

# Overview & Scrutiny



## SEFTON COUNCIL OVERVIEW AND SCRUTINY ANNUAL REPORT 2017/18

Sefton Council 



# Overview & Scrutiny

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Improvement'**

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# Overview and Scrutiny Management Board



**Councillor Michael O'Brien**  
*Chair of the Overview and Scrutiny Management Board*

It gives me great pleasure to introduce the Annual Report of the Overview and Scrutiny Management Board for 2017/18.

The Overview and Scrutiny Management Board has met twice during 2017/18.

Communication has always been a key consideration for the Management Board and the Board has previously agreed that Cabinet Member reports would be submitted to the relevant Overview and Scrutiny Committee in order to contribute towards the relationship between the Executive and Overview and Scrutiny Members.

Members have welcomed the Cabinet Member update reports and attendance of relevant Cabinet Members at Overview and Scrutiny Committee meetings. This process will remain in place despite Cabinet Member decisions being managed electronically.

The Management Board has offered support and guidance, where necessary, in the promotion of mini-reviews/single item meetings with a view to being more productive and adding value with reduced resources. This has been welcomed by all Committees and we hope to build on the successes from the previous years to ensure we continually improve.

The Council had appointed Councillor Paula Murphy (Scrutiny Link) and Councillors Dan T. Lewis and Thomas onto the Liverpool City Region (LCR) Combined Authority Scrutiny Panel; and Councillor Murphy submitted regular progress reports in relation to the operation of the LCR Scrutiny Panel throughout the year.

Councillor Murphy was also appointed by the Management Board to represent Sefton at meetings of the North West Strategic Scrutiny Network for 2017/18.

The Management Board supports training being offered to all Members of the Council. Although not specifically related to Overview and Scrutiny, a Charing Skills for Members training event for all Members of the Council was held on 9 February 2018; and a Chair and two Vice-Chairs of Overview and Scrutiny Committees attended this training.



The Management Board had considered the following issues during 2017/18:-

- Regular progress reports on the position of Working Groups established by the Council's four Overview and Scrutiny Committees; and the establishment of a cross-cutting Scrutiny Review by the Management Board relating to Early Intervention and Prevention Strategy/Marmott Indicators. Membership of this Working Group was comprised of Councillors Page (Lead Member), Byrom, Sayers and Webster. Work by the Early Intervention and Prevention Working Group was completed in October 2017 and approved by the Cabinet at its meeting on 2 November 2017. A monitoring report on progress made against each of the recommendations agreed is scheduled to be reported to the Management Board in September 2018.
- Amendments to the Overview and Scrutiny call-in procedure that were subsequently adopted by all four Overview and Scrutiny Committees.
- The Liverpool City Region Overview and Scrutiny Committee relating to:-
  - its Work Programme for 2017/18;
  - the establishment of three Working Groups to investigate the themes of Spatial Development Strategy, Air Quality and Welfare Reform and Universal Credit.
- The publication of the Communities and Local Government Select Committee report titled "Effectiveness of Local Authority Overview and Scrutiny Committees".

### **The Year Ahead**

Given the scale of the financial and service challenges facing the Council the year ahead will be extremely busy for Overview and Scrutiny Committees and the Management Board to scrutinise such challenges and how they impact on the Council's statutory requirement to remain financially sustainable and the desire to deliver the Sefton's 2030 Vision and Core Purpose.

Finally, I would like to take this opportunity to thank the Officers of the Democratic Services Team for all their hard work during the year.

**Councillor Michael O'Brien**  
**July 2018**



During 2017/18 the following Members served on the Committees indicated-

### Overview & Scrutiny Management Board

Councillor Michael O'Brien (Chair)  
Councillor Page (Vice-Chair)  
Councillor Byrom  
Councillor Bradshaw  
Councillor Carragher  
Councillor Dams (subsequently replaced by Councillor Marianne Welsh)  
Councillor Murphy  
Councillor Sayers

### Overview & Scrutiny Committee (Children's Services and Safeguarding)

Chair: Cllr. Murphy  
Vice-Chair: Cllr. Carragher  
Cllr. Bennett  
Cllr. Bradshaw  
Cllr. Hands  
Cllr. Keith  
Cllr. Brenda O'Brien  
Cllr. Pitt  
Cllr. Spencer  
Cllr. Webster

Mr. S. Harrison – Church Diocesan Representative  
Father D. Seddon - Church Diocesan Representative  
Mrs. C. Palmer - Parent Governor Representative  
Mrs. S. Cain - Advisory Member  
Ms. L. Kitt - Healthwatch Representative



