tax Reduction (CTR) Scheme 2020/21, Council Tax Base 2020/21 and Changes to Council Tax Discounts for Empty Homes (Pages 49 - 128)

Report of the Head of Corporate Resources

8. Revenue and Capital Budget Update 2019/20 (Pages 129 -

Report of the Head of Corporate Resources

- 9. Ethical Business Practices Working Group Final Report** (Pages 147 - 178)

Report of the Chief Legal and Democratic Officer

- 10. Work Programme 2019/20, Scrutiny Review Topics and Key Decision Forward Plan** (Pages 179 - 206)

Report of the Chief Legal and Democratic Officer

- 11. Cabinet Member Report - October 2019 to January 2020** (Pages 207 - 234)

Report of the Chief Legal and Democratic Officer

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

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

MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL,
SOUTHPORT
ON TUESDAY 22ND OCTOBER, 2019

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

ALSO PRESENT: Councillor Lappin

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Brodie-Browne and Councillor Morris (and his Substitute Member Councillor Jones).

18. DECLARATIONS OF INTEREST

No declarations of interest were received.

19. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 10 September 2019 be confirmed as a correct record.

20. STATUTORY GUIDANCE ON OVERVIEW AND SCRUTINY IN LOCAL AND COMBINED AUTHORITIES

Further to Minute No. 18 of 11 September 2018 the Committee considered the report of the Chief Legal and Democratic Officer on the guidance produced by the Ministry of Housing, Communities and Local Government relating to Overview and Scrutiny in Local and Combined Authorities following on from the Communities and Local Government Select Committee's inquiry into Overview and Scrutiny.

The report indicated that the Government's Statutory Guidance was comprehensive and was set out in the following chapters:

- Culture
- Resourcing
- Selecting Committee Members
- Power to Access Information
- Planning Work
- Evidence Sessions

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and that Members' attention was drawn to "Maintaining the interest of full Council in the work of the scrutiny committee" and "Communicating scrutiny's role to the public" where recommendations for change had been made.

The report concluded by detailing the up to date position regarding progress being made regarding the recent Local Government Association peer review in relation to Overview and Scrutiny receiving performance reports.

A copy of the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities published by the Ministry of Housing, Communities and Local Government was attached as an appendix to the report.

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

- The potential to elect Overview and Scrutiny Chairs by secret ballot
- Quoracy issues at Overview and Scrutiny Committees and Working Groups

RESOLVED: That

- (1) the statutory guidance and the measures the Council takes in relation to the issues covered in the guidance be noted;
- (2) that Overview and Scrutiny Working Group Final Reports and recommendations be submitted to Cabinet and then Council for final approval;
- (3) that updates on Liverpool City Region Combined Authority Scrutiny be included in the Work Programme report considered at each Overview and Scrutiny Committee meeting; and
- (4) that each Overview and Scrutiny Working Group consider if it is appropriate to seek the views of the general public on the matter under their consideration.

21. "MANAGE MY REQUESTS" (ICASEWORK) SYSTEM – STATISTICAL UPDATE REPORT

The Committee considered the report of the Head of Strategic Support that updated on the adoption of the "Manage my Requests" iCasework system (the system) for capturing, managing and reporting all customer complaints, representations and feedback across the Council including the number and nature of complaints by Service.

The report indicated that the system had now been fully rolled-out across the Council, providing a simple web-based interface for front-line staff, case workers and responsible managers for capturing, recording and

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reporting information; detailed the new two stage complaints process; and detailed in tabular form complaints by service area.

The report concluded by detailing that there was still further work to be undertaken by individual services to ensure that the system was adopted in their performance management process and cycle, maximising the system functionality to streamline the complaints handling process and provide effective performance data; that the Strategic Support Service would continue to develop performance reporting to ensure that information and insight was shared with the Senior Leadership Board and Members; and that a number of staff had recently received complaints handling training from the Ombudsman and that the Council would continue to strive to learn from the feedback that it received.

RESOLVED:

That the report updating on the adoption of the “Manage my Requests” iCasework system be noted.

22. MEMBERS WELFARE REFORM REFERENCE GROUP - UPDATE

Further to Minute No. 14 of its meeting held on 10 September 2019 the Committee considered an update of the Head of Health and Wellbeing on the operation of the Members’ Welfare Reform Reference Group.

The update provided information on the purpose of the Welfare Reform and Anti-Poverty (WRAP) Cabinet Member Reference Group and in particular on activities associated with:

- Holiday Food Programme
- Material Matters’ Programme
- Fuel Poverty Awareness
- Sefton Community Marketplace / Community Shop
- ELAS update summary performance data for the period 1 April 2019 – 30 September 2019

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

- The production of information, in tabular form, on the numbers of applications for Universal Credit (UC)
- Details were provided about a meeting held with the Sefton Customer Service Operations Manager at Department for Work and Pensions about how to escalate constituent casework with Job Centre Plus managers
- UC was a modern-day version of the Board of Guardians

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RESOLVED:

That the update on the operation of the Members' Welfare Reform Reference Group be noted.

23. REVENUE AND CAPITAL BUDGET UPDATE 2019/20

The Committee considered the report of the Head of Corporate Resources that provided information on the current forecast revenue outturn position for the Council for 2019/20; the current forecast on Council Tax and Business Rates collection for 2019/20; and the monitoring position of the Council's capital programme to the end of August 2019, the forecast expenditure to year end, variations against the approved budgets and an explanation of those variations for consideration by Members. The report also updated on spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects.

In respect of the forecast outturn position as at the end of August 2019 the report indicated that significant pressures had been identified in several service areas, particularly Children's Social Care, Locality Services and Home to School Transport; that the latest forecast of service expenditure indicated an overspend of £2.663m; and a table was included within the report highlighting the variations. The report also set out the measures to close the residual gap in 2019/20 to ensure there was no year-end deficit.

In respect of the current forecast on Council Tax it was anticipated that a forecast surplus of £1.160m was declared of which Sefton's share was £0.996m (85.8%); whilst in respect of Business Rates collection for 2019/20 a forecast surplus of £1.768m was declared in with Sefton's share of this being £1.750m.

In respect of the Capital Programme the report detailed the current position of expenditure against the budget profile to the end of August 2019 and that indicated that it should be noted that budgets were profiled over the financial year which skewed expenditure to the final three quarters of the financial year; and a full list of the capital programme by capital scheme was attached to the report as Appendix A.

The report concluded that the Head of Corporate Resources would continue to manage the financing of the programme to ensure the final capital funding arrangements secured the maximum financial benefit to the Council.

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

- Consultations with Government regarding funding in the next spending round
- Winter pressure funding
- Adult and Children's Social Care funding

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- Increases in Sefton's population in comparison to other areas and the affect this has on Government funding levels
- Variances in the budget associated with the Crosby Flood and Coastal Scheme

RESOLVED: That

- (1) the current forecast revenue outturn position for 2019/20 and the current position relating to delivery of savings included in the 2019/20 revenue budget be noted;
- (2) the mitigating measures being used to ensure a balanced forecast outturn position be noted;
- (3) the latest capital expenditure position as at 31 August 2019 to date of £4.7m with the latest full year forecast being £26.7m be noted;
- (4) the explanations of variances to project budgets as detailed in the report be noted; and
- (5) it be noted that capital resources will be managed by the Head of Corporate Resources to ensure the Capital Programme remains fully funded and that capital funding arrangements secure the maximum financial benefit to the Council.

24. WORK PROGRAMME 2019/20, SCRUTINY REVIEW TOPICS AND KEY DECISION FORWARD PLAN

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

Regarding the selection of a scrutiny review Working Group topic, the report indicated that the Head of Corporate Resources was currently drawing up topics for consideration by Working Groups in relation to the Council Motion about Climate Change Emergency; and it was therefore recommended that no Working Groups be established until consideration has been given by Members to the proposed topics to be suggested by the Head of Corporate Resources.

The report also provided information on the up to date position on the Council's Ethical Business Practices Working Group; and sought the identification of items for pre-scrutiny from the Key Decision Forward Plan.

Members of the Committee asked questions/commented on the following issue:

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- In respect of air quality, the adverse impact on local communities associated with displaced traffic following the opening of Broom's Cross Road

RESOLVED: That

- (1) the Work Programme for 2019/20 be noted;
- (2) the up to date position in respect of Council's Ethical Business Practices Working Group be noted;
- (3) the establishment of Working Groups be deferred to enable the Head of Corporate Resources to submit potential topics for review in respect of the Council approved Motion on Climate Change Emergency; and
- (4) the Head of Highways and Public Protection be requested to include information in his Air Quality report to the meeting to be held on 14 January 2020 about the adverse air quality impact on local communities associated with displaced traffic following the opening of Broom's Cross Road.

25. CABINET MEMBER REPORT - AUGUST TO OCTOBER 2019

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

Councillor Lappin, Cabinet Member – Regulatory, Compliance and Corporate Services presented her report.

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

- Problems associated with the roll-out of ICT equipment for Members
- Problems associated with the Mod.gov system

RESOLVED: That

- (1) the update report from the Cabinet Member – Regulatory, Compliance and Corporate Services be noted; and
- (2) Councillor Lappin be thanked for her attendance at the meeting.

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Report to:	Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)	Date of Meeting:	14 th January 2020
Subject:	Air Quality Update		
Report of:	Head of Highways and Public Protection	Wards Affected:	(All Wards);
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To provide an update regarding air quality management and recent air quality developments in Sefton

Recommendation(s):

The report be noted

Reasons for the Recommendation(s):

To update members on current Air Quality Management developments within the Borough

What will it cost and how will it be financed?

(A) Revenue Costs – this report is an update only; all associated revenue costs will be contained within allocated budgets.

(B) Capital Costs - None

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Implications of the Proposals:

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

There are no additional resource implications associated with this report.

Legal Implications:

There are no legal implications

Equality Implications:

There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Poor air quality can have a major impact on health particularly for those already vulnerable e.g. young children, the elderly and those with existing respiratory problems. Measures being implemented to improve air quality therefore contribute to this core purpose

Facilitate confident and resilient communities: The interventions undertaken by the Local Authority and its partners to improve air quality and mitigate against poor air quality, include informing, educating and enabling behavioural change within our communities.

Commission, broker and provide core services: Local Authorities have a statutory duty to review and assess air quality in their area and Local Air Quality Management is a specific function undertaken as part of our environmental health/public protection responsibilities.

Place – leadership and influencer: The monitoring and publishing of air quality data, allied with specific interventions and educational initiatives to improve air quality and quality of life, are key Place Leadership and influencing activities

Drivers of change and reform: Many of the interventions referred to are important contributors to the behavioural and system change necessary to improve air quality and health.

Facilitate sustainable economic prosperity: There is established evidence of the impact of poor air quality on health and growing evidence of the impact of poor health on productivity, consequently the management of air quality is relevant to sustainable economic prosperity.

Greater income for social investment: N/A

Cleaner Greener - Poor air quality is an indication of environmental damage and any mitigation measures reduce the impact of this damage.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD5913/20) has been consulted and notes the report indicates no financial implications for the Council. The Chief Legal and Democratic Officer (LD4097/20.) has been consulted and any comments have been incorporated into the report.

(B) External Consultations

'not applicable'

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Background

1. The concept of Local Air Quality Management (LAQM) was introduced under the Environment Act 1995. Evidence has shown that certain atmospheric pollutants are linked to poor health. The Environment Act places a statutory duty on all Local Authorities to review and assess air quality in their areas at regular intervals. The Air Quality Regulations made under the Environment Act 1995 specify the pollutants that must be considered and sets standards and objectives for each of the pollutants, which are referred to as National Air Quality Standard (NAQS) Objectives. Some NAQS are the measurement of a pollutant averaged out over a particular period of time. With any averaged standard there will be peaks and troughs in the pollutant level over the given time period. Additionally whilst NAQS are the Government's measurement of acceptability, there may still be health impacts associated with levels below this standard. Therefore, it is important not to view the standard as a target but to introduce mitigation measures which reduce levels of pollution as much as possible.
2. The NAQS are detailed below with the 2 pollutants still of concern shown in red text.

The pollutants that must be considered are:

Pollutant	Description	National Air Quality Standard Objective (NAQS)	Date to be Achieved
Benzene	An organic chemical compound emitted by some industrial processes and a constituent of petrol	5 µg/m³ (Annual Mean)	31.12.2010
1,3 Butadiene	A Hydrocarbon based gas released from car exhausts	2.25µg/m ³ (Annual Mean)	31.12.2003
Carbon Monoxide	An odourless colourless gas produced by incomplete combustion	10mg/m³ (8 hour mean)	31.12.2003
Lead	A heavy metal emitted by certain industrial processes	0.25µg/m³ (Annual Mean)	31.12.2008
Nitrogen Dioxide	A gas produced by internal combustion engines	200µg/m³ (1hr mean) not to exceeded more than 18 times per annum 40µg/m³ (Annual mean)	31.12.2005
Particulate Matter PM₁₀	Particulates less than 10µm in diameter produced by industry and road traffic.	50µg/m³ (24hr mean) not to be exceeded more than 35 times per annum 40µg/m³ (Annual mean)	31.12.2004

Sulphur dioxide	A gas which can be produced when burning fossil fuel and or heavy fuel oil	266µg/m³ (15 min mean) Not to be exceeded more than 35 times a year 350µg/m³ (1hr mean) Not to be exceeded more than 24 times per year 125µg/m³ (24hr mean) Not to be exceeded more than 3 times a year	31.12.2005
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3. As part of this review and assessment of air quality, Sefton must prepare an Annual Status Report (ASR) each year. If it has been determined as part of this process that if any of the health-based air quality objectives detailed above are unlikely to be met, the Local Authority must declare Air Quality Management Area(s) (AQMA) for that defined area and produce an action plan to work towards compliance with the objective(s).
4. Sefton has undertaken several Reviews and Assessments since the Environment Act placed this duty on Local Authorities. As part of these previous assessments it has been determined that for the following pollutants, Benzene, 1,3 Butadiene, Carbon Monoxide, Lead and Sulphur Dioxide, the NAQS objectives will **not** be exceeded in Sefton and as such, no AQMAs have been declared for these pollutants. These pollutants will however be kept under regular review as part of the Review and Assessment process.
5. The ongoing review and assessment process has confirmed that in most of Sefton Air Quality is of a good standard and complies with the National Air Quality Standard Objectives given above.
6. This report provides Members with details of the 4 current Air Quality Management Areas (AQMA); a summary of air quality monitoring findings and implications; and air quality improvement actions implemented or currently being implemented. When Members considered the previous update report they requested a more detailed report, hence the additional content in this report. Subject to Member's comments the level of detail can be adjusted as required in future reports.

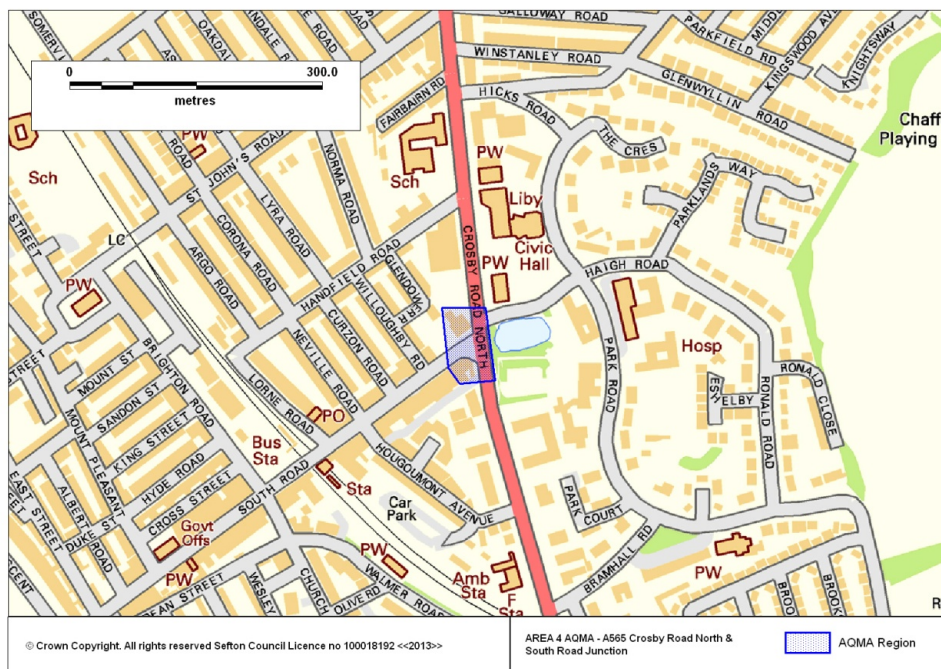
Air Quality Management Areas (AQMAs)

7. Four localised areas in South Sefton have been identified where levels of Nitrogen Dioxide (NO₂) have exceeded or are close to the annual average standard of 40 µg/m³. Air Quality Management Areas have been declared in these locations (see table below) and are discussed in more detail below.

AQMA 2	A5036 Princess Way and Crosby Road South Junction, Seaforth.
AQMA 3	A5058 Millers Bridge and Derby Road Junction, Bootle.
AQMA 4	A565 Crosby Road North and South Road Junction, Waterloo
AQMA 5	B5422 Hawthorne Road and Church Road Junction, Litherland.

9. AQMA 3 was identified for exceedances of the PM₁₀ and NO₂ NAQS objectives. The main contributors to the emissions in this area were found to be HGVs and industrial processes on the dock estate. Several successful measures have been implemented in this area as part of the action plan to reduce emissions. Intensive road and footpath cleaning have been undertaken previously to reduce the quantity of particulates being re-suspended. A HGV hurry call system has also been introduced which gives priority to HGV's heading up Millers Bridge, reducing the need for stopping at the traffic lights thus reducing emissions.
10. Air Quality and Pollution Officers continually work with operators and the Environment Agency to ensure industrial emissions are monitored and controlled effectively in this area. The measures described above are having consistent positive effects on lowering emissions in the area.
11. As a result of these measures the NAQS objective for PM₁₀ has consistently been met for the last 7 years. However, this will be kept under review as the port expands in the future. With regard to NO₂ the results of monitoring show some exceedances of the annual NAQS objective in this AQMA. Dealing with NO₂ exceedances in this area is again challenging.

AQMA 4 Crosby Road North, South Road Waterloo

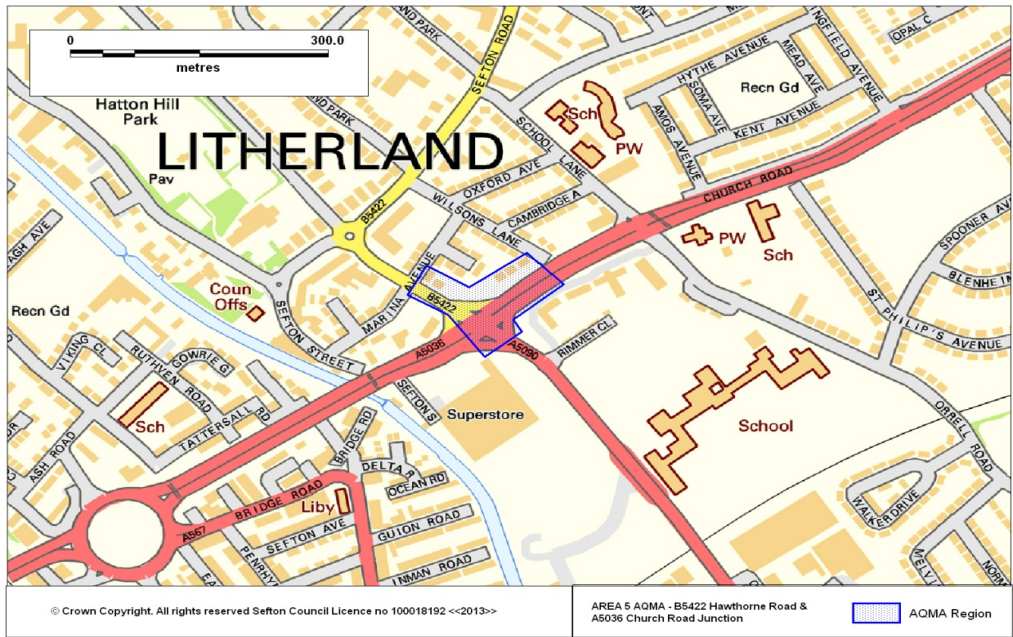


12. AQMA 4 was identified for exceedances of the NO₂ NAQS objective. As part the Action Plan to address this exceedance, improvements to the South Road and Haigh Road junction were agreed to improve traffic flow. The junction improvement works have now been completed and the effectiveness of these in terms of reducing levels of NO₂ in the AQMA is currently being monitored using diffusion tubes. The latest results show that levels of NO₂ in the AQMA have now reduced to below the national

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limit. Further monitoring will be undertaken before the decision to revoke this AQMA is made to ensure consistent compliance.

AQMA 5 Hawthorne Road, Church Road Junction Litherland



13. AQMA 5 was identified for NO₂ NAQS objective exceedances. The main source of the emissions at this location is road traffic. In 2016, 2017 and 2018 this AQMA showed compliance with the annual NAQS objective for NO₂. However as with AQMA 2, this site may be affected by the increased emissions due to HGV traffic as a result of the port expansion and will remain in place.

Monitoring

Real Time Automatic Monitoring Stations

14. To assist and provide relevant data for the ongoing Air Quality Assessment process, Sefton currently monitors air quality in 5 locations in the South of the Borough measuring particulates (PM₁₀ and PM_{2.5}), Nitrogen Dioxide (NO₂) and Sulphur Dioxide (SO₂) using sophisticated, real time automatic monitors. They are in areas that represent relevant public exposure and are either in areas identified as AQMA's or areas where further data is required to support the ongoing review and assessment process. They are constantly recording levels of these pollutants to enable direct comparison with hourly, daily and annual mean NAQS objectives detailed above. The location of all 5 monitors is described in the table 1.

15. Ongoing review of Sefton's monitoring requirements takes place and as result of the latest review several old monitors have been replaced with new to ensure accuracy of

results. Additionally, a new dual particulate monitor has been installed at Millers Bridge which monitors both PM₁₀ and PM_{2.5}. To assess levels of particulates at Hawthorne Road / Church Road junction a PM₁₀ monitor has also been installed.

Table 1-location of Automatic Air Quality Monitors

Monitor Location	Justification for Location	Pollutants Monitored
Waterloo Primary School, Crosby Road North, Waterloo.	Within previous AQMA1 Crosby Road North. Proximity to Road/Sensitive Receptor	PM ₁₀ NO ₂
Hawthorne Road opposite KFC, Litherland	Within AQMA 5 Church Road Junction- Proximity to Road Junction/Sensitive Receptor	NO ₂ , PM ₁₀
Lathom Close, Seaforth	Within AQMA 2. Proximity to Road/Docks/Sensitive Receptor	PM ₁₀ NO ₂
Millers Bridge, Bootle	Within AQMA 3. Proximity to Road Junction/ Docks and Sensitive Receptor.	PM _{10/2.5} NO ₂
A565, Crosby Road South previously located at St Joan of Arc School	Proximity to Road /Docks and Sensitive receptor.	PM ₁₀ NO ₂ SO ₂

Diffusion Tubes

16. In addition to the real-time monitors, Sefton measures monthly NO₂ levels at approximately 100 sites across the Borough using diffusion tubes.

17. The diffusion tubes are in areas that have already been identified as AQMA's or are in areas, near sensitive premises where additional data and monitoring is required into assess current/future NO₂ levels as part of the ongoing Review and Assessment process. The monthly results from these tubes are combined to enable comparison with the annual mean NAQS objective for NO₂. Several sites have also been added to assess the impact the port expansion and subsequent highway improvement will have on NO₂ levels. The location of these is reviewed annually to ensure all areas of concern are monitored.

18. A number of diffusion tubes have shown exceedances of the NAQS objective in 2018. These results are discussed on the next page.

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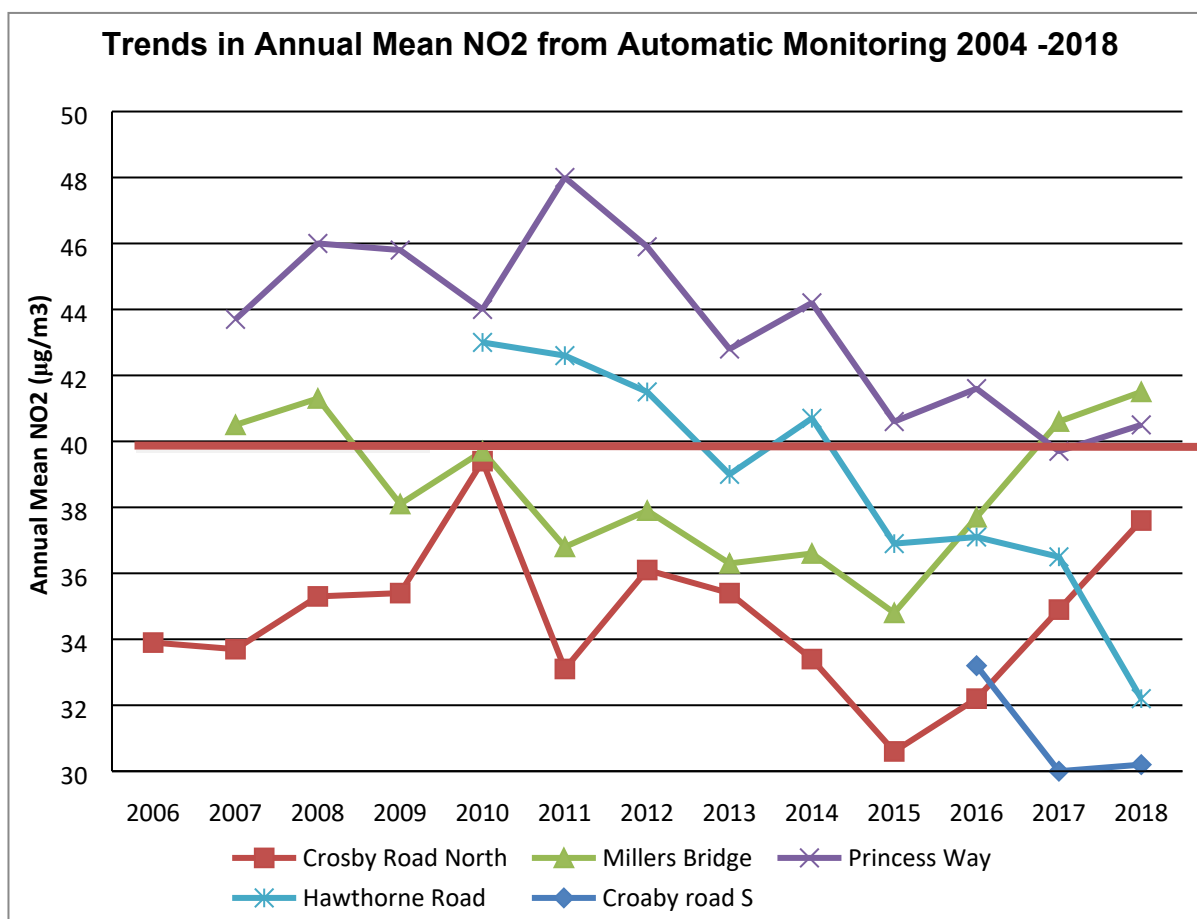
Monitoring Results

Nitrogen Dioxide

NO₂ Annual Mean 2012 - 2018 (limit 40 µg/m³)

Site	NO ₂ Annual Mean µg/m ³						
	2012	2013	2014	2015	2016	2017	2018
Crosby Road North	36.1	35.4	33.4	30.6	32.2	34.9	37.6
Millers Bridge	37.9	36.3	36.6	34.8	37.7	40.6	41.5
Princess Way	45.9	42.8	44.2	40.6	41.6	39.7	40.5
Hawthorne Road	41.5	39.0	40.7	36.9	37.1	36.5	32.2
Crosby Road South				34.6	33.2	29.6	30.2

19. The table above shows the measured levels of NO₂ at each of the continuous monitoring sites since 2012. The national limit is 40 µg/m³ and whilst the monitors are not located exactly at the receptor location, they provide an accurate indicator of NO₂ levels in the locality.



20. The graph above shows the trends in Annual mean NO₂ levels between 2006 and 2018 at each of the continuous monitoring sites.

21. Princess Way monitor which is located within AQMA 2 showed levels in exceedance of the NO₂ annual mean objective of 40µg/m³ in 2018 This represents an increase in levels compared to 2017. Monitoring will continue in this location so future trends can be determined.
22. Hawthorne Road monitor which is located within AQMA 5 continues to show a downward trend since monitoring commenced in 2010 and since 2014 showed compliance with the annual objective. Due to the port expansion this monitor is ideally placed to assess any future increases.
23. The trend from automatic monitoring at Millers Bridge which is located within AQMA 3 has been one of compliance with the annual mean objective from 2009 – 2016, however levels generally appear to be rising since 2015 with exceedances observed in 2017 and again in 2018 against the annual mean standard.
24. Trends at Crosby Road North automatic monitoring site continue to show compliance with the annual standard, however levels do appear to be increasing again from the lowest level recorded in 2015. This will continue to be monitored closely to determine if any further actions are required in this area.
25. Levels at Crosby Road South were well within the NAQS objective and remain fairly constant.

Particulate Matter

PM₁₀ Annual Mean 2012-2018 (Limit 40 µg/m³)

Site	PM ₁₀ Annual Mean µg/m ³						
	2012	2013	2014	2015	2016	2017	2018
Crosby Road North	25.4	28.3	23.6	23.7	17.0	21.1	19.9
Millers Bridge	26.1	28.1	28.8	28.7	25.4	23.9	20.1
Princess Way	24.9	26.5	26.5	26.7	23.8	23.1	22.6
Crosby Road South				25.3	22.4	19.5	23.7
Hawthorne Road						23.9	21.2

26. The table above shows the measured levels of PM₁₀ at each of the continuous monitoring sites since 2012. The national limit is 40 µg/m³ and whilst the monitors are not located exactly at the receptor locations, they provide an accurate indicator of PM₁₀ levels in the locality.
27. All areas are now consistently compliant with the PM₁₀ NAQS objective with annual levels well within the standard. The number of daily exceedances is also consistently below the standard of 35 exceedances per year. Monitoring of PM₁₀ will however continue to assess the impact the port expansion may have on particulate emissions.

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PM_{2.5} Monitoring

28. Although Sefton Council monitors PM₁₀ at a number of locations in the Borough, there is now clear evidence that even smaller particles with an aerodynamic diameter of 2.5µm or less, known as PM_{2.5}, have a significant impact on human health. A new dual PM₁₀ / PM_{2.5} monitor was installed in July 2017 at the Millers Bridge monitoring site with data being used to provide accurate levels of PM_{2.5} in the area to assist in providing data for the Council's new role in reducing levels of PM_{2.5}. results indicate that for the period monitored, levels were 7.1 µg/m³ in 2017 and 8.9 µg/m³ in 2018 which is significantly below the current PM_{2.5} annual mean limit value of 25µg/m³.

Diffusion tube Results

29. Fourteen non-automatic (passive) diffusion tube monitoring sites showed exceedance of the NO₂ annual mean objective in 2018 at the monitored location. The results are discussed below:

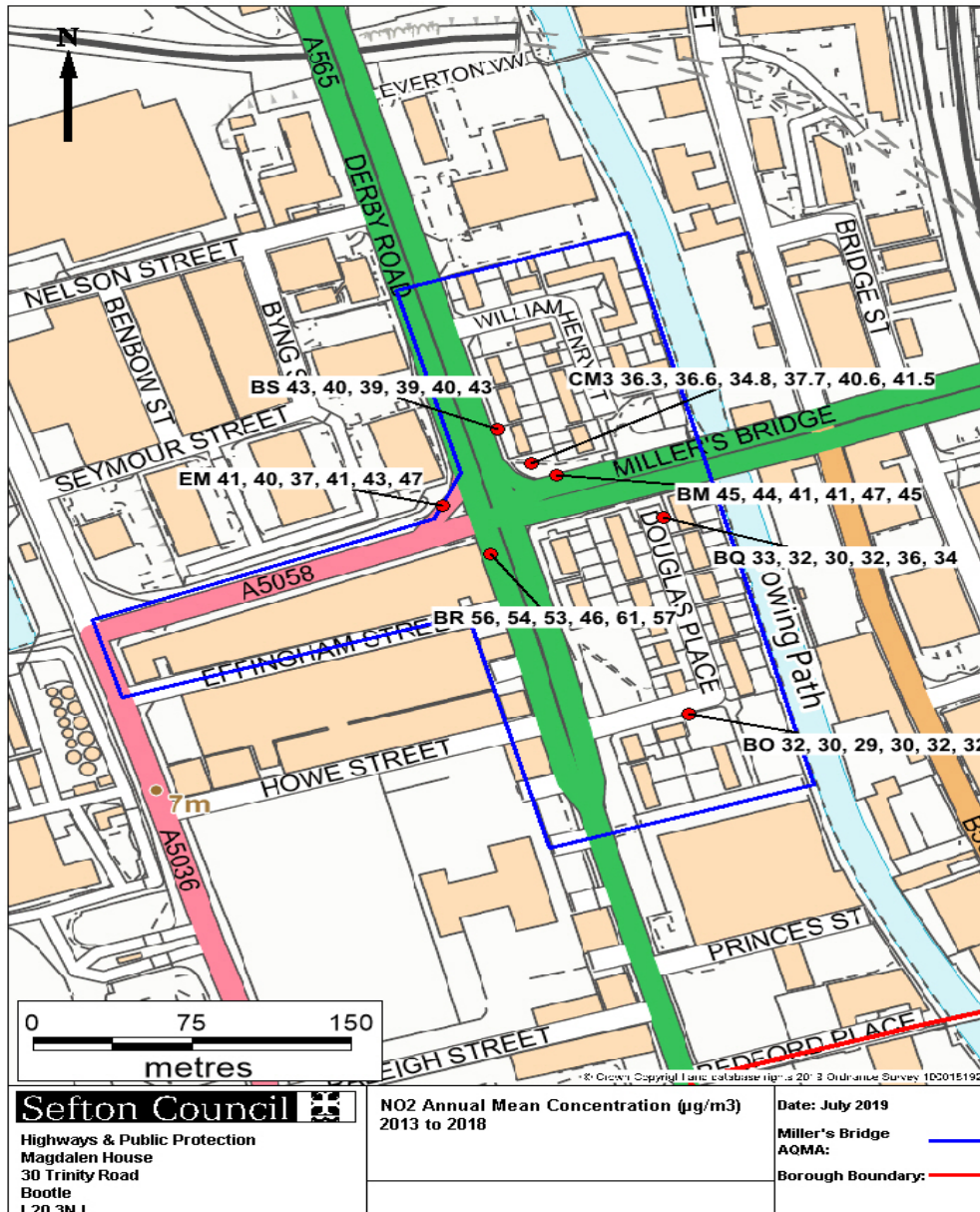
Millers Bridge/Derby Road Area

30. Around the Millers Bridge area these were at:

- Site ID: BM Derby Road, Bootle - NO₂ annual mean of 45µg/m³ recorded,
- Site ID: BR Derby Road, Bootle - NO₂ annual mean of 57µg/m³ recorded,
- Site ID: EM Millers Bridge Bootle - NO₂ annual mean of 47µg/m³ recorded, and
- Site ID: BS Derby Road - NO₂ annual mean of 43µg/m³ recorded.

31. All four sites are located within existing AQMA 3 Millers Bridge. As these sites recorded a 2018 NO₂ annual mean concentration in exceedance of the air quality objective at a monitoring site which is not representative of exposure, the concentration at the nearest receptor for these locations was estimated using the Defra NO₂ fall off with distance calculator. This showed the estimated concentrations at receptor locations to be 35.8 µg/m³, 50.7µg/m³, 32.3µg/m³ and 36.9µg/m³ for NBM, NBR, NEM and NBS respectively. Therefore, Site ID: BR, within AQMA 3, was the only diffusion tube location that showed exceedance of the NO₂ annual mean objective at a relevant public exposure location in this area. AQMA3 will continue to remain in place.

Map showing Millers Bridge AQMA boundary and monitoring results

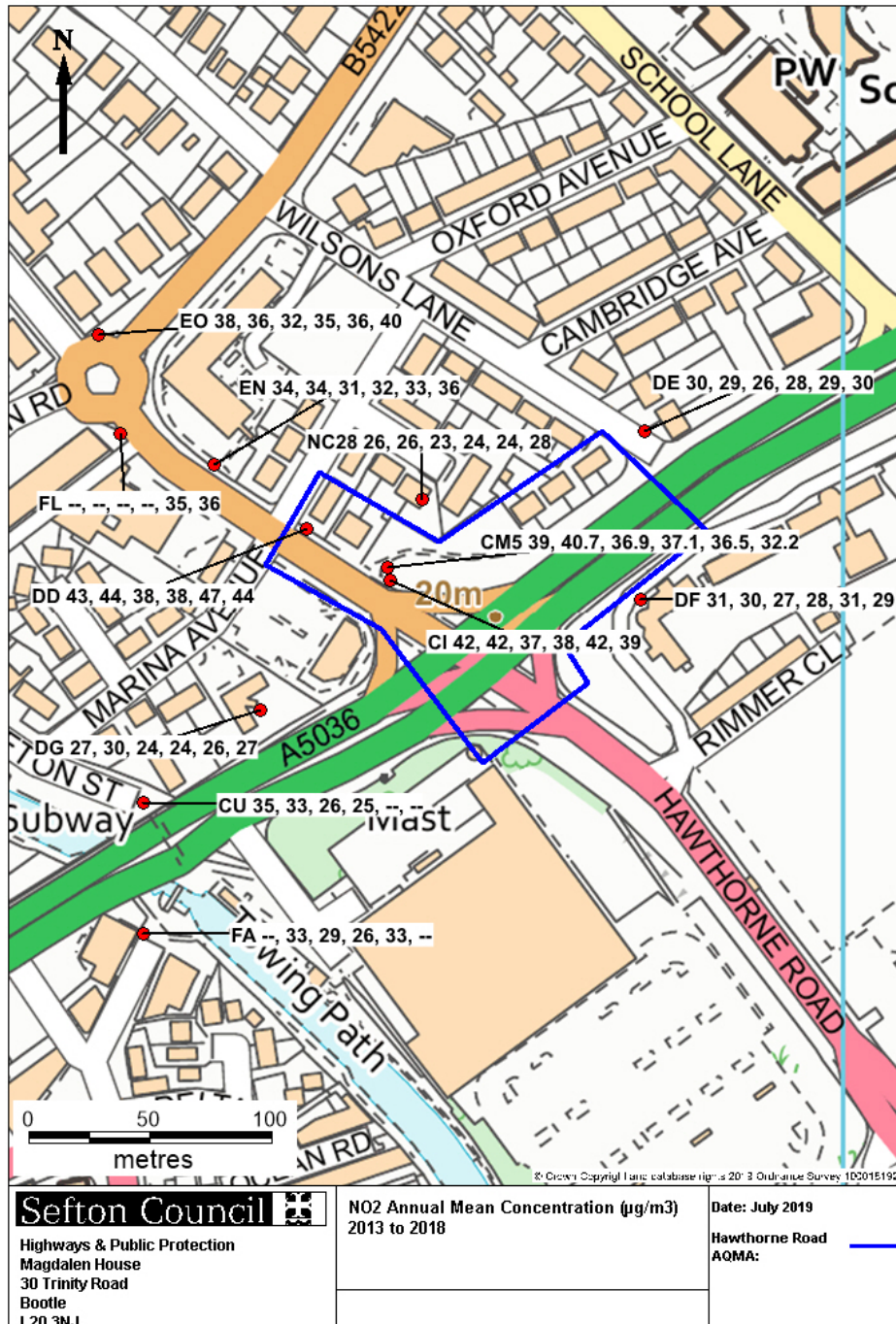


Hawthorne Road/Church Road Area

32. Around the Hawthorne Road AQMA site ID DD Hawthorne Road, Litherland showed annual average NO₂ level of 44 µg/m³. When adjusted for distance the levels at the receptor were estimated to be 36.4 µg/m³, within the annual standard. This tube is located within AQMA 5 which will continue to remain in force due to concerns regarding the predicted increase in port traffic. Site ID NFH Church Road showed an annual mean of 43 µg/m³ in 2018. When adjusted for distance the level at receptor was estimated to be 27.6 µg/m³ well within the annual standard.

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Map showing Hawthorne Road AQMA boundary and monitoring results



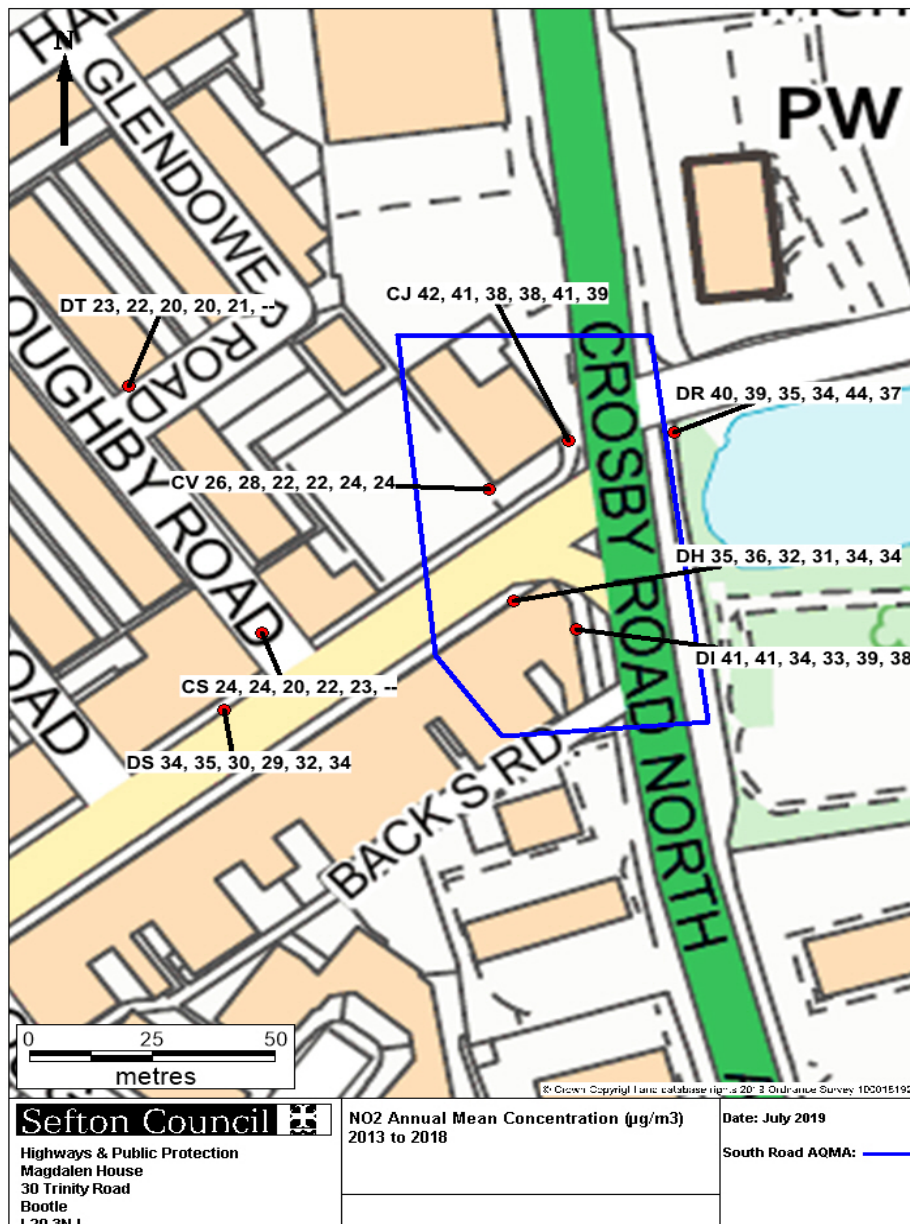
South Road/Crosby Road North Area

33. Around and within the South Road AQMA no exceedances of the NAQS objective were found in 2018. Results from diffusion tubes within the AQMA are as follows:

- CJ: $39 \mu\text{g}/\text{m}^3$ (adjusted at receptor $37.7 \mu\text{g}/\text{m}^3$),
- CV: $24 \mu\text{g}/\text{m}^3$ (adjusted at receptor $24 \mu\text{g}/\text{m}^3$),
- DH: $34 \mu\text{g}/\text{m}^3$ (adjusted at receptor $34 \mu\text{g}/\text{m}^3$),
- DI : $38 \mu\text{g}/\text{m}^3$ (adjusted at receptor $38 \mu\text{g}/\text{m}^3$) and
- DR : $37 \mu\text{g}/\text{m}^3$ (adjusted at receptor $25.1 \mu\text{g}/\text{m}^3$).

Whilst all levels are now below the NAQS objective it is not considered appropriate to revoke AQMA4 at this current time due to only having 12 months post improvement monitoring data. Notwithstanding this it does suggest that the junction improvement works have had a positive effect on reducing levels of NO₂ in this area and AQMA. Monitoring will continue during 2019.

