



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

**MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL BOOTLE
ON TUESDAY 12TH SEPTEMBER, 2017**

PRESENT: Councillor Bradshaw (in the Chair)
Councillor Byrom (Vice-Chair)
Councillors Booth, Linda Cluskey, Grace, Jamieson,
McKinley, Owens and McGuire

ALSO PRESENT: Councillors Lappin, Maher and Thomas

10. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Daniel Lewis and McCann.

11. DECLARATIONS OF INTEREST

No declarations of interest were received.

12. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 13 June 2017 be confirmed as a correct record.

13. CODE OF PRACTICE FOR ENFORCEMENT AGENT SERVICES

Further to Minute No. 13 of 13 September 2016 the Committee considered the report of the Head of Corporate Resources that reviewed how well the Enforcement Agent's Code of Practice was meeting its objectives in terms of fairness and effectiveness; and seeking any comments about the Code of Practice for consideration by the Cabinet Member - Regulatory, Compliance and Corporate Services.

The report indicated that the Code of Practice that was attached as an Appendix to the report, outlined the way that Enforcement Agents working on behalf of Sefton Council should conduct themselves; that new legislation relating to the Tribunal Courts and Enforcement Act 2007 came into force from 6 April 2014 and Sefton Council's Code of Practice for Enforcement Agent Services was revised to reflect those changes; and that the Ministry of Justice had promised a staged process review of the bailiff reforms one year, three years and, if necessary, five years after they came into force. However, the outcome of the one year review had not been published and it was unclear if further reviews would take place.

Regarding the identification of mental health issues and vulnerability the report described how enforcement agent staff, both office based and field

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agents, underwent extensive training on vulnerability and that they all received welfare training and were issued with guidelines from organisations such as MIND and the Royal College of Psychiatrists on how to identify potential mental health issues. Staff were also taught questions and techniques with trigger words that may identify a person with mental health issues. Cases were referred to in-house specialist welfare advisors who would undertake further sensitive enquiries, liaise with the Council and where appropriate would signpost to specialist advice agencies.

The report also indicated that during the period 1 August 2016 to 31 July 2017 Sefton sent 15,544 cases to Enforcement Agent companies (10,466 relating to Revenues Services and 5098 relating to Parking Services); that 801 potentially vulnerable cases were identified (646 relating to Revenues Services and 155 relating to Parking Services); and that the Revenues Service put a marker on those cases which had been returned to the Council relating to vulnerability issues and would review the vulnerability status on a regular basis and check if the status had changed.

The report also detailed that as part of its performance monitoring activity the Council required regular reports (each quarter) from the Enforcement Agent companies detailing the nature of feedback from their customers, whether it was a complaint, comment or compliment together with outcomes; and that there were 30 Revenues Service and 13 Parking Services complaints against Enforcement Agent action that were received and investigated by the companies themselves.

The report concluded by detailing initiatives by Revenue Service and Enforcement Agents.

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

- Reference was made to the figures in the table contained in paragraph 3.4.1 of the report relating to the number of complaints received by Enforcement Agent companies

RESOLVED:

That the report on the Code of Practice for Enforcement Agent Services be noted.

14. AGILE WORKING - POTENTIAL APPROACH AND PRINCIPLES

The Committee received a presentation from Stephan Van Arendsen, Head of Corporate Resources on Agile Working - Potential Approach and Principles.

Mr. Van Arendsen provided information on the following:-

- Agile working, amongst other things, was the ability for an individual to work flexibly in variable locations, that enabled the completion of

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duties in the most efficient and effective manner possible; that in order to facilitate this the appropriate policies, processes and technology were required; and that savings that would be realised by the adoption of agile working

- In a Sefton context and in keeping with the Sefton 2030 Vision and the Framework for Change, agile working would be a key enabler to the successful delivery of a number of projects; and would provide the opportunity to work differently and required the business requirements to be defined in order that the appropriate solutions could be provided. A substantial cultural change was required to embrace new ways of working to allow the Council to work smarter, to make staff more productive and to become a more agile workforce
- The key objectives of agile working would be to support the delivery of the Council's 2030 vision; that it was a key enabler in the Framework for Change - PSR 8 – Asset Maximisation, ICT and Digital and Early Intervention and Prevention (EIP) projects and would improve the customer interface of the Council; to contribute to the financial and environmental sustainability of the Council there needed to be a demonstrable financial case to support the investment; and that It could support the efficient use of (expensive) space and deliver the ICT capability to enable an agile workforce to work productively in more than one location
- Agile working has multiple benefits and should not be considered solely in the context of reducing the accommodation footprint as It offered the freedom to work in the optimum location (for the employee and the customer) making the best use of time and resources and that it utilised technology to its best advantage
- How agile working worked which included the Business defining its requirements and the evaluation of the technology and accommodation solutions to demonstrate how requirements can be met and savings delivered. Document sharing would be made easier via remodelled digital storage and accessibility (archiving policy); HR Policies would need to be reviewed and adapted; and work etiquette and building management policy and protocols introduced (depersonalisation of desks/clear desk)
- Work currently underway including the recent Accommodation Strategy Working Group review; ICT transformation requirements currently being defined which could maximise potential; ICT User Groups were being; that gains could be made without some ICT development; and the defining requirements for immediate projects e.g. EIP and Merton House decant and business case
- The next steps which included the Overview and Scrutiny Working Group findings supporting the process; the defining of business requirements on key projects that supported operational and financial business case (EIP and Merton House); the identification of what can be delivered pre and post ICT transformation; the development of ICT transformation business case; confirmation that the approach should be developed and embedded across the