## Overview & Scrutiny Committee (Adult Social Care)

Chair: Cllr. Page  
Vice-Chair: Cllr. Dams (subsequently replaced by Cllr. Marianne Welsh)  
Cllr. Bliss (subsequently replaced by Cllr. Jones)  
Cllr. Burns  
Cllr. Carr  
Cllr. Linda Cluskey  
Cllr. Dawson  
Cllr. McGuire  
Cllr. Owens  
Cllr. Pugh  
Cllr. Lynne Thompson  
Cllr. Bill Welsh  
Cllr. Marianne Welsh  
Mr. B. Clark and Mr. R Hutchings – Healthwatch Representatives

## Overview & Scrutiny Committee (Regulatory, Compliance and Corporate Services)

Chair: Cllr. Bradshaw  
Vice-Chair: Cllr. Byrom  
Cllr. Booth  
Cllr. Linda Cluskey  
Cllr. Grace  
Cllr. Jamieson  
Cllr. Daniel Lewis  
Cllr. McCann  
Cllr. McKinley  
Cllr. Owens



## Overview & Scrutiny Committee (Regeneration and Skills)

Chair: Cllr. Sayers

Vice-Chair: Cllr. Michael O'Brien

Cllr. Bliss (subsequently replaced by Cllr. Jamieson. Cllr. Jamieson subsequently replaced by Cllr. Bliss)

Cllr. Carragher

Cllr. Dan T. Lewis

Cllr. Pullin (subsequently replaced by Cllr. Shaw. Cllr. Shaw subsequently replaced by Cllr. Pullin)

Cllr. Roche

Cllr. Weavers

Cllr. Webster (subsequently replaced by Cllr. Dawson due to a change in political balance on the Council)

Cllr. Bill Welsh



# Adult Social Care and Health



**Councillor Catie Page**  
*Chair of the Overview & Scrutiny Committee*  
**(Adult Social Care and Health)**

**It is my pleasure to introduce the 2017/18 Annual Report of the Overview and Scrutiny Committee (Adult Social Care and Health).**

## Introduction

This is my sixth Annual Report as Chair of the Overview and Scrutiny Committee (Adult Social Care and Health). I believe that the Committee has built on the existing good working relationships with many of our health partners. The trust that has been established has meant that we are recognised in our role of “critical friend”; we are listened to and have been able to have a positive influence on the development of health and adult social care services within Sefton. This Report is presented to the Council and a wider audience beyond in the hope that the information it contains will contribute to the debate and discussion about the provision of health and adult social care services for Sefton residents and their development, improvement and access.

## Meetings

The Committee met formally on seven occasions during 2017/18. A Special Meeting was held during May 2017 to consider the proposed merger of the Liverpool, Southport and Formby, and South Sefton Clinical Commissioning Groups. At the time, the Committee considered it had insufficient information on which to reach a decision on whether the merger would mutually benefit all communities, and we requested additional information before our support could be given. We also held a Joint Meeting with the Overview and Scrutiny Committee (Children’s Services and Safeguarding) to consider a review of services at Liverpool Women’s NHS Foundation Trust.

A further Special Meeting was held during March 2018 and a Reconvened Meeting during April 2018, in order to consider the position for Hightown GP Surgery. I was very pleased that a Provider came forward to continue with the Hightown service, albeit at the eleventh hour, and the outcome prompted us to request the Sefton Clinical Commissioning Groups (CCGs) and NHS England to report to us on the GP Primary Care Strategy during 2018/19. An informal meeting of Members of the Committee was also held in order to receive draft Quality Accounts, details of which are outlined below.





## **NHS Trust Quality Accounts**

As usual, the Committee commenced 2017/18 with the consideration of draft Quality Accounts from local healthcare providers. This provided Committee Members with an opportunity to comment on the performance of local NHS Trusts during the preceding twelve months, particularly in relation to patient experience, safety and clinical effectiveness. A number of local NHS Trusts routinely submit their draft Quality Accounts for consideration and comment each year and it is always a challenge to determine where the Committee will focus each year. I attended a separate event hosted by the Sefton Clinical Commissioning Groups, to receive a briefing on all the draft Quality Accounts, with Liverpool and Knowsley CCGs and Healthwatch representatives, where close questioning took place from a wider perspective. Then an informal meeting of Members of the Committee was held during May 2017, dedicated to considering the four draft Quality Accounts from the following Providers:-

- Southport and Ormskirk Hospital NHS Trust;
- Mersey Care NHS Foundation Trust;
- Aintree University Hospital NHS Foundation Trust; and
- Liverpool Women's NHS Foundation Trust.

The Providers concerned sent representatives to respond to our questioning and the Committee sought input from a representative of the two Sefton Clinical Commissioning Groups, together with Healthwatch Sefton representatives. This proved to be an effective approach in scrutinising the four draft Quality Accounts concerned.