Map showing South Road AQMA boundary and monitoring results



Hawthorne Road/ Linacre Lane

34. Site ID DO Hawthorne Road, Litherland showed annual average NO₂ levels of 45 µg/m³. When adjusted for distance the levels at the receptor were estimated to be 35.4 µg/m³

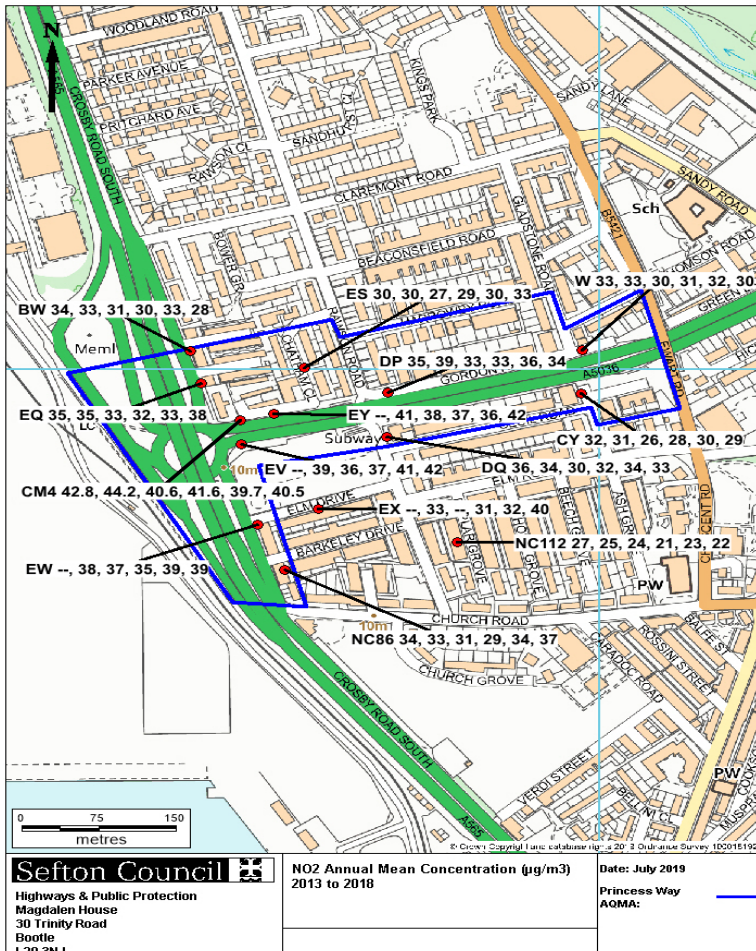
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Breeze Hill Area

35. Site ID EL Breeze Hill showed an annual mean of $44 \mu\text{g}/\text{m}^3$ in 2018. When adjusted for distance the level at receptor was estimated to be $34.7 \mu\text{g}/\text{m}^3$ well within the annual standard.

Princess Way Area

36. Site ID EV Princess way showed an annual mean of $42 \mu\text{g}/\text{m}^3$ in 2018. The tube is located with AQMA 2 but not currently close to any relevant receptors. Site ID EY showed an annual mean of $42 \mu\text{g}/\text{m}^3$ in 2018. At the nearest receptor levels were estimated to be $33.6 \mu\text{g}/\text{m}^3$ within the NAQS. Site ID EX Elm Drive was found to have an annual mean of $40 \mu\text{g}/\text{m}^3$ in 2018 with estimated levels of $38.7 \mu\text{g}/\text{m}^3$ at receptor.



Heman Street

37. Site ID FI Heman Street showed an annual mean concentration of $42 \mu\text{g}/\text{m}^3$ in 2017. This tube is installed at a location deemed to be representative of public exposure. Historically annual results have been below the NAQS objective. Additional diffusion

tube monitoring in the area commenced in late 2018 in response and to determine if the exceedance was continuing and the extent of the exceedance. Diffusion tube FI Heman street showed levels of $38 \mu\text{g}/\text{m}^3$ in 2018 within the NAQS and a reduction on 2017 levels. The new Diffusion Tubes in the area GG, GH and GI showed levels of $39 \mu\text{g}/\text{m}^3$, $48 \mu\text{g}/\text{m}^3$ and $33 \mu\text{g}/\text{m}^3$ in 2018. These when corrected for fall off showed levels at the receptor of $35.2 \mu\text{g}/\text{m}^3$, $37 \mu\text{g}/\text{m}^3$ and $30.2 \mu\text{g}/\text{m}^3$ respectively, all within the NAQS, however, monitoring at these locations only commenced in late 2018 with some sites only having 3 months data. The results may not be representative of the full year and annualisation was not considered appropriate given the small number of months data present. Whilst the results show compliance with the NAQS objective, monitoring will continue into 2019 and a further review will take place at the end of 2019 to determine if AQMA declaration is required.

Air Quality Impacts Associated with Traffic redistribution due to Broom's Cross Road

38. Committee members have requested information about the air quality impact on local communities associated with displaced traffic following the opening of Broom's Cross Road.
39. The A5758 Broom's Cross Road opened in August 2015. The scheme consisted of the provision of a new single carriageway highway link between the A565 Southport Road, Thornton and the M57, M58, A59 and A5036 Switch Island junction, bypassing the local communities of Netherton and Thornton.
40. The consultancy company Atkins were commissioned to prepare a 1-year post-opening monitoring and evaluation report which provides a summary of the monitoring and evaluation undertaken to date, including how the scheme was delivered and the initial outcomes of the scheme.

Scheme successes

41. Initial studies showed that traffic volumes along the B5207 (Lydiate Lane, Northern Perimeter Road) through the local communities of both Netherton and Thornton decreased following the opening of the scheme. Specifically, the B5207 Lydiate Lane experienced a 70% reduction in traffic volumes. This, in combination with the complimentary traffic management measures that were implemented along this corridor, including mini roundabouts, signalised pedestrian crossings and pedestrian refuge islands have improved conditions for local vehicular traffic, public transport, walking and cycling on the existing routes.
42. The associated reduction in traffic volumes along the B5207 corridor as a result of the scheme has led to an overall improvement in air quality and noise for local communities in Netherton and Thornton. This is due to the transfer of traffic on to the scheme, which is located further away from the residential areas than the B5207.
43. The reduction in traffic volumes along the B5207 corridor has also resulted in a reduction in congestion at some key junctions, which will also contribute to a

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reduction in both air pollution and greenhouse gas emissions. At the Green Lane/ A565 junction, the Green Lane leg of this junction now operates within capacity throughout the day, only suffering from congestion at school pick up time. Similarly, the Lydiate Lane/ Buckley Hill Lane junction now only experiences minor delays on the Buckley Hill Lane leg for a short duration during the afternoon peak. The Copy Lane eastbound arm of the junction with Dunnings Bridge Road also now operates with an improved performance, albeit with delays occurring for a short time during the afternoon peak.

44. The improved access from the national motorway network at the M57/ M58 Switch Island to the A565 via the scheme, provides a faster journey time to/ from Southport, thus contributing to the economic development and performance of the town.
45. The success of the new link in improving access to Switch Island has resulted, as anticipated, in additional traffic being attracted to the route from the Crosby area, increasing traffic flows along Moor Lane. This has led to concerns being expressed by the local community about traffic flows and congestion along the A565 corridor through Thornton. The Thornton Corridor Study carried out by the Council assessed traffic management, accessibility and safety through the Thornton area and an action plan was developed and implemented. The work is ongoing and a further review of the traffic management issues in the area will be undertaken in 2020, once the current works at the Buckley Hill Lane/Edge Lane junction have been completed.
46. Officers from Environmental Health continue to monitor levels of air quality in this area to determine compliance with national health-based standards and if any specific additional air quality actions are required. The table below shows the results of air quality monitoring in the area. (**please note 2019 data may be subject to slight change as December's diffusion tube is due to be analysed and has not been included in the result)

Diffusion Tube Site	2017 level (ug/m³)	2018 level (ug/m³)	2019** Level (ug/m³)
Quarry Road Thornton	33	34	31
Moor Lane Crosby (roundabout)	36	40	35
Moor Lane Crosby (opposite playing fields)	N/A	N/A	27
Liverpool Road Crosby	N/A	34	32
Green Lane Thornton	22	23	20

47. Results from the monitoring indicate that current air quality levels in the area are of a good standard and remain within national limits. Additional traffic along the A565 Moor Lane as a result of the opening of Broom's Cross Road does not appear to be having a significant impact on air quality in the area and the most recent monitoring in 2019 is showing reduced levels of NO₂ compared to previous years. Air quality monitoring will continue and appropriate actions undertaken if levels exceed national standards.

Air Quality Improvement Actions

48. Air Quality officers have developed and implemented Action Plans for all AQMAs and implemented several measures to try and improve air quality. (details of all measures and those planned are contained in appendix A)
49. Examples of successful site-specific measures that have been implemented already include:
- A package of measures contained within the A565 Route Management Strategy and Action Plan, which includes junction improvements to the South Road/Crosby Road North/ Haigh Road, Waterloo junction.
 - Hurry Call traffic management system to allow HGVs through the Millers Bridge/ Derby Road traffic lights without having to stop/start on the incline at Millers Bridge, thus reducing pollution from this vehicle type.
 - Effective regulatory control and monitoring of industrial sites within the Port of Liverpool to minimise their impact on PM₁₀ levels.
 - Redesigned roundabout system on Princess Way A5036 to improve traffic flow
 - HGV Port booking system to reduce queuing and congestion of HGVs entering and leaving the Port of Liverpool.
 - ECO Stars fleet recognition scheme to improve emissions from HGV fleet operators using roads in Sefton and Sefton Council's own fleet of vehicles.
50. Many of the site-specific measures detailed above have already been successful in reducing pollutant levels within the AQMAs. Air Quality officers recognise, however, that dealing with air pollution is an ongoing challenge and continue to invest significant resource in this area as detailed below.

Additional Air Quality Improvement Actions/Developments

Air Quality Members Reference Group

51. The AQ Members Reference group continues to act as the main strategic forum for Air Quality Matters in the Borough, its purpose is summarised below:
- To develop a Sefton One Council approach to air quality that includes an air quality strategy/position statement and overarching action plan.
 - To act as the main forum for strategic discussions about air quality, including receiving and responding to consultations, approaches to work jointly with other organisations, and ideas for local action.
 - To contribute to and develop the Local Air Quality Management Policy including ongoing oversight of:
 - The content of the Annual Status Report
 - Declaration, action plans and revocations of Air Quality Management Areas

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- To commission pieces of work in line with the action plan, as appropriate.
- To assign responsibility for operational issues and delivery of elements of the action plan, with the formation of task and finish groups as appropriate.
 - To develop an appropriate communications strategy that will engage with the public and communicate accurate and effective messages in relation to local air quality.

Clean Air Zone Feasibility Study

52. Because there are still significant challenges ahead regarding reducing levels of NO₂ in some of Sefton's AQMAs particularly those impacted by traffic entering and leaving the Port of Liverpool. Officers from Environmental Health, Public Health and Transport teams, overseen by the Members reference group, commissioned Environmental consultants AECOM to undertake a Clean Air Zone (CAZ) feasibility study to assess the feasibility of implementing CAZs in Sefton to reduce traffic related emissions. The report has now been completed. A copy of the report can be found here <https://www.sefton.gov.uk/media/1611489/Sefton-Clean-Air-Zone-Feasibility-Study.pdf>
53. Clean Air Zones are specific areas where action is required to improve air quality. They can be confined to a single road or a localised area and can be either charging or non-charging. A charging CAZ restricts the type of vehicles that can enter the zone and requires the payment of a levy should a restricted vehicle wish to enter. Government guidance recognises 4 types of charging CAZ (CAZ A, B, C, D) which target different types of vehicles. As part of the study all charging CAZ types were predicted to reduce emissions if implemented in Sefton, however CAZ type B - targeting buses, coaches, taxis, PHVs and Heavy Goods Vehicles (HGVs) had the most significant impact on reducing NO₂ exceedances
54. The AECOM study considered what the traffic makeup in Sefton was like, what the current baseline levels of air quality are in the Borough, what would happen in future to these levels if no further air quality improvement actions were implemented and whether implementing a CAZ would improve air quality. Predictions indicated that in 2020 if no further improve actions took place there would still be 70 NO₂ exceedances in the South of the Borough.
55. In summary, AECOM's report concluded that given the current and projected make-up of the traffic in the area of Sefton's 4 AQMAs a Charging CAZ could be effective in reducing NO₂ emissions and the number of exceedances predicted.
56. Cabinet have now given approval for officers to progress the development of an outline business case (OBC) for the creation of a Sefton Based CAZ in line with the approach recommended by DEFRA. The formal business case will include the

development of a project plan, risk register, resource costings using recognised project management frameworks, and a communications and engagement plan.

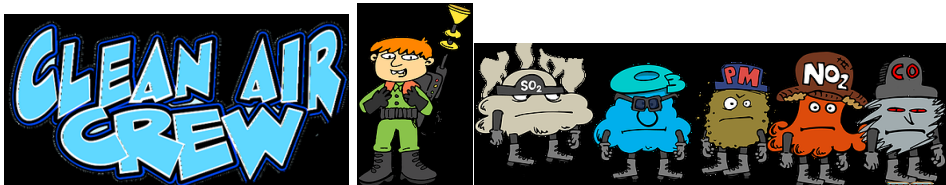
57. A more detailed report specifically on the development of the business case for a Sefton Clean Air Zone will be brought to a future meeting of this committee.

Schools Air Quality Project

58. Work on the school's air quality project has continued in 2019.

59. Educational resources have been further developed including;

- Air Quality Website (CLEAN AIR CREW) containing;
 - information on the gases (sulphur dioxide, carbon monoxide, ozone, carbon dioxide and nitrogen dioxide) which have all been characterised according to the features of each gas.
 - Individual pages for each of the schools we have worked with allowing them to showcase their work.
 - Activities for children which can be shared with parents etc. at home.
 - Lesson Plans for teachers
 - Links to further information e.g. Clean Air day 2018 resources, BBC 'so I can breathe' videos, Sefton's Breathing Space web site.



Characters from the Clean Air Crew Schools Website

DEFRA Air Quality Grant Fund

60. Ongoing research indicates that the increase in the use of domestic solid fuel as a means of heating homes (Log Burners /Coal Fires) contributes significantly to ambient levels of PM_{2.5} in urban areas. An application to DEFRA under the 2018/19 Air Quality Grant fund for £100,000 to investigate this issue was successful. The grant is being used to purchase an additional PM_{2.5} monitor and to fund temporary project officer to undertake a domestic solid fuel awareness raising/behaviour change project with a view to reducing particulate emissions in the Borough from the use of domestic solid fuel.

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61. An application for grant support has also been submitted recently under the DEFRA 2019/20 grant fund. The bid if successful, would fund a joint air quality enforcement project with the Driver and Vehicle Standards Agency (DVSA) aimed at identifying HGV's and PSV's using Sefton's roads that are operating with emissions cheat devices fitted. The project would utilise a mobile air pollution monitoring vehicle to identify HGV's/PSV's that were emitting high levels of pollutants and where found, take appropriate enforcement action against the driver/operator with the overall aim of reducing emissions of NO₂ and PM from non-compliant vehicles.

Taxi Electric Vehicle project

62. Officers from Environmental Health and Licensing are working with Electric Blue Environmental Consultants to undertake a behaviour change project with Taxi operators. The project aims to encourage operators to change from traditional combustion engine type vehicles to Electric Powered Vehicles. An additional 3 electric vehicle charging points will also be installed as part of this partnership.

Conclusions

63. Air Quality in the majority of Sefton is within NAQS Objectives, however, the on-going review and assessment has identified localised areas where NAQS Objectives will not be met and Action Plans are in place to work towards compliance in these areas. Action plan measures have shown significant success and levels of pollution have reduced with levels of PM₁₀ at all monitoring locations below the NAQS objectives and resulted in the de-declaration of AQMA 1 near Waterloo primary school.

64. There are however areas where there are major challenges to air quality as detailed within the report. Port expansion and the associated increase in HGVs may lead to an increase in emissions that will affect air quality in the AQMAs and surrounding areas around the A5036, A565 and A5058.

65. Officers will continue to develop and implement air quality improvement actions under the direction of the Air Quality Members Reference Group with additional focus on holistic approaches and engagement with all key stakeholders. The Clean Air Zone Feasibility study is complete and work on the development of the Outline Business case has been sanctioned by Cabinet.

66. A more detailed report specifically on the development of the business case for a Sefton Clean Air Zone will be brought to a future meeting of this committee.

Appendix A - Air quality Improvement Actions

Air Quality actions already implemented

Action	Detail	Status
Development and implementation of Port Booking system. All vehicles destined for port have specific arrival time slot which is staggered.	vehicle booking system introduced and completed. New L2 terminal operating Autogate technology.	System operational -Reduced HGV waiting times entering the port. Reduced pollutant emissions from the port estate affecting AQMAs
ECOSTars Vehicle fleet Efficiency recognition scheme	Sefton funded scheme to recruit 50 large fleet operators. Environmental assessment undertaken of operators and vehicles. Improvement plans developed.	58 operators (approx. 3000 vehicles) now part of scheme with 4 and 5 star ratings. Scheme funded for a further 2 years to recruit a further 15 operators
SCOOT- Traffic light optimisation system	Continued liaison with Highways team to ensure traffic light system in Sefton is optimised for maintaining vehicle flows and minimising congestion.	Reduced emissions as traffic optimised and congestion minimised.
Hurry Call System- Millers Bridge	HGV priority system – Allows HGV priority through Millers Bridge Junction.	Reduced HGV emissions as a result of system operating reducing stop start of HGV's
Roundabout improvement/redesign work Princess way	Redesigned roundabout system at Princess way to give traffic heading to and from the port priority.	Reduced emissions as a result of less congestion and stop start of traffic.

Air Quality actions and initiatives currently underway/being developed

Action	Detail	Status
HGV Emissions Cheat Device Project	Enforcement Project Carried out at Switch Island to identify HGV's operating with emission control systems deactivated. 10 % vehicles stopped were fitted with cheat devices and required to rectify issue	Further joint Sefton /DVSA enforcement project being developed with DVSA to target HGV's running without emission control systems operating. Project planned to commence late 2019- Looking to utilise mobile air monitoring vehicle to assist in the detection of vehicles fitted with cheat devices. Meeting arranged with DVSA Officers to agree project parameters.
Anti-Vehicle Idling Project	Anti-idling project being developed to target idling of vehicles around schools/sensitive areas / busy road junctions. Monitoring of NO2 levels before and after project	Project launched around Clean Air Day. Social media used to publicise good practice. Further enforcement activities currently being considered including use of signage and posters.
Evolve e-Taxi Project	Working with Consultant to promote the use of	Project completed. Journey tracking devices used to determine if normal taxi journeys could be undertaken using an Electric vehicle.50 taxis took part in trial. Analysis

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	electric taxi vehicles and increase number of electric vehicle charging points	completed -Debrief session arranged for the 3 rd Oct. Presentation taking place to LCR Task Force
Schools air quality engagement project	Schools air quality project developed along with classroom material and Clean air Crew Website	Delivered to approximately 15 schools. Looking at funding to continue this work. Schools AQ engagement day delivered. Schools Clean Air crew website launched as part of event https://www.southportecocentre.com/cleanaircrew
Intensive Road Cleaning Project	Sefton using DEFRA grant funding to develop an Intensive road cleaning project to reduce particulate levels in Sefton's AQMA's and surrounding area. Millers Bridge/Princess Way/Hawthorne Road/A5036 will be targeted	Project to commence Spring 2020. Currently awaiting completion of junction improvement works to Millers Bridge prior to commencement of project.
Sefton Funded Clean Air Zone Feasibility Study	Consultants appointed to undertake a CAZ feasibility study in Sefton to determine if implementation of a CAZ in and around our AQMA's would have a positive effect on reducing air pollution and what the socio-economic effects would be	Project completed. Results presented to Sefton Councillors. Internal Multi-disciplinary group has been convened to explore CAZ options
Additional variable matrix Message signs (VMS)	Sefton utilising DEFRA grant funding to install further VMS signs to expand our existing network of signs. Allows positive air quality messages to be provided and current AQ levels to be shown. Traffic messages also can be shown to provide diversion or congestion information	Procurement of signs now progressing- installation date to be arranged.
Millers Bridge/Derby Road Junction improvements	Junction improvements to the Derby Road/Millers bridge junction currently underway to improve traffic flow through this junction.	On completion of the works traffic flow though the junction and towards Liverpool will be improved resulting in reduced vehicle emissions in this area. Road improvement works ongoing completion expected early 2020

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<p>Communication strategy</p>	<p>Communications plan developed to help people take steps to reduce the impact of lower air quality on health and increase use of active travel options, for example the upcoming Clean Air Day Campaign in June</p>	<p>Plan currently ongoing- examples: Social media used to promote/support clean air day Radio interviews- Cllr Lappin/Matt Ashton Public Health Annual Report – Now completed - on topic of Air Quality. Link to Sefton’s Public Health Annual Report https://www.sefton.gov.uk/public-health/public-health-annual-report.aspx</p>
<p>Solid Fuel use behaviour change Project / Additional PM monitor</p>	<p>Successful in obtaining £100K DEFRA grant. project will Assess the level of solid fuel use for domestic heating in the Borough. -Engaging with fuel and appliance suppliers -Engaging with solid fuel users -Development of good practice guides /information - Installation of new pm2.5 monitor to assess current levels in more suburban areas - Development of behaviour change project - Implementation of behaviour change project -Assessing any reduction in pm2.5 following implementation of project</p>	<p>Currently shortlisting project officer interviews taking place October Commencing procurement process for pm2.5 monitor</p>
<p>Automatic Monitoring systems software upgrade</p>	<p>Currently upgrading Sefton’s AQ Monitoring systems Software to improve reliability and reduce risk of connection/data loss issues</p>	<p>Currently testing new system at 1 station before rolling out to 4 other stations</p>
<p>Annual Air Quality Status Report 2019</p>	<p>LA required to submit a detailed account of air quality in their area every year.</p>	<p>Sefton’s ASR 2019 now formally submitted. Awaiting results of formal review of report from DEFRA</p>

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Report to:	Overview and Scrutiny (Regulatory, Compliance and Corporate Services)	Date of Meeting:	14 January 2020
	Overview and Scrutiny (Adult Social Care and Health)	Date of Meeting:	7 January 2020
	Overview and Scrutiny (Children's Services and Safeguarding)	Date of Meeting:	28 January 2020
	Overview and Scrutiny (Regeneration and Skills)	Date of Meeting:	21 January 2020
Subject:	Climate Emergency		
Report of:	Head of Corporate Resources/ Executive Director	Wards Affected:	All
Cabinet Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

At the Council meeting on 18 July 2019, members agreed a motion to declare a Climate Emergency and this is included at Appendix A to this report.

Work has therefore progressed since that date on developing a programme structure, strategy and initial implementation plan for delivery of the motion and its objectives. In order to further inform this work, a baseline position is required across the council of work that is currently underway or planned that can contribute to the Council achieving the aims of the motion. This report therefore provides a summary of work undertaken to date and the exercise that is required to be led through each overview and scrutiny committee in order to establish that baseline position.

Recommendation(s):

Overview and Scrutiny Committee are recommended to:

- (1) Note the Councils agreed approach to delivering the objectives as set out in the Council motion that declared a climate emergency;
- (2) Note the activity that will take place within the first 12 months of the programme; and
- (3) Note the important role of each Overview and Scrutiny Committee in delivering the Councils objectives as set out in the agreed motion and the initial work that is required to

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be carried out in each area of the council's activity by all Heads of Service, in order to form an initial baseline position. This initial work will be reported back to the next meeting of this committee.

Reasons for the Recommendation(s):

These recommendations will provide each Overview and Scrutiny Committee with an update on the progress being made with regard to meeting the objectives of the Council motion and the work required to establish a baseline position for the Council with regard to the work in progress

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

No alternative options were considered in order to inform this exercise

What will it cost and how will it be financed?

(A) Revenue Costs

At this stage there are no revenue costs associated with the recommendations within the report

(B) Capital Costs

At this stage there are no revenue costs associated with the recommendations within the report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
At this stage there are no resource implications arising from this report
Legal Implications:
At this stage there are no legal implications arising from this report
Equality Implications:
There are no equality implications.

Contribution to the Council's Core Purpose:

<p>Protect the most vulnerable: The impacts of climate change will be felt most keenly by the most vulnerable, who are often the least able to respond. We already know that there will be climate change impacts such as more severe weather events, (heatwaves, flooding) that would affect the elderly, infirm and those unable to afford insurance. Taking action on carbon mitigation and adaptation will help to protect those people and will also positively effect air quality and the associated health benefits.</p>
<p>Facilitate confident and resilient communities: This work will seek to ensure council services can support communities to enjoy a better quality of life through being more resilient to climate change.</p>
<p>Commission, broker and provide core services: To effectively deliver services in the future, we will be required to respond to this threat through the work being undertaken.</p>
<p>Place – leadership and influencer: In response to this global issue, the Council is demonstrating its role locally as a leader and driver for positive change.</p>
<p>Drivers of change and reform: The Council has the potential to affect change in many key areas including planning, procurement, building, public health, green spaces. Work on reducing our carbon impacts and adapting to a changing climate will help to protect services & communities, going forward.</p>
<p>Facilitate sustainable economic prosperity: The 'green' economy has potential to generate local, sustainable jobs on a large scale. This could include large scale retrofit of homes and businesses, renewable energy, transport updates, development of green spaces etc.</p>
<p>Greater income for social investment: Developing more local opportunities for carbon reduction schemes such as housing retrofit, would offer opportunities for income/profits to be directed to local social schemes rather than to large scale corporations not based in the area.</p>
<p>Cleaner Greener: Reducing our carbon footprint is a key environmental, social and economic priority. Additionally, it has the potential to reduce air pollution, encourage modal shift to cycling/walking, enhancement of green spaces, reduce waste etc.</p>

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5909/19) and the Chief Legal & Democratic Officer (LD4093/19) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

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There have been no external consultations

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Appendices:

The following appendices are attached to this report:

Appendix A- Council Motion- Climate Emergency

Background Papers:

There are no background papers available for inspection.

1. Introduction

- 1.1. At the Council meeting on 18 July 2019, members agreed to declare a Climate Emergency. The full motion that was agreed at the meeting is included to this report at Appendix A and in declaring a Climate Emergency, it was agreed that:

Sefton Council is committed to reducing carbon emissions and resolves to go further than the UK100 Agreement and to act in line with the scientific consensus that we must reduce emissions to net zero by 2030, and therefore commits to:

- *Declare a 'Climate Emergency' that requires urgent action.*
- *Make the Council's activities net-zero carbon by 2030.*
- *Commit to municipalisation of energy supply by utilising public sector sites to generate energy where appropriate*
- *Ensure that all strategic decisions are in line with a shift to zero carbon by 2030.*
- *Support and work with all other relevant agencies towards making the Sefton area Zero Carbon within the same timescale.*
- *Achieve 100% clean energy across Sefton Council's full range of functions by 2030.*
- *Convene an assembly of interested groups not directly represented on Council in 2020 to oversee and feed into the development of related action plans and budgets across the City.*

- 1.2. Work will therefore now progress within the Council and with partners to achieve these objectives. This report therefore provides detail of the initial steps that will be taken over the next 12 months and an immediate piece of work to be led by each of the Council's Overview and Scrutiny Committee's

2. Proposed Approach to delivering the Council Motion

- 2.2. In order to address the issues detailed in the Council motion of 18 July 2019, the project will be led by the Cabinet Member for Regulatory, Compliance and Corporate Services. This will be complemented with the Head of Corporate Resources leading the council based activity and the Executive Director, Andrea Watts leading on external engagement and alignment especially within the Liverpool City Region.
- 2.3. It is recognised that a key strategic project such as this will need to be flexible over the course of the next decade in order to reflect the changing world that we all live in and the agenda that will face local government as a whole and Sefton MBC in particular. The governance of the project and the key workstreams will therefore inevitably need to be continually updated and refreshed in order to

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ensure that the objectives of the motion are met. As stated this review process will be undertaken by the Cabinet Member for Regulatory, Compliance and Corporate Services with any change proposed being included in the projects annual report. In accordance with this approach work has been undertaken to develop the initial governance model to support the delivery of the motion and the following groups have been identified to support the work required: -

- Sefton Climate Change Member Reference Group;
- Overview and Scrutiny Committees and Management Board;
- Council wide officer working group;
- Expert Panel; and
- Citizens Forum.

2.4. Terms of reference for these groups and membership are currently being developed

2.5. This motion has an agreed target date of 2030. Whilst this date is a decade away, a project of this size will need a clear strategy, agreed milestones and regular reporting through to council. To that end the project will be based upon :-

- The Council developing a clear strategy for the delivery of the council motion- this will be presented to Cabinet and then Council in Q2 of 2020;
- An initial 12 month mobilisation period that commenced from September 2019;
- The first 3 year implementation plan (2020/2021) being developed that will deliver the agreed strategy (with subsequent 3 year plans being developed from 2023 and 2026; and
- An Annual report be presented to Council on progress each year-July.

3. **Initial 12 month programme of Activity**

3.1. In order to mobilise the project, a number of activities will be required over the initial 12 months. There are an increasing number of councils who have declared a Climate Emergency, therefore the lead Cabinet Member and officers have reviewed the core documentation available and approaches undertaken to determine the key areas that would most suit Sefton. This will support some of the initial proposals that were also discussed in the original council motion. To that end, it is proposed that the following activity be undertaken in the next 12 months:-

- Develop terms of reference and membership of governance groups
- Develop and approve the Council's Strategy in respect of the Climate Change Emergency
- Prepare a report for each Overview & Scrutiny committee and request a stock take of all activity in relation to carbon emissions to inform a council wide baseline position
- Identify all current projects that are taking place across the council that will support the delivery of the Council's Strategy;

- Address immediate issues in the council motion around new policies and strategies, forthcoming budget proposals, Treasury Management Strategy and all cabinet and council decisions
- Consider and define how the Sefton Strategy and implementation plan will align with the LCR work being undertaken and that of key partners e.g. MerseyTravel, MWDA, Merseyside Pension Fund
- Develop and resource the first 3 year implementation plan (2020-2023)
- Develop a thematic approach to successfully achieving the councils long term objectives; and
- Provide the first Annual report to Council in July 2020

4. Engagement of Overview and Scrutiny Committees

- 4.1. This report provides each Overview and Scrutiny Committee with a clear understanding of the aims and objectives of the council motion, the Councils proposed approach, governance model and how it will be resourced.
- 4.2. This is important, as each Overview and Scrutiny Committee will have an important role in ensuring the successful delivery of the Councils objectives by providing leadership, direction and challenge. In essence, it will be responsible for delivering the objectives of the council motion within that area of the council's activity.
- 4.3. In order to commence this work and in accordance with the Council motion each Overview and Scrutiny Committee is asked to lead an immediate piece of work for completion by the next cycle of meetings (end of April 2020) that :-
 1. Conducts a stock take of all activity in relation to carbon emissions that will inform a comprehensive council wide baseline position
 2. Identifies all projects that are currently taking place across the council that will support the delivery of the Council's Strategy; and
 3. Identifies potential long term issues that will need to be addressed in order for the council to meet the objectives within the council motion.
- 4.4. The output from this work should be reported back to this committee in March/April 2020 and be led by the respective Heads of Service in conjunction with the Committee members and Cabinet Member. As required support will be available from the Cabinet Member for Regulatory, Compliance and Corporate Service, the Head of Corporate Resources and the Executive Director in addition to the Council wide officer working group.

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Motion Agreed by Council – 18 July 2019

Climate Change Emergency

Recent extreme weather events over several years have presented severe challenges to property, transport, agriculture and other services in the Sefton area and have led to the deaths and displacement of thousands of people worldwide. The Meteorological Office clearly states that these kind of extreme weather events are significantly more likely on a planet with human-caused climate change.

The Intergovernmental Panel on Climate Change (IPCC) is the United Nations body for assessing the science related to climate change. In their report “Intergovernmental Panel on Climate Change 1.5C report”^[1], published in October 2018, they conclude that humanity has 11 years for “ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities” to deliver the “rapid and far reaching transitions in land, energy, industry, buildings, transport, and cities” needed to turn this around, so we can avoid reaching tipping points where we would no longer have the ability to avoid extreme weather events.

Business as usual is no longer an option.

Children in Sefton will be in their teens and twenties in 11 years’ time. They deserve a liveable Sefton. We must act now to ensure this.

Bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities, as well as improved well-being for people locally and worldwide.

Over 40, and increasing, local councils, together with the Mayor of London, have passed motions declaring a ‘Climate Emergency’. Many local authorities, including Sefton Council, have also signed up to the UK100 Agreement^[2], pledging to achieve 100% ‘clean energy’ usage by 2050 in their area, but the IPCC report shows it is imperative that this target is reached much, much sooner.

Sefton Council is committed to reducing carbon emissions and resolves to go further than the UK100 Agreement and to act in line with the scientific consensus that we must reduce emissions to net zero by 2030, and therefore commits to:

Declare a ‘Climate Emergency’ that requires urgent action.

Make the Council’s activities net-zero carbon by 2030.

Commit to municipalisation of energy supply by utilising public sector sites to generate energy where appropriate

Ensure that all strategic decisions are in line with a shift to zero carbon by 2030.

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Support and work with all other relevant agencies towards making the Sefton area Zero Carbon within the same timescale.

Achieve 100% clean energy across Sefton Council's full range of functions by 2030.

Convene an assembly of interested groups not directly represented on Council in 2020 to oversee and feed into the development of related action plans and budgets across the Borough.

And to take the following actions:

1. Ensure that political groups and Strategic Leadership Board embed this work in all areas of Council activity and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and that a Task and Finish group be established to review Council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline;
2. Request that Overview and Scrutiny Management Board consider the impact of climate change and the environment when reviewing Council policies and strategies and charge Task and Finish groups to also consider those impacts in any report and every topic;
3. Work with, influence and inspire partners across the Borough and City Region to help deliver this goal through relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops;
4. Set up a Sefton Climate Change group, drawing on the expertise from Councillors, local communities, residents, young citizens, climate science and solutions experts, businesses, skills providers, and other relevant parties. Over the following 12 months, the Group will consider strategies and actions being developed by the Council and other partner organisations and develop a Borough-wide strategy in line with a target of net zero emissions by 2030, by engaging with other anchor institutions and small and medium-sized enterprises (SMEs). It will also recommend ways to maximise the local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy;
5. Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future-their future;

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6. Review the Council's Treasury Management Strategy to give due consideration to climate change targets in the investment decision making process and in doing so request a report within 6 months from the Head of Corporate Resources on the investment strategies of all financial institutions where Council funds are or could be held;
7. Ensure that all reports in preparation for the 2020/21 budget cycle will take into account the actions the Council will take to address this emergency;
8. Add the voice of Sefton Council to the calls on the UK Government to provide the powers, resources and help with funding to make this possible;
9. In recognition of the seriousness of the financial constraints that the Council faces, and the expectation that both the development and implementation of many measures above are likely to be contingent on securing significant additional extra funding, that Sefton's local MPs be called upon to ensure that Central government provides the powers, resources and funding to make this possible, and that the Leader and Chief Executive jointly write to them to seek their commitments;
10. Consider other actions that could be recommended (but are not restricted to): low carbon energy production and storage, providing electric vehicle infrastructure, encouraging the use of electric vehicles within the fleet, workforce and wider community, integrating low carbon technologies into operational assets and projects, increasing the efficiency of buildings, prioritising these measures for housing to address fuel poverty; proactively using our powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice;
11. Where needed, officer reports to the Council, Cabinet and all other Committees contain impact assessments on climate change that include carbon emission appraisals, including presenting alternative approaches which reduce carbon emissions where possible; and
12. Note the Liverpool City Region Deal which will have a direct effect on Sefton's climate and ensure that all partners are aware of Sefton's ambition.

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Report to:	Cabinet Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) Council	Date of Meeting:	9 January 2020 14 January 2020 23 January 2020
Subject:	Council Tax Reduction (CTR) Scheme 2020/21, Council Tax Base 2020/21 and Changes to Council Tax Discounts for Empty Homes		
Report of:	Head of Corporate Resources	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

The purpose of this report is to provide details of the review of the local Council Tax Reduction Scheme for 2019/20 and to recommend that there is no change to the scheme for 2020/21 for working age claimants.

The report also asks that Cabinet recommend to Council changes to discretionary Council Tax Empty Homes discounts following the outcome of a public consultation, and an additional increase to the Council Tax long-term Empty Homes Premium following a consultation exercise that took place in 2018.

In addition, the report also asks Cabinet to recommend to Council an increase in the Exceptional Hardship Fund (EHF) budget from £150,000 to £170,000 from 2020/21 onwards.

Finally, the report provides an updated Council Tax Base for Sefton Council and each Parish area for 2020/21.

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Recommendations:

Cabinet:

- (1) Note the contents of the review of the Council Tax Reduction Scheme for 2019/20.
- (2) Recommend to Council that there are no changes to the existing Council Tax Reduction Scheme for 2020/21 for working age claimants.
- (3) Note the outcome of the recent consultation and equality impact assessment on the proposed changes to Council Tax Empty Homes discounts as set out in Annex B.
- (4) Recommend that Council approves changes to discretionary Council Tax Empty Homes discounts from 1st April 2020, to reduce the discount on uninhabitable properties from 50% to 0%, and to reduce the discount for the first month that a property is empty from 100% to 50%.
- (5) Recommend that Council approves a change to the long-term Empty Homes Premium from 1st April 2020, to increase the premium charged on properties that have been empty for 5 years or more from 100% to 200%.
- (6) Recommend that Council approves the relevant 2020/21 Council Tax Base for Sefton Council and each Parish Area as set out in Annex A.
- (7) Recommend that Council approves an increase in the Exceptional Hardship Fund budget from £150,000 to £170,000 from 2020/21 onwards.

Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services):

- (1) That the report be noted.

Council:

- (1) Note the contents of the review of the Council Tax Reduction Scheme for 2019/20.
- (2) Approve that there are no changes made to the existing Council Tax Reduction Scheme for 2020/21 for working age claimants.
- (3) Note the outcome of the recent consultation and equality impact assessment on the proposed changes to Council Tax Empty Homes discounts as set out in Annex B.
- (4) Approve the changes to discretionary Council Tax Empty Homes discounts from 1st April 2020 to reduce the discount on uninhabitable properties from 50% to 0%, and to reduce the discount for the first month that a property is empty from 100% to 50%.
- (5) Approve a change to the long-term Empty Homes Premium from 1st April 2020, to increase the premium charged on properties that have been empty for 5 years or more from 100% to 200%.

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- (6) Approve the relevant 2020/21 Council Tax Base for Sefton Council and each Parish Area as set out in Annex A.
- (7) Council approve an increase in the Exceptional Hardship Fund budget from £150,000 to £170,000 from 2020/21 onwards.

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Reasons for the Recommendations:

Council Tax Reduction Scheme

Each financial year the Council must consider whether to revise or replace its local Council Tax Reduction Scheme. The Council must approve and adopt the 2020/21 Council Tax Reduction scheme by 11 March 2020, as set out in the Council Tax Reduction Scheme (Amendment) (England) Regulations 2017.

This report comments on the impact of various changes made to the scheme in recent years together with the impact of the Government's Welfare Reform changes. After consideration of the factors outlined later in the report it is proposed that the local Council Tax Reduction Scheme for 2020/21 remains unchanged for working age claimants.

Council Tax Empty Homes Discounts

Reducing the level of support offered by the current discretionary local empty homes discounts may encourage owners of empty homes to bring them into use more quickly. It would remove the current favourable treatment of empty homes, encourage better use of local housing stock, bring the Council's policy more into line with other local Councils in the Liverpool City Region who do not offer discretionary empty homes discounts and provide a much-needed increase in council tax income.

Long-term Empty Homes Premium

Increasing the long-term empty homes premium is intended to encourage owners to bring them back into use. Recent legislation allows the Council to increase the premium on properties that have been empty for longer than 5 years to 200% from 1st April 2020. Any additional income raised from the premium will help support the provisions of Council services.

Exceptional Hardship Fund (EHF)

The Council set the current budget of £150,000 in 2013/14. Since then the average Band D council tax charge in Sefton has increased by 25.6%. To keep pace with the increases in council tax the fund would have had to be increased by £38,500 in 2019/20. The fund has also been utilised to meet the cost of discretionary discounts awarded to care leavers since 2018/19. These discounts are costing approximately £19,000 in 2019/20. The suggested increase of £20,000 would offset the cost of the care leavers discounts in 2020/21 and restore some of the capacity of the EHF to alleviate the burden of council tax charges on CTRS claimants who are suffering exceptional hardship.

Council Tax Base

In accordance with Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as amended, the Council is required to set a tax base for both Sefton Council and for each Parish Area for 2020/21 before 31st January 2020.

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

Council Tax Reduction Scheme

The Council last revised its local Council Tax Reduction Scheme in 2018/19 following a public consultation process. The changes introduced in April 2018 continue to address the Council's priorities to minimise the impact on vulnerable residents, by striking a balance between dealing with Council priorities whilst supporting those experiencing financial hardship. As a result, the changes made in 2018 continue to be fully monitored and evaluated. No alternative options for change have been considered for 2020/21.

Council Tax Empty Homes Discounts

The Council could choose not to make changes to discretionary Council Tax Empty Homes discounts. This approach would not provide an additional incentive for owners of empty homes to bring them back into use more quickly. A lower level of Council Tax income would be generated and a higher level of savings would need to be achieved in 2020/21.

Long-term Empty Homes Premium

The Council could choose not to increase the long-term empty homes premium; however, this would not provide any further incentive for owners of long-term empty homes to bring them back into use.

Exceptional Hardship Fund (EHF)

The Council could choose not to increase the EHF budget. However, this would restrict the Council's capacity to alleviate the burden of council tax payments on those CTRS claimants experiencing exceptional hardship in 2020/21 and in future years.

What will it cost and how will it be financed?

(A) Revenue Costs

Council Tax Reduction Scheme 2020/21

There would be no additional revenue implications because of a decision to retain the current scheme. The cost of the current Council Tax Reduction Scheme has been reflected in the Council Tax base.

Proposed changes to discretionary Council Tax Empty Homes discounts and Long-term Empty Homes Premium

This report includes a number of proposals that would have an impact on the Council's tax base and forecast Council Tax income if they are approved. These include:

- Reducing the current level support offered by the discretionary Council Tax empty property discount from 100% to 50% (for up to 1 month).
- Removing the discretionary uninhabitable property discount.

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- Increasing the empty homes premium charged on properties that have been left empty for longer than 5 years from 100% to 200%.

Exceptional Hardship Fund (EHF)

Increasing the current EHF budget from £150,000 to £170,000 will cost £20,000 in 2020/21 and in future years. This budget is held in the General Fund so Sefton Council meets the full cost of discounts awarded under the scheme.

If Members agree the proposals within this report the financial implications will be outlined in the forthcoming budget reports for 2020/21.

Council Tax Base

Changes to the Council Tax base will have an impact on the level of Council Tax income transferred from the Collection Fund to the Council's General Fund in 2020/21. It will also impact on the amounts due to the Police and Crime Commissioner, the Fire and Rescue Service, and the Combined Authority.

The following table shows the impact of net changes in the year, forecast growth, and proposed changes to discretionary discounts and premiums, on the Council Tax base between 2019/20 and 2020/21, based on the 2019/20 Council Tax Band D charge:

Council Tax Income	Sefton Council £000	Police & Crime £000	Fire & Rescue £000	Combined Authority £000
Tax Base 2019/20	132,027	16,981	6,629	1,597
Net changes	22	3	1	0
Forecast Growth	478	61	24	6
Reducing the Empty Property Discount to 50%	342	44	17	4
Removing the Uninhabitable Property Discount	280	36	14	3
Increasing the Long-term Empty Homes Premium	178	23	9	2
Total	133,325	17,148	6,694	1,613

(B) Capital Costs

No capital costs applicable.

Implications of the Proposals:

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

The proposed changes to discretionary Council Tax empty homes discounts and the long-term empty homes premium is forecast to increase Council Tax income.

Legal Implications:

Local Council Tax Reduction Scheme

By Section 5 of Schedule 1A of the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012) for each financial year each billing authority must:

- a. Consider whether to revise its Council Tax Reduction Scheme or to replace it with another scheme
- b. Make any revision to its scheme, or any replacement scheme, no later than 11 March in the financial year preceding that for which the revision or replacement is to have effect.
- c. If any revision to a scheme, or any replacement scheme, has the effect of reducing or removing a reduction to which any class of person is entitled, the revision or replacement must include such transitional provision relating to that reduction or removal as the authority thinks fit.
- d. Before revising its scheme or making a replacement scheme, an authority must:
 - i. Consult any major precepting authority which has power to issue a precept to it.
 - ii. Publish a draft scheme in such manner as it thinks fit, and
 - iii. Consult other such persons as it considers are likely to have an interest in the operation of the scheme.

Council Tax Empty Homes Discounts

The Council has discretionary authority to set local discounts for empty homes under S.11A of the Local Government Finance Act 1992 as amended by Section 11 of the Local Government Finance Act 2012.

Council Tax Empty Property Homes Premium

The statutory provisions which empower the Council to effect the proposed changes are set out in this report.

To comply with public law principles of good decision making, a consultation on the proposals has taken place and the outcomes are detailed in this report.

Equality Implications:

The equality Implications have been identified and mitigated.

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Contribution to the Council's Core Purpose:

Protect the most vulnerable: The options proposed will help to maintain fairness and consistency. The changes that the Council introduced to the local Council Tax Reduction Scheme in 2018 are intended to work more effectively with Universal Credit, align the provision for children, disability, and caring responsibilities.
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Provide support to those in financial hardship as well as supporting people into work.
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD5890/19) and the Chief Legal and Democratic Officer (LD4074/19) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Council Tax Reduction Scheme 2020/21

The precepting authorities (Merseyside Fire Service and Merseyside Police) and the combined Authority have been informed of the recommendation no change to the local scheme for 2020/21.

Council Tax Empty Homes Discounts

A public consultation ran for 7 weeks from 16th September 2019 to 1st November 2019. The consultation requested views on two proposals:

- (1) to reduce the discretionary discount on uninhabitable properties that is currently 50% for 12-months to 0% from 1st April 2020, and
- (2) to reduce the discount for the first month that a property is empty from 100% to 50% from 1st April 2020.

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The Police and Crime Commissioner for Merseyside supports the Council's proposals to change Council Tax discounts from 1st April 2020.

Empty Homes Premium

A public consultation on the proposal to increase the Council Tax empty homes premium ran for 5 weeks from 29th October 2018 to 3rd December 2018. The consultation requested views on the proposal to increase the premium charge from 50% to 100% from 1st April 2019.

It also asked for views to further increase the premium charged on properties that have been empty for 5 years or more to 200% from 1st April 2020, and those empty for 10 years or more to 300% from 1st April 2021.

The Police and Crime Commissioner for Merseyside supported the Council's proposals to increase the Council Tax premium from 50% to 100% in-line with the new legislation from 1st April 2019. In addition, the Police and Crime Commissioner would also support the Council if it made the following changes to the premium: -

- 200% premium from 1st April 2020 on properties empty for 5 years or more; and
- 300% premium from 1st April 2021 on properties empty for 10 years or more.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet recommendation to Council and approval by Council on 23rd January 2020.

