

Report to:	Overview and Scrutiny Committee (Regeneration and Skills)	Date of Meeting:	28 June 2022
Subject:	Work Programme 2022/23, 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 2022/23; 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 2022/23, as set out in Appendix 1 to the report, be considered, along with any additional items to be included and thereon be agreed;
- (2) consideration be given to the selection of a topic for a Working Group review; and appoint at least 3 Members of the Committee to serve on such Working Group;
- (3) in respect of (2) above further consideration be given to the establishment of a Working Group to review the topic of dog fouling in public places and methods to combat such an anti-social practice as detailed in paragraphs 2.2 to 2.4 of the report;
- (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.

Reasons for the Recommendation(s):

To determine the Work Programme of items to be considered during the Municipal Year 2022/23 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 2020/21; the Update on Operational Activities delivered via Locality Services; and Green Sefton 2020/21 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 2020/21; the Update on Operational Activities delivered via Locality Services; Green Sefton 2020/21 Annual Report, Service Vision 2030, and Service Plan 2020/21.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Chief Legal and Democratic Officer (LD5008/22) and the Executive Director of Corporate Resources and Customer Services (FD6808/22) 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.

Executive Director Place
Head of Highways and Public Protection
Head of Economic Growth and Housing
Head off In-House Operational Services
Head of Communities
Head of Commercial Development

(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 2022/23

- 1.1 The proposed Work Programme of items to be submitted to the Committee for consideration during the Municipal Year 2022/23 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 2022/23 and updated, as appropriate.

2. Working Group Reviews

- 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 **Potential to Establish a Working Group to Review the Topic of Dog Fouling in Public Places and Methods to Combat it**
- 2.3 The Committee, at its meeting held on 8 March 2022 (Minute No. 38) considered the report of the Head of Highways and Public Protection on the potential to establish a Working Group to review the topic of dog fouling in public places and methods to combat such an anti-social practice.

The report stated that failure to pick up dog fouling and the inappropriate disposal of dog 'fouling bags' (littering) by irresponsible dog walkers were legitimate concerns for Members, residents and visitors to the Borough as such unpleasant and anti-social acts could significantly impact upon the use, appearance, and enjoyment of public spaces; that the recent consultation regarding implementation of a Public Spaces Protection Order (PSPO) for dog Control, including dog fouling, saw a 95.95% positive response to the proposal to allow Fixed Penalty Notices to be issued across the Borough for dog walkers who failed to pick up dog fouling; and detailed the several ways how the Council

currently tackled this issue.

The report also detailed the tools available to ensure compliance and change to this anti-social behaviour and that they were often categorised as Education, Engineering and Enforcement (the three E's); that there was a potential to review the topic of dog fouling centred on these 3 E's; that a working group could consider:

- Current Council policies and practices in dealing with dog fouling and disposal of dog 'fouling bags'
- Areas of good practise within the Council
- Good practise within other local authorities or similar organisations
- Areas for improvement within the Council's policies and practice

However, there was a danger that any new working group to review the impact of dog fouling in public places and the methods to combat this may see significant duplication in the matters already considered by the previous, recently completed Effectiveness of the Council's Enforcement Activity Working Group.

The report concluded by suggesting two options for consideration, namely:

- (1) that the Committee recognises the negative impact of dog fouling in public places but agrees not to establish a Working Group to consider this issue at this time, in recognition of the potential duplication of work and themes only recently covered by the Effectiveness of the Council's Enforcement Activity Working Group; or
- (2) that the Committee notes the work and recommendations already made by the Committee's Effectiveness of the Council's Enforcement Activity Working Group, and agrees to establish a Working Group to review the topic of dog fouling in public places and methods to combat such anti-social practice that seeks to explore relevant issues not already fully explored by the earlier Working Group.

2.4 The Committee resolved (Minute No. 38) that further consideration be given to the establishment of a Working Group to review the topic of dog fouling in public places and methods to combat such an anti-social practice at the first meeting of the Committee in the 2022/23 Municipal Year.

2.5 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.

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. LIVERPOOL CITY REGION COMBINED AUTHORITY OVERVIEW AND SCRUTINY COMMITTEE

- 4.1 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).
- 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;
- 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 Howard, Hansen and Waterfield (Scrutiny Link).

Representatives of the Liberal Democrat Group and Conservative group on the Committee will be reported to Members at the next meeting.

4.6 **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 13 July 2022.

4.7 **Quoracy Issues**

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. This has on occasion caused meetings to be inquorate.

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>

Latest Meeting - 12 April 2022

The latest meeting of the LCRCAO&S was held on 12 April 2022.

Matters considered at the meeting related to:

- Metro Mayor S Rotheram's Update
- Apprenticeship Task and Finish Group - Final Report
- Overview and Scrutiny Committee Self-Assessment

4.9 The next meeting of the LCRCAO&S will be held on 13 July 2022. Matters discussed at this meeting will be reported to Members at the next meeting of the Committee.

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