## **Clinical Commissioning Groups (CCGs)**

Throughout 2017/18 the Committee received regular update reports from the two Clinical Commissioning Groups (CCGs) within Sefton, namely the South Sefton Clinical Commissioning Group and the Southport and Formby Clinical Commissioning Group. This was the fifth year of full operation for the CCGs and I attended a number of their “Big Chat” and “Shaping Sefton” events which are designed to engage with local communities.

The CCGs are, of course, responsible for the planning and commissioning of health care services for the local area. During 2017/18 they reported to the Committee on a range of activities designed to promote health and wellbeing amongst residents. I believe that excellent relationships exist between Committee Members and officers of the CCGs, particularly the Chief Officer who attends virtually every Committee meeting and has always been willing to take up issues raised by Members and explain aspects of the services provided.

Updates submitted by the CCGs have included details of CCG Board meetings to which members of the public are invited; representatives and elections for the CCG governing bodies; “Big Chat” events used to shape services; plus details on various aspects of the work and health care services provided by the CCGs. The regular



updates allow Members to raise questions and scrutinise aspects of the services provided by the CCGs. We also received a presentation on the CCGs' Estates Plan.

Throughout the year the CCGs have also submitted statistics to the Committee on Health Provider Performance which has enabled us to check the key performance areas of our local NHS Hospital Trusts, including the Friends and Family Test and A&E monitoring. These statistics have been particularly useful in scrutinising services during winter pressures.

### **Joint Health Scrutiny Committee**

Towards the end of 2016/17 the Committee was asked to determine whether the case for change submitted by the Healthy Liverpool Programme for Orthopaedic Services constituted a substantial variation. The Committee agreed that it did and the Council subsequently endorsed our decision. A Joint Health Scrutiny Committee was then established with our colleagues at Liverpool and Knowsley Councils, to consider the proposals for Orthopaedic Services in greater depth and I was one of our Sefton representatives to consider the proposals at the first meeting in June 2017. We also visited facilities at site visits to Broadgreen Hospital and also at Aintree Hospital during the autumn of 2017. I understand that a further meeting of the Joint Committee will be convened during 2018/19 to consider the final proposals.

### **NHS Trusts / Partners**

Throughout 2017/18 the Committee received reports and presentations on work and activities undertaken by NHS Trusts. Attendance at meetings by senior NHS representatives has enabled Committee Members to scrutinise NHS performance in the following areas:-

- Southport and Ormskirk Hospital NHS Trust - update reports in respect of performance and management arrangements; and
- Aintree University Hospital NHS Foundation Trust - recent developments at the Trust.

I was very pleased that the Chief Executive of Aintree Hospital attended a meeting to respond to our questions and we heard about the merger proposals with the Royal Liverpool and Broadgreen University Hospital Hospitals NHS Trust, together with the outcome of the recent Care Quality Commission inspection report.

We also welcomed the Interim Chief Executive for Southport and Ormskirk Hospital to a meeting during the year. Having recently met the new Chief Executive for the Trust early in 2018/19, I look forward to establishing a good working relationship between him and the Committee and he has agreed to attend the Committee meeting in September 2018.

During the year we also met with representatives of NHS England (Cheshire and Merseyside) to discuss the future provision of primary care services to patients registered with Freshfield and Hightown Village Surgeries. Then I attended 6 out of the 8 consultation sessions for the 2 practices where I ensured that views and



suggestions from the patients and public were listened to and taken on board. Tenders were put out and business plans were submitted, Freshfield Surgery being a smooth transition whilst Hightown Surgery culminated in two Special Meetings, as outlined above, involving Committee Members and Margaret Carney, Chief Executive, to make sure an appropriate service was put in place.

## **Adult Social Care**

During the year the Committee received reports on the following aspects of the Council's Adult Social Care function:-

- Review of Sefton Community Equipment Store;
- Domiciliary Care Contracts - Future Tender; and
- Adult Social Care Complaints Annual Report 2016/17.

We also said goodbye to Tina Wilkins, the Council's former Head of Adult Social Care, and I am grateful for her input into the work of the Committee and for being so candid, particularly in her reporting of complaints to the Committee and how complaints can be understood and learnt from.

## **Public Health**

During 2017/18 the Committee received reports on the following aspects of the Council's Public Health function:-

- Public Health Annual Report; and
- Health Checks.

The Public Health Annual Report considered the root causes of health inequalities across Sefton, actions being undertaken to address those issues and recommendations for future actions across key areas. The Health Checks item informed the Committee of progress made in the implementation of a new delivery model for the NHS Health Checks programme in Sefton.