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Appendices:

Annex A: Council Tax Base Report 2020/21

Annex B: Summary of feedback from the consultation on changing Council Tax Empty Homes discounts and the associated equality impact assessment

Annex C: Summary of feedback from the consultation on increasing Council Tax long-term empty homes premium and the associated equality impact assessment.

Background Papers:

There are no background papers available for inspection.

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1. Local Council Tax Reduction Scheme

1.1 Introduction / Background

1.2 Local Council Tax Reduction replaced Council Tax Benefit (CTB) from 1st April 2013. The Council Tax Reduction Scheme is a discount awarded to households on a low income to help towards Council Tax payments. The amount awarded is based on a person's household and income. The local scheme rules only apply to working-age Council Tax payers. Pensioners are protected by legislation and must be provided with the level of Council Tax support specified by the Government.

1.3 The grant transferred to the Council, Police and Crime Commissioner and Fire Service in 2013/14, £24.2M; to fund the local scheme was £3M lower than had previously been provided to fund CTB in 2012/13. The Council therefore had to introduce changes to the national default Council Tax Support Scheme in order to ensure that the local scheme was cost neutral. As the Government had specified the level of support that had to be provided to pensioners, the saving requirement had to be met by reducing the level of support available to working age claimants and through changes to Council Tax empty property discounts.

1.4 The Council is required, by law, to review the Scheme each year irrespective of whether it is being amended.

1.5 The Council Tax Reduction Scheme for 2020/21 must be agreed by Council by 11th March 2020.

2. Review of the Council Tax Reduction Scheme for 2019/20

2.1 To satisfy the requirement to review the Scheme, the following areas have been evaluated:

- Claimant caseload
- Scheme expenditure
- Impact on most vulnerable claimants
- Welfare Reform changes
- Council Tax collection
- Attachment of Benefits
- Review of the Council's principles for the Scheme
- Council Tax Exceptional Hardship Fund.

2.2 Claimant Caseload

The table below shows the caseload data at 30th September 2019 compared to caseload data at the end of each year since the Council Tax Reduction Scheme was introduced in 2013/14:

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Year	Date	Pensioners	Working Age	Total	Change
2013/14	03.04.14	14,655	16,025	30,680	n/a
2014/15	01.04.15	13,925	15,349	29,274	-1,406
2015/16	31.03.16	13,206	14,886	28,092	-1,182
2016/17	31.03.17	12,541	14,524	27,065	-1,027
2017/18	31.03.18	11,970	14,005	25,975	-1,090
2018/19	30.09.18	11,650	13,951	25,601	-374
2018/19	31.03.19	11,404	14,160	25,564	-411
2019/20	30.09.19	11,183	14,190	25,373	-191

The working age caseload can be split further:

Year	Date	Employed	Other	Total	Change
2013/14	03.04.14	2,874	13,151	16,025	n/a
2014/15	01.04.15	2,748	12,601	15,349	-676
2015/16	31.03.16	2,504	12,382	14,886	-463
2016/17	31.03.17	2,193	12,331	14,524	-362
2017/18	31.03.18	1,900	12,105	14,005	-519
2018/19	30.09.18	1,763	12,188	13,951	-54
2018/19	31.03.19	1,597	12,563	14,160	+155
2019/20	30.09.19	1,286	12,904	14,190	+30

2.3 Pensioner Claimants: Since the implementation of the scheme in 2013/14 the number of Pensioner Claimants has declined in every year. The total change in pensioner claimant numbers between 2013/14 and 2018/19 was -3,251, which is a reduction of -22.2%. Pensioner claimant numbers have continued to fall in 2019/20.

2.4 Scheme Expenditure

The following table shows the Council Tax Reduction Scheme expenditure reported in the Revenue Outturn Return compared to the mid-year estimate for 2019/20:

Year	Source	Pensioners £000	Working Age £000	Total £000	Change £000
2013/14	RO Return	13,305	9,907	23,212	n/a
2014/15	RO Return	12,152	10,364	22,516	-696
2015/16	RO Return	11,895	9,760	21,655	-861
2016/17	RO Return	11,540	10,559	22,099	+444
2017/18	RO Return	11,378	10,948	22,326	+227
2018/19	RO Return	11,695	11,069	22,764	+438
2019/20	Estimate	11,862	11,776	23,638	+864

Notes:

1. 2013/14: The split of Pensioner and working age costs included an estimate

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based on ceased cases so may not provide an accurate basis for comparison.

2. 2016/17: The increase in the total cost included the impact of the reduction in claimant contribution, from 20% in 2015/16 to 16% in 2016/17 and the Council Tax increase of 3.69% in year.
3. 2019/20 Estimate: Pensioner & working age cost have been split based on the weekly average recorded on the monthly CTR304 reports up to 30 September 2019.

2.5 Council Tax Base Return Data

The following table provides a view of the Council Tax Reduction Scheme expenditure based on weekly payments recorded in early October as reported in the Council Tax Base Return:

Year	Source	Pensioners £000	Working Age £000	Total £000	Change £000
2013	CTB Return	12,602	10,214	22,816	n/a
2014	CTB Return	12,491	10,260	22,751	-65
2015	CTB Return	11,991	10,033	22,024	-727
2016	CTB Return	12,503	9,918	22,421	+397
2017	CTB Return	12,579	9,816	22,395	-26
2018	CTB Return	12,634	9,742	22,376	-19
2019	CTB Return	11,995	11,780	23,775	+1,399

2.6 Impact on the most vulnerable claimants

The Scheme implemented in 2018/19 continues to address the Council's priorities to minimise the impact on the most vulnerable, by seeking to strike a balance between dealing with Council priorities whilst supporting the financially vulnerable. The Council, having recognised the impact on communities, has introduced a range of mitigating actions, including:

- Provision of an Exceptional Hardship Fund (see Section 2.11)
- Allowing a Universal Credit notification, received from the Department for Work and Pensions (DWP), to be treated as a claim for local Council Tax Reduction, thus removing the need for those in receipt of Universal Credit to have to make a separate claim for support towards their Council Tax.
- Making provision in the local Council Tax Reduction Scheme for awards to be backdated for up to 6-months for working-age vulnerable claimants.
- Deciding that the Council's local Council Tax Reduction scheme for working-age families should not to replicate the rules that are in place in the national Housing Benefit scheme and the Council Tax Reduction Pensioner scheme whereby the removal of the family premium and the "2-child" rule restrict the level of award.

- Offering 12-month (rather than 10-month) instalment payments to Council Tax payers.
- Adopting a sensitive approach to enforcement action to consider the potential vulnerability of Council Tax Reduction claimants. Before cases are referred to Enforcement Agents a vetting stage has been introduced and cases are dealt with under a separate debt recovery process to minimise potential increases in debt.
- Facilitating a meeting between the Council's contracted Enforcement Agents and Citizens Advice Sefton to establish closer working arrangements to support people in debt. Citizens Advice Sefton now have direct lines of communication with the Enforcement Agents and can arrange for recovery action to be placed on hold whilst discussing and agreeing affordable payment arrangements.
- Implementing processes for Council staff to refer claimants to Citizens Advice Sefton for help and support with debt/budgeting advice, or making/maintaining their Universal Credit claim.
- Putting an escalation process in place for the debt advisor based at South Sefton foodbank to contact nominated Council Tax staff to request a hold on recovery action or discuss affordable payment arrangements.
- Participating in Sefton's Welfare Reform Anti-Poverty Partner's Group – staff from the Council's Council Tax and Benefit team, work with partner organisations and other Council services to support residents suffering financial vulnerability and to provide practical support such as signposting claimants for winter coats, school uniforms.

2.7 Welfare Reform Changes

The Government has implemented a series of welfare reform changes aimed at cutting the cost of welfare payments and providing more incentives to work. These changes have had an impact on many claimants and on the level of Council Tax Reduction awarded.

Because of the Government making alterations to the Housing Benefit scheme and other welfare reform changes, specifically relating to the introduction and gradual phasing in of Universal Credit, there was a need to make some technical changes to the Council's local Council Tax Reduction scheme, for non-pensioner claimants only, so that both schemes are more aligned. Council therefore approved changes to the local Council Tax Reduction scheme for 2018/19 to take effect from 1st April 2018.

The Council continues to monitor and evaluate the impact that the changes are having on claimants. The table below provides a summary of the changes implemented since 2018, as at 4th November 2019:

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Description of the change	Comment (as at 4th November 2019)
Fixed Income Period for six months	<p>There are 1,420 Council Tax Reduction claims with a Fixed Income Period applied.</p> <p>By setting a Fixed Income Period, Council Tax Reduction does not need to be recalculated each month when earnings fluctuate. The Council's Benefits service continue to review the claims to identify what the change is and decide if it requires reassessment.</p> <p>There are some administrative savings as Council Tax Reduction cases will not be recalculated each month where earnings fluctuate. Notification letters are not produced when there is no recalculation, revised Council Tax bills are not issued, and customers do not have a need to contact the Council to ask why their Council Tax bill has changed etc.</p>
Apply a minimum income floor for all Council Tax Reduction new claimants where they have been self-employed for more than 12 months.	<p>There are 25 Council Tax Reduction claims where the minimum income floor has been applied. All but 4 of the cases resulted in the customer not qualifying for Council Tax Reduction as a result. The low number affected is not surprising as the provision only applies to new claims.</p> <p>This change mirrors the rules used in Universal Credit</p>
Temporary absence rules for Housing Benefit and Council Tax Reduction for those who leave the country for more than four weeks.	<p>No claims have been identified that are affected by this change.</p> <p>The four-week absence period can be extended by a further four-weeks if absence is linked to the death of a close relative or up to 26-weeks in certain other specified circumstances.</p>
Reform of Bereavement benefits: Bereavement support payment is disregarded for all other DWP benefits, including Housing Benefit	<p>Currently there are 5 claims where there is BSP (Bereavement Support Payment) recorded on the claim.</p>
Replicate Income / Capital disregard rules for payments received from We Love Manchester Emergency fund and London Emergencies fund	<p>No claims have been identified that are affected by this change.</p>

2.8 Council Tax Collection

The table below shows the amount of Council Tax billed and collected during 2018/19:

Recorded at 31st March 2019	Liability Raised £000	Received In Year £000	Collection Rate %
CTRS Cases - Working Age	3,953	2,781	70.3
CTRS Cases - Pensioner Age	1,715	1,736	101.2
Other Council Tax Payers	146,787	141,845	96.6
Total (in-year collection)	152,455	146,362	96.0

The in-year Council Tax collection rate reduced from 97.2 % in 2012/13 under the Council Tax Benefit system to 96.2% in 2013/14 when local Council Tax Reduction was introduced. Since then the overall collection rate has remained within a narrow range from 96.0% to 96.3%. The in-year collection rate for Sefton Council for 2018/19 was 96.0%, which is 0.7% higher than the average for Metropolitan Districts.

Council Tax Collection 2019/20

As at 31st October 2019, the in-year Council Tax collection figure was 64.11%. This is a drop of 0.14% on the equivalent comparison in 2018/19. However, throughout the year to date collection performance has varied from approximately +/- 0.1% compared to 2018/19.

There are several factors that continue to contribute to the difficulties in improving collection performance in year-on-year:

- The roll out of Universal Credit has resulted in delays in customers receiving their payments and this has had a knock-on effect regarding their ability to pay Council Tax.
- Delays in receiving Attachment of Benefits (AOB) monies – when a customer already subject to an AOB order moves onto Universal Credit their existing AOB order with the DWP is cancelled and must be resubmitted to the Universal Credit Team. This can lead to a period when no deductions are made.
- The number of customers advising the Council that they are seeking insolvency or debt advice has increased. In these instances, customers tend not to make required Council Tax payments.
- A greater awareness of vulnerability has meant that as soon as an issue is identified in most cases recovery action is placed on hold whilst the vulnerability aspect is assessed. It may also result in the Council entering into payment arrangements which take slightly longer to repay because of a genuine financial vulnerability being identified.

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2.9 Attachment of Benefits

Since the introduction of the Council Tax Reduction Scheme in April 2013 the number of working age claimants falling into arrears continues to grow. One recovery option open to the Council in respect of benefit claimants is to apply for an AOB via the courts. Under this option the Court can require a payment of up to £3.70 per week to be made by the DWP directly from the claimant's benefits to meet Council Tax arrears.

Payments by AOB do provide some certainty to both the Council and the debtor. For the Council, the payments do guarantee regular income from the debtor. For the debtor, there is the security of knowing that a debt is being paid by a deduction from their benefit.

However, AOB is not a perfect solution to the problem of growing debt for the following reasons: -

- An AOB cannot be applied without first having taken the debtor to court to obtain a Liability Order. Due to the need to follow the correct legislative timeline for obtaining a Liability Order, payment by AOB cannot commence until part way through the year. Typically for a bill issued in March the first payments would not be made by the DWP until August of the same year.
- Many debtors have arrears outstanding for multiple years Council Tax. An AOB can only be used to collect one debt at a time. In addition, current legislation does not allow the Council to take any other form of debt recovery (e.g. use of Enforcement Agents) whilst an AOB is in place. To mitigate this, people on AOB have been issued letters asking them to contact the Council for advice, to make alternate payment arrangements or seek financial advice from Citizens Advice Sefton. However, this initiative met with only a few people contacting the Council to make arrangements to pay.
- Collection of Council Tax debt by way of AOB is not the highest priority of debt administered by the DWP. Therefore, the level of recovery will be affected when people have multiple debts e.g. rent and energy debts are given a higher priority.
- Many new claimants for Council Tax Reduction have already accrued debts before an AOB can be considered.
- At the commencement of the scheme in 2013 the maximum deduction of £3.70 was lower than the minimum weekly Council Tax charge for all property bands. The minimum contribution of 20% towards the Council Tax was greater than the amount that could be collected within the year by AOB. This created a problem of debt being carried forward to the following year. Therefore, whilst debt payments are being collected regularly the amount of debt at the end of each year kept growing.
- To try and break the cycle of debt the Council Tax Reduction Scheme was amended with effect from 1st April 2016 to reduce the minimum contribution rate to 16%. This rate was calculated so that the AOB payment of £3.70 per week was more than would be due from Council Tax for many of the claimants. The table below provides a snapshot of the amount of debt being recovered under AOB and the amount of debt still waiting recovery by AOB:

	01.04.18	01.04.19	31.10.19
AOB in Payment	£916,181	£1,121,179	£1,268,727
No. of Cases	5,200	6,276	6,642
AOB Pending	£3,216,978	£3,987,625	£4,801,112
No. Of Cases	14,083	16,919	19,602

- A significant number of customers have arrears for more than one financial year. As only one AOB order may be deducted at a time there has been a significant increase in the number of pending cases. These cases are effectively stacked up until an earlier order is paid. No recovery action may be taken in the interim and the value of such cases is increasing year on year.

2.10 Review of Scheme Principles

The local Council Tax Reduction Scheme is based on five principles and the review is summarised below:

Principle	CTRS working for non-pensioner claimants?
The Council will continue to support work incentives	<p>Yes – The Council continues to operate a system which disregards certain amounts of money from customers earnings through employment (and self-employment) when calculating entitlement.</p> <p>This results in some additional support to those customers receiving Universal Credit who are in low paid work, following the removal of UC work allowances from April 2016</p>
The Council will continue to recognise the additional needs of our most vulnerable residents.	<p>Yes – The Council continues to make additional allowances and give additional support to those receiving certain DWP sickness benefits, disability benefits and benefits for Carers when calculating entitlement.</p> <p>Additionally, the Council continues to disregard certain disability benefits as income when calculating entitlement</p> <p>Procedures were reviewed for the collection of non-payment of Council Tax to ensure non-disproportionate impact on the most vulnerable households. Also budgeting support and advice is made available to all claimants.</p> <p>The Council Tax Exceptional Hardship Fund – is available to those in the greatest financial need with fair and transparent criteria for awards.</p>

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<p>The Council will continue to recognise the additional needs of families with children</p>	<p>Yes – Child Benefit and Child Maintenance payments are not considered as income when calculating entitlement to CTRS.</p> <p>Additional allowances are given when calculating entitlement for where there is a disabled child in the family.</p> <p>The CTRS also mirrors provisions in the Housing Benefit scheme by taking child care costs into account for low income working families</p> <p>The Council will continue to include the Family Premium when calculating the Council Tax Reduction. This was removed for all new Housing Benefit claims from May 2016. The Council has also chosen not to mirror the changes made to Housing Benefit which restrict the amount of support given to families with more than two children within its CTRS;</p>
<p>The Council supports households staying together to make better use of housing in Sefton and reduce homelessness.</p>	<p>Yes - The amount of Council Tax Reduction taken away from a customer when other adults live in the household (known as a non-dependant deduction), was reduced in 2013 and remains at those lower levels.</p>
<p>The Council will continue to have due regard to the Armed Forces Covenant</p>	<p>Yes – War Disablement and War Widows pensions in calculating CTRS, including any Armed Forces compensation in accordance with the covenant is disregarded. This also includes the service attributable element of the armed forces pension could also be disregarded as income when calculating entitlement.</p>

2.11 Council Tax Exceptional Hardship Fund (EHF)

A key feature of the local Council Tax Reduction scheme was the creation of an exceptional hardship fund with an annual budget of £150,000 to help mitigate hardship issues for vulnerable working age claimants. The fund is used to reduce Council Tax bills when an individual is judged to be facing severe financial hardship. The fund is administrated within an agreed policy approved by Cabinet Member for Regulatory, Compliance and Corporate Services.

For the purposes of administration, the decision to grant any reduction in liability is considered under any one of three categories, which includes “Exceptional Financial Hardship - for Council Tax payers who have qualified for support under the Local Council Tax Reduction Scheme but who are still experiencing severe financial hardship”.

The Discretionary Reduction in liability Policy replaced the Council Tax Exceptional Hardship Scheme that has been in place since April 2013. That scheme was introduced by the Council to mitigate against potential issues that may have arisen because of the

abolition of Council Tax Benefit and the introduction of the local Council Tax Reduction Scheme.

The following breakdown shows EHF awards for period 1st April – 31st October 2019:

- 889 claimants received an award
- Total amount awarded = £100,687.51
- Average award £113.25
- Average length of award = 6 months
- 430 claimants receiving an award have received an award previously
- 254 claimants have received an award on 3 or more occasions
- 155 claimants have received an award on 5 or more occasions
- Highest number of awards = 12
- 446 claims have been refused
- 36 Claimants received an award for the first time having previously applied and been refused.

The Council set the current EHF budget of £150,000 in 2013/14. Over the past six years the average Band D council tax charge in Sefton has increased by 25.6%. To keep pace with the increases in council tax the fund would have had to be increased by £38,500 in 2019/20. The fund has also been utilised to meet the cost of discretionary discounts awarded to care leavers since 2018/19. In 2018/19 the Council awarded exceptional hardship discounts of £132,112 and care leavers discounts of £16,579, giving total of £148,690 charged against the budget. Care leavers discounts have increased to £19,200 in 2019/20 leaving only £130,800 to meet the cost of exceptional hardship discounts awarded in 2019/20. Steps have been taken to contain the amount of EHF discounts awarded in the year, however, the current EHF budget is likely to be overspent in 2020/21 if further rationing of discounts is not applied.

2.12 Summary of local Council Tax Reduction Scheme Review 2019/20

The total number of claimants eligible for support has reduced in each year since 2013/14. The number of claimants has continued to reduce in 2019/20. In the first 6 months of the year the total number of claimants had reduced by 191 (0.7%) to 25,363 (11,183 pensioner age and 14,190 working age).

The forecast cost of the scheme has increased by £0.864m (3.8%) in 2019/20 to £23.638m as at 30th September 2019. This is due to the impact of an average Council Tax increase of 5.1% and the offsetting impact of a reduction in claimant numbers.

Welfare Reform changes introduced since 1 April 2018 are expected to continue to increase the cost of providing Council Tax support in 2020/21. The financial impact will depend on the number of claimants affected.

Council Tax in year collection rates fell by 1.0% to 96.2% in 2013/14 after the replacement of Council Tax Benefit with the local Council Tax Reduction scheme. The collection rate has remained at a similar level since, with a collection rate of 96.0% being achieved in 2018/19. This was 0.7% higher than the average collection rate for all Metropolitan Districts.

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3. Council Tax Reduction Scheme - Consultation

The statutory provisions are silent on the consultation required when a council is not proposing to change its Council Tax reduction scheme.

Letters will be issued to the precepting authorities – Merseyside Police and Crime Commissioner and Merseyside Fire and Rescue Service notifying them that no change is being proposed. The combined Authority will also be notified of no change.

4. Local Council Tax Reduction Scheme - Equality Impact Assessment

Department for Communities and Local Government issued a report in February 2014 reminding local authorities of their key duties when deciding on local Council Tax Reduction Schemes:

- Public Sector Equality Duty (The Equality Act 2010)
- Duty to mitigate the effects of child poverty (The Child Poverty Act 2010)
- The Armed Forces Covenant
- Duty to prevent Homelessness (The Housing Act 1996)

A detailed equality assessment was undertaken and published as part of the design and implementation of CTRS for 2013/14. This assessment had been reviewed in the context of the proposed options for 2016/17 and found there was no disproportionate impacts as the mitigating actions put in place for the 2013/14 scheme remained. The assessment can be found at Annex D: Council Report dated 24 January 2013.

5. Proposal to make Changes to Council Tax Empty Homes Discounts

5.1 Prior to 1 April 2013, the Government prescribed that certain classes of empty properties were exempt from paying Council Tax for a certain period set out in legislation. This included the following exemptions:

Description	Exemption
<u>Empty Property Exemption</u> For properties which are “unoccupied and substantially unfurnished”	100% for a maximum period of six months
<u>Uninhabitable Property Exemption</u> For vacant properties undergoing “major repair work” or “structural alteration”	100% for a maximum period of twelve months

5.2 In October 2011, the Government published proposals to abolish these mandatory exemptions and instead give billing authorities discretion to provide local Council Tax discounts on empty homes should they chose to do so. The proposals were intended to help local authorities keep the overall level of Council Tax down and to allow them to adjust the level of tax relief in respect of empty properties when local authorities judged that they do not merit special treatment.

5.3 Following a period of consultation the Government published its final proposals in May 2012. Legislation was then enacted in December 2012 that abolished the existing exemptions and allowed local authorities to set the level of Council Tax discounts that would apply to certain categories of empty homes from 1 April 2013.

5.4 For 'empty properties' the period of discount was limited to a maximum of six months. However, local authorities could choose to offer a discount for a shorter period or vary the level of discount offered within the period. For example, it would be possible to (a) offer no discount at all, (b) offer a discount of between 0% and 100% for six months or less, or (c) offer a larger initial discount for say one month, followed by a lower discount for up to 5 months or less.

5.5 For 'uninhabitable properties' the period of discount was fixed at 12 months (provided the property continued to meet the criteria). Local authorities could choose to (a) offer no discount, or (b) offer a discount of between 0% and 100% for 12 months.

5.6 On 24 January 2013, the Council approved the level of local empty homes discounts that would apply in Sefton from 1 April 2013 as follows:

Description	Discount
Empty Property Discount	100% for one month followed by 50% for the following five months
Uninhabitable Property Discount	50% for up to a maximum period of twelve months

5.7 On the 23rd January 2014, the Council decided to remove the 50% empty property discount that had applied from month two to month five. So, the revised discounts available from 1 April 2014 were as follows:

Description	Discount
Empty Property Discount	100% for a period of one month.
Uninhabitable Property Discount	50% for up to a maximum period of twelve months

5.8 The new local discretionary discounts offered a lower level of support compared to the previous mandatory exemptions. This resulted in an increase in Council Tax income in 2013/14, which was forecast at £1.010 million. A further increase of £0.780 million was forecast for 2014/15. This additional income was used to offset the impact of funding reductions that accompanied the abolition of Council Tax Benefit and its replacement with a local Council Tax Support Scheme in 2013/14, and to offset further grant cuts in 2014/15.

5.9 The level of both empty property and uninhabitable property discounts offered by Sefton Council has not changed since 2014/15. Other local authorities have reduced or removed their empty homes discounts in that time to increase Council Tax income in response to further significant cuts in Government grant funding.

5.10 The Council is required to formally approve any change to local Council Tax discounts.

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Empty Homes Discounts offered by other local authorities in the Liverpool City Region

5.11 There are five other billing authorities within the Liverpool City Region (LCR). Some continue to offer empty homes discounts, whilst others have removed the discounts altogether.

5.12 The table below provides a summary of empty homes discounts offered by all the billing authorities in the Liverpool City Region in 2018/19:

Local Authority	Empty Property Discount	Uninhabitable Property Discount
Halton	No discount	No discount
Knowsley	100% for up to one month	No discount
Liverpool	No discount	20% for up to 12-months
St Helens	100% for up to one month	25% for up to 12-months
Sefton	100% for up to one month	50% for up to 12-months
Wirral	No discount	No discount

The cost of providing empty property discounts

5.13 The table below shows the cost of providing the existing empty homes discounts since 2013/14:

Year	Empty Property Discount	Uninhabitable Property Discount	Total
	£ million	£ million	£ million
2013/14*	0.671	0.239	0.910
2014/15	0.664	0.330	0.994
2015/16	0.668	0.319	0.987
2016/17	0.698	0.348	1.046
2017/18	0.731	0.310	1.041
2018/19	0.775	0.260	1.035

* The cost shown for 2013/14 is for the first month only. The additional relief given in months 2 to 5 has been excluded for the purpose of this comparison.

5.14 The Council's tax base is calculated in Band D equivalents. Converting the level of discounts given in previous years into Band D equivalents can help to calculate the cost of the providing these discounts at the council tax charge in 2019/20. The average level of discounts given since 2013/14 expressed in band D equivalents along with their current value expressed as council tax foregone is shown in the table below:

Discount	2019/20 Band D Charge	Band D Equivalents	Council Tax Foregone
	£		£ million
Empty Property Discount	1,882.87	435	0.818
Uninhabitable Property Discount	1,882.87	178	0.336
Total	1,882.87	613	1.154

5.15 Council Tax income collected in the Sefton area is shared between the Council, the Police and Crime Commissioner, the Fire and Rescue Service, the Combined Authority, and Parish Areas based on their annual precepts. The table below shows each authority's share of the average cost of the empty property discounts:

	Empty Property Discounts	Uninhabitable Property Discounts	Total
	£ million	£ million	£ million
Sefton	0.682	0.280	0.962
Parish Areas	0.006	0.002	0.008
Police & CC	0.088	0.036	0.124
Fire & Rescue	0.034	0.014	0.048
Combined Authority	0.008	0.004	0.012
Total	0.818	0.336	1.154

Proposal to reduce the level of support for Council Tax discounts on empty homes

5.16 It is proposed that from 1st April 2020 the Council agrees: -

- To reduce the level of discount on empty homes from 100% to 50% for up to one month, and
- To remove the uninhabitable property discount.

This proposal will increase Council Tax income, remove the current more favourable treatment of empty homes, encourage better use of local housing stock, and bring the Council's approach more into line with other local authorities in the Liverpool City Region.

Description	Proposed Discount for 2020/21
Empty Property Discount	50% for up to one month
Uninhabitable Property Discount	0%

Impact of the proposed changes

5.17 Reducing the discounts may encourage owners of empty dwellings to bring them into use more quickly. It will also remove the advantage currently provided to empty property owners bringing them more into line with occupiers of other domestic dwellings who must pay their Council Tax in full.

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5.18 Reducing the discounts will provide additional Council Tax income that can be used to support services provided for all local residents such as highways maintenance, parks, and refuse collection, as well as those services provided only to the most vulnerable members of the community such as children's and adult social care.

5.19 The discounts currently offered allow empty property owners with a period of relief from Council Tax charges. In some cases, this can encourage owners to undertake structural repairs to their properties to bring them back into use and in others it allows landlords with a short period between lets to undertake repairs. The discounts are also provided to owners moving between homes who leave their property empty perhaps because they are unable to sell or are undertaking minor renovations or redecoration prior to occupation.

5.20 Removing the 'Uninhabitable Property Discount' could discourage owners of these properties from making improvements to their properties.

5.21 Reducing the 'Empty Property discount' from 100% to 50% will affect landlords and owner occupiers who will be required to pay half the amount of council tax whilst they bring their properties into occupation.

5.22 Owners of empty homes will still be able to gain exemption from paying Council Tax if they qualify for one of the following remaining statutory exemptions:

Exemption	Description
Class B	a dwelling that has been unoccupied for up to 6 months and is owned by a charity.
Class D	an unoccupied dwelling left empty by a person who has gone to prison.
Class E	an unoccupied dwelling left empty by a person who is now resident in a hospital or nursing home.
Class F	an unoccupied dwelling forming part of the estate of a deceased person and the personal representative is waiting for grant of probate or letters of administration or less than 6 months have elapsed since such a grant was made.
Class G	a dwelling where the occupation is prohibited by law.
Class H	an unoccupied dwelling held for a minister of religion as a residence from which to perform his duties.
Class I	an unoccupied dwelling where a person has moved to receive personal care.
Class J	an unoccupied dwelling where a person has moved to provide personal care to another person.
Class K	a dwelling which has been left empty by students.
Class L	an unoccupied dwelling which has been repossessed by a mortgagee.
Class Q	an unoccupied dwelling which is the responsibility of a bankrupt's trustee.
Class R	an unoccupied caravan pitch or boat mooring.
Class T	an unoccupied dwelling that forms part of, or is situated within the curtilage of another dwelling and is difficult to let separately without a breach of planning control within the meaning of the Town and County Planning Act 1990(d).

5.23 Consultation

A public consultation in respect of proposed changes to Council Tax Empty Homes discounts with effect from 1st April 2020 has been conducted for a 7-week period from 16th September – 1st November 2019. Cabinet is recommended to consider the outcome of consultation before deciding to recommend to Council the proposed changes to Council Tax Empty Homes discounts from 1st April 2020.

Consultation findings and Equality Impact Assessment can be found at **Annex B**.

6. Proposal to Increase the Long-Term Empty Homes Premium to 200% on dwellings that have been left empty for 5 Years or more

6.1 Background

Since 1st April 2013, Councils have been able to charge a Council Tax premium on unfurnished properties that have been left empty for more than two-years as a means of incentivising owners of these properties to bring them back into use. The maximum allowable premium percentage was set at 50% between 1 April 2013 and 31 March 2019.

The premium cannot be applied to homes that are empty due to the occupant living in armed forces accommodation for job-related purposes, or to annexes being used as part of a main property. Furthermore, the Council Tax system provides statutory exemptions for properties left empty for a specific purpose – for example, when a person goes into care. However, there is no statutory exemption from the premium for properties that are genuinely on the market for sale or letting. Councils also have powers to apply discretionary discounts in cases where homes are empty due to special circumstances – for example, financial hardship, fire or flooding.

The premium may be applied when a property has been empty for two years, irrespective of how long its current owner has owned it. Therefore, it is possible for an individual to buy a property which has already been empty for two years and be liable for the premium immediately. This scenario may occur if, for instance, the individual does not occupy the property immediately because they wish to extend or renovate the property. If the long term empty property is occupied for a period of 6 weeks or less it is regarded as not having been occupied for the purposes of the two-year period. Occupancy of a long-term empty property for more than 6 weeks “resets the clock” for this purpose.

6.2 Legislative Changes from 2019/20 onward

On 1 November 2018, the Government introduced legislation that would allow local authorities to increase the empty homes premium from 50% up to 300% over a three-year period with effect from 1st April 2019. The Rating (property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, allows local authorities to charge the following maximum amounts of Council Tax empty homes premium:

- 100% premium from 1st April 2019 on properties empty for 2 years or more;
- 200% premium from 1st April 2020 on properties empty for 5 years or more;
- 300% premium from 1st April 2021 on properties empty for 10 years or more.

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These are the maximum allowable empty homes premium charges.

The Government introduced this change because there is a serious shortage of decent, affordable housing, and tackling the issue of empty homes, while also seeking to ensure that we respect the rights of property-owners, is part of the solution. There are currently more than 200,000 properties standing empty in England. As well as being a blight on the local community and attracting squatters, vandalism and anti-social behaviour, long-term empty properties are a wasted resource when 1.16 million households are on social housing waiting lists. Increasing the premium will allow local authorities to strengthen the incentive for owners of empty homes to bring them back into use.

The Government recognises that a one-size-fits-all approach is inappropriate, given that different areas will have different housing needs and different numbers of long-term empty homes. That is why they are keeping the premium as a discretionary discount, allowing local authorities to decide whether it is appropriate for their areas, and what level of premium should be charged.

6.3 Long-term Empty Homes in Sefton

At 31 October 2019, there were 681 long-term empty properties paying the premium in Sefton.

The application of the premium has been successful in encouraging owners to bring long-term empty properties back into use. The number of accounts paying the premium has reduced by 105 (13%) from 786 in April 2013.

Following a public consultation, Sefton Council approved an increase in the premium from 50% to 100% with effect from 1st April 2019. The aim of this increase was to encourage more empty properties to be brought back into use.

As well as charging the empty homes premium, there are other Council initiatives to help bring empty homes back into use, this includes offering advice to owners through sending regular letters and the Council's property accreditation scheme that helps empty home owners find tenants for their property. The Council's Housing Standards Team will also work with owners to bring their properties back into use. However, in some cases enforcement action is required when the property is causing a statutory nuisance and the owner is uncooperative or untraceable.

6.4 Proposed Changes from 1 April 2020

It is proposed that the Council further increase the premium charge from 100% to 200% for properties empty for 5 years or more in-line with the maximum allowable under the new legislation from 1 April 2020.

The aim of this increase would be to further incentivise owners of long-term empty properties to bring them back into use. This will increase the stock of available housing in the borough, which would assist in achieving the aims of the local development plan. It will also increase the amount of Council Tax income raised from those that continue to leave their properties empty.

6.5 Revenue Implications

The proposed change in the long-term empty homes premium from 100% to 200%, on dwellings left empty for 5 years or more is forecast to increase the 2020/21 tax base by 113.2 Band D equivalents.

This would give the following increase in Council Tax income in 2020/21:

	2019/20 Band D Charge £	Additional Band D Equivalents	2020/21 Additional Income £000
Sefton Council	1,570.30	113.2	178,000
Police & Crime Commissioner	201.97	113.2	23,000
Fire & Rescue Authority	78.84	113.2	9,000
Combined Authority	19.00	113.2	2,000
Total	1,870.11	113.2	212,000

The forecast assumes a 25% reduction in the number of homes that have been empty from longer than 5 years is achieved in 2020/21. The actual number of properties brought back into use could be higher or lower than this and will be reflected in future tax base calculations.

Any additional income raised from the increased premium will be used to fund statutory services or to keep Council Tax levels down.

6.6 Further Potential increases in future years

It is proposed that a decision on future options to increase the premium charged on properties that have been empty for longer than 10 years or more to 300% from 1 April 2021, be deferred until a future year pending a review of the impact of the increase proposed in Section 6.4

6.7 Consultation

The Cabinet is recommended to consider the outcome of the consultation before deciding whether to recommend to Council the proposed further increase in the long-term empty homes premium from 1st April 2020.

Consultation findings and Equality Impact Assessment can be found at **Annex C**.

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ANNEX A

SETTING THE COUNCIL TAX BASE FOR 2020/21

1. Setting the Council Tax Base

- 1.1 The Council Tax Base is the link between the Council's budget and the level of Council Tax. The tax base will be used to calculate the Council Tax in Sefton, once the Council's budget has been agreed. The Council is required to calculate its own tax base as well as the tax base for each parish council within its boundary and have them approved by the 31 January 2020.
- 1.2 The calculation of the Council Tax Base takes into account many factors such as the rate of new building and the trends in people living on their own (Sole Occupier Discount).
- 1.3 The tax base calculation assumes a collection rate of 98.25% in 2020/21, which is unchanged from 2019/20. This reflects long-term collection rates.

2. Council Tax Base for Sefton Council in 2020/21

- 2.1 An analysis of the changes between the 2019/20 and the 2020/21 tax base before any of the proposed changes to discounts and premium is provided in the table below:

Tax Base for Sefton Council		Band D Equivalents		
		2019/20	2020/21	Change
H	<u>Chargeable Dwellings</u>			
	Dwellings on the Banding List	110,567.1	111,059.3	492.1
	Exempt Dwellings	-1,886.3	-2,134.1	-247.8
	Disabled Persons Reductions	-148.3	-149.6	-1.3
		108,532.5	108,775.6	243.1
Q	<u>Discounts</u>			
	Sole Occupier & Status Discounts	-9,937.1	-10,092.1	-161.1
	Empty Property Discounts	-194.0	-229.0	35.0
	Total	-10,125.0	-10,321.1	196.1
E	Empty Homes Premium (50%)	513.8	515.6	1.8
J	<u>Adjustments</u>			
	New Dwellings on the Banding List	199.8	309.7	109.9
	Banding Reductions	-221.0	-166.6	54.4
	Exemptions, Discounts, & Premium	-820.9	-654.8	166.1
		-842.1	-511.7	330.4
Z	Council Tax Support Scheme	-12,512.5	-12,567.8	-55.3
B	Collection Rate Adjustment	-1,497.4	-1,503.1	-5.7
	MOD Properties	8.0	8.0	1.0
	Council Tax Base (Option 1)	84,077.3	84,395.5	318.2

2.2 The main reason for the changes in the tax base under Option 1 are:

Dwellings on the Banding List: The number of properties on Banding List has increased by 519 (0.4%) in the year.

Exempt Dwellings: The number of dwellings subject to a specific exemption (Class A to W) have increased by 250 (10.9%). The largest increases were in the number 'dwellings left empty by deceased persons' (Class F), 'dwellings where occupation is prohibited by law' (Class G), and 'dwellings occupied only by a severely mentally ill person or persons' (Class U).

Discounts: The number of dwellings receiving a single occupancy discount has increased by 709 (1.5%).

Adjustments: A higher level of growth has been forecast in 2020/21. A lower level of changes to exemptions, discounts and premiums is forecast in 2020/21.

Council Tax Support Scheme (CTRS): The reductions in claimant numbers in 2019/20 has been lower than forecast. The value of CTRS discounts used in the 2020/21 tax base calculation reflects the value recorded on 31 October 2019. No further reductions have been assumed.

2.3 Proposed changes to empty homes discounts and premium.

Elsewhere in this report, Council are asked to consider three changes to (1) empty homes discounts, (2) uninhabitable property discounts, and (3) long-term empty homes premium. The forecast impact of these changes is shown in the table below along with the revised tax base if all three are approved.

Impact of Proposed Changes		Band D Equivalents		
		2019/20	2020/21	Change
(i)	<u>Empty Homes Discount</u> Reducing the discount from 100% for 1 month to 50% for 1 month.	n/a	217.6	217.6
(ii)	<u>Uninhabitable Discount</u> Removing the current 50% discount.	n/a	178.1	178.1
(iii)	<u>Empty Homes Premium</u> Increasing the premium from 100% to 200% on homes left empty for 5 years or more	n/a	113.2	113.2
Council Tax Base (Option 8)		84,077.3	84,904.4	827.1

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2.4 Alternative tax base options

The three proposed changes give rise to eight possible tax base options depending on which of the proposed changes (if any) are approved. The potential tax base options are summarised below:

	Change Approved?		
	(i) Empty Homes Discount	(ii) Uninhabitable Discount	(iii) Empty Homes Premium
Option 1	No	No	No
Option 2	Yes	No	No
Option 3	No	Yes	No
Option 4	No	No	Yes
Option 5	Yes	Yes	No
Option 6	Yes	No	Yes
Option 7	No	Yes	Yes
Option 8	Yes	Yes	Yes

The relevant tax base calculated under each of these options is shown below:

Option	Tax Base (Band D Equivalents)	Option	Tax Base (Band D Equivalents)
Option 1	84,395.5	Option 5	84,791.3
Option 2	84,613.1	Option 6	84,726.3
Option 3	84,573.6	Option 7	84,686.8
Option 4	84,508.6	Option 8	84,904.4

3. **Council Tax Base in Parish Areas for 2020/21**

3.1 There are also new tax base figures for each parish area in 2020/21. The following table provides details of the new tax base for each parish under all 8 options:

Parish	Tax Base (Band D Equivalents)				
	Aintree Village	Formby	Hightown	Ince Blundell	Little Altcar
Option 1	2,063.0	9,163.1	870.6	169.5	332.1
Option 2	2,067.7	9,180.5	872.1	169.7	332.6
Option 3	2,069.5	9,182.4	871.6	170.3	332.7
Option 4	2,066.1	9,169.0	870.6	169.5	332.1
Option 5	2,074.2	9,199.8	873.1	170.5	333.3
Option 6	2,070.8	9,186.4	872.1	169.7	332.6
Option 7	2,072.6	9,188.3	871.6	170.3	332.7
Option 8	2,077.3	9,205.7	873.1	170.5	333.3

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	Tax Base (Band D Equivalents)				
Parish	Lydiate	Maghull	Melling	Sefton	Thornton
Option 1	2,063.5	6,721.8	1,007.7	234.6	785.5
Option 2	2,067.7	6,737.3	1,009.6	236.0	787.4
Option 3	2,067.8	6,736.1	1,009.5	235.8	786.9
Option 4	2,063.5	6,736.7	1,010.9	234.6	785.5
Option 5	2,072.0	6,751.6	1,011.4	237.2	788.8
Option 6	2,067.7	6,752.2	1,012.8	236.0	787.4
Option 7	2,067.8	6,751.0	1,012.8	235.8	786.9
Option 8	2,072.0	6,766.5	1,014.7	237.2	788.8

- 3.2 The tax base calculation for each of the parish areas is based on the same assumptions made in the calculation for Sefton Metropolitan Borough Council.

Changes to Council Tax Empty Homes Discounts Consultation Findings

1. Background

- 1.1 A public consultation ran for 7 weeks from 16th September 2019 to 1st November 2019.
- 1.2 The consultation requested views on two proposals: -
 - A proposal to reduce the discount on uninhabitable properties for a period of 12 months from 50% to 0% from 1st April 2020
 - A proposal to reduce the discount for the first month a property is empty from 100% to 50% from 1st April 2020.
- 1.3 The consultation was available online and by paper form to download where required. Direct mailing was used to contact all Council Tax payers currently in receipt of the discounts, landlords of properties in Sefton and the consultation was promoted internally through the service, including the Council's Empty Homes Team.
- 1.4 Letters about the consultation were also sent to various stakeholders including private and registered social landlords, owners of properties registered as uninhabitable and the major preceptors Merseyside Fire & Rescue Service, Merseyside Police and Crime Commissioner, and the Liverpool City Region Combined Authority.
- 1.5 Information about the survey was also available at Sefton Council libraries and One Stop Shops. The Council also promoted the consultation on its website, intranet, via a press release and its social media.
- 1.6 The aim of the survey was to ensure that the views of those Council Tax payers affected, other stakeholders and members of the public are considered before the decision is made to implement the proposed changes to discounts from 1st April 2020 and that any exceptions to the premium be considered.

2. Consultation Options

- 2.1 The options consulted on were as follows,

Survey Question 2 How strongly do you agree or disagree with the proposal to reduce the Council Tax discount on uninhabitable properties for a period of up to 12 months from 50% to 0% from 1st April 2020?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Survey Question 3 How strongly do you agree or disagree with the proposal to reduce the Council Tax discount for the first month a property is empty from 100% to 50% from 1st April 2020?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Survey Question 4 Do you have any additional comments relating to these proposals?

3. Analysis of survey results

- 3.1 In total, there were 216 responses to the on-line consultation and 2 were received via e-mail. The overall response is relatively substantial for proposals that only affected 613 properties at the time of the survey.
- 3.2 Survey Question 1 asked respondents to identify the capacity in which they were responding to the survey. A summary of the responses is listed in the table below:

A member of the public	182
A landlord of a property in Sefton that is empty	16
A landlord of a property in Sefton that isn't empty	26
The owner of a property in Sefton that has been declared uninhabitable	18
An elected Member	0
A local business owner	8
No response provided	0

3.3 Responses to questions

Survey Question 2 How strongly do you agree or disagree with the proposal to reduce the Council Tax discount on uninhabitable properties for a period of up to 12 months from 50% to 0% from 1st April 2020?

Option	Responses	Percent
Strongly agree	92	42.20%
Agree	29	13.30%
Neither agree nor disagree	5	2.29%
Disagree	20	9.18%
Strongly disagree	72	33.03%
No response provided	0	0.00%

A summary of responses to this question is as follows:

Strongly Agree/ Agree	Neither agree / disagree	Disagree / Strongly disagree
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121	5	92
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Survey Question 3 How strongly do you agree or disagree with the proposal to reduce the Council Tax discount for the first month a property is empty from 100% to 50% from 1st April 2020?

Option	Responses	Percent
Strongly agree	66	30.28%
Agree	30	13.76%
Neither agree nor disagree	12	5.50%
Disagree	18	8.26%
Strongly disagree	92	42.20%
No response provided	0	0.00%

A summary of responses to this question is as follows:

Strongly Agree/ Agree	Neither agree / disagree	Disagree / Strongly disagree
96	12	110

3.4 Respondents Additional Comments

Survey Question 4 asked respondents ‘Do you have any additional comments relating to these proposals. 117 respondents to the survey made additional comments.

3.4.1 In response to **Survey Question 2** on the proposal to reduce the discount on uninhabitable properties for up to 12 months from 50% to 0%, responses were analysed for recurring themes that are summarised in the following tables.

Response	Affordability for bills or renovation	Discounts no longer affordable for Council	Empty homes do not receive Council Services	Other Comments
Strongly Agree	5	2	0	13
Agree	1	0	0	6
Neither Agree /Disagree	1	0	0	1
Disagree	5	0	1	7
Strongly Disagree	24	0	9	14

Response	Will encourage sale or rent	Will encourage renovation	Will discourage renovation
Strongly Agree	7	14	7
Agree	1	0	1
Neither Agree /Disagree	1	1	0
Disagree	0	0	1
Strongly Disagree	0	0	6

3.4.2 In response to **Survey Question 3** on the proposal to reduce the discount on empty properties empty for up to one month from 100% to 50%, responses were analysed for recurring themes that are summarised in the following tables.

