

Report to:	Overview and Scrutiny Committee (Regeneration and Skills)	Date of Meeting:	29 June 2021
Subject:	Work Programme 2021/22, Scrutiny Review Topics and Key Decision Forward Plan		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	All
Cabinet Portfolio:	Communities and Housing; Health and Wellbeing (Green Sefton element) Locality Services; Planning and Building Control; and Regeneration and Skills		
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 draft Work Programme for 2021/22; to identify potential topics for scrutiny reviews to be undertaken by a Working Group(s) appointed by the Committee; to identify any items for pre-scrutiny scrutiny by the Committee from the Key Decision Forward Plan; and to update Members on the progress of items that have previously been considered by the Committee

Recommendation: That:

- (1) the Work Programme for 2021/22, 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 up to date position regarding the Committee's two Working Groups relating to Effectiveness of the Council's Enforcement Activity; and Housing Support Services to Vulnerable People be noted;
- (3) it be noted that the Committee, at its meeting held on 15 September 2020, agreed that no new Working Groups be established until the completion of one of the current Working Groups referred to in (2) above;
- (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;
- (5) bearing in mind Sefton Council's operation of its self-supply licence, supported by an experienced managing agent, Waterscan, as detailed in paragraph 4 of the report, no further reports be submitted to the Committee relating to surface water

charges and associated issues unless significant developments materialise on this matter; and

- (6) the update on the Liverpool City Region Combined Authority Overview and Scrutiny Committee be noted.

Reasons for the Recommendation(s):

To determine the Work Programme of items to be considered during the Municipal Year 2021/22 and identify scrutiny review topics which would demonstrate that the work of the Overview and Scrutiny 'adds value' to the Council.

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

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

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

What will it cost and how will it be financed?

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

(A) Revenue Costs – see above

(B) Capital Costs – see above

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None	
Legal Implications: None	
Equality Implications: There are no equality implications.	
Climate Emergency Implications:	
The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
There are no direct climate emergency implications arising from this report. Any climate emergency implications arising from the consideration of reports referred to in the Work Programme will be contained in such reports when they are presented to Members at the appropriate time.	

Contribution to the Council's Core Purpose:

Protect the most vulnerable: None directly applicable to this report.
Facilitate confident and resilient communities: None directly applicable to this report.
Commission, broker and provide core services: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of reports, as referenced in the Work Programme, relating to the review of Winter Service and Operational Plan; the Merseyside Recycling and Waste Authority – Service Delivery Plan 2019/20; the Update on Operational Activities delivered via Locality Services; and Green Sefton 2019/20 Annual Report, Service Vision 2030, and Service Plan 2020/21.
Place – leadership and influencer: None directly applicable to this report.
Drivers of change and reform: None directly applicable to this report but reports would be submitted to the Committee detailing how the Council is leading on beneficial changes to be made with reference to United Utilities charging policies and new houses being sold as leasehold.
Facilitate sustainable economic prosperity: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of a report in the Work Programme relating to the Sefton Economic Strategy for Growth
Greater income for social investment: None directly applicable to this report.
Cleaner Greener: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of reports, as referenced in the Work Programme, relating to the review of Winter Service and Operational Plan; the Merseyside Recycling and Waste Authority – Service Delivery Plan 2019/20; the Update on Operational Activities delivered via Locality Services; Green Sefton 2019/20 Annual Report, Service Vision 2030, and Service Plan 2020/21 together with the implementation of recommendations arising from the Shale Gas Working Group.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Chief Legal and Democratic Officer (LD4615/21) and the Executive Director of Corporate Resources and Customer Services (FD6414/21) have been consulted and have no comments to make. Any specific financial and legal implications associated with any subsequent reports arising from the report will be included in those reports as appropriate.

Head of Highways and Public Protection
Head of Economic Growth and Housing

(B) External Consultations

Not applicable

Implementation Date for the Decision

Immediately following the Committee meeting.

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Appendices:

The following appendices are attached to this report:

- Overview and Scrutiny Committee Work Programme for 2021/2022
- Criteria Checklist for Selecting Topics for Review
- Latest Key Decision Forward Plan items relating to this Overview and Scrutiny Committee

Background Papers:

There are no background papers available for inspection.