## **Scrutiny Review Working Groups**

During 2016/17 the Committee had established a Residential and Care Homes Working Group, comprised of Councillors Linda Cluskey, Lynne Thompson and Roger Hutchings, one of our Healthwatch co-opted Members, which undertook a review on the current care home market within Sefton. This Working Group continued into 2017/18 and particularly took into account current and future population needs, demand and market supply, together with the Council's "market shaping" duties arising from the Care Act. During 2017/18 we welcomed the Final Report of the Working Group and I am grateful to Working Group Members for their input on this piece of work. I was pleased that the Committee supported the recommendations and commended them to the Cabinet for approval. I look forward to receiving an update of the implementation of the recommendations during 2018/19.



## **Call-In**

In 2017/18 the Committee was asked to contribute towards the “call-in” procedure by scrutinising and approving a revised “Call-In Procedure Note”, as amended by the Overview and Scrutiny Management Board. Although the Committee receives very few “called-in” items, I was pleased that we were given the opportunity to contribute towards the procedure to be adopted by all Overview and Scrutiny Committees and ensure that the system is even more efficient in the future.

## **Pre-Scrutiny and the Key Decision Forward Plan**

As ever, the Key Decision Forward Plan provided the Committee with an opportunity to pre-scrutinise Key Decision items from the Council’s Forward Plans as each of the latest Forward Plans are submitted to the Committee as part of its Work Programme update. The pre-scrutiny process assists the Cabinet and Cabinet Members to make effective decisions by allowing Overview and Scrutiny Committees to examine issues beforehand and make recommendations prior to a determination being made by the Executive.

## **Cabinet Member Reports**

The regular attendance at meetings of both Councillor Paul Cummins, Cabinet Member - Health and Social Care, and Councillor Ian Moncur, Cabinet Member – Health and Wellbeing, has been very much appreciated by Members of the Committee. Throughout the year I have agreed the inclusion of all the relevant Cabinet Member Update Reports on agendas as I feel that it is particularly important to include regular updates on major areas of the Council’s activities, particularly as budgets have become increasingly under pressure. The Cabinet Member Update Reports have included a wealth of valuable information on aspects of the services and the Cabinet Members’ attendance, together with the presence of senior officers from both the Council’s Adult Social Care and Public Health service areas, has been very useful, providing Members with an opportunity to raise question and scrutinise developments within those Council Portfolio areas.

## **Sefton Healthwatch**

Back in 2014/15 the Committee was fortunate in securing the services of two Advisory Members from Healthwatch Sefton who bring additional experience and expertise to the table, and this practice has continued into 2017/18.

I have also met informally with the Healthwatch representatives on a regular basis, together with the Manager of the Organisation and my Vice-Chair, and these informal meetings have proved to be very useful, enabling us to discuss a range of issues and strengthen the excellent working relationship between Healthwatch Sefton and the Committee.



## **Contributions Made During 2017/18**

The attendance of representatives of organisations and partners, including senior officers of NHS Trusts, has been much appreciated and I would like to thank all our partners for their openness and their responses to our requests and suggestions. I have also appreciated the advice and support of Fiona Taylor, Chief Officer for both the Sefton Clinical Commissioning Groups (CCGs); Dwayne Johnson, the Council's Director of Social Care and Health; Tina Wilkins, the former Head of Adult Social Care; and Matt Ashton, Head of Health and Wellbeing and Director of Public Health, during 2017/18. I look forward to forging a closer working relationship with Deborah Butcher, the Council's recently appointed Head of Adult Social Care.

I am grateful to all the Members of the Committee for their support and for the enthusiastic way that they have contributed to our work. I would also like to express my gratitude to those members of the public who attended the Committee during 2017/18. My particular appreciation goes to our Democratic Services Officers for their commitment, advice and support and specifically the officer who supports the Committee, Debbie Campbell, for her hard work, commitment and patience.

## **The Year Ahead**

With on-going pressures on social care and health services at a time when public expectations remain high, I am constantly aware that the Committee faces fresh challenges at the beginning of each new Municipal Year. Despite these challenges, I am confident that the Committee will rise to meet the expectations upon it and that new Members of the Committee will soon be fully informed and be able to play an active role.

**Councillor Catie Page**  
**July 2018**



# Children's Services and Safeguarding



**Councillor Paula Murphy**  
*Chair of the Overview and Scrutiny Committee  
(Children's Services and Safeguarding)*

**I am pleased to introduce Sefton Council's Overview and Scrutiny Committee (Children's Services and Safeguarding) Annual Report 2017/18 to the Council.**

## Meetings

During 2017/18 the Committee met on 7 occasions, including Special Meetings arranged for the Committee to scrutinise specific issues in detail.