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Council; and the refining of user groups and the identification of building and infrastructure needs

- Examples of agile working would be Teams working together in assigned clusters or zones; workstations set up for particular user groups to maintain synergies; ratios (proposed) of 0.75 and 0.5 used i.e. one desk per 1.3 people or one desk for two people; existing furniture will be graded and retained if practicable; colleagues who occupied a desk 100% the time would still be required to maintain a clear desk at all times; and ICT hardware, software and infrastructure being key to the success of rolling out an agile and lean hot-desk environment

Members asked questions/raised issues on the following matters:-

- Consultation with staff seeking their views on home working and the development of home working patterns
- The involvement of trades unions in revised HR policies associated with agile working
- To ensure staff don't feel isolated from their colleagues whilst home working a system should be introduced to enable effective dialogue and communication amongst team members
- Performance management issues related to home working
- The cultural change associated with home working

RESOLVED:

That Mr. Van Arendsen be thanked for his informative presentation.

15. AREA COMMITTEES WORKING GROUP FINAL REPORT

Further to Minute No. 15 (2) of 13 September 2016 the Committee considered the report of the Head of Regulation and Compliance that presented formally the final report of the Area Committees Working Group.

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

- Review the findings of the public consultation exercise undertaken on the role of Area Committees, and the other issues set out in the report submitted to the Cabinet on 23 June 2016
- Review modern methods of engagement between councils and their councillors and councillors and their communities, including the operation of community forums by other local authorities, the use of social media and guidance on its use
- To consider whether a programme of communication training for members should be developed with particular emphasis on the social media aspects of modern communication in their role as 'Community Champions'

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- Review ways of communicating information about councillors' expenditure in their wards and associated decision making processes
- To consider whether a system of escalation for the public where a councillor cannot be contacted, does not respond to contact or does not make themselves available for surgeries etc. can be developed
- To consider whether methods for citizens to formally engage with its Council are made as simple and effective as possible through the provisions within the Council Constitution for petitions, questions attendance at meetings etc.
- To consider how section 106 and Community Infrastructure Levy funding would be spent in a revised Area Committee structure
- To consider the remit of Area Committees

The Working Group met on numerous occasions to undertake such review and its Final Report was attached as an appendix to the report. At its final meeting the Working Group considered submissions from Councillors Jamieson, McGuire and Thomas and such submissions are detailed in paragraph 6 and Appendix 3 of the Final Report. The Working Group recommended that the Overview and Scrutiny Committee consider the submissions detailed in paragraph 6 and Appendix 3 and determine the most appropriate course of action thereon.

Councillor Carla Thomas, Lead Member of the Working Group presented the Working Group's Final Report to the Committee.

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

- It was acknowledged that all three Area Committees were different and that some worked better than others; that Southport Area Committee operated well and that the Final Report reflected this; that the frequency of Area Committee meetings may need to be increased; disagreement was made to the statement "Bearing in mind the generally negative comments of witnesses to the current structure" contained in Councillor Thomas's preamble to her recommendation on page 79 of the Final Report; that there was no need for change regarding Southport Area Committee; that Area Committees should be better publicised; and that a one size fits all approach should not be adopted and that Southport Area Committee should remain in its current form
- Concern was expressed about recommendation (3) C made by Councillor Thomas relating to complaints from constituents about elected Members as there was no evidence that such a recommendation was required; concern was expressed about recommendation (3) E made by Councillor Thomas relating to any Ward budget over £10,000 not spent at the end of the Municipal Year being transferred to the Cabinet Member – Communities and Housing for inclusion in the Community Transition Fund. It was

suggested that on occasions funding needed to be rolled over to other years to fund larger schemes such as pedestrian crossings; that it was clear from witness evidence that South Sefton and Central Sefton Area Committees were not functioning well and it was suggested that these areas could look at alternative structures; however, Southport Area Committee does work well, was established via a local referendum and should be retained

- The Area Committee system was a pillar of the governance modernisation proposals in 1999, but that it was time to modernise
- Three options had been proposed by political parties and it was clear that a consensus would not be reached on a common recommendation

RESOLVED:

That the Working Group's Final Report be referred to Cabinet with a request that Cabinet select an option as detailed in paragraph 6 and Appendix 3 of the Final Report.