Response	Affordability for bills or renovation	Discounts no longer affordable for Council	Empty homes do not receive Council Services	Other Comments
Strongly Agree	3	2	0	5
Agree	0	0	0	1
Neither Agree /Disagree	2	0	0	3
Disagree	4	0	0	3
Strongly Disagree	27	0	10	29

Response	Will encourage sale or rent	Will encourage renovation	Will discourage renovation
Strongly Agree	16	10	5
Agree	2	3	2
Neither Agree /Disagree	2	1	1
Disagree	0	0	6
Strongly Disagree	0	0	6

3.4.3 Full responses from those who Strongly Agreed or Agreed with the proposals are shown below.

- I think this will encourage people to sell long term homes.
- Other councils such as in the Blackburn area have a 100% discount for the first 3 months, after this time is it should go to 50% for the rest of the year. If a property becomes empty it is impossible to do repair work, assess new tenants and get it rented to a new a new tenant in one month, Liverpool council are ripping off good intention Landlords. If a property is empty for more than a year then the Landlord may have no intention of renting and is ripping off the system and Liverpool council, possibly waiting for property prices to increase before selling, so after a year there should be no discount and full rates should be paid. The present system is just not far on good Landlords,
- discount at 0% for the first month would possibly encourage remedial work to be carried out asap
- As an accredited landlord of two flats that I rent out very quickly due to my high standards it is very difficult to let within one month as I only advertise and allow viewings once tenants have moved out and often there is maintenance and refurbishment required. Therefore I feel one month at a discount of 100% is fair in allowing landlords to find new tenants as quickly as possible

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- As a landlord, the one month grace period ensures you redecorate and refurbish for the next tenant, thus improving quality.
- If the council tax discount is not available landlords will be forced to rent out immediately and at to the decline of the housing stock.
- Landlords who allow property to fall into disrepair is a blight on local communities and they should not receive any benefits for allowing good property to fall into disrepair
- As someone who lives next door to an uninhabited property I feel very strongly about this. The house and garden is an eye-sore which affects my house. But it could be a lovely family home for someone who really needs it and be proud to take care of it. The owners just don't care and there's no incentive for them to sell or repair especially with current council tax rules.
- This is a fantastic was for building owners to get there buildings back up and rented or sold on, I do believe if a retail unit is empty the rates should be hired to ensure the owners get the units rented out again ASAP. If a new store is to open in a unit above 10k annual rates they should get 3months free rates to help encourage company to the town.
- Reducing the empty property discount for the first month will cause distress and hardship for relatives of people who have just died. My father lived alone and died unexpectedly. It was hard enough dealing with the funeral arrangements without having had to worry about finding the money for Council Tax. The initial grace period was welcome and gave breathing space to sort out financial arrangements.
- We have had the benefit of these discounts but it was while we planned a refurbishment which is different than a property that is just abandoned. If someone can prove they are planning a refurb, or in the process of moving in, I think a discount is reasonable. Otherwise no discounts should be given. Properties should not be allowed to deteriorate or remain empty unless there are extreme circumstances. It can impact the quality of life of the neighbours & bring an area down.
- What about business premises? Land left i.e. Crown Buildings
- In response to Q3. I think you should reduce the empty property discount to 0%. It seems contradictory to charge a premium on long-term empty properties and at the same time offer a discount on short-term empty properties. There is a housing shortage in this country so it makes no sense to offer a discount that encourage owners to leave their properties empty, even for 1 month. The owners will still expect their bins to be emptied and the roads to be maintained so they should make a full contribution to the cost of local services. In my experience empty homes are a magnet for antisocial and criminal behaviour, all home owners should pay the full council tax to encourage them to occupy as soon as possible.
- Empty properties are not well maintained and bring the area down. They should be sold or rented - there is plenty of demand in most areas!

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- Stop people saying they are not living while renovating. Try 35 pr98na. Noisy get, working gone midnight!
- Q2) Reduction in Council Tax discount should surely remain in place until the property is either disposed of or until it becomes habitable and occupied.
- Q3 My definitive response to this would depend on what happens after the first month that the property is empty. Reductions in CT discount should be progressive until the property becomes occupied.
- All measures should be considered to get empty properties back into use to help with the shortage of houses.
- Past generosity cannot be sustained in the face of Central Government policy.
- Properties may be empty for family reasons...such as Caring for a family member who has a terminal illness or change of work circumstances or personal illness can mean that people cannot take up or resume residence. The home is temporarily but indefinitely empty. To add a further financial burden would be unfair and unkind. Better ways to raise revenue which is presumably what this about. Uninhabitable properties need a different approach depending on the reason for the decay. It has to be case by case policy and not a blanket rule.
- I recognise as a landlord this increase may affect me in the future should my property become empty BUT I believe that this change is needed to support our communities living near empty uncared-for properties.
- If you can afford to be lucky to have 2 or more properties you should be able to afford the Council Tax in every property.
- I think people who have left property to go to rack and ruin and have not made any efforts to renovate etc should have to pay full council tax. However I was a one property landlord. My tenant (a Sefton council early help worker) wrecked the place and left with 9 months still on the tenancy. Cost me thousands to fix. I had the property on the market within 6 weeks but still had to pay the council tax even when the sale was going through. I think it's unfair if a property is on the market and discount should be based on circumstances especially when a landlord has been left seriously out of pocket.
- Need to penalise owners financially to incentivise them to progress actions to use house for purpose intended
- I think this is a great idea that will encourage landlords to actually take care of their properties & keep houses that could be used to home people, to a better standard
- Council tax reduction should not be applied to any empty property full stop. Homes that are looking for a tenant should also be subject this to prevent landlords demanding higher rents. All homes should increase 100% year on year if left empty homes are for living not an asset to accumulation of wealth.
- I feel the current fees do not allow people to up these homes to live in due to the high costs

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- There will be cases where paying the whole Council tax will not be appropriate so there needs to be some flexibility
- Near me there are 2 empty houses, one is an eyesore & is inhabitable & the other has been empty for about 20 years & could easily be lived in again. The owners should be encouraged to act & get them sold so other families could live in this attractive area. Cutting council tax subsidies might influence the owners to offload their properties.
- People who own empty properties in state of disrepair should be forced to maintain them or give them up too many ruining neighbourhoods owned by individuals at other side of country who can't be bothered with or care about them
- Start charging rates on Charity shops - they're the ones that can afford it !!!
- I Think people who own a house should pay council tax. People should not pay council tax only in exceptional circumstance.
- If a landlord is doing major redevelopment work to the property (in order to significantly improve it for prospective tenants), then the property could be inspected by council officials (as has been done in the past) and a date given when the property MUST be brought back into use and the discount will stop (if longer than 1 month). Without this as an option landlords could be forced to house tenants in unfit properties.
- I strongly agree that criteria would need to be met and landlords leaving empty properties for lengthy periods should pay the full council tax.
- 1 month is long enough to fill a house once previous tenants leave.
- There are far more empty homes than are suggested in your discount figures. Some in PR9 have been empty for at least five years, you should be bringing these back into use before building new
- residents should be given at least one month's grace in respect of a deceased member of the family , resulting in an empty property
- There are so many reasons that a property may be empty that I think a month of 100% discount is reasonable. In general I am in favour of helping owners to get their properties back in use but would like to see some discretion being applied. e.g. if the owner is unwilling to upgrade or is mothballing a property until property prices rise they should not have a discount, but if there has been some serious damage to a property it may well take a year to get it habitable again. Would this loss of discount apply to a property that has been flooded out, for instance?
- As a landlord with 200 units in Southport, I'm appalled by the proposal that properties empty for up to a month will have to pay CTAX. The month is important to us between tenancies in order to do maintenance and upgrading to our properties. This proposal could well lead to a rush to fill and consequent lowering of housing standards. It gives us no time to properly check on applicants and is therefore a further back door tax on landlords. We already have had substantial national tax rises brought in by George Osborne,

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followed by additional licensing locally. Most private landlords I know are desperate to get out, this proposal could be the final straw. There would be consequences for Southport in that there is already a shortage of decent accommodation especially at entry level, we currently operate at 94 per cent occupancy. We need capacity in order to attract young people to live and work in the town. I fully expect widespread non reporting of vacancies with large increase in Council staff to police and enforce the new regulation.

- 1 month @ 100% is fair and not period of grace would be unreasonable. Given that the property owner has fairly paid CT previously its fair to give this period of grace, one of the ever dwindling reliefs that hard working tax payers receive.
- For empty houses consider keeping the 100% discount for 1st month if it is empty because it has recently been sold to be inhabited by the owner. (Possibly empty if work needs to be carried out or awaiting refurbishment)
- Any property left empty for more than 12 months should be compulsory purchased and sold for refurbishment.
- Paying 100% council tax myself, I find it difficult to stomach that people are being allowed to 'hold on to' property, receive a discount and not do anything to bring the property into use. I'd go further and take the property off them if empty for more than 12 months. South Sefton is becoming derelict because of this
- This action will open the way for more houses available to be sold to ease the lack of housing
- First one I absolutely agree with. Second one I think the landlord perhaps needs a month to prepare a property and source another tenant in. The landlord will only pass any charges onto the next tenant. Unless you can prevent this why penalise tenants?
- Should give people 3 months at no charge to sort their affairs out. six months at 50% then no discount.
- Hopefully this will help move owners of empty properties into a position to sell properties on which can be redeveloped which in the long term will help reduce the housing waiting list.
- We have ended up with 2 properties due to house sale falling through and having to pay 2 lots of council tax and it is crippling me been paying over 300 a month and on low income
- House opposite me in Bootle empty for at least 10yrs + almost derelict. Shouldn't be any incentive to leave houses empty when councils are using B&B accommodation. I'd double the charge.
- I don't think there should be any empty property discounts. Gives the wrong signal
- Make landlords responsible by reducing the discounts

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- Ensure that these developers that buy old houses cheaply to do up and sell on for a large profit should be given a reasonable completion date and if not sold or completed by that date charge them full council tax.
- There should be a maximum time limit on properties which are left empty awaiting probate There are cases where houses are empty for over 30 years and have still not been probated despite their owner passing away in the mid 1980's
- This will encourage those that have an empty property to take some responsibility for the upkeep. As someone who has lived next door to an empty property for 4 years, it is awful
- If you own a property you should still pay Council Tax on it.
- If people have purchased uninhabitable properties with the intention of doing them up to move in to they do not need additional cost of council tax. They are likely paying council tax elsewhere whilst they do up the property. I believe reducing council tax on uninhabitable or empty properties is a way of helping property owners bring their property into a habitable state quicker.
- I think that they disproportionately affect the owners because they would pay a great amount when others who cost the community so much more aren't made to pay . It is very wrong. The burden of cost will bring worry and hardship to many. You take choice from such people who may have personal reasons for not selling a property.

3.4.4 Full responses from respondents who Disagreed or Strongly Disagreed with the proposals are shown below.

- The one month discount should be removed completely.
- The uninhabitable discount should not be removed. How can you charge for a property that has no roof, no wall or is unsafe and undergoing structural works to return the property to a safe standard for habitation?
- Strongly disagree with removal of uninhabitable discount.
- Morally questionable to charge for an unsafe property.
- This penny pinching money grabbing action may force people to occupy an unsafe dwelling with dangerous consequences.
- We have taken on a property that cannot be bought by a mortgage which takes a lot of money to transform to be habitable again no council tax can be obtained till property back in circulation so would be harsh to charge full rate agree with 50% feel that is fair
- People moving into empty properties already have a lot of expenses and reducing discount would not help them at all.
- You say you want to create an incentive to property owners to occupy/tenant their properties but if no uninhabited discount whilst the work is done is available, what incentive is there in that? May as well just not rush at getting

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the work done, leave it empty for 2yrs and then furnish it. Unless you're a landlord wanting rent.....

- The discounts are a helpful financial support for those renovating properties that are not in a liveable state and therefore should remain.
- Landlords are already being penalised as the property is empty, with no income. This will make it worse. Also, services used are very few, so landlords would simply be subsidising others.
- Flooding and uninsurable risk can render properties uninhabitable. Who can afford insurance and who can afford Council Tax? Perhaps the Waspi women would have something to say about money grabbing officials. Pay the pensions due then let's discuss further.
- Owning a property that I let out, I find it very frustrating that I have to pay council tax on the property if it is uninhabited. Fair enough if I was just allowing the property to sit empty, but once empty it gets renovated and goes back on the market immediately, this period should be discounted at 50% or more, as this inhabited state is out of my hands.
- I strongly disagree as my home has been uninhabitable for the last 12 months and so I'm living with my parents still I'm not using all local services e.g. rubbish collections.
- Properties are empty for various reasons. It should not be an automatic process. Feel this would probably impact lower income families rather than those on higher incomes.
- From personal experience, when a loved one dies and subsequently leaves a property empty, there are many things to pay for like funeral expenses. At least having 100% council tax reduction gives some release of pressure.
- The council should offer a longer discount to homeowners who leave their home empty for a period of time if there are certainly circumstances e.g. the house is for sale or rent, or are undergoing significant renovations or building works that prevent the owners living there.
- For owners with properties that have been empty for a long period they should receive support to encourage them to take the next steps to move towards sale, renovation or rental.
- I think there are differing sets of circumstances. My own experience of this was when my mum died in 2014 – it took me several weeks to clean out her home and eventually put it up for sale, and another 8 months to sell it. I'm glad I didn't have the additional burden of council tax during this time and feel sorry for anyone in future in this position if this proposal goes ahead. That said, there may be instances of profiteering landlords who take advantage on the system. I don't know how you could differentiate.
- Councils are going too far with these measures No welfare considerations of situations difficulties people may have regarding homes whether uninhabitable or unoccupied. Far too many crass unloving assumptions being made. Councils are now seen as greedy and behaving in authoritative uncontrolled

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way without any consideration for those that employ you. This will in the end lead to a demise of control and loss of funds,

- Hello, Its simple. If you want the rental housing stock to be kept in good condition then don't penalise the people trying to do it. Find a way to give Council tax relief to Landlords who refurbish property between tenants either as a simple repair and redecorate, or a substantial refit.
- We are in the process of renovating a property and have to wait to put our house up for sale until it is virtually habitable, as we are paying full council tax at our existing property within the same council area this has helped us greatly only having to pay 50% , we cannot claim back our stamp duty funds until we sell our existing property and begin to live in the renovated property.
- I think it is unfair to have no discount on properties that can't be lived in. Usually there will be a reason that is only temporary so offering some discount for a short period seems fair (as I'm sure money is having to be spent to get the property back to a living state) rather than nothing at all!
- I buy houses that are in need of total renovation and make them into lovely family homes. I have used the 50% discount on Ctax twice in 2 years and the property goes from the ugliest house in the road to the best. I usually turn them around in 6-7 months, never need the full 12 months discounts. But with legal fees, estate agents' fees, and the big one stamp duty it is becoming almost not worth developing the properties anymore. adding more and more expense will put off improving homes and NOT do what you are trying to achieve by improving vacant homes.
- As a Private Landlord we are seen as an endless source of revenue for the council. New legislation has been introduced which entails most of our properties have to be licenced. Not only do I have to pay for the privilege of having a licence, the works that have to be carried out in order to comply run into thousands with no hint of grants to carry out these works. It is now prevalent for Tenants to leave the properties in such disorder it takes at least a month to make them habitable again. This is another expense we are having to deal with as I am sure are Housing Associations and your own Housing Stock. As Landlords we provide vital housing but it is becoming more and more difficult with the added costs which just keep coming with no increase of Housing Benefit to meet the rents.
- I fully understand what the Council is trying to do. But it is very important that the Council is firstly satisfied that the discount is GENUINE if not then NO discount simple!
- This is penalising everyone with the poorer being hit the hardest. Struggling landlords are hit badly but even those with homes that are trying to renovate and make a nice home for themselves, it is not acceptable to reduce discounts so heavily when the costs would shoot up so much higher. It's not even a slight increase in costs, it's huge. Not all landlords have lots of cash and definitely not all home owners. Properties can be empty or uninhabitable for many reasons. Particularly if cash runs out for renovation etc on a home or rental flat. Or a sale has fallen through of an empty property. I have lost

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thousands in council tax costs for the reasons above and I'm not wealthy at all. It's a very damaging new law to bring in and hits everyone not just the rich.

- Have you seen the carnage in the high streets? Recession looms. Private landlords are underpinning housing need. Between the local authority charging full rate for an empty property (do not insult our intelligence by arguing it benefits from the same LA services, it does not, because it is empty) and the government stealing what was a genuine tax relief on mortgage interest payments, you are killing the viability of renting for many small private landlords and also driving rents up. I suggest you take a stroll down Lord Street, Southport. Once a jewel in Sefton's crown. And hang your heads in collective shame.
- It is not always easy to find a suitable tenant straight away after one tenant moved out - people have to give notice on their current properties before taking on another! When the property is empty none of the services are being used and therefore the property owner is being charged twice for council tax and this is unfair! If anything a longer discount should be given than just one month on an empty property!
- If you have no idea of the circumstances as to why the property is uninhabitable then this is just blindly punishing genuine people
- Have to be careful not to make it desirable to leave properties empty so people can use this as an effective tax loophole
- In my opinion if a property is suffering from structural issues and/or needs a full refurbishment then these should be given the 12 months free. The person involved in purchasing this property whether it be a new purchaser or landlord is taking all the financial risk and won't be living in the premises. It is outrageous to charge them council tax whilst they are renovating a rundown building and it stinks of greed from the council once again.
- What services are you actually providing to an empty property where you need to charge?? I do agree with charging if a property is long term empty say 6 months or more but not whilst someone is making an effort to breathe life into a property and community.
- The current discount supports landlords to find new tenants, repair properties after poor tenants or to have time to sell a house. I was forced to rent my property as it is negative equity. I do not make a profit on it. The area the house is in is poorly maintained by the council and surrounded by anti-social behaviour, therefore unattractive to a buyer. I rely on the discount during transitional times.
- If a tenant leaves the process of finding a new one and referencing (especially if there is a problem) can take 8 weeks. Renovations are required to meet safety regs and provide nice places to live - you may have to wait for trades or decide not to bother. If you buy somewhere to renovate and bring back into use, planning and trades can take ages. So it's another in a series of landlord bashing taxes. Another rental property likely to be lost from the market. Or of course I increase the rent. I cannot absorb anymore.

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- I never got any discount after the first month of my flat being empty even though it was uninhabitable. The officer that came to look at it smugly said he could have it ready to use in a few weeks. No allowance for the fact that I had not received any rent for 6 months because of Universal tax credits then tenant died so I didn't get a penny and now I am struggling to find the money to make it habitable. How does charging full tax help a landlord get a flat ready to use again ????
- Inherited a flat. We are pensioners and have difficulty selling due to housing association part owner.
- Previous owner paid no council tax. We have difficulty making payments through no fault of ours
- Think it unfair that someone has to pay Council Tax if no one is living in a property and are therefore not using many of the services the Council Tax pays for.
- I am part owner of a property that is inherited from my parents, it has just been put into our names 22 months after the death, it has now been put up for sale but the agents are having little response. The problem with empty properties is Solicitors dragging their feet for little work to try to justify their fees, similarly with Estate Agents.
- Most good landlords will endeavour to fill their properties to gain the rent. This usually takes about 3 months on average due to property maintenance following a tenant's departure and the usual security and credit checks etc. Pay 50% council tax is not large burden in the short term.
- However is the property required a lot of repairs following a tenant's departure as some are not very house proud it could take up to 6 months to get the property straight again so while the property is undergoing those repairs then reducing it to 0% would be a welcome benefit. After 6 months most landlords will have endeavoured to get the property filled again.
- We own a 'Listed' Thatched cottage that requires a complete new roof and other essential work. Sefton's Planning Department has taken over six months to grant permission to do the repairs, thus losing half of the 12 months discount! Due to the 'Listing' requirements, the roof has to be re-thatched, and there are only two Master Thatcher's in the North-West of England. The Thatcher we have engaged to do the work, Wayne Halfpenny from Manchester, has a long waiting list of up to three years, and we are now caught up in a lengthy situation through no fault of our own. **THIS IS AN EXAMPLE OF WHY YOUR NEW PROPOSALS MUST INCLUDE PROVISION FOR EXCEPTIONAL SITUATIONS SURROUNDING RARE PROPERTIES OF THIS KIND.**
- Once the cottage becomes habitable, our daughter will be moving in, thus releasing her own family home to be sold and provide additional accommodation in Sefton.
- Surely this is discriminatory against landlords and could be challenged in the courts?!! Landlords don't need additional "incentivising". This is just a cynical

attack on landlords who are a group that do not usually get any sympathy from the general public who perceive them as fat cats raking in the cash (which just isn't true in 99.9% of cases, most landlords only have one property and are often accidental landlords at that).

- Landlords provide a valued service and should be supported and not targeted or discriminated against by the authorities. If the government funded housing properly there wouldn't be much of a need for landlords! The authorities (both central and local) should be supporting landlords, not continuing to make their lives ever more difficult and unsustainable. What make you think people can afford to extensively renovate and fix up a property which is otherwise uninhabitable?
- Having the uninhabitable discount allows owners to invest the money in making the property habitable sooner, rather than paying full council tax
- The circumstances as to why properties are uninhabitable are not always straightforward. What about fire or accidental damage, flooding etc.? Charging Council tax immediately would add to the burden. What about landlords where tenants vandalise properties when they leave? Properties that are proving difficult to sell. Charging Council tax immediately in these instances is unfair. It's fine to charge 200%+ where someone is deliberately keeping a property empty, but this would surely be the exception, not the normal. Each case should be decided on its own merit, not an inflexible 'one rule for everything'
- Any residential purchaser will suffer here whether it is making a property habitable to move in to or awaiting a purchaser after a house move. First time buyers will suffer as will anyone else trying to better themselves. It took me 6 months to make my house habitable.
- no 3 when a tenant gives months' notice to leave I advertise the property and hopefully get a new tenant however I cannot get a new tenancy agreement signed until the old tenant has actually vacated because if they don't I have nowhere to house the new tenant. the new tenant may have to give his current landlord a months' notice and therefore my property is "empty " for that month. reducing c/tax to 50% in those situations is rather unfair. with regards no 2 if the property is being advertised for let some discount should be allowed
- I am trying to sell my late mother's flat. It's not sold for over one year and shortly I will have to pay 200% Council Tax on it if it doesn't sell. Doesn't seem fair
- Only in the event of fire on family home rebuilds should discounts be applied. Landlords should not benefit from reductions. Single occupant should receive more discounts due to reduced demand on services
- After a tenant leaves it is not always possible to re let a property or sell a property to get it back on the housing stock within 3 months. The old rule of 3 months discount was much fairer particularly now that it so prolonged to get an eviction through the courts if needed.
- Empty council properties are they costing the tax payer in higher council tax fees.

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- Removing the discount will force landlords to put properties back up for rent straight away when tenants leave at the end of tenancies. Not allowing them to opportunity to carry out upgrades & refurbishments, this in turn will reduce the quality of the rental housing stock in the borough. At a time when there is lack of rental housing in Sefton you should be offering the PRS tax breaks not removing them. this will ultimately end up with landlords to selling up. This will increase the burden on the council who will have to pay for more hotels and B&Bs for temporary accommodation for residents who have no alternates to social housing.
- As a landlord of 5 properties I obviously want my properties occupied, BUT, when a tenant leaves I think it's unfair to make a landlord pay council tax immediately as obviously I need to do repairs, redecorating and find a new tenant.
- This can sometimes take a few months to do properly. I think 3 months is fairer. But I think properly that are left empty for more than 12 months should be charged double council tax.
- I have personally experienced having an uninhabitable property after suffering a burst pipe in the loft right down to the ground floor of my property. I had to vacate my home whilst works were carried out which took a lot longer than originally predicted. I think it would be unfair to cancel the uninhabitable discount.
- I do not think that the uninhabitable discount should be reduced to 0%, as this would not encourage a prospective owner to buy a dilapidated property to do up and bring back in use. Perhaps consideration could be given to reducing the length of time from 12 to 6 months.
- Council Tax is expensive enough.
- If a property is uninhabitable, not just vacant, I can't see the rationale in charging Council Tax on it. No services would be provided to the property so what would the charge be for? I know of at least one person whose home was flooded and had to be gutted and dried out before renovation was possible. In this scenario would Council Tax be charged in future? It would not improve the speed of repair or encourage quicker occupation of the property. On the second point, if a rented property becomes vacant it surely isn't always possible to find a new tenant within just a few days? I think the existing arrangement is already too punitive. It seems the Council are looking for ways to make easy money rather than encouraging occupancy of vacant properties.
- As an independent landlord I feel it is wrong to suggest there would not be a reduction if a home is undergoing major repairs making the property uninhabitable. As a landlord we have a duty to ensure any property is upkept to a good standard yet if we choose to invest in doing so we would be further penalised by charges for council tax services we would not be utilising due to the property being empty.
- Charging for services that would not be used in an empty property is unfair when you choose to act in good faith and invest in a property for somebody

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else to make a comfortable home in. It would encourage unscrupulous landlords to delay carrying out essential repairs knowing they would be penalised in such a way with further charges.

- I have been a landlord in the past and understand how difficult it can be to organise a new tenant to go straight in following the vacation of the previous tenant.
- It needs to be considered that not all tenants leave a property in a fit state to re let immediately.
- it also needs to be considered that RSL's are often not for profit and charging for empty properties will make it an increasing cost that will reduce the available money for repair, and the ability to keep rents low.
- Private landlords will just pass the cost on to tenants, who are already struggling in an increasingly expensive market.
- People should be given a reduction to help them fund renovation projects, the property would become habitable quicker. Landlords usually have to redecorate after a tenant leaves.
- These proposals will be highly detrimental to disadvantaged/low income people. Example: family on low income who inherited an empty uninhabitable house (no usable kitchen or bathroom facilities for a start) when the father of one of them passed away, moved into the property (freeing up their previously rented accommodation and no longer needing to claim housing benefit), but could only do so after major works were carried out to make it habitable (it took about a year to get it all sorted). They didn't have the funds to make this happen quickly and wouldn't have been able to do it at all if they'd had to pay full council tax during this period.
- Owners may not have funds to repair uninhabitable properties. An additional financial burden makes it more likely they will walk away. (An empty property doesn't cost the council anything as no services are provided).
- A month isn't very long, and a property can easily be empty for that time between owners. Again an empty property isn't costing the council anything as no services are provided.
- We have recently been unfortunate enough to have been "had over" by a very unscrupulous tenant who abandoned the property in a distressing state after failing to pay her rent and causing us to regain possession via the courts. We are significantly out of pocket, despite only ever acting in good faith, and on top of the loss of rent and legal fees we have had to invest heavily in the property to make in habitable again. Whilst the tenant is not directly to blame for the fact that the kitchen and bathroom were a bit dated and the house was in need of some upgrading, she was certainly the catalyst that made all the work essential at this time rather than in stages, over time and in a planned and budgeted for manner. We gained the property back in mid-May and have undertaken significant work since then, the bathroom and kitchen are still not refitted but hopefully in another month or so it should be back to something like a complete house again. All the time we have still had to pay the

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mortgage and insurance for the property as well as, of course, our own family household costs. We have two children who also require our time and financial investment so all in all the last 12 months have been extremely stressful and financially crippling. One small concession we have had in our favour during the time since we gained possession of the property back was the initial free month and subsequent 50% discount on the council tax. It is a relatively small amount in the scheme of things, compared to what we have/are having to pay out but it is still a relief to get that concession which is only fair due to the property being empty. We have invested in the property as necessary to ensure that when it is available to future tenants is it clean and comfortable and to a standard that anyone deserves to live in so if we were to be penalised by having to pay full Council Tax on a property that is not utilising any of the amenities/services funded by the Council Tax then it would be completely unfair and unjust. We would strongly urge you not to make the proposed changes and continue to offer what is fair and decent and right to any person acting in good faith and investing in their property. What is the alternative? Unscrupulous landlords will delay carrying out essential work because of unfair changes that they will have to pay? Privately rented property standards will decrease. I don't see that it is beneficial to anyone. Your letter states that any funds raised from the proposed changes will be used to fund statutory services and to keep council tax levels down but it is completely unfair, why should someone who is not utilising the statutory services at a specific property pay for other people's benefit, surely all charges and taxes should be fair and just and charging someone for something they are not using is neither. With regards to the current 100% discount for the first month a property is empty that is also fair and should not be changed. If a tenant moves out there is always work to be done by way of cleaning and clearing and at least minor decoration. It also takes considerable time to market the property, have relevant checks carried out on potential tenants and assume they will need to give 1 months' notice on their current property therefore even 1 month discounted never covers the length of time it takes for someone new to move in but it is a fair reduction to start with. Reducing the discount just adds further financial burden on private landlords acting in good faith who are already in a situation of having to invest in a property and pay fees for finding a new tenant.

- If you buy a property which is uninhabitable you would still be paying council tax where you were living. It would be unfair to have to pay 2 full charges. This would put people off buying run down properties and make the empty homes issue worse. Rather than change the discount amount maybe consider just reducing the time from 12 to 6 months to give new owners time to get the essential work scheduled.
- This is just another example of all landlords being demonised and used as a cash cow by government instead of addressing the real issues. Sefton Council should understand that no reasonable landlord wants to leave a rental property empty for longer than they need to when it could be earning rent. The proposed change of the 100% discount on council tax relief to 50% for properties vacant for less than a month is particularly troubling. A good

landlord may need that month at the end of a tenancy to carry out any necessary work (which may include repairing damage caused by the tenant) ready for the next tenant.

- I have had an empty property previously when a leak caused major damage in my home and I was forced to move out. It took me months to rectify and I didn't have money to hurry it up. Not all empty properties are rich landlords who can't be bothered
- Southport has a large proportion of older property that badly need updating and improvement. If a family inherits a house after a bereavement, a month is too short a period for families to adjust to decide their next step. Landlords could be left with empty properties if tenants leave. Which will deter landlords from providing an essential service as lots of younger people are not able to get on to the property ladder.

4. Equality Impact Assessment

4.1 Introduction

Any change to function, provision or policy that may have an effect on people is automatically subject of the Equality Act 2010. As such the 'decision makers' have a statutory duty to pay 'due regard' to equality legislation and the potential discriminatory impact that changes have on service users. To inform decision makers, an 'equality analysis report' is submitted to them at the time of decision making for them to consider equality implications as part of their final decision making.

To meet equality legislation public bodies have to consider Section 149 of the Equality Act 2010:

A public authority must, in the exercise of its functions, have due regard to the need to: -

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and person who do not share it.

4.2 Protected Characteristics

Equality Law (Equality Act 2010) is clear that there are characteristics intrinsic to an individual against which it would be easy to discriminate. Section 149 (the Public-Sector Equality Duty) cites the goals of the Act and the characteristics, known as 'protected characteristics' against which we have to test for discrimination. These characteristics are gender, race/ethnicity, religion or belief, sexual orientation, age, gender reassignment, pregnancy and maternity and disability.

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4.3 Consultation

Sefton Council is considering reducing the Council Tax discounts on properties deemed uninhabitable for a period of up to 12 months, and for empty properties empty for up to 1 month.

The changes will help to reduce the number of empty homes and bring them back into use through sale or renting and align the level of discounts available to those offered across the Liverpool City Region. Additional income raised from the changes to the discounts will help support the provision of Council services.

As part of the consultation, equalities questions were asked in connection to gender, age, disability and ethnicity. The main issues that the Council has to consider in relation to the proposed changes to the scheme in relation to equality and diversity are:

- Disabled people, on very low income, who are unable to carry out the necessary renovations to properties themselves or pay someone to do it for them.
- Where owners are struggling to cope with managing the property they own.

4.4 Impacts

The tables below highlight what evidence we have on how the proposed changes will affect different groups and communities in relation to equalities and human rights. Where numbers are presented which refer to the survey, this relates to the number of people who responded to the equality questions in the survey and aligned to the question on impacts. People who responded to the survey and reported any impacts, whether this was a lot of impact or no impact, did so from an individual perspective. The table recognises the responses to the survey but also considers any detrimental impact on the protected characteristic as a whole and includes the mitigations the Council has in place.

Breakdown of respondents by Gender

In terms of the 218 respondents to the survey 106 identified as a woman, 90 as a man, 17 preferred not to say and 5 did not answer.

185 respondents identified as being the same gender as at birth, 1 identified as being a different gender to birth and 32 did not answer or preferred not to say.

Breakdown of respondents by Age ranges

In terms of the 218 respondents to the survey, 211 gave the following age ranges:

Age	Total
18-29	8
30-39	27
40-49	48

50-59	64
60-69	47
70-79	15
80-84	1
85+	1
Not answered	7

Breakdown of respondents by Postcode

Of the 218 respondents to the survey, the following postcodes were submitted.

L10	L20	L20	L22	L23	L30
3	18	15	8	25	8
L31	L37	PR8	PR9	Outside Sefton	No Response
8	17	52	49	7	8

Disability

15 respondents identified as being disabled when asked that if they have HIV, cancer or diabetes they would be classed as 'disabled' under the Equality Act 2010.

Other Disabilities

When asked 'do you have any disabilities?' 4 indicated mental health problems, 1 indicated being on the Autistic Spectrum/Asperger's Syndrome, 5 indicated problems with hearing, 1 indicated problems seeing, 9 indicated they have difficulty walking or moving about or use a wheelchair. 38 did not answer, or preferred not to say.

Ethnicity

Respondents were asked to identify their ethnicity.

Ethnicity	Total
White British	109
White English	67
White Irish	4
White Scottish	2
White Polish	1
Mixed Background Other	3
Mixed Background – Asian & White	2
Other White background	4
Chinese	1
Prefer not to say / no response	25

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Religion or Belief

88 Respondents indicated a religion or belief. 86 identified as Christian, 1 as other religion and 1 did not specify the religion.

Relationships (Sexual Orientation)

164 Respondents indicated their relationships. 158 identified as heterosexual, 2 identified as bisexual, 1 identified as lesbian and 3 identified as gay.

4.5 **Impacts**

Protected Characteristic	
Gender	No inadvertent bias on the basis of gender is indicated. We have not identified any impacts that need mitigation.
Race/Ethnicity	No inadvertent bias on the basis of race/ethnicity is indicated. The proposals do not treat people of different race/ethnicity groups any differently and we have not identified any impacts that need mitigation.
Religion and Belief	No inadvertent bias on the basis of religion or belief. The proposals do not treat persons of different religions or beliefs any differently and we have not identified any impacts that need mitigation.
Sexual Orientation	No inadvertent bias on the basis of sexual orientation is indicated. The proposals do not treat persons of different sexual orientation any differently. We have not identified any impacts that need mitigation.
Age	No inadvertent bias on the basis of age is indicated. Young people looking to join the property ladder or rent an affordable property may be affected as more empty properties are made available. We have not identified any impacts that need mitigation.
Gender Reassignment	No inadvertent bias on the basis of gender reassignment age is indicated in the proposals. We have not identified any impacts that need mitigation.
Pregnancy and Maternity	No inadvertent bias on the basis of pregnancy and maternity is indicated. We have not identified any impacts that need mitigation.
Disability	No inadvertent bias on the basis of disability is indicated. We have not identified any impacts that need mitigation.

4.6 **Mitigations**

Key measures in place

- Any short term financial hardship or other exceptional circumstances affecting a person's ability to pay will be addressed by the Council's Discretionary Reduction

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in Liability Policy, and the promotion of that policy, so additional support can be provided for those in exceptional need.

- Sefton Council will continue to provide proactive and tailored support for those Council Tax payers who struggle to make payments and will continue to ensure that recovery procedures identify cases where additional support might be required.
- A proactive approach will be taken to identify persons meeting the severe mental impairment conditions set out in the Council Tax Regulations with a view to exempting them from paying Council Tax.
- The Council will continue working with and supporting customers whose first language is not English.
- Customers affected by the proposals will be contacted directly and provided with clear explanation and offers of advice and support.
- The Council's website information will be updated to reflect the key changes and any issues identified

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Annex C

Increase in Long-Term Empty Homes Premium Consultation Findings

1. Background

A public consultation ran for 5 weeks from 29th October 2018 to 3rd December 2018.

The consultation requested views on the proposal to increase the premium charge from 50% to 100% from 1 April 2019.

It also asked for views on further options to increase the premium charged on properties that have been empty for longer than 5 years to 200% from 1 April 2020 and those empty for 10 years or more to 300% from 1 April 2021.

The consultation was available online and by paper form to download where required. Direct mailing was used to contact all Council Tax payers currently liable to pay the Empty Homes Premium, and the consultation was promoted internally through the service, including the Council's Empty Homes Team.

Letters about the consultation were also sent to various stakeholders including private and registered social landlords and our major preceptors Merseyside Fire & Rescue Service, Merseyside Police and Crime Commissioner, and the Liverpool City Region Combined Authority.

Information about the survey was also available at Council libraries and the One Stop Shops. The Council also promoted the consultation on its website, intranet, via a press release and the Council's social media.

The aim of the survey is to ensure that the views of those Council Tax payers affected, other stakeholders and members of the public are considered before the decision is made to implement the premium and that any exceptions to the premium be considered.

2. Consultation Options

The options consulted on were as follows,

Question 1 How strongly do you agree or disagree with the proposals to double the Council tax premium on properties that have been left empty for more than 2 years from 50 per cent to 100 per cent.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 2 Do you have any comments relating to this proposal? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

Question 3 How strongly do you agree or disagree with the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021?

- o Strongly agree
- o Agree
- o Neither agree nor disagree
- o Disagree
- o Strongly disagree

Question 4 Do you have any comments relating to the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

3. Analysis of survey results

- o In total, there were 129 responses to the on-line consultation, which is relatively substantial for a premium affecting only 645 properties.
- o Details of the capacity in which those who responded to the on-line survey are listed in the table below: -

(a)	A Member of the public	78
(b)	A Local business owner	2
(c)	A landlord of a property in Sefton that isn't empty	24
(d)	A landlord of a property that is empty	17
(e)	An elected Member	0
(f)	A local charity, voluntary or community organisation	0
(g)	Other (please specify) Executor	4
	No response provided	4

3.1 Of the 129 respondents to the online Questionnaire, the following postcodes were submitted

Postcode breakdown					
Outside Sefton	L20	L21	L22	L23	L30
9	11	7	6	9	2
L31	L37	L38	PR8	PR9	Not Completed
3	7	1	19	19	36

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3.2 Responses to questions

Question 1 How strongly do you agree or disagree with the proposals to double the Council tax premium on properties that have been left empty for more than 2 years from 50 per cent to 100 per cent.

Strongly agree	51
Agree	15
Neither agree nor disagree	7
Disagree	12
Strongly disagree	43
No response provided	1

Question 2 Do you have any comments relating to this proposal? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

	Comment
L20	<p>Most Landlords don't deliberately leave property's empty for more than a year.</p> <p>As a property owner, I'm trying to find a tenant. Increased council tax penalises me for this.</p> <p>I agree that increasing the council tax on long term empty properties is a fair approach as long as constructive advice is available from the council. I feel that the initial exemption of one month for vacant unfurnished properties should be extended to two months.</p> <p>There may also be economic reasons for the property being empty. Only if the owner does not cooperate with the Council to change this should the premium may be in place.</p> <p>Monies raised should be put towards social housing care.</p> <p>Why should anyone have to be "incentivised", or to put it another way, bullied and forced into occupying, or putting their property up for rent, or even for sale, just because it has been empty for a certain length of time? It is THEIR house, NOT a COUNCIL house, and therefore it is the OWNER's right to choose what they do with their property, as long as it is not illegal or anti-social, and all the bills are paid. It is irrelevant how long a private house stays empty, as long as it is kept in a reasonable state of repair and is not causing any problems to the neighbours, so therefore, the owner should only have to pay the standard rate of Council Tax like other property owners, NOT an inflated rate. It is not up to private property owners to solve the Council's housing problem, nor is it up to them to be an easy target to solve Sefton Council's financial problems. The Council should be targeting those who deliberately evade paying Council tax, not ripping off those who do pay - this</p>

	<p>proposal is just wrong. Just because somebody owns a property does not mean that they are rich. I inherited my house from my parents who worked extremely hard to buy a house which they would eventually leave to me; they were very proud of being able to do this for me. As well as having a strong emotional attachment to the house, I am disabled, on a very low income, and therefore unable to renovate the house myself, or pay for a builder to do it. Why should I be penalised by having to pay a huge premium? I have done nothing wrong, I am not a scrounger who expects something for nothing; I pay all the bills on the property. Likewise, somebody who is working and on a low income cannot afford to pay a builder to renovate their property and so would have to do it themselves at weekends and after work - a long job. Why should they be penalised with a huge premium?</p> <p>An excellent proposal. The Council needs to generate revenue in any way possible.</p> <p>The refurbishment of this property is progressing well & being done to a high standard. This is taking longer & costing more than we anticipated, but the property is in good repair & not causing any nuisance or issue for neighbours (with whom we are on very good terms) or Sefton Council. The additional imposition of Council Tax costs would inevitably lead to financial pressures which could offset completion of refurbishment works. We are retired people who are doing our best to look after a house that has been in our family since 1941.</p> <p>My property was seriously vandalised by last council tax tenant and I just haven't got the funds (in excess of £3000) required for repair and replacement.</p> <p>As a private landlord with one property, our former home, the additional financial burden of having an empty property was not one i was expecting. Unfortunately, tenants are not perfect and i have suffered through non-payment of rent, eviction costs and extensive repairs of damage caused by the tenant. So, despite having to meet the mortgage on the property while it is empty, and pay for repairs the recent changes in council tax cause further burden. Originally a 6 month exemption period applied to empty properties. That has now reduced to one month. The increase in premiums adds further to my financial issues.</p> <p>It is not my intention that the property remains empty, why would it? But additional council tax premiums simply prevent or delay the necessary work required to get the property in rental condition.</p>
L21	<p>If a property is up for sale they should not have to pay the charges.</p> <p>Your proposal would punish people who are already punished and will do nothing to improve the poor housing situation. There are many reasons for houses to be left unoccupied for a length of time and none of these are to benefit the owner. Your proposal, and</p>

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	<p>indeed your current policy, merely compounds the financial hardship. It would be far more effective to offer help to the owners of long term occupied homes to get them ready for sale/rental. Loans and grants should be available. Compulsory purchase could also be an option should the owners keep a property empty for two years or, perhaps, a commandeering of the property to re rented to deserving people with the equivalent of social rent only going to the owners. There are many solutions to the housing shortage and the number of unoccupied homes and none of them involve imposing what amounts to monthly fines.</p> <p>Sometimes people own properties that have fallen into disrepair and they do not have the funds to renovate it.</p> <p>I think this possibly to apply to landlords, however I wouldn't agree with it for our circumstances. My mother passed away and we have been trying to sell her bungalow. Naturally it's in our interests to get rid as soon as possible but it's not been as easy as it sounds. The property has sold 6 times, but the sale has been withdrawn for one reason or another (not due to anything wrong with the property) so here we are over 12 months down the line. We are constantly worried about the property being broken into because there are no police to deal with that. I have emailed many times about recruiting more police but she doesn't reply. The fact is that your council probably owns many of the empty properties anyway.</p>
L22	<p>If someone can afford to leave a property empty for that length of time they're clearly able to afford it, so the charges are an entirely appropriate incentive to correct the commercial priorities.</p> <p>Unfortunately, I am unaware of all the reasons that people have for not paying their council tax on an empty property but the existing exclusions should remain.</p> <p>For small landlords, this is a crippling double penalty when added to the already lost the rental income. Landlords with large portfolios (exceeding £1 million) who might have property for investment purposes can afford to pay 100%.</p> <p>No one should be expected to pay more than 100% charge. The services for the property are the same for everyone whether the property is empty or occupied. In fact, empty properties are not impacting on Sefton Council services for a property.</p> <p>The property needs work and this further expense would further delay the work going ahead If the owner is living on a pension may be some assistance could be provided.</p>
L23	<p>As a landlord in Sefton I have previously been impacted by the 50% additional charge. I have purchased empty properties which have required full renovations before I could find tenants. As one property had already exceeded the 2 years of being empty when I</p>

purchased it I was liable for the additional council tax charges. This I felt was unfair. Surely taking a property which is not liveable and has been empty for some time and doing the necessary renovations to provide additional affordable homes in the area is a good thing and should be rewarded and not punished. That said I agree that properties should not be kept empty and a penalty should be in place for those who sit on empty properties. I am aware that this can be a problem in some areas I think a fair addition to the new rules would be to reset the clock on these properties when newly purchased to provide landlords like myself the opportunity and incentive to improve living standards within Sefton.

There are a number of unused/ derelict buildings and it would be a positive result if an increased council tax payment forced the owners into letting or selling them, to bring vibrancy to the area. However, those with legitimate reasons for leaving the property empty should not be penalised.

I think the 100% charge should be applied after 6 months of being empty. It is inappropriate to leave a property empty while so many people need a home and councils are having financial difficulties.

It might make the owner make more of an effort to get the property occupied.

It is crucial that people do not continue to have incentives to leave houses empty by the current lower council tax rate, given the numbers of homeless people and others who may be living in cramped conditions. This increase would hopefully be some deterrent.

I think you should look at the finances of the owners of these properties. If they live elsewhere it's possible that they can't afford more council tax and by taking them to court you would waste even more money. I don't think it should be a complete ban on the exemption of the 50% tax as it is now. I even think that is too much - isn't the tax for facilities used and if no-one lives there they don't use any facilities!

I would suggest the increase should be even larger, say to 200%, to have a greater effect on the situation.

It is immoral for people to have unused living accommodation while there are so many families without a home.

I feel that a lot of people for good reasons could have a property for 2 or 3 years empty so 50% seems fairer

Where probate has been granted and the property is for sale

My parents are stuck living next door to an empty property that has

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been that way in excess of 10 years. Owners refuse to sell yet put solar shades on a roof that is in a bad state of repair? My elderly parents are petrified that squatters will move in and we have no way of contacting these selfish owners. My parents and their neighbours try to keep the front of the house tidy so it isn't obvious what the situation is but are too elderly to continue to keep that up. It is a disgrace the place is left to rot. Hit the owners where it hurts - in their pocket and this will hopefully make them do something about the property.

The government and local authorities are taking a totally simplistic view and failing to understand the complex series of factors that can cause properties to remain empty, including for example, simple lack of market demand, or lack of financial resource on the part of the owner to bring dilapidated properties back from the brink back into use.....even just these two example factors can have a complex inter-relationship, with one interacting on the other. The proper and productive approach to this problem would be to abandon the stick (or at least not make it any bigger) and throw a carrot or two at it.