At the beginning of the Municipal Year the Committee received a report in relation to the Special Educational Needs and Disability (SEND) Inspection and the final Statement of Action which had been submitted to Ofsted. The inspection had been undertaken jointly by Ofsted and the Care Quality Commission (CQC) and the written statement of action had been required on 5 areas of concern within Sefton. Members of the Committee expressed some concerns and felt that they should have the opportunity to consider the re-drafted statement of action prior to its submission to Ofsted and the CQC. The outcome was that a Special Meeting was arranged in order for Committee Members to scrutinise the item in greater depth and a Working Group was subsequently established, details below. We also received an update on the implementation of actions arising from the joint inspection, later in the year.

A Joint Meeting with the Overview and Scrutiny Committee (Adult Social Care and Health) was also held in October 2017 to consider a review of services at Liverpool Women's NHS Foundation Trust.

## Working Group - CAMHS

During 2016/17 the Committee had established a Working Group to consider Children and Adolescent Mental Health Services (CAMHS), comprised of Councillors Bennett, Hands, Keith, Spencer and Webster and Ms. Libby Kitt, Healthwatch Representative. Councillor Hands was appointed as the Lead Member of the Working Group. This review was the follow-up to a CAMHS Working Group finalised in 2010 as, whilst the majority of recommendations had been implemented satisfactorily, some had not. Outstanding concerns remained in relation to Children transitioning from Children's Services into Adult Services in terms of being admitted



onto wards that were inappropriate for young adults, and also geographical service delivery with regard to inequality of referral waiting times and thereafter, appointment times.

During 2017/18 we received the Final Report of the Working Group and the Committee supported the recommendations and commended them to the Cabinet for approval. I am grateful to the Members concerned for their input into this piece of work. We did subsequently receive a report and presentation on capacity and the waiting list review for the CAMHS service across Sefton from a representative of the Sefton Clinical Commissioning Groups. I look forward to receiving a progress report on the implementation of the recommendations during 2018/19.

### **Working Group - Licensing/Child Sexual Exploitation**

We also received the Final Report of the Licensing/Child Sexual Exploitation Working Group that had been established jointly with the Overview and Scrutiny Committee (Regulation, Compliance and Corporate Services) to consider this issue. Councillors Bradshaw, Keith, Brenda O'Brien, Robinson and Thomas, and Mrs. Sandra Cain, an Associate Member of the Overview and Scrutiny Committee (Children's Services and Safeguarding), were appointed to serve on the Working Group. Councillor Robinson was appointed as the Lead Member.

The Working Group was established 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 and aware of how to raise concerns concerning CSE; and to liaise with the Home Office and lobby for legislative change should the need arise. The Committee supported the recommendations produced by the Working Group and commended them to the Cabinet for approval during the autumn of 2017. We subsequently received an update report setting out progress made against each of the recommendations. I am appreciative of Members input into this piece of work and I look forward to receiving further progress reports on the implementation of the recommendations during 2018/19.

### **Working Group - SEND**

The Committee also established a Working Group to review the topic of Special Educational Needs and Disability (SEND) Process of Assessment. This was in response to the concerns raised at the beginning of the Municipal Year, as outlined above. Membership was comprised of me, Councillors Bennett, Brenda O'Brien, Spencer, and Co-opted Members Sandra Cain, Libby Kitt and Carrie Palmer. Councillor Spencer was appointed as the Lead Member of the Working Group. I look forward to seeing a Final Report being submitted to the Committee during 2018/19.

### **Working Group – (NEETs)**

We also requested a progress report on the implementation of the recommendations of the former Not in Education, Employment and Training Working Group (NEETs),



that had been established jointly with the Overview and Scrutiny Committee (Regeneration and Skills) and was completed during 2013. The Overview and Scrutiny Committee (Children's Services) appointed Councillors Brennan, Keith, Killen and McKinley, former Councillor Dorgan, and Parent Governor Representative Mrs S. Cain to serve on the Working Group. The Overview and Scrutiny Committee (Regeneration and Environmental Services) appointed Councillors Marianne Welsh and Roche to serve on the Working Group. Councillor Brennan was appointed as the Lead Member. I look forward to receiving a progress report during 2018/19.

### **Schools and Families**

During the year the Committee received and considered reports on the following aspects of the Schools and Families service:-

- School Organisation and School Places;
- School Performance Update; and
- School Performance Possible Reasons for the Deterioration of Attainment at Secondary Schools.

I am grateful to Mike McSorley, Head of Schools and Families, and his Teams for their contributions towards the work of the Committee.