16. LICENSING/CHILD SEXUAL EXPLOITATION WORKING GROUP FINAL REPORT

Further to Minute No. 7 (4) of 21 June 2016 the Committee considered the report of the Head of Regulation and Compliance that presented formally the final report of the Licensing/Child Sexual Exploitation Working Group.

The Working Group (that was a joint Working Group with Members of the Overview and Scrutiny Committee (Children's Services and Safeguarding)) was established with the following Terms of Reference and Objectives:-

- To review the Council's legal and safeguarding position in relation to the issue of any licence following allegations of child sexual exploitation
- To consider whether all relevant pathways, methods of referral are sound with respect to escalation of CSE referrals
- To ensure that key sectors are informed, aware of how to raise concerns concerning CSE
- To liaise with the Home Office and lobby for legislative change should the need arise

Accordingly, the Working Group had met on numerous occasions to undertake such review and its Final Report, together with associated recommendations, was attached to the report.

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

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- From a reputational point of view for the Council it was very important that the risks associated with child sexual exploitation were minimised

RESOLVED:

That Cabinet be recommended to:-

- (1) request Sefton's Members of Parliament to lobby the Home Secretary to strengthen the existing Legislation regarding personal licences to Include:-
 - a) A national data base of personal licences
 - b) A fit and proper persons test
 - c) In particular provision to allow a Council to defer determination of a personal licence where the Individual is currently involved in a Police Child Sexual Exploitation investigation where a licenced premises is central to those investigations;
- (2) request Sefton's Members of Parliament to lobby the Secretary of State for Education to ensure that Care Providers who offer residential placements for 16 – 18 year old children and young people are inspected by a regulatory body;
- (3) in order to raise awareness of Child Sexual Exploitation issues with Sefton parents, request the Head of Schools and Families to promote the Child Sexual Exploitation e-learning tool with all schools and governing bodies and with a request that school e-newsletters contain a hyperlink to the e-learning tool;
- (4) Rather than the Merseyside local authorities dealing with licensing/CSE issues in a piecemeal or individual way, the Liverpool City Region be contacted to seek the adoption of pan-Merseyside standardised policies particularly bearing in mind the cross boundary nature of taxi/private hire journeys; and
- (5) request that the Head of Regulation and Compliance and the Head of Children's Social Care submit a joint monitoring report to the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Resources) and the Overview and Scrutiny Committee (Children's Services and Safeguarding) to be held on 16 and 30 January 2018 respectively, setting out progress made against each of the recommendations set out in the report and that thereafter, monitoring reports be submitted to the Committees on a six monthly basis.

17. WORK PROGRAMME 2017/18, SCRUTINY REVIEW TOPICS AND KEY DECISION FORWARD PLAN

The Committee considered the report of the Head of Regulation and Compliance that updated on the draft Work Programme for 2017/18; topics for scrutiny reviews to be undertaken by a Working Group(s) appointed by the Committee; and seeking the identification of any items for pre-scrutiny from the Key Decision Forward Plan.

At its last meeting the Committee agreed to establish a Digital Inclusion Working Group. Following consultation with the Head of Corporate Resources it is recommended that the commencement of the Digital Inclusion Working Group be deferred until November 2017. This is to enable the objectives of the ICT Development Programme to be progressed and thereafter be included in the Working Group's Scoping Document.

RESOLVED: That

- (1) the Work Programme for 2017/18, as set out in Appendix 1 to the report be approved and the following additional items be included in the Work Programme:-
 - Environmental Services – report about the service option to reduce the structure by £500k and to consider the different ways of working that this has necessitated – report to be considered at the 31 October 2017 meeting
 - Business Continuity - report to be considered at the 6 March 2018 meeting
 - Social Media Use and Effectiveness – Presentation – to be made to the Committee at the 31 October 2017 meeting
 - Financial Reports and Terminology - presentation/training to be made at the 31 October 2017 meeting;
- (2) it be noted that the commencement of the Digital Inclusion Working Group will be deferred until November 2017; and
- (3) Councillors Bradshaw, Linda Cluskey, Daniel Lewis, McKinley and Michael O'Brien together with a representative of Sefton CVS be appointed to serve on the Digital Inclusion Working Group.