I understand why the proposal would be implemented for empty properties that could be brought back into use. However, this should not apply to circumstances such as the one that I am in. I am executor to my mother's will - she died in January 2015 and probate was obtained in May 2015, since when the property has been up for sale. It is a one bedroomed retirement shared ownership flat in XX. It went on the market at £65,000 and has been reduced over time to its current asking price of £44,950 and has been on the market with two estate agents. The shared ownership is with a Housing Association and they are difficult to deal with and I have lost one buyer due to their incompetence. In the meantime, not only do I have to pay council tax at an additional 50% rate, but I shall have to pay monthly service charges and a sinking fund charge if ever it is sold. There will be very little money left by the time this all happens. I feel very strongly that I should not be having to pay any council tax, as I receive no services whatsoever, never mind an additional premium. Due to myself spending lots of my time caring for my mother, I managed to keep her out of Sefton's Social Services system, and she never needed any additional support from the Council. Also, the Council itself does nothing to help me sell the flat - sale boards are not allowed outside the listed building. I am unable to bring the flat into use unless it is sold, one of the conditions of the lease is that I am unable to rent it out. I am extremely concerned whether there will be sufficient funds if the council tax charge is further increased. In circumstances where an executor to a will is unable to sell or rent a property and can prove that they have done everything possible to sell it, there should be an exemption.

For someone who is already paying nearly £250.00 a month taking it to nearly £400.00 a month is just too much.

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L30	<p>If a property is up for sale, I can't see how you can penalise people who want to sell the property but it is taking longer than they wanted.</p> <p>Property's that are up for sale should be exempt from the increase.</p> <p>We have had the house up for sale for 2 years but can't sell it. Properties that are on the market and empty should be exempt from this.</p> <p>When properties are left empty when owners have gone into care the council should check that they are indeed empty and should take the waived council tax payments from the estate when the property is sold.</p> <p>I strongly disagree with this proposal for the following reasons. I realise that everyone's circumstances are different but mine are as follows. I inherited the house when my father passed away. After being unable to find a buyer for the house I realised that I would have to complete some work on the house in order to bring it up to a standard to allow me to either sell or rent the property. As I have a home, wife and a young family which I need to support finances are quite tight. I agree that as I own the empty property I should contribute towards the council but asking for double or treble the council tax will not only make the payments impossible to afford and so just cause stress and anxiety and the possibility of court action for not being able to pay and also make it more difficult to pay to renovate the house</p>
L31	<p>I believe the premium should rise due to the current housing shortage and this increase may persuade private landlords to sell properties that they cannot rent.</p>
L37	<p>I think owners should have an opportunity to make a case to the Council to use its discretion to waive the premium where they have been unable to sell or bring their properties back into use due to other circumstances out of their control. The Council should also take the opportunity to provide help and support to owners of long-term empty homes to assist them in bringing these properties back into use. The Council should not waive the premium where owners are marketing their property at an inflated price as this will not help to increase the supply of affordable homes.</p> <p>Without room for discretion this is a very unfair tax to increase to 100%. not all property is just kept empty sometimes there are issues which mean you cannot get a new tenant and therefore are being unfairly penalised.</p> <p>Maybe it will force a few sales and reduce pressure on the precious B Green Belt you seem so keen to destroy</p> <p>Council tax should be paid by all if empty or not.</p>

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	<p>Sheer extortion! An ill-considered 'blanket' approach. Appalling because you seem to want to penalise the very people who are trying to do the right thing. Our property is vacant again and we (3 beneficiaries) want to sell the retirement flat and that has been our desire since 2004. It has been marketed for sale continuously, through estate agents. For a period of about 5 years we rented it to a tenant (who has died). The flat is empty again and it is being marketed for sale, yet again. Try as we might we cannot sell the property which is in a block of retirement flats where other flats are regularly up for sale. We are competing with other flat owners (sellers) on the same site. The residents are all elderly so any would-be buyers have to be over 60 thereby creating a 'niche' market.</p> <p>It should be imposed after 1 year. 2 years is far too generous.</p> <p>I believe that a 50% initial increase is sufficient.</p> <p>When a property has genuinely been on the market with local estate agents the extra premium should not apply. When you are paying over £200 a month in management fees there is absolutely no reason to keep a property empty, which has been my personal experience. "Largely unfurnished" is too open to personal interpretation by council staff.</p>
PR8	<p>Awaiting planning permission (this process can sometimes be protracted and out of the control of the property owner)</p> <p>If somebody can afford to have an empty house they should be able to afford to contribute to the council tax fund also. There are too many vacant properties in the Borough, I also think if a property has been vacant for 5 years or more, the owners should lose the right to ownership and it automatically transfers to the Council, this if obviously where the owner can't be bothered to deal with any issues with the property</p> <p>Instead of increasing to 100% make it 150 - 200% This will force owners to get tenants or sell. Why does Sefton Council not Compulsory Purchase empty homes to use for homeless?</p> <p>This proposal, and the current 50% premium does NOT incentivise home owners of empty properties to "bring them back into use" as: You are charging more tax, therefore the owner has LESS money to sort their house out and 'bring it back into use'. Therefore, prolonging the period of time that the house will be empty. I believe that if the owner of the property is renovating it BEFORE they live in it or consequently sell the property, they should be exempt as the long-term plan is to "bring the property back into use". To ensure that this is true, council inspectors or a written council policy to state that all work undertaken on the property has to be evidenced and sent to the council.</p>

Strongly object as purchased with intent to downsize but having to wait to move as husband became ill and would not be suitable, will move to property on husband's death. Your proposal is just a punishment for anyone trying to plan responsibly.

What about an empty property that is up for sale but is not selling? They should not be penalised because of stagnant housing market.

We would not have properties standing empty for no reason, it would be either because there was work needed doing to it or we were unable to find a tenant, the fact that we have to pay council tax from day 1 is already crippling without increasing it further

As a Expat visiting my own fully furnished property for family visits as well as family members using it , If the council puts up the taxes I shall have to let it out for shorts lets which benefits neither I nor the Council. As someone using less public services the extra surcharge is unfair. This is our only home in the UK. Mine is not empty but is taxed as if it was.

I can accept that an empty property may warrant a 100% tax as the council is losing income on empty properties.

I (together with my brother) purchased an apartment on Lord Street for my mother to live in when she was in her 80s. She died, aged 101, 18 months ago and the property has been for sale since that time. The lease prevents us from letting it, or from selling it to someone under 55, or from selling it to a third party (eg the Council). We have offered it to the ground landlord without success. Each month it is unsold we have to pay approx. £500 Service Charge plus 100% Council Tax even though we receive no services from either RSL or the Council. I am a resident of Sefton and also pay full Council tax on the house I share with my wife. We have had the apartment redecorated to a high standard and we do use it whilst we are overnighing in Southport but we wish to sell. The purpose of the legislation is presumably to bring unused property to the market. We have been trying to sell for 18 months; it is currently listed at a price lower than others in the building. You should either target the ground landlords who enforce the restrictive conditions in the lease or make an exception for "very sheltered accommodation".

I just need to know if I can no longer manage the property will you take it off me. I have no other income but my husbands and disability pips. I have mental health issues, at the moment my husband is my carer. I do not come under the heading without capacity though if I am sick I would come under that category. I own no other property. The flat I own is not occupied but I would say it is my second home should I become homeless for whatever reason. I did approach your offices for help but they told me if no one was living there it was empty (however, it is furnished) so I would just have to carry on paying council tax. I don't really know

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	<p>what to do. I can't sell it the lady in the flat below has a life threatening illness. They have told me so over a period of several years. I find it difficult to cope.</p> <p>I always considered that a tax or rate had to be fair. If you are using the facilities you should pay for them. I already pay rates to Sefton as I live in their Borough. I have another property that I purchased to house my elderly mother who was a war widow. She died late last year and I put the flat up for sale. It will not sell because there are a number for sale and the service charge is so high. I don't use the council's facilities and I am desperately trying to sell but nobody wants to buy. I am currently paying 50% rates for a flat that nobody lives in nor uses any of the services that the Council provide. To increase the empty rate from 50% to 100% (and subsequently 200% and 300%) on a property that I am desperately trying to sell is patently unfair. The proposed increase was to target landlords who are deliberately leaving properties empty and not renting them out to tenants. This isn't the case with my circumstances. I know that Councils are strapped for cash and they will simply introduce this measure to increase revenue. I have the feeling that anything I write will eventually be ignored as raising money is paramount. I simply reiterate that the tax/rates must be fair.</p> <p>I cannot afford the mortgage I have on the property let alone increased council tax.!</p>
PR9	<p>I would love you to raise it to 100% considering the empty flat I am trying to sell is costing me 150% of the rateable value into the second year of being on the market.</p> <p>Authorities should be allowed to take all necessary steps to bring empty properties back into use. This should include compulsory purchase rather than increased Council Tax where property has been empty for 5 years or more.</p> <p>The whole point of council tax is to charge an occupant for using council services. If the property is empty there should actually be a nil charge never mind a 100% charge because there are no costs to the council.</p> <p>I am becoming elderly with an elderly husband and mobility problems and increasingly struggle to manage the only flat I own that is attached to and accessed via my own flat entrance. I have had really bad tenants and am reaching the point of not feeling able to go on renting emotionally and physically. If these council tax changes come into effect I will have to choose between bills I would struggle to pay, continuing to rent regardless of my health or selling the whole property.</p> <p>Great care must be taken to ensure the owner is not vulnerable. Penalties should be in place for any council staff member who fails to exercise due diligence.</p>

I have been trying to sell my house for 3 yrs over this period I have reduced the price by 80k in a desperate effort to sell. Some understanding from the council for those actively trying to sell would help enormously. I do agree those empty houses not for sale should have incentives to bring them back into homes. But this blunt instrument without some consideration for those of us already stressed about when will this house stop eating into my pension may just be seen as yet another way of bleed the tax payer.

Empty properties often fall into disrepair and neglect, and are not nice to see.

If not exempt and unwilling to sell or rent out, then the premium seems fair. Perhaps consideration should be given for discretion to waive the premium in genuine cases of inability to sell or rent out a property.

This is daylight robbery ! Sefton council still get paid the council tax whether the building is empty or not ? It should infect be reduced for empty properties as none of the services are being used if the property is empty ! Just sheer greed!

I think this is an excellent proposal as homes left empty for that long will tend to be neglected damaging the neighbourhood

There is a housing crisis whilst some of the wealthiest people are leaving properties to lay empty and unused, accumulating personal wealth at the expense of the majority. I fully support increasing the council tax levied. The only slight disagreement I have is the suggestion that this is a doubling of the council tax levied. What it is is a removal of a discount in council tax that has previously been applied.

Three years would be fairer than two. My property is empty because I cannot sell it at a reasonable price due to Brexit uncertainty. It remains on the market, but I have had few viewings and fewer offers, all well below comparable prices.

As an owner of a Residential Care Home we have a Cottage in the grounds. We cannot just rent this property out to anyone. The tenant has to have an enhanced DBS check, related someway to the business i.e. a member of staff. This significantly reduces the chance of renting out this property. CQC would not allow us to rent the property out to anyone due to the Vulnerability of the elderly people living in the Care Home. The cottage is also connected with all Fire related incidents. We test the Fire alarm weekly at the Care Home which is also sounded in the Cottage. If the Fire alarm went off it would also go off in the cottage. There are lots of issues associated with the suitability of the Tenant. We manage a retirement complex of 37 rental properties which have on average five or six empty at any one time. These properties are advertised

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	<p>weekly but it does not result in the properties all being let. We pay out enough in council tax already and to increase this further would be being penalised for a lack of suitable tenants that fit the criteria.</p> <p>My mother owns a flat in XX. Mum is 86 years old and she lives in a care home as she has dementia. I have an Order from the Court of Protection which allows me to act for Mum and part of that regime is that I need to show that I have acted in Mum's best interest and taken advice where necessary. Father passed away in 2007. Both Mum and Dad worked hard and saved in order that they would be reasonably if modestly provided in their later years. Part of the planning was the purchase of the flat. Over the past year I consulted with a financial adviser and Mum's solicitor. As a result, I concluded that there is little point as in selling the flat as interest rates are so low. The flat needs major improvements, particularly in the bathroom and the kitchen. If Mum funded these improvements and let the flat, it would time quite a while to recover the outlay. In addition, the cost of the works would deplete the pool of money Mum has to pay for her care. Currently Mum pays the standard levy plus 50%. The proposal is that she now pay even more council tax. Mum is basically confined to her care home and uses very little of the services provided by the local authority, but the proposal is for Mum to pay a further increased penalty simply because she has poor health.</p> <p>This must rank as the most ill thought out proposal since the bedroom tax. If you have a property to sell with a registered estate agent, why should you be penalised, because the market is suppressed and is difficult to sell. Unless you sell under market value, which I did, after trying to sell for two and a half years, paying 50% extra tax, just to get rid.</p> <p>The Empty Homes premium should be 100% only and should be for properties of £100,000 or over, not for property less than that amount as you are punishing poor people.</p>
<p>Outside Sefton</p>	<p>If the home is being advertised for rent, then this should not apply. I have a house that is in very good condition (newly refurbished), but still we are having trouble finding a tenant.</p> <p>Empty retirement flat belonging to my deceased father has been on market for 2 years - have reduced price but still no sale - I am paying maintenance charges and council tax outside my own area out of my savings - whilst I understand basic council tax has to be paid I think it is unfair to expect executors to pay an additional premium when there is nothing more they can do to sell the property.</p> <p>As a landlord if we had an empty property we would still have a mortgage to pay, and I feel it would be unfair to punish us further.</p> <p>Fully in agreement if no effort is being made to have the property occupied. However, I have had the property in Sefton on the</p>

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	<p>market for sale ever since my mother passed away in May 2017. The lease does not allow me to let the apartment, and it can only be occupied by someone over 50. To charge 200% of the Council Tax seems totally unfair when I am doing everything I can to sell it. Surely in these circumstances, empty properties should also be exempt.</p> <p>I most certainly agree considering that Sefton is at present charging me 150% rates for an empty flat that I am desperately trying to sell. A 100% rate would be a relief to this pensioner.</p> <p>Depends on the circumstances as to why a property is unoccupied. An increase is unfair to those who intend to live in the property but can't at present due to extensive renovations to make a property habitable (council tax deductions with his regard are currently not sufficient with respect to the period of availability). Therefore, this only extends the period the property is uninhabitable and vacant due to unavailable cashflow to do the work.</p>
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Question 3 How strongly do you agree or disagree with the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021?

Strongly agree	48
Agree	15
Neither agree nor disagree	9
Disagree	10
Strongly disagree	46
No response provided	1

Question 4 Do you have any comments relating to the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

	Comment
L20	<p>how many council houses are empty.</p> <p>There is no reason for properties to be left empty for extended periods.</p> <p>Positive proposals work better than simply "fine". I suppose landlords/owners have no real reason to have property empty.</p> <p>How can you charge for a property that isn't using any services?</p> <p>All the points that I have made in the previous question apply equally to this question. Also, the proposal to charge such inflated premiums</p>

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	<p>is not only morally wrong, but will not work anyway: On one hand, you say that you are trying to encourage property owners to put more homes back into use. On the other hand, you say that you want to raise more money from the owners of empty properties- you are contradicting yourselves! If more properties get put back into use, you will get LESS money as the occupiers will only be paying Council Tax at the standard rate; not at the ridiculously inflated premiums that you are proposing if the properties were to remain empty - it doesn't work both ways!!</p> <p>An excellent proposal. The Council needs to generate revenue in any way possible.</p> <p>We think it would be helpful to consider properties on a case by case basis. It should be used to target those properties which are in poor repair and/or causing issues for neighbouring properties, the local community or the Council. We do not think that these costs should go over 150% for properties like ours which are in good repair & undergoing further renovations as we are doing our very best to carry out improvements as effectively & efficiently as possible.</p> <p>If council tax is paid I can see no justification to double or treble that.</p>
L21	<p>If a property is up for sale they should not have to pay the charges. It is unfair for people who are actively trying to sell their empty property to impose these high charges when they may already be paying a mortgage and council tax on the empty property AND the property they live in.</p> <p>Your proposal would punish people who are already punished and will do nothing to improve the poor housing situation. There are many reasons for houses to be left unoccupied for a length of time and none of these are to benefit the owner. Your proposal, and indeed your current policy, merely compounds the financial hardship. It would be far more effective to offer help to the owners of long term occupied homes to get them ready for sale/rental. Loans and grants should be available. Compulsory purchase could also be an option should the owners keep a property empty for two years or, perhaps, a commandeering of the property to re rented to deserving people with the equivalent of social rent only going to the owners. There are many solutions to the housing shortage and the number of unoccupied homes and none of them involve imposing what amounts to monthly fines</p> <p>I feel that increasing the premium would result in landlords creating fake tenancies in order to avoid making payment.</p>
L22	<p>If someone can afford to leave a property empty for that length of time they're clearly able to afford it, so the charges are an entirely appropriate incentive to correct the commercial priorities.</p>

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	<p>Unfortunately, I am unaware of all the reasons that people have for not paying their council tax on an empty property but the existing exclusions should remain.</p> <p>The increase in costs will mean rents for everyone will have to go up.</p>
L23	<p>As a landlord in Sefton I have previously been impacted by the 50% additional charge. I have purchased empty properties which have required full renovations before I could find tenants. As one property had already exceeded the 2years of being empty when I purchased it I was liable for the additional council tax charges. This I felt was unfair. Surely taking a property which is not liveable and has been empty for some time and doing the necessary renovations to provide additional affordable homes in the area is a good thing and should be rewarded and not punished. That said I agree that properties should not be kept empty and a penalty should be in place for those who sit on empty properties. I am aware that this can be a problem in some areas I think a fair addition to the new rules would be to reset the clock on these properties when newly purchased to provide landlords like myself the opportunity and incentive to improve living standards within Sefton.</p> <p>There are a number of unused/ derelict buildings and it would be a positive result if an increased council tax payment forced the owners into letting or selling them, to bring vibrancy to the area. However, those with legitimate reasons for leaving the property empty should not be penalised.</p> <p>I think the 100%charge should be applied after 6 months of being empty. It is inappropriate to leave a property empty while so many people need a home and councils are having financial difficulties.</p> <p>It might make the owner make more of an effort to get the property occupied.</p> <p>It is crucial that people do not continue to have incentives to leave houses empty by the current lower council tax rate, given the numbers of homeless people and others who may be living in cramped conditions. This increase would hopefully be some deterrent.</p> <p>I think you should look at the finances of the owners of these properties. If they live elsewhere it's possible that they can't afford more council tax and by taking them to court you would waste even more money. I don't think it should be a complete ban on the exemption of the 50% tax as it is now. I even think that is too much - isn't the tax for facilities used and if no-one lives there they don't use any facilities!</p> <p>I would suggest the increase should be even larger, say to 200%, to have a greater effect on the situation.</p>

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It is immoral for people to have unused living accommodation while there are so many families without a home.

I feel that a lot of people for good reasons could have a property for 2 or 3 years empty so 50% seems fairer.

Where probate has been granted and the property is for sale

My parents are stuck living next door to an empty property that has been that way in excess of 10 years. Owners refuse to sell yet put solar shades on a roof that is in a bad state of affair? My elderly parents are petrified that squatters will move in and we have no way of contacting these selfish owners. My parents and their neighbours try to keep the front of the house tidy so it isn't obvious what the situation is but are too elderly to continue to keep that up. It is a disgrace the place is left to rot. Hit the owners where it hurts - in their pocket and this will hopefully make them do something about the property.

The government and local authorities are taking a totally simplistic view and failing to understand the complex series of factors that can cause properties to remain empty, including for example, simple lack of market demand, or lack of financial resource on the part of the owner to bring dilapidated properties back from the brink back into use.....even just these two example factors can have a complex inter-relationship, with one interacting on the other. The proper and productive approach to this problem would be to abandon the stick (or at least not make it any bigger) and throw a carrot or two at it.

I understand why the proposal would be implemented for empty properties that could be brought back into use. However, this should not apply to circumstances such as the one that I am in. I am executor to my mother's will - she died in January 2015 and probate was obtained in May 2015, since when the property has been up for sale. It is a one bedroomed retirement shared ownership flat in XX. It went on the market at £65,000 and has been reduced over time to its current asking price of £44,950 and has been on the market with two estate agents. The shared ownership is with a Housing Association and they are difficult to deal with and I have lost one buyer due to their incompetence. In the meantime, not only do I have to pay council tax at an additional 50% rate, but I shall have to pay monthly service charges and a sinking fund charge if ever it is sold. There will be very little money left by the time this all happens. I feel very strongly that I should not be having to pay any council tax, as I receive no services whatsoever, never mind an additional premium. Due to myself spending lots of my time caring for my mother, I managed to keep her out of Sefton's Social Services system, and she never needed any additional support from the Council. Also, the Council itself does nothing to help me sell the flat - sale boards are not allowed outside the listed building. I am unable to bring the flat into use unless it is sold, one of the conditions of the lease is that I am unable to rent it out. I am extremely concerned

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	<p>whether there will be sufficient funds if the council tax charge is further increased. In circumstances where an executor to a will is unable to sell or rent a property and can prove that they have done everything possible to sell it, there should be an exemption.</p>
L30	<p>If a property is up for sale, I can't see how you can penalise people who want to sell the property but it is taking longer than they wanted.</p> <p>Property's that are up for sale should be exempt from the increase.</p> <p>We have had the house up for sale for 2 years but can't sell it. Properties that are on the market and empty should be exempt from this.</p> <p>When properties are left empty when owners have gone into care the council should check that they are indeed empty and should take the waived council tax payments from the estate when the property is sold.</p>
L31	<p>I believe the premium should rise the current housing shortage and this increase may persuade private landlords to sell properties that they cannot rent</p>
L37	<p>I think owners should have an opportunity to make a case to the Council to use its discretion to waive the premium where they have been unable to sell or bring their properties back into use due to other circumstances out of their control. The Council should also take the opportunity to provide help and support to owners of long-term empty homes to assist them in bringing these properties back into use. The Council should not waive the premium where owners are marketing their property at an inflated price as this will not help to increase the supply of affordable homes.</p> <p>Without room for discretion this is a very unfair tax to increase to 100%. not all property is just kept empty sometimes there are issues which mean you cannot get a new tenant and therefore are being unfairly penalised.</p> <p>Maybe it will force a few sales and reduce pressure on the precious B Green Belt you seem so keen to destroy</p> <p>Council tax should be paid by all if empty or not</p> <p>Sheer extortion! An ill-considered 'blanket' approach. Appalling because you seem to want to penalise the very people who are trying to do the right thing. Our property is vacant again and we (3 beneficiaries) want to sell the retirement flat and that has been our desire since 2004. It has been marketed for sale continuously, through estate agents. For a period of about 5 years we rented it to a tenant (who has died). The flat is empty again and it is being marketed for sale, yet again. Try as we might we cannot sell the</p>

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	<p>property which is in a block of retirement flats where other flats are regularly up for sale. We are competing with other flat owners (sellers) on the same site. The residents are all elderly so any would-be buyers have to be over 60 thereby creating a 'niche' market.</p> <p>Make it 200% after 2 years</p> <p>Other measures should be put into place to bring the properties back into use, looking at the reasons why the properties remain empty rather than just applying a financial penalty.</p>
PR8	<p>Awaiting planning permission (this process can sometimes be protracted and out of the control of the property owner)</p> <p>If somebody can afford to have an empty house they should be able to afford to contribute to the council tax fund also.</p> <p>There are too many vacant properties in the Borough, I also think if a property has been vacant for 5 years or more, the owners should lose the right to ownership and it automatically transfers to the Council, this if obviously where the owner can't be bothered to deal with any issues with the property</p> <p>Instead of increasing to 100% make it 150 - 200% This will force owners to get tenants or sell. Why does Sefton Council not Compulsory Purchase empty homes to use for homeless?</p> <p>This proposal, and the current 50% premium does NOT incentivise home owners of empty properties to "bring them back into use" as: You are charging more tax, therefore the owner has LESS money to sort their house out and 'bring it back into use'. Therefore, prolonging the period of time that the house will be empty. I believe that if the owner of the property is renovating it BEFORE they live in it or consequently sell the property, they should be exempt as the long-term plan is to "bring the property back into use". To ensure that this is true, council inspectors or a written council policy to state that all work undertaken on the property has to be evidenced and sent to the council.</p> <p>Strongly object as purchased with intent to downsize but having to wait to move as husband became ill and would not be suitable, will move to property on husband's death. Your proposal is just a punishment for anyone trying to plan responsibly.</p> <p>What about an empty property that is up for sale but is not selling? They should not be penalised because of stagnant housing market.</p> <p>I strongly disagree with both these proposals as it is exorbitant. Why should you be penalized unfairly for owning a property that you do not want to rent out because of all the problems that this may entail (watch channel 5) or sell because of the state of the current housing market where we are likely to lose money. The property in question</p>

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	<p>was purchase from our pensions and savings for one of our daughter who was going to get a mortgage and repay us. However, she has since married and purchased a property with her husband having taken out a large mortgage. All the costs of the property in question has reverted to us, her parents, who are pensioners and do not want to get into renting. Why should we be penalised further if we pay 100% Council Tax. It certainly will not win you or the government any votes. I'm totally disillusioned with you all so expect that this is just a way of telling us what you intend to do no matter what is said.</p> <p>It would be more equitable if the Council compulsorily purchased such accommodation.</p>
PR9	<p>I would love you to raise it to 100% considering the empty flat I am trying to sell is costing me 150% of the rateable value into the second year of being on the market.</p> <p>Authorities should be allowed to take all necessary steps to bring empty properties back into use. This should include compulsory purchase rather than increased Council Tax where property has been empty for 5 years or more.</p> <p>The whole point of Council Tax is to charge an occupant for using council services. If the property is empty there should actually be a nil charge never mind a 100% charge because there are no costs to the council.</p> <p>I am becoming elderly with an elderly husband and mobility problems and increasingly struggle to manage the only flat I own that is attached to and accessed via my own flat entrance. I have had really bad tenants and am reaching the point of not feeling able to go on renting emotionally and physically. If these council tax changes come into effect I will have to choose between bills I would struggle to pay, continuing to rent regardless of my health or selling the whole property.</p> <p>Great care must be taken to ensure the owner is not vulnerable. Penalties should be in place for any council staff member who fails to exercise due diligence.</p> <p>I have been trying to sell my house for 3 yrs over this period I have reduced the price by 80k in a desperate effort to sell. Some understanding from the council for those actively trying to sell would help enormously. I do agree those empty houses not for sale should have incentives to bring them back into homes. But this blunt instrument without some consideration for those of us already stressed about when will this house stop eating into my pension may just be seen as yet another way of bleed the taxpayer.</p> <p>Empty properties often fall into disrepair and neglect, and are not nice to see.</p>

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	<p>If not exempt and unwilling to sell or rent out, then the premium seems fair. Perhaps consideration should be given for discretion to waive the premium in genuine cases of inability to sell or rent out a property.</p> <p>This is daylight robbery! Sefton council still get paid the council tax whether the building is empty or not? It should in fact be reduced for empty properties as none of the services are being used if the property is empty! Just sheer greed!</p> <p>I think this is an excellent proposal as homes left empty for that long will tend to be neglected damaging the neighbourhood.</p> <p>There is a housing crisis whilst some of the wealthiest people are leaving properties to lay empty and unused, accumulating personal wealth at the expense of the majority. I fully support increasing the council tax levied. The only slight disagreement I have is the suggestion that this is a doubling of the council tax levied. What it is is a removal of a discount in council tax that has previously been applied.</p> <p>Three years would be fairer than two. My property is empty because I cannot sell it at a reasonable price due to Brexit uncertainty. It remains on the market, but I have had few viewings and fewer offers, all well below comparable prices.</p> <p>As mentioned we are very limited to whom we can rent the property to due to the exceptional circumstances related to the "ideal tenant". I think this needs to be looked into in much more detail and not just a blanket increase which suits all as this is not the case. If this did happen then the cost would be passed onto our service users which I do not think is fair.</p> <p>Most responsible landlords do their best to let properties to suitable tenants if a property has been empty as long as ten years it is most likely derelict. Taxpayers are disgruntled at paying 50% Premium Tax. Can't see collection rates rising if Premium Tax is increased excessively.</p>
Outside Sefton	<p>If the home is being advertised for rent, then this should not apply. I have a house that is in very good condition (newly refurbished), but still we are having trouble finding a tenant.</p> <p>Empty retirement flat belonging to my deceased father has been on market for 2 years - have reduced price but still no sale - I am paying maintenance charges and council tax outside my own area out of my savings - whilst I understand basic council tax has to be paid I think it is unfair to expect executors to pay an additional premium when there is nothing more they can do to sell the property.</p> <p>As a landlord if we had an empty property we would still have a mortgage to pay, and I feel it would be unfair to punish us further.</p>

	<p>Fully in agreement if no effort is being made to have the property occupied. However, I have had the property in Sefton on the market for sale ever since my mother passed away in May 2017. The lease does not allow me to let the apartment, and it can only be occupied by someone over 50. To charge 200% of the Council Tax seems totally unfair when I am doing everything I can to sell it . Surely in these circumstances, empty properties should also be exempt.</p> <p>I most certainly agree considering that Sefton is at present charging me 150% rates for an empty flat that I am desperately trying to sell. A 100% rate would be a relief to this pensioner.</p> <p>Depends on the circumstances as to why a property is unoccupied. An increase is unfair to those who intend to live in the property but can't at present due to extensive renovations to make a property habitable (council tax deductions with his regard are currently not sufficient with respect to the period of availability). Therefore, this only extends the period the property is uninhabitable and vacant due to unavailable cash flow to do the work.</p>
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3.3 Summary Table - Questions 1 & 3

	Agree/Agree strongly	Neither agree / disagree	Disagree / Strongly disagree	No response
Question 1	66	7	55	1
Question 3	63	9	56	1

4. Equality Impact Assessment

4.1. Introduction

Any change to function, provision or policy that may have an effect on people is automatically subject of the Equality Act 2010. As such the 'decision makers' have a statutory duty to pay 'due regard' to equality legislation and the potential discriminatory impact that changes have on service users. To inform decision makers, an 'equality analysis report' is submitted to them at the time of decision making for them to consider equality implications as part of their final decision making.

In order to meet equality legislation public bodies have to consider Section 149 of the Equality Act 2010:

A public authority must, in the exercise of its functions, have due regard to the need to: -

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

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- (c) Foster good relations between persons who share a relevant protected characteristic and person who do not share it.

4.2 Protected Characteristics

Equality Law (Equality Act 2010) is clear that there are particular characteristic intrinsic to an individual against which it would be easy to discriminate. Section 149 (the Public-Sector Equality Duty) sets the goals of the Act and the characteristics, known as 'protected characteristics' against which we have to test for discrimination. These characteristics are gender, race/ethnicity, religion or belief, sexual orientation, age, gender reassignment, pregnancy and maternity and disability.

4.3 Consultation

Sefton Council is considering increasing the Council Tax homes premium from April 2019 on homes left empty and substantially unfurnished for over 2 years. This will help to reduce the number of long term homes and bring them back into use through sale of renting. Any additional income raised from the premium will help support the provision of Council services.

As part of the consultation, equality questions were asked in connection to gender, age, disability and ethnicity.

The main issues that the Council has to consider in relation to the proposed changes to the scheme in relation to equality and diversity are:

- Disabled people, on very low income, who are unable to carry out the necessary renovations to properties themselves or pay someone to do it for them.
- Where owners are struggling to cope with managing the property they own.

4.4 Impacts

The tables below highlight what evidence the Council has on how the proposed changes will affect different groups and communities in relation to equalities and human rights. Where numbers are presented which refer to the survey, this relates to the number of people who responded to the equality questions in the survey, and aligned to the question on impacts. People who responded to the survey and reported any impacts, whether this was a lot of impact or no impact, did so from an individual perspective. The table recognises the responses to the survey but also considers any detrimental impact on the protected characteristic as a whole and includes the mitigations the Council has in place.

Breakdown of respondents by Gender

In terms of the 129 respondents to the eConsult Questionnaire 52 females, 40 males, 2 preferred not to say and 35 not completed returns.

Breakdown of respondents by Age ranges

In terms of the 129 respondents to the eConsult Questionnaire, 94 gave the following age ranges, cross matched against gender.

Age Ranges				
	Female	Male	Not declared	Total
18-29	2	0	0	2
30-39	5	2	1	8
40-49	10	6	0	16
50-59	13	13	1	27
60-69	12	11	1	24
70-79	7	7	1	15
85+	2	0	0	2

Breakdown of respondents by Postcode

In terms of the 129 respondents to the eConsult Questionnaire, the following postcodes were submitted:

Postcode breakdown					
Outside Sefton	L20	L21	L22	L23	L30
10	10	7	4	17	1
L31	L37	L38	PR8	PR9	Not Completed
3	6	2	15	16	38

Breakdown of respondents by Equality Data

Respondents were asked to indicate answers against Equality data questions, the breakdown of which is:

Disability

4 indicated a Hearing Impairment, 5 indicating a Long-Term Illness Affecting Daily Activity, followed by 4 indicating Mental Health/Distress, a further 7 indicating a Physical impairment and 2 with a visual impairment.

Ethnicity/ Religion or Belief

79 of our 129 respondents who answered indicated they were "White British" or "White English" in terms of ethnicity, with fewer numbers for the other classifications.

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Ethnicity - do you identify as...	Total
White British	55
White English	25
White Irish	2
White Polish	1
White Welsh	1
Black British	1
Asian Indian	1
Other White background	2
Other Chinese background	1
Prefer not to say / no response	40

Sexual Orientation

On Sexual Orientation, 78 out of 129 respondents who answered indicated they were Heterosexual, 2 Bisexual and 49 Prefer not to say / or did not respond

Heterosexual	78
Bisexual	2
Prefer not to say / no response	49

Religion / Belief

42 out of 129 who answered indicated they were Christian, 1 Buddhist, 86 no religion / did not respond / prefer not to say.

Gender at birth

85 of the 129 respondents who answered the question indicated that they currently live in the gender given to them at birth. 1 respondent was not in the gender given at birth. 43 prefer not to say / no response.

4.5 Impacts table

Protected Characteristic	
Gender	No inadvertent bias on the basis of gender is indicated. We have not identified any impacts that need mitigation.
Race/Ethnicity	No inadvertent bias on the basis of race/ethnicity is indicated. The proposals do not treat people of different race/ethnicity groups any differently and we have not identified any impacts that need mitigation.
Religion and Belief	No inadvertent bias on the basis of religion or belief. The proposals do not treat persons of different religions or beliefs any differently and we have not identified any impacts that need mitigation.
Sexual Orientation	No inadvertent bias on the basis of sexual orientation is indicated. The proposals do not treat persons of different sexual orientation any differently. We have not identified any impacts that need mitigation.
Age	No inadvertent bias on the basis of age is indicated. Young

	people looking to join the property ladder or rent an affordable property may be affected as more empty properties are made available. We have not identified any impacts that need mitigation.
Gender Reassignment	No inadvertent bias on the basis of gender reassignment age is indicated in the proposals. We have not identified any impacts that need mitigation.
Pregnancy and Maternity	No inadvertent bias on the basis of pregnancy and maternity is indicated. We have not identified any impacts that need mitigation.
Disability	No inadvertent bias on the basis of disability is indicated. However, the consultation results indicate that disability is also relevant to the proposals as people felt that there should be mitigations in place for owners who are unable to manage their affairs or circumstances where disability prompts a need to change property and reduces the ability to carry out the work required to an empty property.

4.6 Mitigations

Key measures in place

- Consideration to be given to whether any additional exemptions under which the Empty Homes Premium should not apply, for example where an owner is living elsewhere to receive care or resident in a nursing home etc.
- Any short term financial hardship or other exceptional circumstances affecting a person's ability to pay will be addressed by the Council's Discretionary Reduction in Liability Policy, and the promotion of that policy, so additional support can be provided for those in exceptional need.
- Sefton Council will continue to maintain its record of providing proactive and tailored support for those Council Tax payers who struggle to make payments and will continue to ensure our recovery procedures identify cases where additional support might be required.
- A proactive approach will be taken to identify persons meeting the severe mental impairment conditions set out in the Council Tax Regulations with a view to exempting them from paying Council Tax.
- The Council will continue working with and supporting customers whose first language is not English.
- Customers affected by the proposals will be contacted directly and provided with clear explanation and offers of advice and support.
- The Council's website information will be updated to reflect the key changes and any issues identified.

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Report to:	Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)	Date of Meeting:	Tuesday 14 January 2020
Subject:	Revenue and Capital Budget Update 2019/20		
Report of:	Head of Corporate Resources	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

To inform **Overview and Scrutiny** of:

1. The current forecast revenue outturn position for the Council for 2019/20;
2. The current forecast on Council Tax and Business Rates collection for 2019/20;
3. The monitoring position of the Council's capital programme to the end of October 2019:
 - The forecast expenditure to year end;
 - Variations against the approved budgets and an explanation of those variations for consideration by Members;
 - Updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects are also presented for approval.

Recommendation(s):

Overview and Scrutiny is recommended to:

Revenue Budget

- 1) Note the current forecast revenue outturn position for 2019/20 and the current position relating to delivery of savings included in the 2019/20 revenue budget;
- 2) Note the mitigating measures being used to partially mitigate the forecast outturn position, in paragraph 2.2, excluding a forecast deficit on Housing Benefits which will be considered at the end of the financial year if it materialises;
- 3) Note that a comprehensive review of all forecast outturn estimates and potential remedial measures is required as part of the end of December monitoring in order to inform decisions that may be required to ensure a balanced forecast outturn position can be achieved or understand a potential call of General Fund Balances;

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Capital Programme

- 4) Note updates to spending profiles across financial years (paragraph 5.1.1);
- 5) Note the new schemes added to the Capital Programme under delegated authority for 2019/20 (paragraph 5.1.3);
- 6) Note the latest capital expenditure position as at 30 November 2019 to date of £10.695m (paragraph 5.2.2) with the latest full year forecast being £24.734m (paragraph 5.3.1);
- 7) Note explanations of variances to project budgets (paragraph 5.3.2); and,
- 8) Note that capital resources will be managed by the Head of Corporate Resources to ensure the capital programme remains fully funded and that capital funding arrangements secure the maximum financial benefit to the Council (section 5.5).

Reasons for the Recommendation(s):

To ensure Overview and Scrutiny are informed of the forecast outturn position for the 2019/2020 Revenue Budget as at the end of November 2019, including delivery of agreed savings, and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

To keep members informed of the progress of the Capital Programme against the profiled budget for 2019/20 and agreed allocations for future years.

To note any changes that are required in order to maintain a relevant and accurate budget profile necessary for effective monitoring of the Capital Programme.

To note any updates to funding resources so that they can be applied to capital schemes in the delivery of the Council's overall capital strategy.

In March 2017 Council approved a three-year budget plan to March 2020. The final year of this plan was revised in February 2019 as part of the process of setting the 2019/20 budget. The Council is in the final year of the budget plan and remains confident its strategic approach to budget planning alongside good financial management and extensive community engagement means that the plan continues to develop on solid foundations; it remains flexible and will secure the future sustainability to 2020 and beyond. However, in year demand for social care services is currently resulting in the costs for these services significantly exceeding the budget. If further budget pressures are identified between now and the end of the year additional remedial action will be required to bring the overall budget into balance.

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

N/A

What will it cost and how will it be financed?

(A) Revenue Costs

The report indicates that for 2019/20 there is currently a forecast deficit of £3.587m. Mitigating measures have been identified in order to partially meet this deficit (excluding a forecast overspend on Housing Benefits which will be considered at outturn if this

materialises) and are detailed within the report. An exercise with Heads of Service has commenced to ensure the robustness of all estimates and identify what remedial measures will be implemented to meet the current residual forecast deficit of £0.589m.

(B) Capital Costs

The Council’s capital budget in 2019/20 is £24.051m. As at the end of November 2019, expenditure of £10.695m has been incurred and a full year outturn of £24.734m is currently forecast.

Implications of the Proposals:

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

<p>Resource Implications (Financial, IT, Staffing and Assets): There is currently a budget shortfall of £3.587m forecast for 2019/20 and as previously reported, mitigating actions have been identified in order to address the majority of this (with the exception of a forecast overspend on Housing Benefits which will be considered at outturn if the position doesn’t improve). An exercise with Heads of Service has commenced to ensure the robustness of all estimates and identify what remedial measures will be implemented to meet the current residual forecast deficit of £0.589m. However, it should be noted that significant pressure and risk remains in four key business areas, namely Adults and Children’s Social Care, Education Excellence and Locality Services. These budgets may experience further demand pressure between now and the end of the year and further mitigations and remedial actions will be required in such an eventuality, if the existing measures aren’t sufficient.</p>
<p>Legal Implications: None</p>
<p>Equality Implications: Note</p>

Contribution to the Council’s Core Purpose:

Effective Financial Management and the development and delivery of sustainable annual budgets support each theme of the Councils Core Purpose.

<p><u>Protect the most vulnerable:</u> See comment above</p>
<p><u>Facilitate confident and resilient communities:</u> See comment above</p>
<p><u>Commission, broker and provide core services:</u> See comment above</p>
<p><u>Place – leadership and influencer:</u> See comment above</p>

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<u>Drivers of change and reform:</u> See comment above
<u>Facilitate sustainable economic prosperity:</u> See comment above
<u>Greater income for social investment:</u> See comment above
<u>Cleaner Greener:</u> See comment above

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources is the author of the report (FD 5911/19)

The Chief Legal and Democratic Officer has been consulted and has no comments on the report (LD 4095/19).

(B) External Consultations

N/A

Implementation Date for the Decision

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

Contact Officer:	Paul Reilly
Telephone Number:	Tel: 0151 934 4106
Email Address:	paul.reilly@sefton.gov.uk

Appendices:

APPENDIX A – Capital Programme 2019/20 to 2021/22

Background Papers:

There are no background papers available for inspection.

1. Introduction

- 1.1 In March 2017, Council approved a three-year budget plan to March 2020. The final year of this plan was revised in February 2019 as part of the process of the Council setting the 2019/20 budget. This report updates the forecast revenue outturn position for 2019/20, including the delivery of savings included in the 2019/20 budget.
- 1.2 The report also outlines the current position regarding key income streams for the Authority, namely Council Tax and Business Rates. Variations against expected receipts in these two areas will also affect the Council's financial position in future years.
- 1.3 The capital section of the report informs members of the latest estimate of capital expenditure for 2019/20 and updates forecast expenditure for 2020/21, 2021/22 and future years. The capital budget to date is presented in section 5.1. Sections 5.2 and 5.3, and section 5.6 confirms that there are adequate levels of resources available to finance the capital programme.

2. Summary of the Forecast Outturn Position as at the end of November 2019

- 1.0 Members are provided with updates of the Council's forecast financial position each month during the financial year. Significant pressures have been identified in several service areas, particularly Children's Social Care, Locality Services and Home to School Transport. The latest forecast of service expenditure indicates an overspend of £3.587m, this represents a worsening of the overall position by £0.208m on the previous months and is driven primarily by additional pressure in Children Social Care. The table below highlights the variations:

	Budget	Forecast Outturn	Variance	Previously Reported Position	Movement since last month
	£m	£m	£m	£m	£m
Services					
Strategic Management	3.187	3.144	-0.043	-0.043	0.000
Strategic Support	2.709	2.638	-0.071	0.000	-0.071
Adult Social Care	96.765	96.765	0.000	0.000	0.000
Children's Social Care	33.340	35.400	2.060	1.612	0.448
Communities	19.518	19.583	0.065	0.189	-0.124
Corporate Resources	4.874	4.813	-0.061	-0.088	0.027
Economic Growth & Housing	6.045	6.027	-0.018	-0.001	-0.017
Education Excellence	9.859	10.106	0.247	0.194	0.053
Health & Wellbeing	18.060	17.898	-0.162	-0.102	-0.060
Highways & Public Protection	11.133	11.090	-0.043	0.000	-0.043
Locality Services	13.809	13.809	0.000	0.000	0.000
Total Service Net Expenditure	219.299	221.273	1.974	1.761	0.213

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Provision relating to 2018/19 Service Pressures	0.000	0.000	0.000	0.000	0.000
Budget Pressure Fund	1.000	1.000	0.000	0.000	0.000
Public Sector Reform Savings not allocated to services (see para 2.3)	(0.950)	0.000	0.950	0.950	0.000
Council Wide Budgets	6.613	7.276	0.663	0.668	-0.005
Levies	34.156	34.156	0.000	0.000	0.000
General Government Grants	(40.979)	(40.979)	0.000	0.000	0.000
Total Net Expenditure	219.139	222.726			
Forecast Year-End Deficit			3.587	3.379	0.208

1.1 The key forecast variations in the outturn position, including any significant variations from the October position, are as follows: -

- **Children’s Social Care (£2.060m net overspend)** – The Placement and Packages budget overspent within the service by £5.612m in 2018/19. As a result, this equates to a full year effect in 2019/20 of £7.220m that also reflects a further increase in the number of Looked After Children. This budget pressure was identified in the budget report of February 2019 and an allocation of £4.900m from the *Provision relating to 2018/19 Service Pressures* has reduced the forecast overspend to £2.320m, with this being offset by underspends elsewhere within the service totalling £0.260m. This current position is an increase of £0.433m compared to October and reflects the additional costs in respect of nine placements that have arisen during the month.

As has been regularly reported over the last two years, the cost of Placements and Packages is the largest risk to the Council’s budget position, and it is expected that the position will be the subject of further change between now and the year end. The Council is currently working on developing a range of options to address the inherent demand and costs of Looked After Children whilst supporting the most vulnerable residents. Any financial impact from the proposals during the current year will be built into the year end forecast and next years budget.

- **Corporate Resources (£0.061m net underspend)** – The service is currently forecast to underspend. However, one of the key budget risks facing the service this year is in respect of ICT contracts. Upon the transfer of the function in October 2018, it was unclear as to the value and number of contracts that would be taken on by the Council that were previously administered by the external provider. At November 2019, this position remains uncertain due to the availability of detail that has been provided to the Council, for example at transfer it was estimated that around 270 contracts were in place however it is now estimated that nearly 300 support the Council’s ICT operations. Work continues to work through this and any material variation will be reported in the next cycle.
- **Education Excellence (£0.247m overspend)** - Home to School transport external provision has a projected overspend of £2.150m. This budget overspent by £1.817m in 2018/19 but is forecast to overspend by a further £0.333m due to the full year effect of the increased costs of new external transport contract, an

allocation of £1.800m from the *Provision relating to 2018/19 Service Pressures* has reduced the forecast overspend to £0.350m. In addition, there are net underspends across other areas of the service totalling £0.103m.