### **Children's Social Care**

During 2017/18 the Committee received and considered reports on the following aspects of Children's Social Care:-

- Children's Services Improvement Plan Update and Scorecard;
- Children's Social Care Performance - Improvement Plan;
- Adoption Service – Annual Report;
- Fostering – Annual Report;
- Children's Plan Performance Dashboard; and
- Corporate Parenting Board Activities Report 2017.

We also received a presentation on the Ofsted Inspection Framework from the Head of Children's Social Care, outlining the changes to the Ofsted Inspection regime and the requirement to thread the inspection principles into all the processes undertaken at a local level in order that the Authority was consistently inspection ready.

I appreciate the contribution made by Vicky Buchanan and her Teams towards the work of the Committee.

### **Other Reports**

During 2017/18 the Committee received the Public Health Annual Report that considered the root causes of health inequalities across Sefton, actions being undertaken to try to address those issues, together with recommendations for future actions across key areas.





## Call-In

In 2017/18 the Committee was requested to contribute towards the Council's call-in procedure by scrutinising and approving a revised "Call-In Procedure Note", as amended by the Overview and Scrutiny Management Board. The Committee receives very few "called-in" items, but I was pleased that we were provided with the opportunity to contribute towards decision-making and ensure that the procedure adopted by all the Council's Overview and Scrutiny Committees will be even more efficient in the future.

## Pre-Scrutiny and the Key Decision Forward Plan

The Key Decision Forward Plan provides the Committee with an opportunity to pre-scrutinise Key Decision items from the Council's Forward Plan, as the latest Forward Plan is submitted to the Committee as part of its Work Programme update. The pre-scrutiny process assists the Cabinet and Cabinet Members in making effective decisions as it allows Overview and Scrutiny Committees to examine issues and make recommendations prior to the executive decision being made.

During 2017/18 the Committee pre-scrutinised an item on the Development of Family Well-Being Services and spent some considerable time carefully considering the matter prior to the matter being considered by the Cabinet. I look forward to receiving an update during 2018/19 on developments in this important area.

## Cabinet Member Reports

In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board had previously agreed for relevant Cabinet Member Reports for the Children, Schools and Safeguarding Portfolio to be submitted to appropriate Overview and Scrutiny Committee Chairs for them to determine what items should be reported to Committee. During 2017/18, I have agreed for Cabinet Member Update Reports to be included on Committee agendas for general information purposes for Members of the Committee. Items considered within Cabinet Member reports have included issues relating to:-

- National Funding Formula for Schools;
- Academisation;
- South Sefton College;
- Special Educational Needs and Disability (SEND) Inspection/Review and key issues for Sefton including:
  - Demand;
  - Provision;
  - Workforce;
  - Finance;
- Children's Social Care restructure;
- School Performance:
  - Early Years Foundation Stage Profile;
  - Key Stage 2 Outcomes;
  - Key Stage 4 Outcomes;



- Looked After Children and Care Leavers Sufficiency Strategy 2017/18;
- Children's and Families Centres/Family Well-being Service;
- Ofsted Inspection Outcomes;
- Adoption in Merseyside;
- Pupil Place Plan 2016/17 to 2021/22;
- Foster Care Allowances; and
- School Improvement.

### **Co-Opted Members**

The Committee has 2 Education representatives as part of its membership, together with other co-opted members who regularly attend the Committee to contribute towards debates and who bring additional experience and expertise to the table. I would like to thank all our Added Members for their attendance and contributions during 2017/18, as it is very much appreciated.

### **The Year Ahead – 2018/19**

I am sure that the Committee will look forward to the new Municipal Year as it works as a critical friend to our Cabinet Member and partners. The Committee will be examining a number of key areas during 2018/19 in order to ensure that the services we provide are continually improved to benefit all who live and work in the Borough.

I am particularly appreciative of our Democratic Services Officers for their commitment, advice and support. During 2017/18 we lost our responsible officer, Ruth Harrison, who was promoted to the position of Democratic Services Manager, and I wish her well in this role. Ruth has served the Committee for a number of years and I am grateful for the valuable contributions she has made. Debbie Campbell is now the responsible officer for the Committee and I look forward to working more closely with her.

I would also like to take this opportunity to thank all Committee Members, officers and partners for their support, hard work and contributions to our endeavours throughout the year. Special thanks go to Dwayne Johnson, our Director of Social Care and Health, for his hard work, commitment and patience in contributing towards the work of the Committee and ensuring that the service is as effective as it possibly can be. In addition, I would like to place on record my thanks to our Cabinet Member, Councillor John Joseph Kelly, for his regular update reports to our Committee which have greatly assisted the Committee in keeping abreast of issues within the Children, Schools and Safeguarding Portfolio and are much appreciated by the Members.

