



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

MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL BOOTLE ON TUESDAY 8TH SEPTEMBER, 2015

PRESENT: Councillor Robinson (in the Chair)
Councillor Byrom (Vice-Chair)
Councillors Veronica Bennett, Dawson, Jamieson,
Daniel Lewis, McKinley, Owens and McGuire

ALSO PRESENT: Councillors Lappin, Maher and O'Brien

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cluskey and Weavers.

13. DECLARATIONS OF INTEREST

No declarations of interest were received.

14. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 3 August 2015 be confirmed as a correct record.

15. ENFORCEMENT AGENTS - CODE OF PRACTICE

The Committee considered the report of the Head of Corporate Support that provided an update on the Enforcement Agent Companies relating to the collection of debts owed to the Council and how Enforcement Agents dealt with vulnerability issues.

The report indicated that the Government had reviewed the system of enforcement and the 'Taking Control of Goods' regulations were laid before Parliament in 2013; as part of the regulations the term Bailiff was no longer used, being replaced by Enforcement Agent; that fee structures and the process by which individuals could be certified to act as Enforcement Agents had also been introduced; that a fixed staged fee regime had been introduced which removed any potential for overcharging and had reduced the number of complaints relating to fees as these were set by the Government; and that new training and competency requirements enabled the process to be much clearer and transparent for all parties.

The report also indicated that before using an Enforcement Agent Company to recover debt owed, the Council would always try to secure a mutually acceptable payment plan; that various forms of contact was made

OVERVIEW AND SCRUTINY COMMITTEE (REGULATORY,
COMPLIANCE AND CORPORATE SERVICES) - TUESDAY 8TH
SEPTEMBER, 2015

with the debtor prior to the Enforcement Agent stage; and that the vast majority of Enforcement Agent activity took place due to the debtors' refusal to engage with the Council in order to come to mutually acceptable arrangements to repay money they owed.

The report also detailed issues associated with the following:

- Procurement process – the tender comprised of 6 lots and contracts were awarded to the companies of Jacobs, Bristow & Sutor, Newlyn, Rossendales, and Equita for the period 1 April 2014 to 31 March 2017 plus 2 further options, each of one year
- Council and Enforcement Agent process
- Policy on debt less than £100
- Council tax reduction claims– process used
- Performance
- Enforcement and Vulnerability

Attached as Appendix A to the report was the Code of Practice for Enforcement Agent Services; and the Committee was requested to consider the submission of comments on the Code of Conduct to the Cabinet Member – Regulatory, Compliance and Corporate Services.

Following consideration of the report Members then asked questions of Dave Chapman (Rossendales), Paul Kelly (Jacobs) and Andy Rose (Bristow and Sutor), senior officers of three of the successful tendering companies.

RESOLVED: That

1. the report on the use of Enforcement Agents to recover debts owed to the Council be noted; and
2. the Cabinet Member – Regulatory, Compliance and Corporate Services be requested to amend the Code of Conduct by making changes to the Enforcement Agency Procedures Compliance Stage (as detailed on page 8 of the Code), namely:-

the addition of the following categories:-

- Appears to be over 70 years of age
 - Is consulting his or her Councillor or Member of Parliament;
- and

Category 4 being amended to read:-

Is heavily pregnant or the spouse of the debtor is heavily pregnant.

16. 2015/16 REVENUE BUDGET UPDATE

The Committee considered the report of the Head of Corporate Support that updated on the progress on the achievement of the approved savings for 2015/16 (and any residual savings carried forward from 2014/15); and the forecast on Council Tax and Business Rates collection.

The report indicated that the Council had approved a two year financial plan for 2015/16 to 2016/17 which required a large change programme of £55m to be implemented over these two years; that this followed on from a significant savings target in the previous three years; that it should be noted that only £50m of the £55m target had so far been identified; and that Council on 5 March 2015 had agreed that the remaining £5m would be matched against balances, pending identification of further saving options.

Annex A attached to the report identified the current position of the agreed savings for 2015/16 and that they were analysed into the following four categories;-

- Savings achieved to date (Blue);
- Progress is satisfactory (Green);
- Outcome is unknown and is at risk of not being fully achieved (Amber);
- Known shortfalls, or significant risk of not being achieved (Red)

And that this approach was designed to ensure complete transparency, effective risk management and improved consultation and engagement.

As at the end of July 2015 the position for the achievement of savings was that £24.720m of the total required savings in 2015/16 of £30.358m (for the current year and carry-forward items) had been delivered or were on plan; with £2.428m at some risk of not being fully achieved. This left a further £3.210m of savings that were unlikely to be achieved in 2015/16 (identified as "Red"). At the present time, it was still anticipated that the savings would be achieved in 2016/17.

The report also provided information on a number of other financial risks / potential areas of underspending that had been identified elsewhere in the Budget relating to the Specialist Transport Unit; the Children Social Care budget; Schools and Families related services; the Admin Buildings budget; and the Adult Social Care budget.