- **Health and Wellbeing (£0.162m underspend)** – There is a net underspending on the service as a result of vacancy savings and underspends on specific contracts.
- **Locality Services (£0.109m overspend before mitigating actions)** – The service pressures experienced in 2018/19 have continued into 2019/20.
 - Security Service (£0.200m overspend) – The forecast deficit is a reflection of an under recovery of income to support the cost base. The forecast deficit has improved since 2018/19 (from £0.486m overspend) due to additional internal works being undertaken by the service. Despite this improvement in income, the certainty of future income is not assured although efforts are being made to secure new contracts.
 - Green Sefton (£0.088m overspend) - The service was expected to achieve savings of £0.330m in 2019/20. Plans to increase income within the Golf courses will not be achieved in the current year as improvements to the courses to encourage customers are not expected until 2020/21.
 - Burial and Cremation Service (£0.100m underspend) – The service is forecast to achieve additional income in the year.
 - These overspends have been reduced by a net underspend of £0.079m elsewhere within the service.

Mitigating actions have been identified which will bring the forecast outturn within the service budget. These include generating additional income through increased use of assistive technology and external security services as well as temporarily reducing expenditure on supplies and services.

- **Public Sector Reform Savings not allocated to services (£0.950m overspend)** – see paragraph 2.3 below.
- **Council Wide Budgets (£0.663m)** – the increase in pay budgets due to pay awards and pension increases, after allowing for fees and charges increases for traded services, is £0.418m greater than the provision built into the 2019/20 budget. In addition, Housing Benefits is forecast to overspend by £0.248m due to reductions in subsidy relating to certain types of expenditure. However, this budget is difficult to forecast given the complexities of the subsidy claim and as such there is extreme volatility in this budget with the final position not being able to be predicted until year end.

Savings Delivery

- 1.2 The 2019/20 Budget included £9.803m of savings from Public Sector Reform (PSR) projects. Current forecasts are that £8.853m of savings will be deliverable in the year (90%). An analysis of the overall savings for 2019/20 are shown in the summary below:

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	Total Saving 2019/20	Forecast - Achieved In 2019/20	Forecast – Not Achieved 2019/20
	£m	£m	£m
PSR1 - Acute Wrap Around	0.230	0.000	0.230
PSR2 – Locality Teams	4.408	4.408	0.000
PSR4 - All Age Pathway	0.089	0.089	0.000
PSR6 - Commercialisation	0.405	0.405	0.000
PSR8 – Asset Maximisation	0.512	0.512	0.000
PSR9 – ICT & Digital Inclusion	3.439	3.439	0.000
PSR10 - Commissioning	0.720	0.000	0.720
Total PSR Projects	9.803	8.853	0.950

- 1.3 The shortfall on the achievement of savings shown in the table is included in the forecast outturn position shown in paragraph 2.1.
- 1.4 In addition, service budget options of £2.269m were approved for 2019/20. These have been built into service budgets and any shortfall in achievement of these savings is included in the forecast outturn position for each service.

Measures to close the residual gap in 2019/20

- 1.5 The forecast budget deficit as at November 2019 is **£3.587m**. This reflects the risks that were inherent in the Council's financial position, particularly around demand for Children's Social Care and other demand led services. Major Services Reviews have commenced for Adult Social Care, Children's Social Care, Education Excellence and Locality Services with a view to reduce this budget pressure where possible.
- 1.6 The budget for 2019/20 includes a Budget Pressures Fund of £1.000m. Council gave delegated authority to the Chief Executive and the Head of Corporate Resources, in conjunction with the Leader of the Council, to allocate this Fund. Cabinet, at their meeting on 7th November 2019, have noted the allocation of the £1.000m to support the budget pressure identified and contribute to balancing the forecast outturn position.
- 1.7 The net forecast outturn position for 2019/20 is therefore:

	£m
Forecast Year-End Deficit (Paragraph 2.1)	3.587
Business Rates Reserve increase (previously noted by Cabinet on 5 September 2019)	-1.750
Budget Pressures Fund	-1.000
Forecast Year-End Deficit	0.837

- 1.8 As mentioned in paragraph 2.2, the forecast outturn position includes an overspend of £0.248m relating to Housing Benefits. This budget is difficult to forecast given the complexities of the Subsidy claim. The position will be monitored during the remainder of the year with any overspend at the end of the year considered as part of the Council's overall outturn position.
- 1.9 The above table shows a deficit forecast outturn position (excluding the Housing Benefits forecast) of **£0.589m**. As previously reported, there are risks still inherent in this position, particularly relating to Looked After Children, meaning the position may worsen further during the year. Looked After Children numbers increased by an average of 4 per month this financial year between June and October, adding £0.850m to the forecast. In November numbers increased by a further nine cases, adding £0.400m to the forecast. If this trend continues for the remainder of the financial year at least £0.500m will be added to the 2019/20 forecast, translating into a full year pressure of over £1.000m for 2020/21.
- 1.10 As the October position forecast a deficit, further mitigating actions were implemented, following approval by Cabinet on 5 December 2019:
- To not fill current vacant posts or posts as they become vacant (excluding essential posts in Children's Social Care); and,
 - A freeze on all but essential expenditure between now and the end of the financial year.
- 1.11 The estimated impact of these measures, excluding the effect of not filling posts as they become vacant, have now been built into the forecast in paragraph 2.1. As there is still a forecast deficit position of £0.589m, which may worsen if current trends on numbers of Looked After Children continue, other appropriate measures are required to ensure a balanced forecast outturn position will be achieved. An exercise with Heads of Service has commenced to ensure the robustness of all estimates and identify what remedial measures will be implemented. The outcome of this review will be reported to Cabinet in February 2020 as part of the December budget monitoring position. In the event that these measures cannot be identified, or the forecast outturn position worsens, a balanced outturn position may not be deliverable. This would lead to a call on the Council's low level of General Fund Balances. As such, this exercise is critical to support financial sustainability within the Council and difficult decisions may be required between now and the end of the financial year and could have a material impact on next year's budget.

2 Council Tax Income – Update

- 3.1 Council Tax income is shared between the billing authority (Sefton Council) and the three major precepting authorities (the Fire and Rescue Authority, the Police and Crime Commissioner and the Combined Authority – Mayoral Precept) pro-rata to their demand on the Collection Fund. The Council's Budget included a Council Tax Requirement of £133.099m for 2019/20 (including Parish Precepts), which represents 84.1% of the net Council Tax income of £158.306m.
- 3.2 The forecast outturn for the Council at the end of November 2019 is a surplus of +£0.032m. This variation is primarily due to: -

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- The surplus on the fund at the end of 2018/19 being lower than estimated (+£0.151m);
- Gross Council Tax Charges in 2019/20 being higher than estimated (-£0.351m);
- Exemptions and Discounts (including a forecasting adjustment) being higher than estimated (+£0.168m).

3.3 Due to Collection Fund regulations, the Council Tax deficit will not be transferred to the General Fund in 2019/20 but will be carried forward to be recovered in future years.

3.4 A forecast surplus of £1.160m was declared on the 15 January 2019 of which Sefton's share is £0.996m (85.8%). This is the amount that will be distributed from the Collection Fund in 2019/20. Any additional surplus or deficit will be distributed in 2020/21.

4 Business Rates Income – Update

4.1 Since 1 April 2017, Business Rates income has been shared between the Council (99%) and the Fire and Rescue Authority (1%). The Council's Budget included retained Business Rates income of £64.739m for 2019/20, which represents 99% of the net Business Rates income of £65.393m. Business Rates income has historically been very volatile making it difficult to forecast accurately.

4.2 The forecast outturn for the Council at the end of November 2019 is a surplus of -£0.814m on Business Rates income. This is due to:

- The surplus on the fund at the end of 2018/19 being higher than estimated (-£0.092m);
- Increase in the gross charge on rateable properties (-£0.466m)
- Other reliefs (including a forecasting adjustment) being lower than estimated in 2019/20 (-£0.256m).

4.3 Due to Collection Fund regulations, the Business Rates surplus will not be transferred to the General Fund in 2019/20 but will be carried forward to be distributed in future years. However, £0.284m of the surplus forecast in paragraph 4.2 will be required to offset the shortfall in Section 31 grants due to certain reliefs being lower than estimated in 2019/20.

4.4 A forecast surplus of £1.768m was declared in January 2019. Sefton's share of this is -£1.750m which is made up of an amount brought forward from 2017/18 (-£2.169m) and the impact of variations in 2018/19 (+£0.419m). This is the amount that will be distributed from the Collection Fund in 2019/20 and any additional surplus or deficit will be distributed in 2020/21.

5 Capital Programme 2019/20 – 2021/22 & Future Years

5.1 Capital Budget

1.1.1. The Capital Budget and profile of expenditure for the three years 2019/20 to 2021/22 is:

2019/20	£24.051m
2020/21	£12.178m
2021/22	£0.730m

1.1.2. The following new schemes funded from Council resources have been added to the Capital Programme in November and are shown in the budget figures above:

- Merton House Dilapidation (£0.460m, see paragraph 5.4)
- Southport Theatre Sound and Lighting Equipment (£0.081m).

1.1.3. The following new Section 106 funded schemes have been added to the programme in November and are shown in the budget figures above:

- Abbeyfield Park Play Area Redevelopment (£0.027m)
- South Park Hut (£0.035m)
- Hesketh Park Improvement Works (£0.035m)
- Ainsdale Village CCTV (£0.018m).

1.1.4. Amendments to the 2019/20 capital budgets have been made in November due to re-phasing of schemes between 2019/20 and future years as follows:

- Bridges Structural Maintenance and Strengthening – all 2019/20 schemes have been completed and a balance of £0.065m has been re-phased to fund 2020/21 projects
- A59 Maghull Route Management – forecast underspend of £0.500m. Surplus ring-fenced funding from the Combined Authority has been phased from 2019/20 to 2020/21 to fund future eligible schemes on the A59
- Lydiate Primary General Refurbishment – scheme to be completed earlier than anticipated (£0.060m from 2019/20 to 2020/21)
- Southport Pier Project - £0.141m phased to 2020/21 for completion of Phase 4 of the project.
- St John Stone Infrastructure Works which form part of the Sandway Homes Ltd development is being re-phased from 2019/20 to 2020/21 (£0.623m).

1.2. Budget Monitoring Position to November 2019

1.2.1. The current position of expenditure against the budget profile to the end of November 2019 is shown in the table below. It should be noted that budgets are profiled over the financial year which skews expenditure over quarters three to four.

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- 1.2.2. As would be expected Education Excellence carries out most of its capital works during key school's holiday periods such as the summer recess (quarter 2), whilst Highways and Public Protection completes most of its programmed works during quarters 2 and 4. The Adult Social Care expenditure excluding core Disabled Facilities Grant (DFG) expenditure is profiled to quarters three and four.

Service Area	Budget to Nov-19	Actual Expenditure to Nov-19	Variance to Nov-19
	£m	£m	£m
Adult Social Care	1.616	1.574	-0.042
Communities	0.093	0.100	0.007
Corporate Resources	0.764	0.746	-0.018
Economic Growth & Housing	0.054	0.084	0.030
Education Excellence	1.946	1.915	-0.031
Highways & Public Protection	5.608	5.479	-0.129
Locality Services	0.792	0.797	0.005
Total Programme	10.873	10.695	-0.178

- 1.2.3. Analysis of significant spend variations over (+) / under (-) budget profile:

Economic Growth and Housing

Scheme	Variation	Reason	Action Plan
Southport Pier Project	£27,669	Works to North Promenade railings have been completed earlier than anticipated.	None required. Expenditure on the scheme has not been affected by the earlier completion of work.

Education Excellence

Scheme	Variation	Reason	Action Plan
Hudson Primary Heating Ducts	-£53,463	Due to the complexities of the scheme work is being done in the evenings over a longer time period.	Budget to be reprofiled to reflect the change in the way the scheme is being delivered.

Highways and Public Protection

Scheme	Variation	Reason	Action Plan
Healthy Lifestyles	£105,193	Work on the Kirkby to Maghull cycle route has been brought forward to coincide with M58 works.	None required. Completing this work ahead of schedule is the most efficient option.
Street Lighting	-£98,439	Outstanding invoices.	Invoices are now in the system to be processed.

M58 J1 Improvements	-£73,775	Works on site and proceeding as planned but costs need to be revised.	A revised outturn schedule is currently being prepared. (see paragraph 4.2 for further detail).
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1.2.4. In the October report a number of schemes that reported variances to budget contained action plans to address the variance. Progress on these is as follows:

Highways & Public Protection

Scheme	Variation	Action Plan	Progress to Date
Highway Maintenance	-£400,404	The outstanding invoices will be settled asap and the remaining budget reprofiled to later in the financial year.	Outstanding issues settled and remaining budget has been reprofiled to February / March 2020.

1.3. Capital Programme Forecast Outturn 2019/20

1.3.1. The current forecast of expenditure against the budget profile to the end of 2019/20 and the profile of budgets for future years is shown in the table below:

Service Area	Full Year Budget 2019/20	Forecast Out-turn	Variance to Budget	Full Year Budget 2020/21	Full Year Budget 2021/22
	£m	£m	£m	£m	£m
Adult Social Care	3.644	3.641	-0.003	0.000	0.000
Communities	0.450	0.448	-0.002	0.314	0.000
Corporate Resources	1.096	1.098	0.002	0.835	0.000
Economic Growth & Housing	0.197	0.197	0.000	0.268	0.000
Education Excellence	3.257	3.254	-0.003	8.821	0.191
Highways & Public Protection	12.482	13.171	0.689	0.940	0.000
Locality Services	2.925	2.925	0.00	1.000	0.539
Total Programme	24.051	24.734	0.683	12.178	0.730

A full list of the capital programme by capital scheme is at **appendix A**.

1.3.2. Analysis of significant spend variations over budget profile in 2019/20:

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Highways & Public Protection

Scheme	Variation	Reason	Action Plan
M58 Junction 1 Improvements	£688,540	Delays to the project due to longer than anticipated time to secure the land. Contractual payments had to be made to the contractor in the interim. Additional redesign costs have also been incurred. The total forecast overspend is £930k over 2019/20 and 2020/21.	An application has been made to the Combined Authority for further grant funding of £500k. The remaining shortfall of £430k to the projected overspend of £930k will require a review of the transport programme to identify resources that can be redirected to the M58 scheme.

1.4. **PSR8 Asset Maximisation - Merton House Dilapidation Costs**

- 1.4.1. Budget Council on 2nd March 2017 approved the development of a Cost of Change budget to deliver an overall three-year budget package for Asset Maximisation (PSR8). The report stated that in order to access this funding the Chief Executive and Section 151 officer would evaluate any proposed expenditure. The Chief Executive is then required to consult the Leader prior to any spend being authorised.
- 1.4.2. On 17th October 2019, the Executive Leadership Team considered and agreed the recommendations of the Project Sponsor for PSR 8 with regard to the payment of dilapidation costs relating to the move from Merton House.
- 1.4.3. This cost of change request approved £0.460m of capital funding in order to fund the agreed dilapidations claim settlement. This proposal is directly attributable to the delivery of the £0.962m PSR8 saving from vacating Merton House.
- 1.4.4. Having considered the need, the Chief Executive in consultation with the Leader, has approved that this cost is met from the Cost of Change budget.

1.5. **Programme Funding**

- 1.5.1. The table below shows a how the capital programme will be funding in 2019/20:

Source	£m
Grants	20.340
Contributions (incl. Section 106)	1.388
Capital Receipts	0.321
Prudential Borrowing	2.002
Total Programme Funding	24.051

- 1.5.2. The programme is reviewed on an ongoing basis to confirm the capital resources required to finance capital expenditure are in place, the future years programme

is fully funded and the level of prudential borrowing remains affordable subject to the issue raised in paragraph 5.3.2.

- 1.5.3. The Head of Corporate Resources will continue to manage the financing of the programme to ensure the final capital funding arrangements secure the maximum financial benefit to the Council.

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APPENDIX A – Capital Programme 2019/20 to 2021/22

Capital Project	Budget		
	2019/20 £	2020/21 £	2021/22 £
Adult Social Care			
Adult Social Care IT Infrastructure	44,020	-	-
South Hub	11,257	-	-
Primary Care Integration	39,500	-	-
Core DFG Programme	1,824,000	-	-
Wider Social Care Programme	1,724,722	-	-
Communities			
Atkinson Studio Stage	11,929	-	-
Dunes All Weather Pitches - Invest to Save	13,083	-	-
Crosby Lakeside Adventure Centre Water Sports	75,157	-	-
Formby Library Improvements	-	6,620	-
Libraries - Centres of Excellence	80,000	265,237	-
Bootle Library	-	42,372	-
S106 - Molyneux Ward - Rainbow Park Improvement Works	26,211	-	-
S106 - Litherland Ward - Caged Tipper	44,640	-	-
S106 - Linacre Ward - Mobile CCTV	18,000	-	-
S106 – Derby – South Park Hut Extension	34,518		
S106 - St Oswald's - Marian Gardens Redevelopment	66,466	-	-
S106 – Netherton & Orrell – Abbeyfield Park Play Area	27,327		
S106 – Cambridge – Hesketh Park Improvement Works	35,050		
S106 – Ainsdale – Ainsdale Village CCTV	18,000		
Corporate Resources			
Corporate Maintenance	113,022	-	-
STCC Essential Maintenance	219,718	-	-
STCC Sound & Lighting Equipment	80,500		
St John Stone Site – Infrastructure Works	-	623,210	-
Merton House Dilapidation	460,000		
Magdalen House Alterations	61,587	83,392	-
Meadows Community Base	3,645	2,683	-
Aintree Community Base	5,815	1,968	-
NAC Community Base	2,511	18,499	-
Southport Town Hall Community Base	26,477	5,373	-
Family Wellbeing Centres	122,816	100,000	-
Economic Growth & Housing			
Marian Square, Netherton CCTV	-	40,405	-
REECH Project	37,162	-	-

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Southport Commerce Park - 3rd Phase Development	13,173	-	-
Housing Investment (HMRI)	34,800	56,980	-
Southport Pier Project	111,515	170,688	-
Education Excellence			
Healthy Pupils Fund	178,000	-	-
Schools Programme	2,573,863	3,472,999	190,569
Planned Maintenance	352,776	4,294,000	-
Special Educational Needs & Disabilities	152,322	1,054,178	-
Highways and Public Protection			
Accessibility	265,000	-	-
Completing Schemes/Retentions	32,250	-	-
Healthy Lifestyles	1,590,000	-	-
Road Safety	120,000	-	-
A565 Route Management and Parking	710,000	-	-
Strategic Planning	303,822	220,168	-
Traffic Management and Parking	1,917,500	500,000	-
Highway Maintenance	2,039,446	-	-
Bridges & Structures	178,397	64,713	-
Drainage	225,000	-	-
Street Lighting Maintenance	300,000	-	-
UTC Maintenance	100,000	-	-
Major Transport Schemes	4,700,589	154,836	-
Locality Services			
Thornton Garden of Rest Improvements	3,692	-	-
Burials & Cremation Insourcing - Vehicles & Equipment	-	200,000	-
Formby Strategic Flood Risk Management Programme	-	44,141	-
Merseyside Groundwater Study	5,000	26,508	-
Four Acres Multi Agency Flood Options	3,352	-	-
CERMS	919,759	149,407	-
Natural Flood Risk Management	10,000	-	-
The Pool & Nile Watercourses	58,602	-	-
Crosby Flood & Coastal Scheme	358,947	306,190	500,000
Seaforth & Litherland Strategic Flood Risk	-	30,000	-
Hall Road & Alt Training Bank - Rock Armour	50,000	-	-
Ainsdale & Birkdale Land Drainage Scheme	30,000	-	-
Surface Water Management Plan	170,000	-	-
Parks Schemes	108,213	204,375	-
Tree Planting Programme	77,185	39,174	38,600
Vehicle Replacement Programme	1,130,614	-	-
TOTAL PROGRAMME	24,050,950	12,178,116	729,169

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Report to: Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)
Cabinet
Council

Date of Meeting: 14 January 2020
6 February 2020
27 February 2020

Subject: Ethical Business Practices Working Group Final Report

Wards Affected: All

Report of: Chief Legal and Democratic Officer

Is this a Key Decision? Yes
Exempt/Confidential No

Is it included in the Forward Plan? Yes

Purpose/Summary

To present formally the final report of the Ethical Business Practices Working Group.

Recommendations: That Committee, Cabinet and Council:

- (1) request the Head of Corporate Resources to make arrangements, via the Council's decision-making processes, to include the revised statement of draft ethical business/investment principles as referred to below in the Treasury Management Strategy and to adopt it as part of the Council's Policy for investment:

ETHICAL INVESTMENT POLICY

"The Local Authority at times invests surplus funds with third party organisations and institutions and the Council's [core values](#) will play a major role in making investment decisions which will be aligned where possible to the following four overarching core principles;

- Sustainable and Responsible – manage the effect on the environment, community and for the good of society
- Value Based – invest in businesses that are aligned with the organisations core values;
- Maximising Impact – achieve a measurable positive, social or environmental impact, in addition to a financial return;
- Green – improving the environment."

In deciding and then approving the counterparty list in which the Council will invest, the principles of security, liquidity and yield will always be the primary consideration to ensure compliance with statutory guidance. As part of this

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evaluation, the Council will consider ethical investment opportunities and identify and apply an appropriate weighting based on the Council's Core Values/overarching core principles.

Where the Council deposits surplus balances overnight or for a short-term, investments will be made with financial institutions in a responsible manner (aligned to the overarching core principles/councils core values) where possible and in accordance with advice from its Treasury Management Advisor. In the event that the Council has surplus balances that it can invest for the longer term (e.g. terms over 1 year) it will exclude direct investment in financial products that do not contribute positively to society and the environment. This will include the principle that investment in specific financial products whose performance is driven by off-shore trading, financial malpractice, debt swops, short selling, the arms trade and tobacco industry will be avoided. The same rigorous criteria will be used to assess whether investment in certain countries will be contrary to Sefton's [core values](#).

It is recommended that the Head of Corporate Resources, to assess whether investment in certain countries will be contrary to Sefton's [core values](#), give consideration to the exclusion of those countries on the [EU list of non-cooperative tax jurisdictions](#) (the black list and the grey list), which aims to tackle external risks of tax abuse and unfair tax competition, within the Council's Treasury Management Strategy.

In order for these organisations to be included on the Council's counterparty list they will be evaluated against the same criteria as other counterparties and assessed against the Council's core values and ethical business and investment principles/policy, including the ethical weighting to ensure balance and investments are aligned with the new policy.

The Council's Treasury Management Team will be continually engage on progress in this sector, understanding where possible that Council investments and deposits are aligned with its core values – for example, generating income for social reinvestment and not investing in such companies as highlighted above.

This approach will be supported by considering the opportunity for ethical investments as part of the development of the annual Treasury Management Strategy and engaging with the Council's Treasury Management Advisors as to whether any investment is contrary to the Council's values (including the ethical investment weighting). A specific section in the annual Treasury Management report will cover how the adopted ethical investment strategy is being applied to investment decisions.

The Local Authority publishes a list of its investments to ensure openness and transparency.”;

- (2) request the Head of Strategic Support to make arrangements, via the Council's decision-making processes, to adopt the following revised statements of ethical procurement principles/policy.

ETHICAL PROCUREMENT POLICY

“The Local Authority routinely procures goods and services with a range of providers and the Council’s [core values](#) will play a major role in making procurement decisions which will be aligned where possible to the following four overarching core principles;

- Sustainable and Responsible – manage the effect on the environment, community and for the good of society
- Value Based – work with businesses that are aligned with an organisations core values;
- Maximising Impact – achieve a measurable positive, social or environmental impact, as a result of a contract;
- Green – improving the environment.”

Procurement will enhance Social impact/value, including opportunities associated with national themes of Jobs: Promoting Local Skills and Employment; Growth: Supporting Sustainable Growth of Responsible Regional Business; Social: Healthier, Safer and more Resilient Communities; Environment: Protecting and Improving Our Environment; and Innovation: Promoting Social Innovation; and their outcomes and measures.

Implement and enhance a Procurement Strategy, based on the Local Government Association (LGA) National Procurement Strategy providing an effective mechanism for improving the social impact/social value from our contracted providers, particularly its focus on “Achieving Community Benefit”, which includes “obtaining social value”.

The local strategy for social value opportunities to include the increased emphasis in the refreshed Corporate Commissioning Framework and on developing an updated Social Value Action Plan.

Implement a stand-alone phased two-year Social Value Action Plan to include the guiding principles of catching up with those leading the field, going beyond compliance with the Public Services (Social Value) Act 2012, maximising the full breadth of Social Value outcomes and effectively measuring, monitoring and reporting delivery.

The Social Value Action plan will address the areas for development identified through the self-assessment against the LGA strategy and include tangible, clear, measurable, timebound targets to improve social value.

Maximise Social value opportunities connected with the joined-up approach across the Liverpool City Region – LCR Procurement Hub and work undertaken with Proactis and the Social Value Portal to join-up the Chest, the National Themes, Outcomes and measures and the online Measurement Tool”: and

- (3) request the Head of Strategic Support to make arrangements, via the Council’s decision-making processes, to develop, adopt and implement a Social Value Action Plan in line with the following:

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SOCIAL VALUE ACTION PLAN

“The guiding principles for development of our approach to Social Value are to catch up with those leading the field; Go beyond compliance with the Public Services (Social Value) Act 2012; maximise full breadth of Social Value outcomes; and effectively measure, monitor and report delivery.

Self-assessment against “Obtaining Social Value” in the LGA National Strategy will provide a framework whereby we can evaluate what we already do and identify areas for improvement including assessment against the following statements, “the extent to which...”:

- the requirements of the Social Value Act are embedded into corporate policy;
- social value awareness is embedded across all management levels;
- social value themes, outcomes and measures are reported and used (including evaluating the usefulness of social accounting quantitative measures to evaluate impact);
- social value requirements are embedded in the commissioning process;
- social value requirements are embedded in the procurement process;
- obtaining social value is part of engagement and third-party relationships;
- social value requirements in contracts are managed;
- social value is embedded in a wider collaborative environment;
- obtaining social value is communicated and reported;
- social value is embedded and managed in the commissioning and procurement process.
- These can all be addressed within the scope of the guiding principles, through specific, tangible and time-bound actions in a Procurement/Social Value Action Plan.”

The policy will be reviewed on completion of the SV action Plan

Reasons for the Recommendation:

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

Alternative Options Considered and Rejected:

No alternative options were considered. The Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) established the Working Group to review the Council’s Ethical Business Practices and the Working Group has performed this task.

What will it cost and how will it be financed?

(A) Revenue Costs

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

(B) Capital Costs

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

Implications:

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

Financial		
Legal: Housing Act 2004		
Human Resources		
Equality		
1.	No Equality Implication	<input checked="checked" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

Contribution to the Council’s Core Purpose

Protect the most vulnerable: None directly associated with this report
Facilitate confident and resilient communities: None directly associated with this report
Commission, broker and provide core services: The context for the Ethical Procurement Policy centres on the legal position regarding social value in procurement as defined in the Public Services (Social Value) Act 2012; and the statutory duty to consider the social value of public services on contracts above the European Union procurement thresholds
Place – leadership and influencer: None directly associated with this report
Drivers of change and reform: The nature of public sector services reflects many of the principles of Corporate Social Responsibility/Ethical Business Practice. To embed Corporate Social Responsibility/Ethical Business Practice an organisation needs to be operating in line with good Corporate Social Responsibility/ Ethical Business Practice in its various roles as service provider, purchaser, employer and its engagement with the public as consumers, customers and clients.
For the purposes of the Working Group the term Ethical Business Practice was used

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which encompassed several key elements of Corporate Social Responsibility. The Working Group focussed on:

1. Proposing a revised Ethical Investment Policy/Strategy
2. Proposing a revised Ethical Procurement Policy/Strategy to embed Social Value

Facilitate sustainable economic prosperity: As above

Greater income for social investment: The nature of public sector services reflects many of the principles of Corporate Social Responsibility/Ethical Business Practice. To embed Corporate Social Responsibility/Ethical Business Practice an organisation needs to be operating in line with good Corporate Social Responsibility/ Ethical Business Practice in its various roles as service provider, purchaser, employer and its engagement with the public as consumers, customers and clients.

For the purposes of the Working Group the term Ethical Business Practice was used which encompassed several key elements of Corporate Social Responsibility. The Working Group focussed on:

1. Proposing a revised Ethical Investment Policy/Strategy
2. Proposing a revised Ethical Procurement Policy/Strategy to embed Social Value

Cleaner Greener: In respect of the Ethical Investment Policy there are corporate social responsibility environmental aspects, e.g., reducing direct impact on the environment by managing waste, emissions and consumption of natural resources. The Working Group did not directly include this in its inquires, as it will be embedded through Green Sefton initiatives and can be included as part of the overall revision of updating policy on Corporate Social Responsibility/Ethical Business Practice.

What consultations have taken place on the proposals and when?

The Head of Corporate Resources (FD5887 /19) has been consulted and notes there are no direct financial implications arising from this report.

The Chief Legal and Democratic Officer (LD4071 /19) is the author of the report.

Head of Strategic Support and Head of Highways and Public Protection were involved in Working Group meetings

Implementation Date for the Decision

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

Contact Officer: Paul Fraser

Tel: 0151 934 2068

Email: paul.fraser@sefton.gov.uk

Background Papers:

There are no background papers available for inspection

Introduction/Background

At its meeting held on 11 September 2018 the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) approved the establishment of a Working Group to review the topic of the Council's Ethical Business Practices with the terms of reference and objectives set out below.

The Committee on Standards in Public Life, which is responsible for promoting the Seven Principles of Public Life (selflessness, integrity, objectivity, accountability, openness, honesty, leadership) to all those involved in the provision and delivery of public services, published a report in May 2018 "The Continuing Importance of Ethical Standards for Public Service Providers", which was a follow-up to their 2014 report on this issue.

The report identifies that the public want services to be delivered responsibly and ethically, regardless of provider and that high ethical standards need to be applied when managing public money. The report further states that, where this involves commercial arrangements, it is incumbent on government to design service delivery and manage the life cycle of the contract in such a way as to engender and reward high ethical standards. Clearly this is equally applicable to local government.

In last couple of years Sefton Council has agreed a number of motions and actions relating to ethical business, including: UNISON's Ethical Care Charter (February 2016) and Unite's Construction Charter (September 2018).

A number of other Councils have sought to address this, including: Birmingham [Birmingham Business Charter for Social Responsibility](#) Dudley [Suppliers Code of Practice](#) and Preston [Fairness Charter](#) and the Working Group considered these approaches and others in order to both benchmark Sefton's position and identify appropriate and workable future approaches.

To review the topic of the Council's Ethical Business Practices, considering:

- Current Sefton practice
- Current good practice within other local authorities or similar organisations
- Areas of good practice within the Council's practices
- Areas for improvement within the Council's practices
- Recommendations for improving the Council's practices
- The provision of a policy for the ethical business practices of the Council in respect of investment, procurement and commissioning

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

To set the context for the recommendations, the provision of a policy for the ethical business practices of the Council in respect of investment, procurement and commissioning can be defined by the EU definition of Corporate Social Responsibility (Ethical Business Practice) as 'the responsibility of enterprises for their impacts on society and organisations should have processes in place to integrate social, environmental, ethical and consumer concerns and ensure that these are embedded into their business operations and core strategy'.

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The Working Group agreed that Corporate Social Responsibility was a good overarching context for improving social impact / social value, embracing the impact of: what we do; how we do it; and what others (contractors) do for us.

An example of how this can be achieved is by the attached flowchart [Delivering Social Value within a Corporate Social Responsibility Framework](#)

Regarding Public Sector and Corporate Social Responsibility, the nature of public sector services reflects many of the principles of Corporate Social Responsibility/Ethical Business Practice. To embed Corporate Social Responsibility/Ethical Business Practice an organisation needs to be operating in line with good Corporate Social Responsibility/Ethical Business Practice in its various roles as service provider, purchaser, employer and its engagement with the public as consumers, customers and clients.

For the purposes of the Working Group the term Ethical Business Practice was used which encompassed several key elements of Corporate Social Responsibility. The Working Group focussed on:

1. Proposing a revised **Ethical Investment** Policy/Strategy
2. Proposing a revised **Ethical Procurement** Policy/Strategy to embed Social Value

In respect of the Environmental Aspects of Corporate Social Responsibility there were also CSR Environmental aspects, e.g., reducing direct impact on the environment by managing waste, emissions and consumption of natural resources. The Working Group did not directly include this in its inquires, as it would be embedded through Green Sefton initiatives and can be included as part of the overall revision of updating policy on Corporate Social Responsibility/Ethical Business Practice.

Finally, and in respect of the Ethical Procurement Policy (including Social Value) the legal position regarding social value in procurement as defined in the Public Services (Social Value) Act 2012 was used; and the statutory duty to consider the social value of public services on contracts above the European Union procurement thresholds. The position regarding social value in procurement as defined in the [Contract Procedure Rules](#) was also considered

The Working Group recognised much of the good work already taking place in relation to the above and that the policy should focus on continuous improvement.

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

Overview & Scrutiny



**'Valuing
Improvement'**

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LEAD MEMBER'S INTRODUCTION

I am very pleased to introduce this Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) Council's Ethical Business Practices Working Group report.

This is a timely piece of work as public-sector reforms and budget cuts from central government are having an impact on how we do business. Having clear policies on Social Value and ethical business practice, including procurement and investment will help us to keep our core values at the heart of what we do during very difficult times for the public sector.

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

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



Councillor Patrick McKinley
Lead Member, Council's Ethical
Business Practices Working
Group



1.0 BACKGROUND

- 1.1 The Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) established the Council’s Ethical Business Practices Working Group.
- 1.2 Councillors Bradshaw, Doyle, Killen, McKinley, Johns Sayers and Yvonne Sayers were appointed to serve on the Working Group.
- 1.3 At the first meeting of the Working Group Councillor McKinley was appointed Lead Member. Details of Working Group meetings are set out below:

Date	Activity
20.11.18	Scoping Document approved Additional information/background reading material suggested Potential witnesses identified
17.11.18	Interview of witness – Head of Corporate Resources Consideration of information requested at previous meeting
15.01.19	Statements on Ethical Business/Investment Practices
15.02.19	Bill Esterson M.P. witness interview; and approval of draft ethical investment principles
16.04.19	Presentation on Social Value and Social Impact through Procurement
10.19	Approval of initial findings, draft report and recommendations via email

2.0 TERMS OF REFERENCE AND OBJECTIVES

- 2.1 The Terms of Reference and Objectives of the Working Group were approved as part of the scoping exercise at the first meeting and are set out below.
- 2.2 Terms of Reference and Objectives

The Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) has agreed to establish a Working Group to review the topic of the Council’s Ethical Business Practices. Dependent upon interpretation, the scope of such a review is potentially very wide, including areas such as the Council’s role in: employment; investment; charging; debt collection; commercial practice; doing business with others; procuring the delivery of goods, works and services from others; regulation, trading activities etc. As such the Working Group and Committee will need to carefully consider and clearly define the specific scope it wishes the review to focus upon. This consideration may lead to a refining of the draft Terms of Reference below.

The Committee on Standards in Public Life, which is responsible for promoting the Seven Principles of Public Life (selflessness, integrity, objectivity, accountability, openness, honesty, leadership) to all those

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involved in the provision and delivery of public services, published a report in May 2018 “The Continuing Importance of Ethical Standards for Public Service Providers”, which was a follow-up to their 2014 report on this issue.

The report identifies that the public want services to be delivered responsibly and ethically, regardless of provider and that high ethical standards need to be applied when managing public money. The report further states that, where this involves commercial arrangements, it is incumbent on government to design service delivery and manage the life cycle of the contract in such a way as to engender and reward high ethical standards. Clearly this is equally applicable to local government.

In last couple of years Sefton Council has agreed a number of motions and actions relating to ethical business, including: UNISON’s Ethical Care Charter (February 2016) and Unite’s Construction Charter (September 2018).

A number of other Councils have sought to address this, including: Birmingham [Birmingham Business Charter for Social Responsibility](#) Dudley [Suppliers Code of Practice](#) and Preston [Fairness Charter](#) and the Working Group may wish to consider these approaches and others in order to both benchmark Sefton’s position and identify appropriate and workable future approaches.

To review the topic of the Council’s Ethical Business Practices, considering:

- Current Sefton practice
- Current good practice within other local authorities or similar organisations
- Areas of good practice within the Council’s practices
- Areas for improvement within the Council’s practices
- Recommendations for improving the Council’s practices
- The provision of a policy for the ethical business practices of the Council in respect of investment, procurement and commissioning

3.0 METHODS OF ENQUIRY

3.1 Dependent upon the refined scope of the review, to include:

- Analysis of current Sefton practice
- Desktop research into practise elsewhere
- Witness interviews with officers, stakeholders, experts and other organisations
- Possible site visits / conference calls with experts and other organisations



4.0 WORKING GROUP MEETING – 20 NOVEMBER 2018

4.1 The Working Group approved its [Scoping Document](#) at the meeting.

4.2 Councillor McKinley, Lead Member, referred to the terms of reference contained in the Scoping Document, namely to review the topic of the Council's Ethical Business Practices, considering:

- Current Sefton practice
- Current good practice within other local authorities or similar organisations
- Areas of good practice within the Council's practices
- Areas for improvement within the Council's practices
- Recommendations for improving the Council's practices

And suggested that a further bullet point be added as follows:

- The provision of a policy for the ethical business practices of the Council in respect of investment, procurement and commissioning

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

- The Treasury Management report considered by the Audit and Governance Committee at its meeting held on 19 September 2018
- The countries in which Sefton invested and the brokers used to undertake such investments
- The estimation contained in the publication "Ethical Standards for Providers of Public Services – guidance produced by Committee on Standards in Public Life" that one third of all public spending on services was now delivered by private companies
- The action of the Merseyside Pension Fund in regard to disinvestment in Fracking Companies; and the decision by Council at its meeting held on 15 November 2018 to request Merseyside Pension Fund to publish a timetable for disinvestment in Fracking companies as soon as possible
- The Council had a duty to implement ethical business practices but in doing so any introduced policy would have to be practicable and implementable
- Concern was expressed about investments in "short-selling"
- The introduction of Sefton's Ethical Care Charter
- The use of approaches by other local authorities such as Birmingham (Birmingham Business Charter for Social Responsibility); Dudley (Suppliers Code of Practice) and Preston (Fairness Charter) to benchmark against

4.4 The Working Group approved the selection of witnesses to attend future meetings (Bill Esterson M.P. and Stephan Van Arendsen, Head of



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Corporate Resources) and identified documentation they would like to consider at the next meeting Birmingham Business Charter for Social Responsibility, Dudley Suppliers Code of Practice, Preston Fairness Charter, Information from the Merseyside Pension Fund in regard to its disinvestment in Fracking Companies and the [minute and report](#) considered by the Audit and Governance Committee at its meeting held on 19 September 2018 in relation to Treasury Management.

4.5 The Working Group also considered the following documentation at the meeting:

- [Ethical Standards for Providers of Public Services – guidance produced by Committee on Standards in Public Life](#)
- [The Continuing Importance of Ethical Standards for Public Service Providers produced by Committee on Standards in Public Life](#)
- [Sefton Construction Charter](#)

5.0 WORKING GROUP MEETING – 17 DECEMBER 2018

5.1 The Working Group received a [presentation](#) by Stephan Van Arendsen, Head of Corporate Resources on the Council's Investment Strategy/Policy.

Mr. Van Arendsen indicated that:

- Councils in general did not invest large sums of money due to reducing resources and balances
- ethical investment was an investment approach that followed a moral-based process which for example excluded industries such as tobacco, gambling and armaments; which sought to invest in companies / organisations that contributed positively to the environment and society; and was sustainable and responsible, value based, had a measurable impact and was green to improve the environment
- the number of organisations who invested “ethically” was still quite small, but growing and examples included some finance & banking organisations, professional investment funds with clients who placed ethical principles ahead of yields, socially minded businesses, some charities and individuals
- regarding Sefton’s criteria for selecting investments, as a local authority, Sefton was required to comply with the statutory guidance incorporated into our Treasury Management Policy and Strategy that was reflected in the CIPFA Treasury Management Code of Practice (2017) and the Secretary of State Statutory Guidance on Local Authority Investments (2018)
- Sefton, following advice from its Treasury Management Advisor, had specific criteria that influenced who it could deposit money with



- There is limited scope for the use of ethical institutions or investments for Local Government as ethical banks tended to be either unrated, or below our acceptable risk level; it was noted that should an ethical bank or institution have an acceptable rating, the Council could invest in it but it should be noted that financial returns were generally lower from such sources so this would have to be reflected in any future decision to invest or not

5.2 Members of the Working Group commented on the following issues:

- the macro-economic impact of local authorities across the country reducing their investments due to the availability of surplus funds
- that the Council did not invest in hedge funds and support “short selling”
- the potential for the Council’s treasury Management Strategy to state that if ethical banking institutions meet acceptable risk levels then the Council could invest in them
- could a series of statements be drafted that could form part of the Council’s ethical business/investment practices
- the Merseyside Pension Fund ethical business/investment policy

5.3 The Working Group agreed that it would be beneficial to draft a series of statements that could form part of the Council’s ethical business/investment practices and which could be included in the Treasury Management Strategy currently under preparation; and it was agreed that such statements would be considered at the next meeting of the Working Group.

6.0 WORKING GROUP MEETING – 15 JANUARY 2019

6.1 The Working Group considered [draft ethical investment principles](#) submitted by the Head of Corporate Resources and produced in conjunction with the Council’s Treasury Management Advisor, that could form part of the Council’s ethical business/investment practices and which could be included in the Treasury Management Strategy currently under preparation.

6.2 Members of the Working Group sought further information from the Head of Corporate Resources on the following:

- Could the ethical investment principles be more specific, for example, by the inclusion of the terminology used in the powerpoint [presentation](#) to the last meeting of the Working Group, namely, that Sefton’s principles/policy to investment is based on the following “an investment approach that follows a moral-based process which excludes industries such as tobacco, gambling and armaments; and

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seeks to invest in companies / organisations that contribute positively to the environment and society: -

- Sustainable and Responsible – manage the effect on the environment, community and for the good of society
- Value Based – invest in businesses that are aligned with an organisations core values;
- Impact – achieve a measurable positive, social or environmental impact, in addition to a financial return;
- Green – improving the environment.”
- The second paragraph of the draft ethical investment principles makes reference to statutory guidance. Is compliance with this guidance compulsory or does the Council have flexibility or a discretion to take a different course, for example, the guidance should be able to take account of the organisation’s core values
- Could the third paragraph in the draft ethical investment principles be amended because as printed it could give the impression that some possible investments are made in an irresponsible manner
- The fourth paragraph of the draft ethical investment principles states that “This will include, understanding where possible that Council investments and deposits are aligned with its core values.” How are the investments specifically aligned to the Council’s core values of protect the most vulnerable, facilitating confident and resilient communities, Commissioning, brokering and providing core services, place-leadership and influencer, driving of change and reform, facilitating sustainable economic prosperity, generating income for social reinvestment and cleaner and greener; and furthermore, as the Council has agreed to condemn financial malpractice such as multi-national transfer pricing and capital flows from the UK into offshore jurisdictions our investments should not be made where this is known to be the case. (this could be achieved by asking/instructing our brokers accordingly). In other words, could it be made explicit in the ethical investment principles that the Council’s desire was to ensure investment was not made in off-shore Jurisdictions. What would also be helpful if examples could be provided of how the core values are embedded in investment decisions

7.0 WORKING GROUP MEETING –15 FEBRUARY 2019

7.1 The Working Group met to interview Bill Esterson M.P. Shadow Minister (Business, Energy and Industrial Strategy). Mr. Esterson provided background information to his Shadow Ministerial role and made reference to the following:

- There was a real appetite within the private sector to do the right thing regarding ethical practices
- The public sector had a great opportunity to influence ethical investment and business practices via their procurement activities



- Referred to the good practice identified in the [Preston Fairness Charter](#)
- An academic study had been published by Ewan McGaughey that identified that to reduce the carbon footprint of goods and services, contracts could be awarded on a local or regional basis and would not fall foul of European Union or World Trade Organisation rules
- Local and national government had a wide span of control to influence ethical and environmental business practices
- Control could also be exerted to protect and enhance workers' rights to make sure that workers were paid on time; that the living wage was paid in the supply chain; that women received equal pay; and that workers were recruited from deprived areas
- engagement with social enterprises and the co-operative sector
- International trade and the Modern Slavery Act
- A ground-breaking [deal between Hermes' and the GMB union](#) whereby self-employed couriers now had the option to take holiday pay and have guaranteed earnings
- Pressure was being exerted by Members of Parliament to ensure that the Parliamentary pension scheme funds should be invested ethically. Local authorities could similarly push for ethical investment with regard to their pension fund schemes
- National government could do much more to move away from investing in fossil fuels and switch to renewables
- Liverpool City Region has a devolution deal which is committed to renewables and the low carbon economy

7.2 Members of the Working Group asked Mr. Esterson the following questions/made the following comments:

- Could the Labour Party manifesto go further in articulating ethical principles regarding investments; particularly regarding investment in the City of London. Response – Reference was made to an on-going British Academy study, [Future of the Corporation](#) examining the purpose of business and its role in society; and the Labour Party “Just Trading” initiative launched in 2016 was referred to. These may inform future policy
- The behaviour of international trading companies was a problem on a macro level. Response – agreed, and international co-operation was required to combat this
- A level playing field is required when procuring goods and services to ensure that contracts are not awarded to companies using exploitative practices. Response – this can be resolved when drawing up tender specification and business requirements, and this can help developing nations in particular
- We should encourage companies to do the “right thing” and reference was made to the Queen’s Award for Enterprise or the introduction of a charter mark. Response – a credible ethical

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business award could be introduced that industry/business could sign up to. If high standards are to be maintained then such standards need to be included in the procurement process. Regarding the charter mark proposal this should not be overly bureaucratic as it may hinder small businesses

- Could a policy/research paper be produced, possibly involving the Local Government Association (LGA), to set out ethical business principles. This could potentially feed into policy forums and development. Response - This could be promoted by Sefton Council via the LGA
- An observation was made that the Council uses social value in its procurement processes. As an example, the recent £19m ICT tender was referred to which included a 5% social value element. This indicated that what the Council was seeking was reasonable and that the market was geared up for such contract specifications. Response – it is important that when contracts are awarded, in addition to financial and quality performance management, that the delivery of social value is also managed and reported. This enables the Council to demonstrate and champion what it does regarding social value
- This is agreed. Contract management is really important to ensure delivery of social value compliance; and publicity is good not only for the Council but for the service provider also. The nature of social value and what we gain is dependent on the contract, for example, highway management schemes could have a positive effect on carbon management and environmental/air quality measures
- The Council needs to be up-front and confident in what it does to instil trust and confidence in other sectors
- The aim of the Working Group is to develop an ethical business framework and when this is produced it can be shared with Bill Esterson

7.3 The Working Group also considered a revised statement of draft ethical business/investment principles prepared by the Head of Corporate Resources.