**Councillor Paula Murphy**  
**July 2018**



## Regeneration and Skills



**Councillor John Sayers**  
Chair of the Overview and Scrutiny Committee  
(Regeneration and Skills)

**It gives me great pleasure to introduce Sefton Council's Overview and Scrutiny Committee (Regeneration and Skills) Annual Report 2017/18.**

During the year the Committee has met seven times and considered matters relating to United Utilities – increase in surface water charges to schools; Peer Review Working Group; Town Centre Framework Action Plans; leasehold house sales; refuse collection, recycling and food waste update; Winter Service Policy and Operational Plan; Shale Gas Working Group update report; Flood and Coastal Erosion Risk Management Annual Report; Preliminary Flood Risk Assessment Review; Town Centres Working Group update report; Merseyside recycling and Waste Authority – Service Delivery Plan 2017/18; Employment Development Working Group update report; Housing Licensing Performance Framework Working Group; and the Flood and Coastal Erosion management Strategy Review

The Committee also held two special meetings to consider a called-in item relating to the proposed temporary closure of Lord Street, Southport; and to receive information about the Strand Shopping Centre commercial acquisition.

The Committee received many presentations and this enabled Members to engage with colleagues from within and outside of the Council on topics identified below.

The Committee also received regular Work Programme and Cabinet Member update reports; and I would like to take the opportunity to thank Councillor Hardy, Cabinet Member – Communities and Housing, Councillor Veidman, Cabinet Member – Planning and Building Control, Councillor Fairclough, Cabinet Member – Locality Services and Councillor Atkinson, Cabinet Member – Regeneration and Skills for their regular and informative update reports. I would like to Councillor Atkinson in particular for her regular attendance at meetings to answer questions from Members.

### REPORTS

#### **United Utilities – Increase in Surface Water Charges to Schools**

In July 2017 the Committee was updated on the progress made in relation to securing a reduction to drainage of surface water to schools; and it was reported that



following a Member/officer meeting with representatives from United Utilities (UU), UU had agreed a 50% reduction for schools across the North West that equated to £15 million across the region. Whilst the reduction was an excellent outcome, schools, governors and the Forums from across the North West had expressed concerns that the North West would still be more expensive than other regions and the sentiment was that UU should still address this.

It was therefore agreed that officers continue to work with UU to explore a fairer solution that achieved parity in the North West when compared to the South East in terms of surface water drainage charges to Schools.

Members of the Committee paid tribute to the hard work and determination of Officers in working with United Utilities to secure a reduction in surface water drainage charges, in the first instance to Parks and Cemeteries and more recently to Schools.

Members of the Committee requested that United Utilities and Water Charges remain of the Committees programme of work in order that the Committee receives annual updates, at the very least.

In March 2018 the Committee considered the [report](#) of the Head of Corporate Resources that updated on United Utilities' (UU) increase in surface water charges to schools.

The report detailed that Members and officers met with representatives of UU on 16 November 2017 at which UU confirmed the compatibility of the concessionary scheme for schools' site area based charges with relevant charging guidance – including Defra's guidance on concessionary schemes for surface water drainage charges, and their view on the longevity of the scheme. This was subsequently confirmed in writing by UU by letter dated 15 December 2017 and a copy of the letter was attached to the report as Appendix 1. However, it was noted that DEFRA could still make further allowances and include certain community assets in their concessionary scheme and the report recommended that on this basis, DEFRA should be contacted once again to arrange a meeting at their London offices as offered previously.

Appendix 2 to the report provided details of Salix Finance Ltd. that was funded by the Department for Business, Energy and Industrial Strategy (BEIS), the Department for Education, the Welsh Government and the Scottish Government and was established in 2004 as an independent, publicly funded company, dedicated to providing the public sector with loans for energy efficiency projects; that Sefton Council had operated a Salix invest to save loan fund pot for over 12 years, for its corporate sites to reduce energy consumption and lifetime savings to date from these investments were now in excess of £1M; and that OFWAT had shown an interest in the SALIX funding model and proposed this to be an option that this Committee should explore for development in conjunction with BEIS as well as OFWAT and the water companies where possible.

The Committee agreed to:-



- (1) again contact the Department for Environment, Food and Rural Affairs, the Department for Business, Energy and Industrial Strategy and other relevant bodies to arrange a meeting to discuss their concessionary scheme and the setting up of SALIX style funding options for Surface Water drainage reduction schemes; and
- (2) contact OFWAT and United Utilities to establish their involvement in further discussions with DEFRA and other relevant bodies.

The Committee will continue to pursue this matter with united Utilities and receive regular update reports.

### **Town Centre Framework Action Plans**

The Committee considered a [report](#) of the Head of Regeneration and Housing in relation to the Town Centre Framework Action Plans for Bootle, Crosby and Southport.