The report concluded by detailing the current position regarding other key income streams for the Authority, Council Tax and Business Rates, as variations against expected receipts would affect the Council's financial position. The report indicated that all income from Council Tax / Business Rates was collected in an account called the Collection Fund; that the total sum was split between the Council, the Fire and Rescue Authority, the Police & Crime Commissioner (Council Tax only) and the Government

OVERVIEW AND SCRUTINY COMMITTEE (REGULATORY,
COMPLIANCE AND CORPORATE SERVICES) - TUESDAY 8TH
SEPTEMBER, 2015

(Business Rates only); that the forecast position as at the end of January showed additional income of £3.631m from Council Tax and additional income of £1.170m from Business Rates; and that the forecast surplus on both Council Tax and Business Rates needed to be set against the forecast increase in Section 31 Grant for business rates reliefs and amounts included in the Medium Term Financial Plan for Council Tax Surplus and Appeals Spreading.

RESOLVED: That

- (1) the progress to date on the achievement of approved savings for 2015/16 and residual savings carried forward from previous years be noted;
- (2) the wider financial pressures being experienced in the remainder of the Budget be noted ; and
- (3) the forecast position on the collection of Council Tax and Business Rates be noted.

17. REVISED CUSTOMER SERVICE STANDARDS

The Committee considered the report of the Head of Locality Services – Commissioned that provided an overview of the revised service standards that had been applied to previously published service standards predominantly as a result of approved budget savings and the budget setting process for the 2015/17 period.

The report indicated that feedback from the 2013-15 budget consultation process showed that nearly all residents who responded (97%) agreed with the principle that the Council should be open and transparent by speaking and listening to people and communities; accordingly, officers across the organisation worked collaboratively to produce and publish service standards to provide residents with a greater appreciation of what they could expect to receive from services currently provided by the Council. Phase One of the process consisted of operational frontline services (apart from Adult Social Care) and approved in December 2013, whereby officers involved not only took a view as an officer of the Council but also with a view as a customer (Resident/Parent/Carer/Visitor) perspective as they recognised the importance of being open and transparent with customers. As a result the service standards were produced, approved and published. Phase Two of the process consisted of Corporate and Adult Social Care service standards. These were developed and published during 2014. However, by the time these had been finalised and agreed by senior officers, it was too late to present an annual report to this Committee in September of that year.

The purpose of the report therefore was to provide the Committee with information, in light of the approved budget savings for 2015-2017, on the service standards that had been reviewed and either amended, deleted or

OVERVIEW AND SCRUTINY COMMITTEE (REGULATORY,
COMPLIANCE AND CORPORATE SERVICES) - TUESDAY 8TH
SEPTEMBER, 2015

been added to. Annex 1 attached to the report detailed the amended service standards.

The report also indicated that in addition to the changes to service standards, the Trading Standards Charter had been amended to replace the previous charter published in 2003 that was made redundant by national changes to the consumer landscape; and that the Charter defined the level of service a member of the public could expect from Sefton's Trading Standards Service. The Charter, which will be published on the Trading Standards pages of the Council's website in due course with links to the Council's webpage on customer service standards, was attached to the report as Annex 2.

RESOLVED: That

- (1) the changes to the published service standards as a result of approved budget savings and the budget setting process 2015-2017 and as set out in Annex 1 to the report be noted; and
- (2) the amended Trading Standards Service Customer Charter as set out in Annex 2 to the report be noted.

18. CABINET MEMBER REPORT - JULY TO SEPTEMBER 2015

The Committee considered the report of the Head of Regulation and Compliance 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 and answered questions from Members thereon.

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.

**19. WORK PROGRAMME-KEY DECISION FORWARD PLAN (1
OCTOBER 2015 TO 31 JANUARY 2016)**

The Committee considered the report of the Head of Regulation and Compliance in relation to the Committee's programme of work (which identified topics for consideration, and on what Committee dates, throughout the Municipal Year) for 2015/16; the Key Decision Forward Plan for period 1 October 2015 to 31 January 2016; and which sought approval of the Scoping Document in connection with the Working Group to review "customer experience of claiming Council administered benefits and financial support".

OVERVIEW AND SCRUTINY COMMITTEE (REGULATORY,
COMPLIANCE AND CORPORATE SERVICES) - TUESDAY 8TH
SEPTEMBER, 2015

RESOLVED: That

- (1) subject to the amendments recommended in paragraph 2 of the report the work programme document for 2015/16 be approved;
- (2) the up to date position of the established Working Group to review “customer experience of claiming Council administered benefits and financial support” be noted and the Scoping Document attached as Annex D to the report be approved; and
- (3) Councillor McGuire be appointed to serve on the Working Group to review “customer experience of claiming Council administered benefits and financial support with immediate effect.