At the previous meeting held on 15 January 2019 Members had asked a range of questions and commented on the submitted statement of draft ethical business/investment principles and requested the Head of Corporate Resources to respond to the questions and comments. The revised statement considered by the Working Group contained the comments of the Head of Corporate Resources.

The Working Group suggested that the wording of the second paragraph could be strengthened in future years by the addition of the following words



“including the principle that investments in companies who are involved in the off-shore financial investment sector will be avoided”.

The revised statement of draft ethical business/investment principles would then read as follows:

“The Local Authority routinely invests surplus funds with third party organisations and institutions.

In deciding and then approving the counterparty list in which the Council will invest, the principles of security, liquidity and yield will always be the primary consideration in order to ensure compliance with statutory guidance. As part of this evaluation, the Council will consider ethical investment opportunities. Investments will be made in a responsible manner and exclude direct investment in organisations which do not contribute positively to society and the environment including the principle that investments in companies who are involved in the off-shore financial investment sector will be avoided.

In order for these organisations to be included on the Council’s counterparty list they will be evaluated against the same criteria as other counterparties. The Council’s Treasury Management Team will be continually engaged on progress in this sector, understanding where possible that Council investments and deposits are aligned with its core values – for example, generating income for social reinvestment.

This approach will be supported by considering the opportunity for ethical investments as part of the development of the annual Treasury Management Strategy and engaging with the Council’s Treasury Management Advisors as to whether any investment is contrary to the Council’s values.

The Local Authority publishes a list of its investments to ensure openness and transparency.”

The Working Group requested that the Head of Corporate Resources make arrangements, via the Council’s decision-making processes, to include the revised statement of draft ethical business/investment principles as referred to above in the Treasury Management Strategy in future documents.

8.0 WORKING GROUP MEETING – 16 APRIL 2019

8.1 The next phase of the Working Group’s activity focussed on ethical procurement including:

- Social value aspects of procurement and how social value is articulated in the Council’s procurement processes



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- What is the Council's current position regarding social value
- What opportunities are there for the Council regarding social value
- What appetite is there in the market for social value

8.2 Accordingly, Peter Moore, Head of Highways and Public Protection made a [presentation](#) to the Working Group on social value and social impact through procurement. Mr. Moore referred to the following:

- The legal position regarding social value in procurement as defined in the Public Services (Social Value) Act 2012; and the statutory duty to consider the social value of public services on contracts above the European Union procurement thresholds. Information was also referred to about the [Public Services \(Social Value\) Act 2012 – An Introductory Guide for Commissioners and Policymakers](#)
- The Sefton position regarding social value in procurement as defined in the [Contract Procedure Rules](#)
- An example of social value in procurement in Sefton in relation to NEET reduction and the Early Intervention Service for Young People
- Social impact from procurement. In connection with this reference was made to the Adult Social Care Domiciliary Care Services and the Ethical Care Charter
- The local strategy for social value opportunities including the increased emphasis in the refreshed Corporate Commissioning Framework and the Social Value Action Plan
- Opportunities arising from the Social Value Action Plan and the guiding principles that included catching up with those leading the field, going beyond compliance with the Public Services (Social Value) Act 2012, maximising the full breadth of Social Value outcomes and effectively measuring, monitoring and reporting delivery
- Opportunities associated with national themes of Jobs: Promote Local Skills and Employment; Growth: Supporting Growth of Responsible Regional Business; Social: Healthier, Safer and more Resilient Communities; Environment: Protecting and Improving Our Environment; and Innovation: Promoting Social Innovation; and their outcomes and measures
- Social value opportunities connected with the joined-up approach across the Liverpool City Region – LCR Procurement Hub and work undertaken with Proactis and the Social Value Portal to join-up the Chest, the National Themes, Outcomes and measures and the online Measurement Tool.

8.3 Members of the Working Group commented on the following issues:



- The appliance of social value to the National Planning Policy Framework
- Differences between public services and works contracts
- Social value in Sefton's Contract Procedure Rules
- How the service specification for the NEET project targeted the most deprived super output areas
- The accounting principles of social value
- The inclusion of living wage in contract specifications rather than minimum wage
- The promotion of themes, outcomes and measures through the Social Value Portal and [guidance](#) on the national themes, outcomes and measures framework 2019 for social value measurement

9.0 APPROVAL OF FINAL REPORT – OCTOBER 2019

Recommendations and the Final Report were approved by Working Group Members via email during October 2019. The agreed recommendations are set out in Paragraph 10 below.

10.0 RECOMMENDATIONS

10.1 Context for recommendations

The provision of a policy for the ethical business practices of the Council in respect of investment, procurement and commissioning.

The EU defines Corporate Social Responsibility (Ethical Business Practice) as 'the responsibility of enterprises for their impacts on society and organisations should have processes in place to integrate social, environmental, ethical and consumer concerns and ensure that these are embedded into their business operations and core strategy'.

The Working Group agreed that Corporate Social Responsibility is a good overarching context for improving social impact / social value, embracing the impact of: what we do; how we do it; and what others (contractors) do for us.

An example of how this can be achieved is by the attached flowchart [Delivering Social Value within a Corporate Social Responsibility Framework](#)

10.2 Public Sector and Corporate Social Responsibility

The nature of public sector services reflects many of the principles of Corporate Social Responsibility/Ethical Business Practice. To embed Corporate Social Responsibility/Ethical Business Practice an organisation needs to be operating in line with good Corporate Social Responsibility/

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Ethical Business Practice in its various roles as service provider, purchaser, employer and its engagement with the public as consumers, customers and clients.

For the purposes of the Working Group the term Ethical Business Practice was used which encompassed several key elements of Corporate Social Responsibility. The Working Group focussed on:

1. Proposing a revised **Ethical Investment** Policy/Strategy
2. Proposing a revised **Ethical Procurement** Policy/Strategy to embed Social Value

10.3 **Environmental Aspects of Corporate Social Responsibility**

There are also CSR Environmental aspects, e.g., reducing direct impact on the environment by managing waste, emissions and consumption of natural resources. The Working Group did not directly include this in its inquires, as it will be embedded through Green Sefton initiatives and can be included as part of the overall revision of updating policy on Corporate Social Responsibility/Ethical Business Practice.

10.4 **Ethical Investment Policy Statement**

Cabinet is recommended to request the Head of Corporate Resources to make arrangements, via the Council's decision-making processes, to include the revised statement of draft ethical business/investment principles as referred to below in the Treasury Management Strategy and to adopt it as part of the Council's Policy for investment:

ETHICAL INVESTMENT POLICY

"The Local Authority at times invests surplus funds with third party organisations and institutions and the Council's [core values](#) will play a major role in making investment decisions which will be aligned where possible to the following four overarching core principles;

- Sustainable and Responsible – manage the effect on the environment, community and for the good of society
- Value Based – invest in businesses that are aligned with the organisations core values;
- Maximising Impact – achieve a measurable positive, social or environmental impact, in addition to a financial return;
- Green – improving the environment."

In deciding and then approving the counterparty list in which the Council will invest, the principles of security, liquidity and yield will always be the primary consideration to ensure compliance with statutory guidance. As



part of this evaluation, the Council will consider ethical investment opportunities and identify and apply an appropriate weighting based on the Council's Core Values/overarching core principles.

Where the Council deposits surplus balances overnight or for a short-term, investments will be made with financial institutions in a responsible manner (aligned to the overarching core principles/councils core values) where possible and in accordance with advice from its Treasury Management Advisor. In the event that the Council has surplus balances that it can invest for the longer term (e.g. terms over 1 year) it will exclude direct investment in financial products that do not contribute positively to society and the environment. This will include the principle that investment in specific financial products whose performance is driven by off-shore trading, financial malpractice, debt swops, short selling, the arms trade and tobacco industry will be avoided. The same rigorous criteria will be used to assess whether investment in certain countries will be contrary to Sefton's [core values](#).

It is recommended that the Head of Corporate Resources, to assess whether investment in certain countries will be contrary to Sefton's [core values](#), give consideration to the exclusion of those countries on the [EU list of non-cooperative tax jurisdictions](#) (the black list and the grey list), which aims to tackle external risks of tax abuse and unfair tax competition, within the Council's Treasury Management Strategy.

In order for these organisations to be included on the Council's counterparty list they will be evaluated against the same criteria as other counterparties and assessed against the Council's core values and ethical business and investment principles/policy, including the ethical weighting to ensure balance and investments are aligned with the new policy.

The Council's Treasury Management Team will be continually engage on progress in this sector, understanding where possible that Council investments and deposits are aligned with its core values – for example, generating income for social reinvestment and not investing in such companies as highlighted above.

This approach will be supported by considering the opportunity for ethical investments as part of the development of the annual Treasury Management Strategy and engaging with the Council's Treasury Management Advisors as to whether any investment is contrary to the Council's values (including the ethical investment weighting). A specific section in the annual Treasury Management report will cover how the adopted ethical investment strategy is being applied to investment decisions.

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The Local Authority publishes a list of its investments to ensure openness and transparency.”

10.5 Ethical Procurement Policy (including Social Value)

Context for policy

The legal position regarding social value in procurement as defined in the Public Services (Social Value) Act 2012; and the statutory duty to consider the social value of public services on contracts above the European Union procurement thresholds.

The position regarding social value in procurement as defined in the [Contract Procedure Rules](#)

The Working Group recognised much of the good work already taking place in relation to the above and the policy should focus on continuous improvement.

- 10.6 Cabinet is recommended to request the Head of Strategic Support to make arrangements, via the Council’s decision-making processes, to adopt the following revised statements of ethical procurement principles/policy.

ETHICAL PROCUREMENT POLICY

“The Local Authority routinely procures goods and services with a range of providers and the Council’s [core values](#) will play a major role in making procurement decisions which will be aligned where possible to the following four overarching core principles;

- Sustainable and Responsible – manage the effect on the environment, community and for the good of society
- Value Based – work with businesses that are aligned with an organisations core values;
- Maximising Impact – achieve a measurable positive, social or environmental impact, as a result of a contract;
- Green – improving the environment.”

Procurement will enhance Social impact/value, including opportunities associated with national themes of Jobs: Promoting Local Skills and Employment; Growth: Supporting Sustainable Growth of Responsible Regional Business; Social: Healthier, Safer and more Resilient Communities; Environment: Protecting and Improving Our Environment; and Innovation: Promoting Social Innovation; and their outcomes and measures.

Implement and enhance a Procurement Strategy, based on the Local Government Association (LGA) National Procurement Strategy providing



an effective mechanism for improving the social impact/social value from our contracted providers, particularly its focus on “Achieving Community Benefit”, which includes “obtaining social value”.

The local strategy for social value opportunities to include the increased emphasis in the refreshed Corporate Commissioning Framework and on developing an updated Social Value Action Plan.

Implement a stand-alone phased two-year Social Value Action Plan to include the guiding principles of catching up with those leading the field, going beyond compliance with the Public Services (Social Value) Act 2012, maximising the full breadth of Social Value outcomes and effectively measuring, monitoring and reporting delivery.

The Social Value Action plan will address the areas for development identified through the self-assessment against the LGA strategy and include tangible, clear, measurable, timebound targets to improve social value.

Maximise Social value opportunities connected with the joined-up approach across the Liverpool City Region – LCR Procurement Hub and work undertaken with Proactis and the Social Value Portal to join-up the Chest, the National Themes, Outcomes and measures and the online Measurement Tool”.

10.7 **Social Value Action Plan**

Cabinet is recommended to request the Head of Strategic Support to make arrangements, via the Council’s decision-making processes, to develop, adopt and implement a Social Value Action Plan in line with the following:

SOCIAL VALUE ACTION PLAN

“The guiding principles for development of our approach to Social Value are to catch up with those leading the field; Go beyond compliance with the Public Services (Social Value) Act 2012; maximise full breadth of Social Value outcomes; and effectively measure, monitor and report delivery.

Self-assessment against “Obtaining Social Value” in the LGA National Strategy will provide a framework whereby we can evaluate what we already do and identify areas for improvement including assessment against the following statements, “the extent to which...”:

- the requirements of the Social Value Act are embedded into corporate policy;
- social value awareness is embedded across all management levels;

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- social value themes, outcomes and measures are reported and used (including evaluating the usefulness of social accounting quantitative measures to evaluate impact);
- social value requirements are embedded in the commissioning process;
- social value requirements are embedded in the procurement process;
- obtaining social value is part of engagement and third-party relationships;
- social value requirements in contracts are managed;
- social value is embedded in a wider collaborative environment;
- obtaining social value is communicated and reported;
- social value is embedded and managed in the commissioning and procurement process.
- These can all be addressed within the scope of the guiding principles, through specific, tangible and time-bound actions in a Procurement/Social Value Action Plan.”

The policy will be reviewed on completion of the SV action Plan



11.0 DOCUMENTATION CONSIDERED BY THE WORKING GROUP

11.1	Scoping Document considered at the meeting held on 20 November 2018
11.2	Ethical Standards for Providers of Public Services – guidance produced by Committee on Standards in Public Life considered at the meeting held on 20 November 2018
11.3	The Continuing Importance of Ethical Standards for Public Service Providers produced by Committee on Standards in Public Life considered at the meeting held on 20 November 2018
11.4	Sefton Construction Charter considered at the meeting held on 20 November 2018
11.5	minute and report considered by the Audit and Governance Committee at its meeting held on 19 September 2018 in relation to Treasury Management – considered at the meeting on 20 November 2018
11.6	presentation considered at the meeting held on 17 December 2018
11.7	Birmingham Business Charter for Social Responsibility considered at the meeting held on 17 December 2018
11.8	Dudley Suppliers Code of Practice considered at the meeting held on 17 December 2018
11.9	Preston Fairness Charter considered at the meeting held on 17 December 2018 and referred to by Bill Esterson M.P. at the meeting held on 15 February 2019
11.10	draft ethical investment principles considered at the meeting held on 15 January 2019
11.11	deal between Hermes’ and the GMB union referred to by Bill Esterson M.P. at the meeting held on 15 February 2019
11.12	Future of the Corporation referred to by Bill Esterson M.P. at the meeting held on 15 February 2019
11.13	presentation to the Working Group meeting held on 16 April 2019 on social value and social impact through procurement
11.14	Public Services (Social Value) Act 2012 – An Introductory Guide for Commissioners and Policymakers referred to at the meeting held on 16 April 2019
11.15	guidance on the national themes, outcomes and measures framework 2019 for social value measurement referred to at the meeting held on 16 April 2019
11.16	Contract Procedure Rules referred to at the meeting held on 16 April 2019
11.17	Council’s core values
11.18	Delivering Social Value within a Corporate Social Responsibility Framework As referred to in paragraph 10.1 of the recommendations
11.19	EU list of non-cooperative tax jurisdictions as referred to in the Ethical Investment Policy

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12. ACKNOWLEDGEMENTS AND THANKS

In producing the Council's Ethical Business Practices Working Group Final Report the acknowledgements and thanks are attributed to the following individuals and organisations for their time and input:

Stephan Van Arendsen, Head of Corporate Resources

Mark Chambers, Service Manager - Finance

Bill Esterson M.P.

Peter Moore, Head of Highways and Public Protection

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



Councillor Patrick McKinley
Lead Member, Ethical
Business Practices Working
Group



Councillor Sue Bradshaw



Councillor Mhairi Doyle



Councillor Nina Killen





Councillor John Sayers



Councillor Yvonne Sayers

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For further Information please contact:

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Sefton Council 

**Overview
& Scrutiny**



Report to:	Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)	Date of Meeting:	14 January 2020
Subject:	Work Programme 2019/20, Scrutiny Review Topics and Key Decision Forward Plan		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	All
Cabinet Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek the views of the Committee on the Work Programme for 2019/20, identify potential topics for scrutiny reviews to be undertaken by a Working Group(s) appointed by the Committee; identify any items for pre-scrutiny by the Committee from the Key Decision Forward Plan; and receive an update on the Liverpool City Region Combined Authority Overview and Scrutiny Committee.

Recommendation:

That:

- (1) the Work Programme for 2019/20, 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 deferral of the presentation updating on the on the Commissioning and the Procurement Policy from this meeting to the meeting to be held on 3 March 2020 be approved;
- (3) Consideration be given to the establishment of a Working Group and the appointment of Members to serve on it;
- (4) 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; and
- (5) the update on the Liverpool City Region Combined Authority Overview and Scrutiny Committee be noted.

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Reasons for the Recommendation(s):

To consider the Work Programme of items to be considered during the Municipal Year 2019/20 and identify scrutiny review topics which would demonstrate that the work of the Overview and Scrutiny 'adds value' to the Council. To comply with a decision of the Committee to update on the Liverpool City Region Combined Authority Overview and Scrutiny Committee.

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:

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

Contribution to the Council's Core Purpose:

Protect the most vulnerable: None directly applicable to this report but reference in the Work Programme to the approval of, and monitoring of recommendations contained in Digital inclusion Working Group Final Report will help with the aim of ensuring that people have the capability to use the internet to do things that benefit them on a day to day basis - whether they be individuals, businesses or other entities e.g. the voluntary sector; and aim to reduce digital exclusion and the digital divide that can exist within society for a variety of reasons.
Facilitate confident and resilient communities: None directly applicable to this report. See reference to the Digital Inclusion Working Group referred to above.
Commission, broker and provide core services: None directly applicable to this report but reference in the Work Programme to the presentation on the update on the Commissioning and the Procurement Policy will raise awareness of associated issues with Members. The Working Group established by the Committee to review the Council's Ethical Business Practices will look into ethical procurement.

See also reference to the Digital Inclusion Working Group referred to above.
Place – leadership and influencer: None directly applicable to this report.
Drivers of change and reform: None directly applicable to this report. See reference to the Digital Inclusion Working Group referred to above.
Facilitate sustainable economic prosperity: None directly applicable to this report. See reference to the Digital Inclusion Working Group referred to above.
Greater income for social investment: None directly applicable to this report.
Cleaner Greener: None directly applicable to this report but reference in the Work Programme to the submission of the report on Air Quality Monitoring will raise awareness of associated issues with Members.

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.

Contact Officer:	Paul Fraser
Telephone Number:	0151 934 2068
Email Address:	Paul.fraser@sefton.gov.uk

Appendices:

The following appendices are attached to this report:

- Overview and Scrutiny Committee Work Programme for 2019/20 – Appendix 1
- Criteria Checklist for Selecting Topics for Review – Appendix 2
- Latest Key Decision Forward Plan items relating to this Overview and Scrutiny Committee – Appendix 3

Background Papers:

There are no background papers available for inspection.

Introduction/Background

1. WORK PROGRAMME 2019/20

- 1.1 The Work Programme of items to be submitted to the Committee for consideration during the Municipal Year 2019/20 is set out in Appendix 1 to the report. The programme has been produced in liaison with the appropriate Heads

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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 2019/20 and updated, as appropriate.

- 1.3 Update on Commissioning and the Procurement Policy

The Work Programme indicate that a presentation will be made to this meeting of the Committee updating on the on the Commissioning and the Procurement Policy. The Council has recently appointed a new Procurement Manager and it is recommended that this presentation be now deferred to the meeting to be held on 3 March 2020.

- 1.4 Members' Welfare Reform Reference Group – Update

As Members will know it was agreed that an update be submitted to each meeting of the Committee on the Members' Welfare Reform Reference Group. However, the last meeting of the Reference Group was postponed due to illness / absence from elected Members. Accordingly, there is nothing to report to this meeting of the Committee.

- 1.5 The Committee is requested to comment on the Work Programme for 2019/20; note that additional items may be submitted to the Programme at future meetings of the Committee during this Municipal Year; and approve the deferral of the presentation updating on the on the Commissioning and the Procurement Policy to the meeting to be held on 3 March 2020.

2. SCRUTINY REVIEW TOPICS 2019/20

- 2.1 It is usual practise for the Committee to appoint a Working Group(s) to undertake a scrutiny review of services during the Municipal Year.

- 2.2 Last year the Committee agreed to establish a Working Group to review the topic of the Council's Ethical Business Practices. This review has now been completed and a report is elsewhere on the agenda seeking approval of the Working Group's final report.

- 2.3 The Committee's views are sought on the establishment of a new Working Group; and the appointment of Members to serve on it.

- 2.4 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.

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

- 3.1 Members may request to pre-scrutinise items from the Key Decision Forward Plan which fall under the remit (terms of reference) of this Committee. The Forward Plan which is updated each month, sets out the list of items to be submitted to the Cabinet for consideration during the next four-month period.

- 3.2 The pre-scrutiny process assists 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 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.

4. LIVERPOOL CITY REGION COMBINED AUTHORITY OVERVIEW AND SCRUTINY COMMITTEE

- 4.1 During the last cycle of meetings, the Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees considered a report on the guidance produced by the Ministry of Housing, Communities and Local Government relating to Overview and Scrutiny in Local and Combined Authorities following on from the Communities and Local Government Select Committee's inquiry into Overview and Scrutiny. This Committee considered the matter at its meeting held on 22 October 2019 (Minute No. 20).
- 4.2 The Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees all agreed the recommendations contained in the report, one of which being that updates on Liverpool City Region Combined Authority Overview and Scrutiny Committee (LCRCAO&S) be included in the Work Programme report considered at each Overview and Scrutiny Committee meeting.
- 4.3 In accordance with the above decision, information on the LCRCAO&S is set out below.

4.4 Role

The Overview and Scrutiny Committee was established by the Combined Authority in May 2017 in accordance with the Combined Authorities Order 2017.

The role of the Overview and Scrutiny Committee is to:

- Scrutinise the decision and actions taken by the Combined Authority or the Metro Mayor;

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- Provide a 'critical friend to policy and strategy development;
- Undertake scrutiny reviews into areas of strategic importance for the people of the Liverpool City Region; and
- Monitor the delivery of the Combined Authority's strategic plan.

4.5 **Membership**

The Committee is made up of 3 elected Members from each of the constituent Local Authorities of the LCR Combined Authority, along with one elected Member from both the Liverpool City Region Liberal Democrat Group and the Liverpool City Region Conservative Group.

Sefton's appointed Members are Councillors Dowd, Howard and Marshall. Councillor Dowd is Sefton's Scrutiny Link.

Councillors Pugh and Sir Ron Watson are the respective representatives of the Liverpool City Region Liberal Democrat Group and the Liverpool City Region Conservative Group.

4.6 **Chair**

The Chair of the LCRCAO&S cannot be a Member of the majority group. Councillor Thomas Crone, a Green Party Councillor serving on Liverpool City Council has been appointed Chair for the 2019/20 Municipal Year.

4.7 **Quoracy Issues**

A high number of meetings of the LCRCAO&S have been inquorate.

The quorum for meetings of the LCRCAO&S is 14, two-thirds of the total number of members, 20. This high threshold is not set by the Combined Authority but is set out in legislation.

The Combined Authority's Monitoring Officer will be looking to work with the Monitoring Officers from the other Combined Authorities to identify what problems they are experiencing with Scrutiny and how/if they had overcome them. Representations to Government would also be considered once all options locally to resolve the quorum issue had been exhausted. The CA Monitoring Officer would then be able to provide evidence to Government that the quorum level was obstructing the work of scrutiny within the CA.

4.8 **Meetings**

Information on all meetings and membership of the LCRCAO&S can be obtained using the following link

<https://moderngov.merseytravel.gov.uk/ieListMeetings.aspx?CId=365&Year=0>

6 November 2019

The last meeting of the LCRCAO&S was scheduled to be held on 6 November 2019. However, this meeting was inquorate and its business could not be formally transacted. Nonetheless, because Members were in attendance the items were discussed. Members received an update from the Metro Mayor Steve

Rotherham and considered reports on updating on the Liverpool City Region Housing Statement; the Liverpool City Region Housing First Service; and Apprenticeships.

15 January 2020 – Budget Meeting

The next meeting of LCRCAO&S will be held on 15 January 2020. The meeting will be asked to consider the budget proposals for 2020/21 to be agreed by the Combined Authority; and to make recommendations to the Metro Mayor and the Liverpool City Region Combined Authority in respect of the proposals.

Details of both meetings can be obtained using the link referred to above.

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**OVERVIEW AND SCRUTINY COMMITTEE (REGULATORY, COMPLIANCE AND CORPORATE SERVICES)
WORK PROGRAMME 2019/20**

	18 JUNE 19	10 SEPTEMBER 19	22 OCTOBER 19	14 JANUARY 20	11 FEBRUARY 20 (BUDGET MEETING)	3 MARCH 20
Cabinet Member Update Report Paul Fraser	X	X	X	X		X
Work Programme Update Paul Fraser	X	X	X	X		X
Service Operational Reports:						
Review of the Council Tax Reduction Scheme Stephan Van Arendsen				X		
“Manage my Requests” (iCaseWork) system – Statistical Update Report Jan McMahon			X			
Members’ Welfare Reform Reference Group – Update Matt Ashton		X	X	X		X
Climate Emergency Stephan Van Arendsen					X	X
Scrutiny Review Progress Reports:						
Air Quality Monitoring Peter Moore				X		
Public Health Annual Report on Air Quality Helen Armitage				X		
Disciplinary and Grievance Procedures and Sickness Absence						X

Monitoring Mark Dale						
Area Committees Working Group – Update on Community Chat Events Paul Fraser	x					
Digital Inclusion Working Group – Update on Recommendations Paul Fraser			x			
Update on Progress of LCR Digital Inclusion Strategy Stuart Barnes						x
Effectiveness of Local Authority Overview and Scrutiny Committees – Government Response to DCLG Select Committee Report Paul Fraser		x				
“Tool-Kit” for Armed Forces Covenant Shaun Pimblett	x					
Financial Scrutiny:						
Budget Report 2020/21 to 2022/23 Stephan Van Arendsen					x	
Financial Performance Monitoring Stephan Van Arendsen		x	x		x	
Prudential Code for Capital Finance in Local Authorities – Prudential Indicators Stephan Van Arendsen					x	

Treasury Management Policy and Strategy Stephan Van Arendsen					x	
Capital Strategy 2020/21 and Future Years Stephan Van Arendsen					x	
Asset Management Strategy and Asset Disposal Policy Stephan Van Arendsen					x	
Robustness of the 2020/21 Budget Estimates and the Adequacy of Reserves – local Government Act 2003 – Section 25 Stephan Van Arendsen					x	
Presentations						
Update on Commissioning and the Procurement Policy Jan McMahon				x		
Social Media Use and Effectiveness Elena Lloyd						x

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APPENDIX 2

CRITERIA CHECKLIST FOR SELECTING TOPICS FOR REVIEW

Criteria for Selecting Items
▪ 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

Potential Criteria for Rejecting Items
▪ 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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SCRUTINY CHECKLIST DO'S AND DON'TS

DO
◆ Remember that Scrutiny <ul style="list-style-type: none">◆ Is about learning and being a "critical friend"; it should be a positive process◆ Is not opposition
◆ 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

◆ DON'T
◆ 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,

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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 FEBRUARY 2020 - 31 MAY 2020

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

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

- 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

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:-

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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 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.

Dwayne Johnson
Chief Executive

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FORWARD PLAN INDEX OF ITEMS

Item Heading	Officer Contact
Ainsdale Neighbourhood Centre	Suzanne Rimmer suzanne.rimmer@sefton.gov.uk
Ethical Business Practices Working Group Final Report	Paul Fraser paul.fraser@sefton.gov.uk Tel: 0151 934 2068
Revenue and Capital Budget Update 2019/20 - February	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106
Revenue and Capital Budget Plan 2020/21 – 2022/23 and Council Tax 2020/21	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106
Capital Strategy 2020/21 to 2024/25	Graham Hussey graham.hussey@sefton.gov.uk Tel: 0151 934 4100
The Prudential Code for Capital Finance in Local Authorities - Prudential Indicators 2020/21	Graham Hussey graham.hussey@sefton.gov.uk Tel: 0151 934 4100
Robustness of the 2020/21 Budget Estimates and the Adequacy of Reserves – Local Government Act 2003 - Section 25	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106
Treasury Management Policy and Strategy 2020/21	Graham Hussey graham.hussey@sefton.gov.uk Tel: 0151 934 4100
Revenue and Capital Budget Update 2019/20 - March	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	Ainsdale Neighbourhood Centre To consider proposals associated with the Ainsdale Neighbourhood Centre			
Decision Maker	Cabinet			
Decision Expected	6 Feb 2020 Decision due date for Cabinet changed from 09/01/2020 to 06/02/2020. Reason: to enable further consultations to be undertaken			
Key Decision Criteria	Financial	Yes	Community Impact	No

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Exempt Report	Fully exempt (Paragraphs 3 and 4)
Wards Affected	Ainsdale
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services
Persons/Organisations to be Consulted	Growth and Strategic Investment Programme; Strategic Capital Investment Group (SCIG)
Method(s) of Consultation	Meetings and emails
List of Background Documents to be Considered by Decision-maker	Ainsdale Neighbourhood Centre
Contact Officer(s) details	Suzanne Rimmer suzanne.rimmer@sefton.gov.uk

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	Ethical Business Practices Working Group Final Report To present formally the final report of the Ethical Business Practices Working Group			
Decision Maker	Cabinet Council			
Decision Expected	6 Feb 2020 27 Feb 2020			
Key Decision Criteria	Financial	No	Community Impact	Yes
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services			
Persons/Organisations to be Consulted	Head of Strategic Support; Head of Highways and Public Protection			
Method(s) of Consultation	Meetings and emails			
List of Background Documents	Ethical Business Practices Working Group Final Report			

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to be Considered by Decision-maker	
Contact Officer(s) details	Paul Fraser paul.fraser@sefton.gov.uk Tel: 0151 934 2068

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	Revenue and Capital Budget Update 2019/20 - February Budget Monitoring Position for Revenue and Capital (based on December 2019)			
Decision Maker	Cabinet			
Decision Expected	6 Feb 2020			
Key Decision Criteria	Financial	Yes	Community Impact	Yes
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services			
Persons/Organisations to be Consulted	Cabinet, Chief Executive, Strategic Leadership Board, Trade Unions, Staff and relevant organisations as appropriate.			
Method(s) of Consultation	Individual budget saving options / amendments to the budget will be subject to consultation – internal and external to the Council (as appropriate).			
List of Background Documents to be Considered by Decision-maker	Revenue and Capital Budget Update 2019/20			
Contact Officer(s) details	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106			

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	Revenue and Capital Budget Plan 2020/21 – 2022/23 and Council Tax 2020/21 To approve the Revenue and Capital Budget Plan for
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	2020/21 – 2022/23, including individual budget options, external funding levels and other budget changes.			
Decision Maker	Cabinet Council			
Decision Expected	13 Feb 2020 27 Feb 2020			
Key Decision Criteria	Financial	Yes	Community Impact	Yes
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services			
Persons/Organisations to be Consulted	Cabinet, Chief Executive, Strategic Leadership Board, Trade Unions, Staff and relevant organisations as appropriate.			
Method(s) of Consultation	Individual budget saving options / amendments to the budget will be subject to appropriate consultation – internal and external to the Council (as appropriate).			
List of Background Documents to be Considered by Decision-maker	Revenue and Capital Budget Plan 2020/21 – 2022/23 and Council Tax 2020/21			
Contact Officer(s) details	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106			

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<p>Capital Strategy 2020/21 to 2024/25</p> <p>This report sets out the long-term context in which capital expenditure and investment decisions will be made and considers the impact of these decisions on the priorities within the Council's Core Purpose and Framework for Change Programme and the promises made in the 2030 Vision for Sefton.</p>
Decision Maker	Cabinet

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	Council			
Decision Expected	13 Feb 2020 27 Feb 2020			
Key Decision Criteria	Financial	Yes	Community Impact	No
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services			
Persons/Organisations to be Consulted	Chief Legal and Democratic Officer			
Method(s) of Consultation	Internal consultation with officers.			
List of Background Documents to be Considered by Decision-maker	Capital Strategy 2020/21 to 2024/25			
Contact Officer(s) details	Graham Hussey graham.hussey@sefton.gov.uk Tel: 0151 934 4100			

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<p>The Prudential Code for Capital Finance in Local Authorities - Prudential Indicators 2020/21</p> <p>This report sets out the prudential indicators for the forthcoming and following years. This will enable the Council to effectively manage its Capital Financing activities, and comply with the CIPFA Prudential Code for Capital Finance in Local Authorities.</p>
Decision Maker	<p>Cabinet</p> <p>Council</p>
Decision Expected	13 Feb 2020 27 Feb 2020

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Key Decision Criteria	Financial	Yes	Community Impact	No
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services			
Persons/Organisations to be Consulted	Chief Legal and Democratic Officer			
Method(s) of Consultation	Internal consultation with officers.			
List of Background Documents to be Considered by Decision-maker	The Prudential Code for Capital Finance in Local Authorities - Prudential Indicators 2020/21			
Contact Officer(s) details	Graham Hussey graham.hussey@sefton.gov.uk Tel: 0151 934 4100			

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	<p>Robustness of the 2020/21 Budget Estimates and the Adequacy of Reserves – Local Government Act 2003 - Section 25</p> <p>To comply with statute, the Chief Financial Officer is required to report to Council prior to the approval of the budget and the setting of the Council Tax, to give assurance that the budget is robust and that there are adequate reserves and balances.</p>			
Decision Maker	<p>Cabinet</p> <p>Council</p>			
Decision Expected	<p>13 Feb 2020</p> <p>27 Feb 2020</p>			
Key Decision Criteria	Financial	Yes	Community Impact	Yes
Exempt Report	Open			

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Wards Affected	All Wards
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services
Persons/Organisations to be Consulted	Cabinet, Chief Executive, Strategic Leadership Board, Trade Unions, Staff and relevant organisations as appropriate.
Method(s) of Consultation	Individual budget saving options / amendments to the budget will be subject to appropriate consultation – internal and external to the Council (as appropriate).
List of Background Documents to be Considered by Decision-maker	Robustness of the 2020/21 Budget Estimates and the Adequacy of Reserves – Local Government Act 2003 - Section 25
Contact Officer(s) details	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	Treasury Management Policy and Strategy 2020/21 The Council has adopted CIPFA's Code of Practice on Treasury Management in the Public Services. The Code requires that the Council sets a policy and strategy for the effective operation of the Council's Treasury Management function during the financial year. This report sets out the Treasury Management Policy, Treasury Management Strategy and the Minimum Revenue Provision (MRP) statement for 2020/21.			
Decision Maker	Cabinet Council			
Decision Expected	13 Feb 2020 27 Feb 2020			
Key Decision Criteria	Financial	Yes	Community Impact	No
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services			

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Persons/Organisations to be Consulted	Chief Legal and Democratic Officer; Link Asset Services
Method(s) of Consultation	Internal consultation with officers and external with treasury advisor.
List of Background Documents to be Considered by Decision-maker	Treasury Management Policy and Strategy 2020/21
Contact Officer(s) details	Graham Hussey graham.hussey@sefton.gov.uk Tel: 0151 934 4100

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

Details of Decision to be taken	Revenue and Capital Budget Update 2019/20 - March Budget Monitoring Position for Revenue and Capital (based on January 2020)			
Decision Maker	Cabinet			
Decision Expected	5 Mar 2020			
Key Decision Criteria	Financial	Yes	Community Impact	Yes
Exempt Report	Open			
Wards Affected	All Wards			
Scrutiny Committee Area	Regulatory, Compliance and Corporate Services			
Persons/Organisations to be Consulted	Cabinet, Chief Executive, Strategic Leadership Board, Trade Unions, Staff and relevant organisations as appropriate.			
Method(s) of Consultation	Individual budget saving options / amendments to the budget will be subject to consultation – internal and external to the Council (as appropriate).			
List of Background Documents to be Considered by Decision-maker	Revenue and Capital Budget Update 2019/20			
Contact Officer(s) details	Paul Reilly paul.reilly@sefton.gov.uk Tel: 0151 934 4106			

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Report to:	Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)	Date of Meeting:	14 January 2020
Subject:	Cabinet Member Report – October 2019 to January 2020		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	All
Cabinet Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To submit the Cabinet Member - Regulatory, Compliance and Corporate Services report for the period October 2019 to January 2020 relating to the remit of the Overview and Scrutiny Committee.

Recommendation:

That the Cabinet Member - Regulatory, Compliance and Corporate Services report relating to the remit of the Overview and Scrutiny Committee be noted.

Reasons for the Recommendation:

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

Alternative Options Considered and Rejected:

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

What will it cost and how will it be financed?

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

(A) Revenue Costs – see above

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(B) Capital Costs – see above

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
Legal Implications:
Equality Implications: 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 Lappin's portfolio during a previous two/three-month period. Any reports relevant to her 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.

Contact Officer:	Paul Fraser
Telephone Number:	0151 934 2068
Email Address:	paul.fraser@sefton.gov.uk

Appendices:

Cabinet Member - (Regulatory, Compliance and Corporate Services) update report

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board has agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees.
- 1.2 The most recent Cabinet Member report for the Regulatory, Compliance and Corporate Services portfolio is attached.

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CABINET MEMBER REPORT		
Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) - 21 January 2020		
Councillor	Portfolio	Period of Report
Paulette Lappin	Regulatory, Compliance and Corporate Services	January 2020

CORPORATE SUPPORT SERVICES

Strategic Support Unit

Strategic Support's main priority continues to be the support and project management of the Public-Sector Reform projects. All the open projects and sub-projects are being supported. An evaluation workshop has been planned for the end of January 20 to review progress and capture lessons learned which can be applied to future projects.

The team are continuing to support the refresh of the Health & Wellbeing Strategy, Children and Young People's Plan, SEND Joint Commissioning Framework and other key initiatives.

At the end of October, Strategic Support co-ordinated and supported the first Mental Health Centre of Excellence workshop held at Crosby Lakeside. Mental health professionals were able to share their learning and consider opportunities to collaborate to improve the health and wellbeing of our residents.

The team continues to support the monthly drop in sessions for the Innovation, Challenge and Improvement (ICI) Factory, which provides staff with an opportunity to suggest ideas about how we could do things better for our customers and residents. There has been an increase in applications from staff to present at the sessions and actions following presentations are being tracked to ensure they are progressed.

Strategic Support co-ordinated and project managed another successful afternoon at the Star Awards on 15th November, alongside One Council volunteers. This fantastic event has gone from strength to strength and the team will now begin planning for the next Award ceremony which takes a great deal of preparation and co-ordination.

Strategic Support attended a Sefton Parent Carers event on 21st November to provide support with the completion of a survey for parents/carers of children and young people with Special Educational Needs and /or Disabilities (SEND) to capture their views on Education, Health and Social Care services and the information and support that is currently received.

As part of improving accessible information, we have requested volunteers from Service Areas to become Accessible Information Advocates. 10 staff have shown an interest to date and meetings have taken place to support them in their volunteering role. This group will continue to meet and hope that there are more volunteers who will join in the group in the new year who will help to raise awareness of different communication needs and get involved in developing training to be shared with others and therefore contribute to improving outcomes for Sefton residents.

Strategic Support facilitate and support the Get Involved Group for self-advocates with Learning Disabilities. In the November meeting, they staged a mock election in Bootle Town Hall. This included recreating a polling station with a voting booth, ballot papers and a ballot box. The members at the meeting were told about the importance of voting, how to register to vote (including proxy and postal voting) and what happens in a polling station. The vote was carried out, counted and the winner (Mr Happy) was

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The Commissioning Support Team

The team continues to lead and support several key commissioning projects/activities, PSR projects: - Personalisation, Acute Wrap around, also providing children's placements and Quality Assurance activity.

Priorities agreed with Interim Director of Adult Social Services and Interim Director of Children's Services include:

- Supporting fee increases for the full range of Adult Social Care provision for 2020-21, will commence early in the new year. This will include coordination of requests, understanding costs to inform increases and a range of consultation with providers, compiling a cabinet report to gain approval for the increases once consultation is complete.
- Supported Living and Community Support Provision, Cabinet has now approved the commencement of the procurement processes and re-commissioning of these services. The plan is for new contracts to be in place for September 2020.
- A pilot has been agreed to use assistive technology in a number of Supported Living Schemes to aid understanding of needs around sleep in provision and assess best use of AT in the future.
- Performance management of domiciliary care and re-enablement to support effective hospital discharges including delivery of the capital programme in order to offset demand in services, support to embed a single-handed care approach alongside social workers and occupational therapists. A new rapid response provision has been agreed with Sefton New Directions which will complement the Re-enablement provision and aid swift hospital discharge. Progress is being made with the single-handed care process which reduces the need for invasive support for people in receipt of care.
- Capital grant to care homes will commence in the new year, with a process being developed for applications and management of this.
- Procurement of statutory advocacy services and working with Healthwatch and Sefton Carers Centre to improve the specification for the services.
- Supporting provider engagement and exploring good practice.
- Contributing to the re-procuring leaving care framework being led by North West Placements.
- Exploring the benefits of joining a new North West purchasing system for education placements.
- In addition, the team will be providing support in developing a draft joint commissioning strategy for SEND provision, the Children's plan and commissioning vision.

The Quality Team have been involved in and coordinated several multi-agency monitoring and safeguarding responses, ensuring that services are being provided in safe and effective ways to vulnerable people. The quality of care homes in Sefton has continued to improve with no homes currently in receipt of a rating of inadequate, however a focus will be maintained across homes rated requires improvement. The team and its processes were recently subject to an audit by the Merseyside Safeguarding Executive Board and obtained a good rating.

The Interim Director of Adult Social Care and the Commissioning Support Team led a piece of work earlier in the year to introduce a new way of funding care for people who have complex needs. This project was submitted for national recognition and we have been recently notified that we had been successful in the Local Government Chronicle awards for the work to develop individual service user funds. Councils who have been shortlisted for an LGC award are among the most innovative and their innovation helps provide the best services for residents. The award nomination is for thinking of new ways to deliver the best services and individual service user funds are away to enable people to have choice and control over the services they receive. The winners will be announced in March 2020.

The team continues to work closely with the other Liverpool City Region teams to share and develop good practice.

The Procurement Team:

The Procurement team continues to lead on procurement activity across the whole Council and has over 60 procurement exercises valued in excess of £30m at differing stages on the current work plan. Many of these are complex procurement exercises that exceed the OJEU procurement thresholds. The team continues to work closely with all service areas and has introduced quarterly reporting aimed at improving the forward planning of procurement activity across the Council.

The new Procurement Manager joined the organisation in December 2019. The role will strengthen the Procurement teams strategic involvement in shaping future sourcing strategies.

The Central Procurement team continue to be involved in working closely with the other Liverpool City Region Procurement teams looking for opportunities to collaborate on best practice, service transformation and consolidation of spend.

Key projects currently being undertaken through the team include:

- Radar coastal monitoring programme (collaborative procurement led by Sefton Council)
- Stop smoking service
- Domiciliary care for adults including older people (Areas 4 and 5) framework call off
- Supported and independent living (collaborative procurement led by Bolton Council)
- HR and payroll system
- Vehicle parts
- Liquid fuels (call off from YPO framework)
- Insurance
- Cycle path improvements
- Self-employed instrument / vocal tutors dynamic framework for schools

Performance & Business Intelligence Function.

The Service has:

- Provided performance presentation and producing performance reports for the Youth Offending Board.
- Completed new operational and strategic performance dashboards for Early Help / Localities service.
- Introduced a new member of the team, who will focus on supporting the Troubled Families programme and supporting the identification of validated claims requirement for period.
- Developed new safeguarding and contacts dashboards for Adult Social Care.
- Begun work preparing for the statutory ASC client survey.
- Updated the 'delayed transfers of care' monitoring database.
- Redesigned the Children's performance monitoring dashboard.
- Completed the statutory Children's Social Care Workforce return.
- Produced data and infographics for the Public Health Service in support of the re-refresh of the Health & Wellbeing Strategy.
- Completed and distributed education performance information packs for all secondary and primary schools, including cluster groups.

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- Produced 2019 performance summary reports covering all educational attainment, from Early Years to Post 16 (EYFS, Phonics, KS1, KS2, KS4, & KS5)
- Produced detailed mapping of child placement information relating to Lydiate Primary School.
- Produced detailed analysis of pupil information and performance for the 'Impact' Pupil Referral Unit.
- Continued to respond to 'ad hoc' requests for information, including Freedom of Information requests, service operational support.
- Continued to develop the operational performance dashboard to track SEND performance for requests for assessment, planning and issue of EHCPs.
- Analysed the data on the Council's local welfare scheme, identifying demographic areas of significant demand to inform intervention strategies.
- Analysed data about complaints to the Council for the previous 12-month period, identifying volumes by services, departments and teams.
- Continued to lead on the consultation and stakeholder engagement on behalf of the Council, including the Health & Wellbeing Strategy, SEND services baseline survey and air quality survey.

The immediate priorities for the Service are:

- Supporting the response to the DfE in respect of SEND continuous improvement by providing timely and accurate performance data.
- Developing the new Corporate Performance Framework.
- Implementation of a 'sandpit' enterprise data warehouse, which will be a test system and central repositories of integrated data from one or more disparate sources used for reporting and data analysis.
- Support the categorising and processing of existing legacy paper records in the SEND department.
- Analysis of the responses to the consultation Health & Wellbeing Strategy, SEND services baseline survey and air quality survey.