Introduction/Background

1. WORK PROGRAMME 2021/22

- 1.1 The proposed Work Programme of items to be submitted to the Committee for consideration during the Municipal Year 2021/22 is set out in **Appendix 1** to the report. The programme has been produced in liaison with the appropriate Heads of Service, whose roles fall under the remit of the Committee.
- 1.2 The Work Programme has been produced based on items included in last year's Programme.
- 1.4 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 2021/22 and updated, as appropriate.
- 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 The Committee has previously agreed to establish a Working Group to review the topic of the Effectiveness of the Council's Enforcement Activity. Councillors John Sayers (Lead Member) Dowd, Robinson and Roche are members of the Working Group. This review is on-going and it is anticipated that the Working Group's Final Report will be completed in July/August 2021. The Working Group's original Scoping Document was wide-ranging and subsequently a decision was taken (on 28 January 2021) to narrow the focus of the Working Group to concentrate on cleansing aspects of littering and fly-tipping/rear entry problems. The Head of Highways and Public Protection has been requested to identify options for consideration of Members to address the scale and visibility of enforcement resources and the need to focus on environmental issues such as littering and fly-tipping; and investigate best practice in other local authorities as to how they operated their civil enforcement contracts including alternative approaches whereby the contractor was only paid based on performance and outcome.

- 2.3 The Committee, at its meeting held on 5 November 2019 agreed to establish a Working Group to review the topic of housing support services provided to vulnerable people. Councillors Blackburne, Doyle, Murphy, Robinson (Lead Member) and Anne Thompson are members of the Working Group. The last meeting of the Working Group was held on 23 April and interviewed witnesses from the Home Office and their contractor Serco, to undertake obligations under the Asylum Accommodation and Support Contract (AASC) to provide housing and support to Asylum Seekers in Sefton.
- 2.4 For the information of Members, a criteria checklist for selecting and rejecting potential topics to review is attached at **Appendix 2**. This is used to assist the Committee in selecting topics and appointing Working Group(s) for the Municipal Year.
- 2.5 Members will recall that at its meeting held on 15 September 2020 the Committee agreed that no new Working Groups be established until the completion of one of the current Working Groups referred to in 2.2 and 2.3 above.

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 published on 28 May 2021 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. UNITED UTILITIES

- 4.1 As Members will be aware, reports have frequently been submitted to the Committee on progress with United Utilities in connection with surface water

charges and associated issues. The last update was made to Committee at its meeting held on 9 March 2021. The following update has been provided by the Energy and Environmental Management Team.

- 4.2 Since Sefton Council began operating its self-supply licence (November 2020), supported by an experienced managing agent (Waterscan), the focus of reducing charges at our sites has shifted here and considered to offer far more potential.
- 4.3 On Sefton's behalf, Waterscan have engaged with United Utilities and;
- Attended their Sustainable Drainage System Incentive Module session to find out how to deliver drainage savings
 - Begun to investigate several corporate and schools sites where drainage charges appear to be incorrectly too high
- 4.4 Being self-supply has also allowed Sefton to voice it's concerns within the marketplace about the need to support the public sector in delivering drainage savings and this has been raised at 'Self-Supply User Forum' meetings as well as directly with new industry bodies such as Market Operator Services Ltd (MOSL) as well as OFWAT to increase awareness of the regional disparity in drainage charges.
- 4.5 These new elements made possible under our licence are considered to have greater potential in reducing costs to schools/Sefton Council water bills as well as contributing to the wider environmental objectives on flooding/Climate change.
- 4.6 Taking the above into account it is now recommended that no future update reports on this matter be submitted to the Committee for the reasons that the new arrangements with Waterscan to assist on exploring drainage savings should deliver more financial and environmental benefit to Sefton Council sites.

However, if any significant developments materialise on this matter then they will be reported to Committee.

5. LIVERPOOL CITY REGION COMBINED AUTHORITY OVERVIEW AND SCRUTINY COMMITTEE

- 5.1 As Members will be aware, 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).
- 5.2 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.

5.3 In accordance with the above decision, information on the LCRCAO&S is set out below.

5.4 **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;
- 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.

5.5 **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 Hansen, Howard and Waterfield. Councillor Howard is Sefton's Scrutiny Link.

Councillor Patrick Moloney is the representative of the Liberal Democrat Group on the Committee. The Conservative Group nomination is still awaited by the Liverpool City Region Combined Authority.

5.6 **Chair**

The Chair of the LCRCAO&S cannot be a Member of the majority group. The Chair will be appointed at the first meeting of the Committee on 14 July 2021.

5.7 **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.

5.8 **Meetings**

Information on all meetings and membership of the LCRCAO&S can be obtained using the following link

<https://modern.gov.merseytravel.gov.uk/ieListMeetings.aspx?CId=365&Year=0>

Latest Meeting - 10 March 2021

The latest meeting of the LCRCAO&S was held on 10 March 2021.

Matters considered at the meeting related to:

- Metro Mayor S Rotheram's Update
- Race Equality Declaration Of Intent
- Adult Education Budget Programme Update
- Mersey Tidal Project Update

5.9 The next meeting of the LCRCAO&S will be held on 30 June 2021 and will take the form of a work planning session.

5.10 The Committee is requested to note the update on the Liverpool City Region Combined Authority Overview and Scrutiny Committee.