18. CABINET MEMBER REPORT – MAY 2017 TO AUGUST 2017

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.

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Councillor Lappin, Cabinet Member – Regulatory, Compliance and Corporate Services presented her report and drew attention, in particular, to the following issues:-

- Adult Social Care Day Care modernisation
- Pre-paid cards for social care direct payment recipients
- The financial risk to the Council posed by deficits in school budgets
- Agile working proposals
- Revenues Service and Sefton being the top performing Metropolitan authority in the country for business Rates Collection in 2016-17 and being the top performing authority in the Liverpool City Region for both Council Tax and Business Rates
- Work undertaken by the Pay and Grading Team
- Workforce learning and development, apprenticeships and the apprenticeship levy
- Asset disposals
- Work undertaken by Democratic Services
- The unveiling of the VC Paving Stone for Harold Ackroyd at a special ceremony held at Southport War Memorial on 8 September 2017

Members asked questions/raised issues on the following matters:-

- The excellent outcome in the Council securing a reduction to drainage of surface water to Schools.

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. REVENUE AND CAPITAL BUDGET UPDATE 2017/18

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 2017/18 as at the end of July and that this forecast would be informed by the latest analysis of expenditure and income due to the Council, in addition to the progress in delivering approved savings; the current forecast on Council Tax and Business Rates collection for 2017/18; and the current position of the Capital Programme.

The report indicated that the Budget Council in March 2017 approved a 3 year budget package that would seek to address the funding shortfall of £64m that had been reported throughout 2016; that following a review of all financial assumptions and the proposals contained within the Framework for Change programme, savings of £24.922m were identified that would need to be delivered in 2017/18; that this position included a

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number of measures that were approved to phase the delivery of the public sector reform savings over the course of the 3 year period; and that the report presented an assessment of the forecast revenue outturn position for 2017/18 and the latest position on the achievement of the agreed Public Sector Reform savings for 2017/18 of £4.573m. Appendix A attached to the report provided details of all Public Sector Reform savings.

With regard to Council Tax the report indicated that Council Tax income was shared between the billing authority (Sefton Council) and the two major precepting authorities (the Fire and Rescue Authority, and the Police and Crime Commissioner) pro-rata to their demand on the Collection Fund; that the Council's Budget included a Council Tax Requirement of £118.748m for 2017/18 (including Parish Precepts), which represents 85.8% of the net Council Tax income of £138.431m; that the forecast outturn at the end of July 2017 was a surplus of £0.294m (£0.186m reported in June); and that due to Collection Fund regulations, the Council Tax surplus would not be transferred to the General Fund in 2017/18 but would be carried forward to be distributed in future years.

With regard to Business Rates the report indicated that since 1 April 2013 the Council had retained a share of Business Rates income and that the Council's share had increased from 49% in 2016/17 to 99% in 2017/18 as a result of its participation in the Liverpool City Region Business Rates 100% Retention Pilot Agreement; that the Government's share of business rates had reduced from 50% in 2016/17 to 0% in 2017/18, however, they continued to be responsible for 50% of the deficit outstanding at the 31 March 2017; and that the Fire and Rescue Authority retained the other 1%. The forecast outturn at the end of July 2017 was a deficit of £0.523m on Business Rates income (£0.731m reported in June); and due to Collection Fund regulations, the Business Rates deficit would not be transferred to the General Fund in 2017/18 but would be carried forward to be recovered in future years.

With regard to the Capital Programme the report indicated that the approved capital budget for 2017/18 was £26.087m; that this had increased by £0.881m from the previous month; that £0.494m was due to the additional slippage from 2016/17 that was agreed by Strategic Capital Investment Group in June 2017 and £0.387m was due to some 2016/17 budgets that were phased in 2017/18 that had not been included in the programme due to a technical issue. As part of the monthly review project managers were now stating that £25.215m would be spent by year end; this would result in an under spend on the year of £0.872m on the whole programme with an overall delivery rate of 97%; and the key variations on the overall Programme were set out in paragraph 5.5 of the report.

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

- The Council's strategic investment in the Strand Shopping Centre and its effect on the Council's borrowing commitment; and

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information was sought on when elected Members would be provided with full details of the costs to purchase the Centre

- The prudential borrowing commitment to fund additional car parking at Maghull Leisure Centre

RESOLVED: That

- (1) the forecast deficit outturn position of £0.686m as at the end of July 2017 be noted;
- (2) the progress to date on the achievement of approved Public Sector Reform savings for 2017/18 be noted;
- (3) the forecast position on the collection of Council Tax and Business Rates for 2017/18 be noted; and
- (4) the current progress in the delivery of the 2017/18 Capital Programme be noted.