The Service continues to:

- Support PSR programme and the day-to-day performance management of key services across the Council by analysing and providing data, producing detailed reports which generate valuable insight and supports better business decision making.
- Support the transition of the Council's ELAS services into the Benefits Service, monitoring the impact of the local Universal Credit full service roll-out and ensuring that those residents affected by welfare reform, low or irregular income and potential poverty receive appropriate support.
- Continue to support the Council to respond to comments, compliments complaints, FOI, Subject Access and other representations, with a focus on Children's Social Care, Adult Social Care and SEND.
- Continue to provide comprehensive support across the Council relating to information management and data protection, assessment of proposed information sharing arrangement and the investigation of potential data breaches.
- Process existing legacy paper records from across various Council departments, securely destroying records that no-longer need to be retained and digitising those that do.
- Co-ordinate the provision of Independent visiting and advocacy services for children looked after.

The Communications Team

The Communications Team continues to support on number of key Council priorities, recent work has included:

- In relation to the General Election, the team provided advice for staff on purdah, and pushed messages out about postal votes, proxy votes, polling station information and encouraging residents to vote. On the night itself, Comms Team members joined scores of other Sefton Council staff and volunteers at the counts for Bootle, Central Sefton and Southport, which as a potential swing seat, had twice the media presence of the other two venues
- As part of Sefton's Year of Friendship, we're delighted to have been able to embark on a collaborative project with Hugh Baird's Digital Imaging and Photography undergraduates for "Friendship: A Photography Exhibition" which is now on display at The Atkinson until January 18, 2020.
- The Year of Friendship closing event is planned for 10th January 2020 at the Atkinson.
- During Year of friendship each month had a theme; for December the theme was "giving", neatly enabling the communications team to package the Mayor's Christmas Toy Appeal and Sefton Foodbanks creative reverse advent calendar.
- The team worked on Sefton 4 Good's seasonal push and ways Sefton residents and communities can make a difference as part of the suite of Winter Messages.
- Our social media channels have seen a wide range of winter and festive themed content, which always proves popular, including info to support rough sleepers, staying well, looking out for elderly neighbours, festive shopping sprees, drink driving and more.
- 2020 will see communications working closely with our colleagues in ICT on a number of key projects, in particular the development of a new corporate website, which in turn will be underpinned by an updated version of the content management system (CMS), Umbraco. Working with colleagues in strategic support we are creating a plan to develop the site that will include a consultation process with stakeholders.
- Our regular feature in the Liverpool Echo Business Post has proven popular; with features covering the regeneration of our town centres and coastal gateways.
- We continue to inform local people of the exciting refurbishment of Splashworld in Southport, and will push the message that the Dunes facilities remain open for business while Splash World is closed.
- The team have worked on a detailed Communications Plan in relation to the closure and refurbishment of the hospitality services at Crosby Lakeside and continue to support the Project Team with ongoing communications and updates.
- Following the launch of Borough of Culture with the Constellations event in Crosby (which proved immensely popular on our social media channels), we have now launched the "Sefton Stories" project, and have made application forms available for funding for community groups.
- Following the Cabinet approval of proposals for a Clean Air Zone we received significant media coverage. As well as a front page feature on the Bootle edition of the Champion, it was covered by the Liverpool Echo, Radio Merseyside and BBC North West Tonight, with the communications team coordinating interviews for Council Leader, Cllr Ian Maher on Radio Merseyside and Matt Ashton, our Director of Public Health on BBC North West Tonight.
- The team co-ordinated communications support for the Remembrance Sunday events which gained a lot of traction across our social media channels, as well as being featured in the Champion newspaper, Sefton's Remembrance plans have chimed with communities on social media.
- The communications team joined colleagues from Merseyside Police as part of Operation Target, a major policing operation, which aims to tackle serious and violent crime, putting the people responsible behind bars. We publicised the day of action in Sefton, encouraging local people to report serious and organised crime

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- Key highlights of the last 6 months in Sefton, as well as a look ahead to the next six, can be found in the My Sefton newsletter, which has been published and can be viewed [here](#)
- Last but by no means least, we have welcomed Charlotte Callister to the team as our Communications Apprentice.

CORPORATE RESOURCES

Corporate Finance

Budget Monitoring 2019/2020

The most recent forecast **revenue budget** position (as at the end of November 2019) will be reported to Cabinet on 9th January 2020. This continues to highlight the significant pressures being experienced in several service areas, particularly Children’s Social Care, Locality Services and Home to School Transport. The reported forecast overspend was £3.587m, an increase of £0.208m on the position in October. The forecast deficit can be partially met by not implementing the Business Rates reserve increase and utilising the Budget Pressure Fund. An exercise with Heads of Service has commenced to ensure the robustness of all estimates and identify what remedial measures will be implemented to meet the current residual forecast deficit of £0.589m. The next forecast (as at the end of December 2019) will be reported to Cabinet on 6th February 2020. This will include details of the remedial measures being implemented.

Medium Term Financial Plan 2020/21 – 2022/23

The Government announced the Provisional Local Government Finance Settlement for 2020/21 on 20th December 2019. There were no material differences to the funding assumptions included in the report on the updated MTFP that was presented to Cabinet on 7th November 2019. The final Settlement is expected to be published towards the end of January 2020. The implications will be built into the Budget Report that will be presented to Cabinet and Council in February.

Internal Audit

Work to deliver the Internal Audit Plan continues, with audits having been completed in the period in the following areas:

Audit Title	Audit Opinion	Recommendations		
		High	Medium	Low
2019/2020				
ICT Leavers	Moderate	0	4	2
Accounts Payable	Major	6	5	1
Accounts Receivable	Major	7	12	4
One Stop Shops – cash handling	Moderate	3	3	4
Melling Primary School	Moderate	1	5	1
<i>Court of Protection / Appointeeship</i>	Moderate	1	2	3
European Social Fund	Moderate	0	3	3
<i>Procurement</i>	Moderate	0	5	6
<i>St. George’s Primary School</i>	Moderate	0	7	1
<i>Valewood Primary School</i>	Moderate	0	3	4

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Audit Title	Audit Opinion	Recommendations		
		High	Medium	Low
Cash Handling at One Stop Shops	Moderate	3	3	4
M58 2019/20 Q2 Grant Certification	Assurance provided to facilitate certification			
STEP 2019/20 Q2 Grant Certification	Assurance provided to facilitate certification			
Pot Action Fund (18/19)	Assurance provided to facilitate certification			
Additional Pothole Action Fund (17/18)	Assurance provided to facilitate certification			
Flood Resilience Fund (17/18)	Assurance provided to facilitate certification			
Integrated Transport and HW Maintenance Grant (18/19)	Assurance provided to facilitate certification			
Troubled Families – Period 15 Grant Certification	Assurance provided to facilitate certification			
A59 2019/20 Q2 Grant Certification	Assurance provided to facilitate certification			
Urban Traffic Control 2019/20 Q2 Grant Certification	Assurance provided to facilitate certification			
<i>ASC Systems Development (previously LAS Project)</i>	<i>Ongoing Assurance Provided</i>			
<i>LCS Project</i>	<i>Ongoing Assurance Provided</i>			
<i>ContrOCC Working Group</i>	<i>Ongoing Assurance Provided</i>			
Operational Risk Register	Ongoing and additional support provided			

Reports in italics are draft reports.

Responsible officers have given assurance that the recommendations made in the reports will be implemented within reasonable timescales. Follow up audit work will be undertaken to substantiate this.

Health and Safety

During the period, the following key pieces of work/projects have been undertaken:

- The new post of Health and Safety Co-ordinator, included in the Quarter 1 2019/20 re-structure, has now been advertised externally following an internal advertisement with interviews due to take place in December/ January. A temporary Health and Safety Adviser has been in post since July 2019 to provide capacity whilst a recruitment exercise was undertaken.
- The Health and Safety Team completed a risk assessment training exercise during October and November 2019 for 250 managers who are required to complete risk assessments for their staff as part of their role. The training requires managers to refresh existing risk assessments and for the completed documents to be reviewed by the Health and Safety Team during December 2019/January 2020.

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- The Council's claims management provider, Gallagher Bassett, provided a free accredited Institute of Occupational Safety and Health Managing Safely course for the Council's Health and Safety Co-ordinators who attended between 9 – 17 September 2019.
- In addition to the Managing Safely Course, Gallagher Bassett also delivered a Control of Contractors course between 11 June and 1 October 2019 for which 23 staff attended.
- A Risk Management for Highways Professionals course, which 18 staff attended, was also delivered on the 2 October 2019. This was held to assist the Highways Section following the introduction of the Highways Infrastructure Code of Practice in October 2018.
- Work is continuing in the development of a Council's health and safety training needs assessment which will eventually build into the Council-wide health and safety training plan.
- Health and Safety Key Performance Indicators have been devised which include information from the Departmental Health and Safety Committees and is fed back to the Corporate Health and Safety Committee. There has been steady progress during the year on improving governance, risk assessments and training.
- Work continues to further embed the Departmental Health and Safety Committees into the Council's health and safety framework with Heads of Service being encouraged to plan three meetings in advance to ensure these meetings are a priority for the forthcoming year.
- A revised standard core agenda for the various health and safety sub-committees has been designed and provided to the Heads of Service to ensure a consistent approach at each meeting.
- A member of the Health and Safety team has recently undertaken a Radiation Protection Officer course to act as the Council Co-ordinator between the Radiation Protection Supervisor at CLEAPSS, the Consortium of Local Education Authorities for the Provision of School Science, and the schools who buy into the scheme. This aims to ensure the safe storage and use of radioactive sources which are held and used in schools as part of practical science to meet the requirements of the National Curriculum.
- A course was also attended on the EVOLVE on-line system, which was facilitated by the Health and Safety team for the use of schools for planning, approving and managing educational visits and extra-curricular activities.

There has been contact with the Health and Safety Executive (HSE) in an enforcement capacity following the reporting of an incident at one of the Council owned premises. An improvement notice was issued at the time of the incident and the HSE is currently investigating the incident and further enforcement action may be taken as a result of the review. The Health and Safety Team are working closely with the local management team to ensure the lessons learnt from the incident are implemented to enhance the local health and safety system.

There was a total of two RIDDOR accidents reported during the quarter.

All RIDDOR incidents are reviewed by the Health and Safety team to ensure that the accident is properly investigated and that the lessons learnt are shared with other service areas where appropriate.

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During the period, the following key pieces of work/projects have been undertaken:

- Renewal of the Authority's insurance policies took place on 29th September 2019 and, as forecasted, produced no major changes with terms and conditions remaining unchanged. Expiring rates were also maintained except for the motor policy, where there was a 5% increase, which insurers felt they could not sustain going forward because of the recent change in the Ogden rate (used to calculate future losses in personal injury claims). In addition, there was a small uplift in the Marine Craft premium due to both inflation and an increase in exposure.
- A mini tender exercise via The Chest has also been completed for the following policies, which had not been tendered with the main insurance programme in September 2018, due to their specialist nature, so that in time they will fall in line with the main policies tender timescales and the procurement demonstrate value for money:
 - Premises Pollution for Sefton Council
 - Directors & Officers Insurance for the Mayors Charity
 - Directors & Officers Insurance for Sandway Homes
 - Directors & Officers Insurance for Sefton New Directions
 - Professional Indemnity and Public Liability for Sefton Arc
 - Cyber for Sefton Council

Except for Directors & Officers Insurance for Sandway Homes, expiring terms and ratings were maintained and a small reduction for Sefton Arc was also achieved. The increase in exposure as a result of moving forward with the building plans for Sandway Homes produced a substantial increase in proposed premium for Sandway Homes Directors & Officers policy.

- The Department for Education (DfE) recently put forward a Consultation Paper for all Local Authority Maintained Schools (LAMS) to secure their future insurance cover through an extension of the Risk Protection Arrangement (RPA) that most, if not all, Academies currently utilise. A large exercise, in consultation with colleagues in Finance, was undertaken before the DfE were provided with a response to meet the 4th November deadline. Full detail of the cover to be made available to LAMS is not yet known, however from the results of the exercise undertaken, economies of scale will be lost and if LAMS transfer to the RPA scheme, there will be a likely increase in net costs to the Council. Although a set date is not yet known, the result of the consultation is expected in the January 2020.
- Under the terms of the Council's contract with its liability insurers, an allocation of training days to assist with implementing effective risk management across the organisation is available. The Council makes regular use of these days and a recent event was held to assist colleagues in the Highways Team following the introduction of the new Well-Managed Highways Infrastructure Code of Practice in October 2018. The session was well attended and as well as giving insights into the subject matter also provided assurance on the effectiveness of the processes that Highways currently have in place.
- The Council continues to defend cases robustly to protect the public purse. The team also works extensively with Service Teams to improve the management of insurable risk in areas where there are high numbers of claims. The Council generally has high defensibility rates and such risk management activity will assist in maintaining and potentially improving the position further. Since the last update, there have been no claims that have been contested in court which is pleasing in itself and which provides a degree of assurance that the Council's risk management practices are effective.
- The Team continue to attend as many free of charge seminars/workshops as possible to raise awareness and increase knowledge of current trends, opportunities and developments within the sector.

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Risk and Resilience

During the period, the following key pieces of work/projects have been undertaken:

- A considerable amount of time was taken supporting each of the Council's service areas in identifying their key risks in the event of a no-deal EU exit. The Ministry for Housing Communities and Local Government (MHCLG) continue to use established Civil Contingencies structures to assess community and agency risk and co-ordinate preparedness for a 'no deal' scenario relating to the UK Government EU Exit strategy. The Risk and Resilience officers have delivered a key support role to the Council's internal steering group and multi-agency partnership working in the run up to the extended departure dates.
- Strategic and Tactical level officers have been designated as Single Point of Contacts for co-ordinating EU Exit related matters on behalf of the council and link in to the Local Resilience Forum (LRF) multi-agency working groups via the Risk and Resilience team. Officers and ourselves participate in weekly Tactical Co-ordinating and regular Strategic Co-ordinating Group meetings in addition to various targeted Task and Finish work groups creating plans to mitigate specific areas of risk e.g. potential road congestion around the Port access routes. Plans Resolvere and Ro-Ro have been developed collaboratively to address this risk
- Sefton Highways Management also submitted a successful joint capital bid for funding on behalf of Merseyside Resilience Forum partners to deliver additional infrastructure at the identified holding locations for HGVs temporarily unable to board EU bound ferries due to incomplete documentation requirements.
- We have undertaken joint site visits, consultation meetings, workshops and exercises to continually review and test the plans. Progress is reported regularly to the Border Delivery Group, MHCLG, Liverpool City Region Chief Executives and LRF partner agencies. Consideration has also been given to how the Council will provide operational response within the activation phase of a multi-agency Information Cell and staffing of the shift rota should this be required to activate.
- In the run up to 31 October 2019, the team have reviewed and completed reporting templates for submission to MHCLG as required under Operation Yellow hammer. This outlines the Command, Control and Co-ordination arrangements that central government have requested all responder agencies to adhere to whilst assessing existing and emerging risks for the UK daily and provide a common operating picture of activity to ministers.
- A workshop was arranged in early September for members of the Sefton Council internal steering group for EU Exit planning at the request of the group Chair. The event aimed to explore and identify the nature of potential risk from a no deal scenario and how this may affect council service delivery. It was delivered by an external facilitator from Zurich, one of our Insurers.
The event was well attended with representation from most service areas of the council.
- Following the workshop, the Risk and Resilience officers took an action to organise and deliver Service Area based risk assessment sessions. Heads of Service nominated representatives from their departments and we held a session for each, to facilitate development of LA generic EU Exit risk registers using national planning assumptions outlined under the central government Operation Yellowhammer guidelines.

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- The risk registers were sent to Heads of Service for sign off and presented to the internal steering group for shared understanding of the common themes and identification of gaps for further work. This will also integrate with the controls and action plans identified for the EU Exit risk referenced on the Corporate Risk Register.
- Implementation of actions identified in the Risk and Resilience Improvement plan continue to take the work areas of Business Continuity, Emergency Planning and Risk Management forward.
- Following completion of Business Impact Analyses (BIA) for all service areas of the Council, a template for a Business Continuity Recovery plan was developed. The data collected from the BIA's and from further meetings with relevant plan owners was used to populate the recovery plans from across all the service areas. This work has now been completed for all operational teams in the Council.
- During September, there were protracted incidents of surface water and watercourse flooding, particularly in the Maghull area, from extreme rainfall events which affected some residential properties. Risk and Resilience officers were in attendance both in and out of hours with on call Emergency Duty Officers, colleagues from Green Sefton and the Environment Agency to go to site, meet with residents and assist with deployment of sandbags and flood sacks.
- The Team have organised/ attended various training exercises and events that have been hosted by the Merseyside Resilience Forum (MRF) including;
 - i. **Merseyside Shoreline Pollution - Annexe to the Merseyside Emergency Response Manual (MERM).** The Merseyside coastal LA s (Sefton, Wirral and Liverpool) lead on this piece of work and have recently completed a new and updated multi-agency plan for validations and sign off by the MRF. Sefton Risk and Resilience team led the organisation of an event to walk partners and stakeholders through the plan and raise awareness of how this type of incident is managed by inviting presentations from key role players such as the Maritime and Coastguard Agency Counter Pollution team and the Environment Agency. Colleagues from across the council attended and feedback comments to shape the next steps which is to re-visit individual Local Authority plans.
 - ii. **Exercise Elsa 2** - NHS (England) led event with Local Authority, Social Care and mental health providers to explore the challenges of how we can best plan in response to psychological and trauma needs of people caught up in major emergency incidents. A model formulated at the time of the Manchester Arena attack was debated and adaptations suggested for how this may apply in a Merseyside / Cheshire setting.
 - iii. **Exercise Discous** – a week-long National Counter Terrorism event hosted by Merseyside Police. Sefton officers designated as on call Emergency Duty Co-ordinators, Communications and Resilience team officers took part in the live play and table top scenarios to test council consequence management capabilities.
- Further development of Sefton's planning for Operation London Bridge has taken place and will continue in review to ensure the expectations of local residents are fulfilled. This plan will be tested during an exercise in December.
- In September, a member of the team attended Alarm's Northern Seminar where topics presented included Managing the Risk of Cyber Breaches and Developing Organisational Resilience.

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- The Risk and Audit Team have attended a selection of operational risk management meetings to improve insight of key risks and their subsequent mitigations.
- The Corporate Risk Register has been reviewed and is due to be presented to the Audit and Governance Committee for approval. Meetings with risk owners continue to be held to ensure ongoing improvement to risk management arrangements across the Council.
- An updated version of the risk scoring matrix was prepared for consideration and approved by the Audit and Governance Committee on the 18th December 2019. This will encourage a comprehensive review of the scoring of the existing risks to the council and ensure that any new risks identified are scored appropriately.

Energy & Environmental Management

This team manages the Council's (including schools and New Directions) energy and water supplies, carbon management, environmental education and community domestic energy / affordable warmth programmes.

Specific actions to note:

- Sefton have now appointed a managing agent for water supply (utility). We anticipate the switch to self-supply with United Utilities will be 1st April 2020. We will review the scheme over the coming 12-18 months to assess the savings on water utility costs and potential for replication across the Liverpool City Region.
- Work is continuing on Sefton's Climate emergency declaration to support the process being led by Andrea watts and Stephan Van Arendsen. Presentations are currently being rolled out to all departments to establish their involvement in the process.
- Work is continuing on a business case for the Strand Shopping centre to install solar p.v. on the roof and retrofit LEDs in the communal areas. We are exploring opportunities with partners to invest in local renewable energy projects including a solar farm in Hightown and replacement wind turbine in Southport.
- Staff at the Eco centre have been very busy with a record number of schools visiting the centre. Evaluation of the service continues to show the education provided is rated as excellent.
- Our Affordable warmth team are extremely busy assisting residents vulnerable to the cold and/or experiencing fuel poverty. We continue to apply for funding to maintain the service.

ICT

Cyber Security

The Council has submitted its annual PSN (Public Services Network) statement and awaits confirmation of re-accreditation. Specialist Cyber Security training for ICT Client staff has now been completed and colleagues have successfully achieved Cyber Essentials Consultancy certification. Further awareness raising bitesize learning is due to launch in January.

Transformation

Rollout for Councillors has completed bar the two councillors currently on long-term absence.

Deployment of end user devices to Council officers nears completion; a small number of legacy Windows 7 devices remain in use (mainly due to compatibility reasons) and plans are in place to migrate these.

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Email migration to the cloud is nearly complete, with most users now located in the cloud; this activity is planned in parallel to the issuing of new mobile phones to reduce any operational impact.

Office 365 rapid upskill training has now been delivered to 48 colleagues across the organisation, these 48 ICT Champions are now enabled to support their teams in using the new 0365 platform. Further sessions are planned in first quarter 2020. MeLearning content for Office 365 is now live on Sefton's Learning Platform and a marketing campaign has started to increase usage. Over the next few months the ICT Client team will be working alongside the ICT Champions to pilot the use of Microsoft Teams.

Work is underway to scope out the requirements of the authority in terms of voice communications, with a view to moving from the old ISDN (analogue) telephone system to a cloud-based platform which will support more agile working as well as a reduction in running costs for the authority.

Work continues in the scoping of phase 2 projects, alongside a detailed review of the core infrastructure and an assessment of the investment required to ensure the continued provision of a robust and secure network.

The ICT Client Team will work with colleagues in Strategic Support & Agilisys on the implementation of the new CRM/digital customer platform, commencing in January 2020.

ICT Contracts/procurement

The ICT client team has worked closely with Strategic Support colleagues to procure the new CRM system and is supporting the Revenues and Benefits team on their procurement activity.

Award of the mobile phones tender is now completed, and the ICT Client has prioritised the ordering of new devices for lone workers currently without a phone, a further programme of handset upgrades will then follow.

Infrastructure

Work continues the ICT project to enable all EIP bases, all phase one are now completed and work is well underway for the remaining EIP bases. A full review of the ICT Infrastructure is now completed, and work is underway to refresh some of the core infrastructure as well as extending the corporate WiFi network to support Agile Working.

In addition, Sefton has now joined with neighbouring authorities, St. Helens, Halton, Knowsley, Liverpool, Mersey Travel and Wirral to provide Gov Roam, which supports agile working across discrete networks enabling colocation and regional teams, this will be ready for release in early 2020.

Revenues and Benefits

Council Tax and Business Rates collection

Council Tax

- Collection performance as at 31st December 2019 was 81.98% compared to 82.12% at the same date in 2018/19. Direct Debit payments, received during the Council's Christmas shutdown period, are due to be allocated to accounts imminently.

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Business Rates

- Collection performance as at 31st December 2019 was 83.91% compared to 81.66% at the same date in 2018/19. Collection performance is currently over-stated because of some complex revaluation amendments that are due to be made later in January.

Collection performance for both Council Tax and Business Rates continue to be closely monitored as we head towards the final months of 2019/20.

Annual Billing 2020/21

Preparation is underway to plan for the annual billing of Council Tax, Business Rates and the issue of benefit notification letters in March 2020.

Money Advice and Pensions Service (MAPS)

Service managers have met with MAPS with a view to participating in a pilot scheme for the creation of a single point of access to debt advice for debtors, creditors and debt advice agencies. The pilot aims to improve access to specialist debt advice agencies for those in need of help and to evaluate online options for debt advice.

Benefits

Speed of processing for Housing Benefit new claims and changes continues to compare well to both national statistics published by the Department for Work and Pensions (DWP) and to performance of neighbouring Liverpool City Region authorities.

Discretionary Spending

The DWP has provided DHP funding of £659,531 for 2019/20 for the provision of extra support to local residents who need help to meet rent payments. The fund is closely monitored and based on levels committed so far and forecasting information, the full amount of DWP funding will be spent by the end of 2019/20. Work has begun to map at ward-level the areas of greatest demand for DHP;

The administration of the Council's Emergency Limited Assistance Scheme (ELAS) moved into the Benefits Service from October 2019. The transition has been seamless with the scheme operated in line with well-established procedures. The Benefits team will continue to work with colleagues from Performance & Business Intelligence around ELAS reporting.

Procurement of Revenues and Benefits Software Solution

A team consisting of colleagues from Revenues and Benefits, Legal, Procurement and the ICT Client has worked together to produce a specification of requirements to tender for a Revenues and Benefits software solution. The team is due to evaluate bids in late-January/early February before making a recommendation of award for Head of Service approval.

Customer Services

The Customer Services team continues to experience a reduction in traditional contact methods via the telephone and visits to the One Stop Shops as there is more take-up of online services.

During October and November there was an increase in Taxi-licensing enquiries due to drivers wanting to be licensed in advance of the **Page 224**riod.

As expected, ahead of the General Election, there was an increase in calls from customers keen to ensure that they were registered to vote or to enquire about postal voting.

Sefton Citizens Advice continues to provide “Help to Claim” support from Bootle One Stop Shop to help Universal Credit (UC) claimants make their initial claim.

PERSONNEL DEPARTMENT

Operational Issues

Advice and support continues to be provided to all service areas. Consultation is taking place with staff and the trade unions in respect of a number of staffing issues and weekly meetings are timetabled as necessary.

Various reviews and restructures across the organisation are continuing relative to budget savings/Public Sector Reform projects. These are the subject of trade union consultation. Briefings continue to take place regarding school budget issues.

The Department continues to have a full programme of work in respect of disciplinary, grievance and dignity at work issues. Support to service areas in respect of staffing reviews/restructures is being provided, together with advice and support in the management of sickness absence cases that are cause for concern and complex staffing matters. Support is also provided in respect of insourcing and outsourcing of services and relevant staffing issues under TUPE.

Pay & Grading and Establishment Control Team

Job evaluation continues relative to all Council and School posts for new or revised roles. Job evaluations are also conducted relative to any operational and service reviews to maximise efficiencies as part of restructuring exercises across the Council. The Establishment Control team are then responsible for building any revised structures and changes to reporting hierarchies into the Councils operating systems.

The TUPE transfer of the former Arvato staff in the Revenues, Benefits and Customer Services and Operations support sections took place on 1st October 2018. The review of this service is nearing completion and all the revised posts have been job evaluated prior to the commencement of the consultation with staff and Trade Unions in due course relative to the review proposals.

The Establishment Control Panel takes place every 2 weeks to consider requests in relation to the release of vacancies and the approval of any changes to the Establishment held in ResourceLink. All changes to the Establishment are mapped to ensure correct procedures are followed. Discussions have commenced with ICT Transformation Support with a view to reviewing the Establishment Control Forms and associated guidance to managers and implementing changes to make the process more user friendly and efficient.

Establishment Control review safeguarding checks held against posts e.g. Disclosure and Barring Service (DBS formally CRB), Health Care Professional Council (HCPC) etc. with Heads of Service and amend as required. This now includes safer recruitment checks. Guidance for managers on all aspects of safeguarding is currently being produced to ensure that the adequate checks are carried out on all roles. The team also manages and controls the temporary end dates relative to all fixed term contracts and provides establishment control and sickness absence information reports for the Council and schools.

Regrading applications and appeals are processed in line with the Council protocol.

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The team undertakes the review of HAY graded positions for new posts and the evaluation of HAY posts stemming from any revised proposals to the HAY grading structure.

The National Joint Council for Local Government Services have amended the National Agreement on Pay and Conditions of Service relative to the calculation of Term-time only (TTO) salaries. Team members are involved in the potential adoption of the NJC advisory model and are liaising with neighbouring authorities, Managers and Headteachers relative to its potential implementation.

A consideration of new case law on holiday pay is also taking place.

Team members are involved in service reviews and work to support transformational proposals and potential changes to service delivery including the closure and refurbishment of the CLAC hospitality service. Work is also ongoing with Trade Unions and staff members of the Crosby Lakeside Hospitality Team relative to proposed settlement agreements regarding terms and conditions issues associated with Bank holiday working and Hospitality Terms and conditions.

Management of the Matrix contract relative to the recruitment of all Agency workers continues along with the management of sickness absence, including production of reports, analysis and management data.

Transactional HR Payroll & Pension (THRP) Services

There was a restructure effective from 1st July 2019 and the office has been moved around so staff now sit in their new teams. Each team are now reviewing their processes and letters to help improve timeliness of processing.

A working Group has been set up to introduce workflow to help recruitment, transactional HR, payroll and pension processes. The voluntary resignation/retirement process is now live for all Council staff and the Working Group is now looking at the best way to handle other reasons for leaving e.g. dismissal, redundancy etc. and how these will be managed. There are 2 other processes which are being looked at, to be put into workflow and they are changes to hours and extensions to temporary arrangements. The changes to hours process is currently being built and Hawthorne Road have agreed to pilot the new process.

The team are also looking at a solution for removing the need for paper claim forms and this is in the very early stages of development.

The Team are also working on a pilot with Merseyside Pension Fund to produce a monthly data file to replace the year end return for all members of LGPS.

The Pensions Officer is continuing to work closely with the Transformation team and Personnel Officers to provide redundancy/pension information when required.

ResourceLink is the Payroll/HR system used by the Council and the current contract expires 30th September 2021, so in conjunction with other HR colleagues the procurement process has commenced but is only in the very early stages.

Occupational Health

For the period October to November 2019, a total of 129 referrals for SMBC employees were made to the Health Unit. This is significantly less than the number of referrals within the same period in 2018 which was 154.

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The majority of referrals during this period were from Education Excellence (33.3%), Locality Services (24.1%) and Adult Social Care (11.6%). The main reasons were stress and mental health related (48.1%), musculoskeletal problems (25.6%) and acute medical illness (16.3%).

Workforce Learning and Development (CLC)

Personalisation Training

SCLC continues to work with Adult Social Care to support the roll out of Personalisation training. This includes a package of consultancy and learning and development sessions which consists of different key elements which draw on best practice principles of Personalisation. To date we have delivered the following courses/sessions:

- **Care Act Briefings** - 4 sessions delivered, total attendance 155 staff.
- **Care Act Principles Duties** - 13 sessions delivered, total attendance 250 staff
- **Assessment of needs, carer assessment and eligibility determination (2 days)** - Day 1, 13 sessions delivered, total attendance 234 staff / Day 2, 13 sessions delivered, total attendance 227.
- **Person Centred Care and Strengths-Based Approach (SBA)** – 12 sessions delivered, total attendance 224 staff.
- **Recording in Social Care** – 13 sessions delivered, total attendance 233 staff.
- **2x surgeries** will be delivered in the new year to provide staff with an opportunity to trouble shoot / gain advice and support regarding current cases/support plans currently being worked on.
- **Champions skills training** - Towards the end of the personalisation training programme (February 2020) we are planning to identify a cohort of Champions to work with us to embed and monitor continuous improvement. This includes supporting reflection, skills development and provides staff with the opportunity to get involved in the delivery of future training.

Mental Health First Aid and Wellbeing Booklets

Mental Health First Aid Training will be offered to staff from March/April 2020. The course teaches staff how to identify, understand and help someone who may be experiencing a mental health issue, and teaches you to listen, reassure and respond, even in a crisis, potentially stopping a crisis from happening.

8 staff from Sefton Corporate Learning centre are currently enrolled on Mental Health First Aid 'Train the Trainer' and they are due to complete the course on Friday 13th December. Following completion and a period of planning/preparation we will be able to provide the course to Council staff free of charge and to Sefton schools for a reduced fee.

It is envisaged the course will enable staff from across the organisation to support their colleagues, service users and members of the community who may be suffering from a low level Mental Health issue to avoid further escalation and/or input from statutory services.

Two emotional wellbeing booklets are currently under development, one for staff and a separate booklet for managers. The staff booklet contains 8 simple tips to help our staff build their emotional resilience and the manager's booklet explains their responsibilities and ways to help keep staff in their teams resilient. It also provides some guidelines on what to suggest when someone is feeling stressed or anxious.

Apprenticeships

We continue to promote and access the Apprenticeship levy, have established a pool of lead training providers and we continue to raise awareness of the apprenticeship levy with internal departments

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and schools. Since the introduction of the apprenticeship levy on 1st May 2017 we have signed up 361 apprentices.

We have produced an Apprenticeship Strategy 2019 – 2022 which sets out as an employer the positive action we take in our approach to apprenticeships as part of our workforce development strategy. The Strategy was signed off by Cabinet on Thursday 3rd October and a meeting will shortly take place to plan a formal launch of the strategy.

Liverpool John Moores University (LJMU) were recently awarded the Level 6 and 7 Leadership and Management Apprenticeship contract. 14 Managers submitted an expression of interest to undertake the Level 7 from January 2020 however only 10 places were available on the course. All 14 applications will be reviewed by an Executive Director/Chief Personnel Officer and feedback will be given to the successful/unsuccessful applicants.

Agile Working

SCLC continues to support the ICT Transformation programme across the Council through the delivery of joint drop-in sessions with support from Agilisys. The aim of these sessions is to support staff who need extra help with One Drive, SharePoint and OneNote. Dates have now been agreed until December 2019.

A further session of ICT Digital Champions training took place on 16th October 2019. 12 staff from across different service areas attended the training, ensuring they can support their peers with any ICT related issues e.g. Office 365, SharePoint, OneDrive etc.

Organisational Development / One Council Network

Recent activities include:

- Planning for this year's staff survey
- Held an Apprenticeship Celebration for all employees who achieved an apprenticeship qualification between 1st January 2018 – 31st December 2018
- Held meetings to discuss the application process for the L7 MBA Senior Leader Programme
- Created a robust induction for the two newly appointed National Management Trainee's (NMT)
- Supported the NMT to commence their first placement
- Met with Democratic Services to discuss an induction for newly appointed elected members
- Created a new PDR template with the be responsive and efficient thematic group
- Attended an event at the LGA to discuss the graduate programme
- Planned the apprenticeship programme for Localities Provision and the Leaving Care Team
- Promoted the volunteering policy
- Created apprenticeship marketing materials for managers
- Met to discuss a project plan for #askme
- Supported the ICI Factory sessions.

Democratic Services

Overview and Scrutiny

General Matters

Council Motion – Climate Change Emergency

The Council at its meeting held on 18 July 2019 approved a Council Motion about Climate Change Emergency. The Council resolution is multifaceted and includes the following:

“Request that Overview and Scrutiny Management Board consider the impact of climate change and the environment when reviewing Council policies and strategies and charge Task and Finish groups to also consider those impacts in any report and every topic”

It is envisaged that the cross-cutting nature of the climate change topic will involve all Overview and Scrutiny Committees, as well as the Management Board, becoming involved in the work of task and finish groups. It is anticipated that a report will be considered by all Overview and Scrutiny Committees in the January cycle.

Submission of Overview and Scrutiny Working Group Final Reports to Council

A report on the Government’s Statutory Scrutiny Guidance was considered and approved by the Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees during the October/November 2019 committee cycle. One section of the guidance related to maintaining the interest of full Council in the work of Overview and Scrutiny Committees and to comply with this, a recommendation was approved that “Overview and Scrutiny Working Group Final Reports and recommendations be submitted to Cabinet and then Council for final approval and that the Constitution be amended accordingly”.

A report will be submitted to both the Audit and Governance Committee and Council at their meetings to be held on 18 December 2019 and 23 January 2020 respectively gain approval for this course of action.

Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)

The last meeting of the Committee was held on 22 October 2019. The Committee again considered its Work Programme for the forthcoming year and also considered reports relating to the “Manage my Requests” (iCasework) System – Statistical Update; the Revenue and Capital Budget Update 2019/20; and Members Welfare Reform Reference Group – Update.

Working Group Update - Council’s Ethical Business Practices

Councillors Bradshaw, Doyle, Killen, McKinley, John Sayers and Yvonne Sayers had agreed to be Members of the Working Group. Councillor McKinley has been appointed as the Lead Member.

The Working Group has now produced its Final Report and this will be considered by the Overview and Scrutiny Committee, Cabinet and Council during the January/February cycle of meetings.

Overview and Scrutiny Committee (Adult Social Care and Health)

The last meeting of the Committee was held on 15 October 2019. The Committee received a presentation from the Chief Executive of Liverpool University Hospitals NHS Foundation Trust on the merger of Aintree Broadgreen and the Royal Liverpool Hospitals. A joint briefing paper was presented to the Committee on

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behalf of NHS Knowsley Clinical Commissioning Group (CCG), NHS Liverpool CCG and the two Sefton CCGs, presenting the case for change for a re-design of hyper-acute stroke services across the North Mersey area. The Committee received joint reports from the two Sefton Clinical Commissioning Groups (CCGs) on the compilation of a draft Five Year Place Plan for the local NHS; providing an update of the work of the CCGs; and data on key performance areas for Southport and Ormskirk Hospital NHS Trust and Aintree University Hospital NHS Foundation Trust. The Committee also received a Progress Update on the Development of a New Joint Health and Wellbeing Strategy for Sefton 2020-2025; update reports from the relevant Cabinet Members and on its Work Programme for the remainder of the Municipal Year.

Overview and Scrutiny Committee (Regeneration and Skills)

The last meeting of the Committee was held on 5 November 2019. The Committee again considered its Work Programme for the forthcoming year and also considered reports relating to Flood and Coastal Erosion Risk Management Annual Report; and Green Sefton.

Working Group Update - Effectiveness of the Council's Enforcement Activity

Councillors Dowd, Michael O'Brien, Pullin, Roche Robinson and John Sayers have agreed to be Members of the Working Group.

The Working Group has met on three occasions and has approved its Scoping Document; and received presentations on the legal enforcement powers available to the Council and planning enforcement. It is anticipated that the next meeting of the Working Group will be held in January 2020.

Overview and Scrutiny Committee (Children's Services and Safeguarding)

The last meeting of the Committee was held on 12 November 2019. The Committee received a presentation providing an update on breastfeeding rates in Sefton. A report was submitted by the two Sefton Clinical Commissioning Groups (CCGs) providing an update on Children and Adolescent Mental Health Services (CAMHS). The Committee considered reports on the development of a new Joint Health and Wellbeing Strategy for Sefton for 2020 – 2025; the Special Educational Needs and Disabilities (SEND) Continuous Improvement Agenda; and the Children and Young People's Plan 2020 – 2025. The Committee also received update reports from the Cabinet Member and on its Work Programme for the remainder of the Municipal Year.

Working Group Update

Persistent Pupil Absence Working Group

Councillors Bennett, Carragher and Keith, together with Mrs. Cain, Independent Advisory Member, have agreed to be Members of the Working Group. Councillor Carragher is the Lead Member.

The Working Group has met on two occasions and has approved its Scoping Document. A site visit to the Pinefield Centre in Formby has taken place. It is anticipated that the next meeting of the Working Group will be held in January 2020.

Liverpool City Region Combined Authority Overview and Scrutiny Committee (LCR CA O&S)

Senior Democratic Services Officers regularly attend LCR CA O&S meetings to be kept abreast of scrutiny developments across the City Region. The most recent meeting to be attended was the LCR CA O&S held on 6 November 2019. Details of this meeting and all other LCR CA O&S meetings can be obtained using the following link:

<https://modern.gov.merseytravel.gov.uk/ieListMeetings.aspx?CIId=365&Year=0>

Overview and Scrutiny Management Board

The Management Board meets to keep the Chairs and Vice-Chairs of the four Overview and Scrutiny Committees abreast of O&S developments across the Council. The most recent meeting of the Management Board was held on 5 November 2019.

The Management Board at its meeting held on 10 September 2019 appointed Councillors John Sayers and Roscoe as its Chair and Vice-Chair respectively for the 2019/20 Municipal Year. As mentioned above, the Management Board will play an important role in co-ordination of work in respect of the Climate Change Emergency Council Motion.

Admission Appeals

In addition to the provision of administrative support for meetings of the Council, Cabinet, and Committees, the Section has also organised and clerked school admission appeal hearings. The section has dealt with 15 applications for secondary schools and 43 applications for primary schools during the period from 14 October to 11 December 2019.

Training for panel members for exclusion reviews took place on Wednesday 6 November 2019, was again delivered "in-house". Admissions and Admission Appeals annual training has been arranged 26 March 2020, with a beginners course likely to be held earlier in March subject to demand.

Civic and Mayoral Services

Mayor of Sefton's Motown Night

The Mayor of Sefton held a Charity Motown Night on 15th November, the event was a success raising £900.00 for the Mayor's Charity Fund, the next charity event is on Saturday 25th January which is a Burns Themed Night at Bootle Town Hall

Remembrance Sunday

Remembrance Sunday 2019 overall went very well, there are issues and improvements which will be addressed across the various four main sites, one major issue being the closure of Stanley Road for the Bootle Service, a meeting is scheduled for early in 2020 to discuss this.

Mayor of Sefton's Gala Charity Ball

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Plans are also underway for the Mayor of Sefton's Gala Charity Ball which is on Saturday 28th March at Southport Theatre & Convention Centre, tickets are now on sale and available from the Mayor's Office, it promises to be a fantastic occasion with some great entertainment performing along with a raffle, tombola and auction.

Legal Services

Contract and Employment

- The Team acts as a key adviser on range of major projects and public-sector reform work which forms part of the Council's commercialisation approach. These projects are confidential and therefore beyond the scope of this report but this work is a key element of the Team's caseload, supporting a key Council priority. This work includes advising on contracts, staffing and procurement issues.
- The Team advises on day to day contracts across the Council and supports Schools in the Borough in contract law matters. Recent work includes advising on major procurements of the Council's client relationship management and revenue and benefits systems.
- The Team also works across the region on a number of Liverpool City Region and Combined Authority projects.
- The Team continues to provide employment advice to both the Council and the majority of the Schools in the Borough across a broad range of staffing issues. The Team also handles all of the disputes and litigation for both the Council and the Schools. Currently, the Team is handing 6 claims in the Employment Tribunal and regularly appears in the Tribunal. In the last month, the Team have taken on three new claims. Further, as above, the team advises regularly on employment and staffing issues in respect of the Council's commercial projects.
- The Team supports the Council's Planning Function advising and negotiating on Section 106 agreements for a number of significant commercial and residential developments, in addition to assisting with other planning agreements. The Team has recently been instructed in relation to s106 agreements relating to two very large-scale developments.
- The Team has also taken responsibility for definitive map modification orders.

Property

- The Legal Property Team continue to support colleagues in various departments to facilitate the Council's management, aims and objectives in relation to its property portfolio.
- All legal documentation for Pleasureland Southport, was completed on 18.12.19 thereby facilitating the investment of £9 million in the future development of the leisure attraction.
- The Team continues to advise on a number of high-profile confidential property matters, which because of their nature are beyond the scope of this report. However, this is a key area of work that helps drives a number of major Council initiatives.

Compliance and Regulation

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- The continue to advise the Council on a range of confidential information compliance matters, including data protection, FOIA and environmental regulations. These matters are confidential, which because of their nature are beyond the scope of this report but this is a vital support function for the Council.
- The Team continues to handle a wide range of prosecution matters in the Courts, this includes a number of successful CPN prosecutions and successful housing standards prosecutions. Other highlights include:
 - The Team successfully prosecuted a fly-tipper who set fire to a mattress on the site of a bonfire from the previous evening. The Defendant was ordered to pay a fine and costs.
 - The Team have prosecuted 5 residents for failing to return information about earnings for Council tax. They were people we have liability orders against who have failed to provide income information on request which is an offence. This is an offence that the Team have recently started to prosecute and the result will hopefully deter residents from failing to respond to requests for further information.
 - The Team had successfully prosecuted a 'cowboy builder' in the Liverpool Magistrates Court, the builder received 100 hours community service, and an order to pay compensation to the victims of £1,500 together with the Council's costs of £1,564.
 - The Team also obtained destruction orders in relation to alcohol seized at two off-licence premises in Southport that were not fit for human consumption.
 - The Team has been supporting housing licensing appeal cases and has issued 21 civil penalty notices to landlords for a failure to hold a licence.
- The Team continues to develop its debt recovery function, which supports the Council's financial position. The cumulative total recovered is £126,760 in sundry debts and £79,000 in business rates.

Children/Adults Social Care Team

- The Team is the largest in the legal department and provides advice to those departments providing a service to the most vulnerable members of this Borough. The team continues to work at full capacity with a slight increase in the figures in the last quarter in respect of Applications for care orders and Pre-proceedings.
- The Team not only provides advice to the Social Care departments both Children and Adults but also advises the majority of Sefton Schools in the Borough, along with the in-house Education Department and Special Educational Needs Department.
- Advice is also given to the Safeguarding Board and Child Death Overview panel. The Team have also been liaising with the courts regarding a Justice Review and provide advice and assistance on Private Social Care matters and Care proceedings. The Adult Social Care team are also currently undertaking some work which has been outsourced from Halton BC and is therefore the Adults team are also bringing in some income into the department.

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- From the 1st September to the 30th November there were 15 applications which involved 23 children being made the subject of Interim Care orders. Cases are heard before Magistrates, however in most cases applications are heard by District and Circuit Judges and some cases do go before section 9 High court judges. We currently have one case which has been transferred to an International High Court Judge due to the complexities of the case and another case in which we have now instructed Queens Counsel.
- The number of cases involving a foreign element have increased significantly in the past 12 months, this has involved the Team having to liaise with foreign consulates and cross boarders making the legal process of obtaining evidence and orders more complex. The Team is currently liaising with overseas jurisdictions including Portugal, Lithuania, Poland, Canada and America and have arranged for assessment of family members in India. The Team also has a very complex Iranian case which will require specialist international advice.
- In addition to care cases the Team deal with adoptions and applications for Deprivation of Liberty DOLS and applications for young people to be detained in secure accommodation. There has also been an increase in unaccompanied asylum seekers, involving complex immigration advice to be given.
- The Team operates a duty system so that social workers have access to timely and effective advice at the point of need, which underpins the social work function and reduces issues by providing effective advice at an early stage.
- In addition to the cases mentioned above the lawyers in the Team manage a heavy pre-proceedings case load and provide advice in respect of serious case reviews and Child Death overview panel for the Merseyside area. We also convene the Education Interest Group for Northwest Education lawyers which takes place quarterly in Manchester.
- The Adult Social Care Team deal with complex capacity issues and DOLS cases. This legislation in this area is changing next year to Liberty Protection Safeguards and will require the team to adapt to new complex legislation. We have one Lawyer who is employed to advise the Special Educational needs team and she is busy defending tribunal applications for the SEN team and also given recent advice to a school which has resulted in that case being settled.