It was reported that the Frameworks provided a high level vision for future investment in the borough's major Town Centres and that they outlined a direction of travel for each of the Town Centres. It was emphasised that the Frameworks were not a prescriptive list of projects and that the Authority's role would be to stimulate, facilitate and enable the regeneration of each of the Town Centre with developers, other agencies and stakeholders with the intention of providing investment opportunities.

The [Action Plans](#), as appended to the report, for Bootle, Crosby and Southport Town Centres were an illustration of the work streams/themes that would be progressed and that they would link to initiatives highlighted in the published Framework reports. It was also reported that although the Action Plans had a similar look they presented a different style with different priorities in order that the needs of each individual Town Centre could be addressed. It was reported that the Action Plans were a long-term living document and would evolve as new opportunities and developments emerged.

### **Proposed Temporary Closure of Lord Street, Southport – Called-In Item**

The Committee considered a [report](#) of the Head of Regulation and Compliance, which set out the decision of the Cabinet Member – Locality Services regarding the advertising of the Traffic Regulation Orders in relation to the Proposed Temporary Closure of Lord Street, Southport, and the reasons why the decision had been called-in; together with the [report](#) of the Head of Locality Services - Commissioned which was considered by the Cabinet Member – Locality Services in relation to this matter.

The Committee heard representations from Councillor Hands, the lead call-in Member and a response by Councillor Fairclough, Cabinet Member – Locality

Services. The Committee accepted the decision made by the Cabinet Member – Locality Services in relation to this matter.

### **Leasehold House Sales**

The Council at its meeting held on 26 January 2017 approved the following Motion:-

“This Council is concerned about the alarming rise in the number of new houses sold as leasehold, the time period of the lease and the details of service charges being levied.

This is against a background of more new build properties being sold as leasehold with duration of the leases averaging 150 years, just three generations. This means that unless the lease is purchased at an unknown sum it will then revert to the owners. Buyers in this situation are purchasing a house but with rental conditions.

This Council notes:

1. the overwhelming preference which most purchasers have for freehold houses rather than leasehold;
2. that leasehold properties can carry with them long-term associated costs and charges which are not made sufficiently apparent at point of sale; and
3. domestic leases are often as short as 150 years and mortgage lenders are usually unwilling to lend on properties where a lease has fewer than 50 years remaining.

This Council believes:

1. all immediate and lifetime fees and charges associated with leasehold properties should always be made much clearer in promotional material; and
2. short lease properties can present individuals with significant impediments to enjoying their own home and transferring such homes to future generations.

This Council resolves:

1. to write to the Secretary of State for Communities and Local Government expressing concern about the alarmingly rapid rise in new build houses sold as leasehold and the duration and costs associated with the terms of the lease, including service charges;
2. to promote information and guidance to leaseholders, including to buy or extend their freehold; the existence of the Leasehold Valuation Tribunal and the right to manage;



3. information and guidance relative to this point should be promoted through the Councils associated strategies and plans including the Council's Welfare Reform Anti-Poverty Action Plan; and
4. to request the Head of Housing and Regeneration to investigate the rise in the number of new houses offered as leasehold, the time period of the lease and the details of the associated service charges and submit a report to the Cabinet Member – Communities and Housing”

In respect of 4 above the Cabinet Member - Communities and Housing subsequently agreed that the above report should be considered by this Committee; and the Head of Regeneration and Housing had therefore produced such report.

The [report](#) provided information on leasehold ownership; the levels of leasehold ownership in Sefton and that the proportion of newly built houses in Sefton (excluding flats/apartments and maisonettes), sold as leasehold rather than freehold tenure had increased significantly within the last decade from 14.8% in 2007/08 to 92.7% in 2016/17; the time period of leases and the associated service charges; the Housing White Paper (2017) which included proposals for reforms affecting leasehold; that regarding existing legislation the Council did not have any legal powers, such as Planning powers, which could make developers sell on a freehold basis; and the market reaction to leasehold sales by mortgage lenders and housebuilders.

The report concluded that on the Head of Regeneration and Skills, on behalf of Cabinet Member - Communities and Housing, would write to the Secretary of State for Communities and Local Government expressing concern about the alarmingly rapid rise in new build houses sold as leasehold and the duration and costs associated with the terms of the lease, including service charges.

The Head of Regeneration and Housing was requested to report back to the Committee on the outcome of the Government's consultation on measures to tackle unfair practices in the leasehold market.

In March 2018 the Committee considered the [report](#) of the Head of Economic Growth and Housing that:-

- (1) updated on the Government's current position regarding consultation outcomes and future proposals to tackle unfair and unreasonable abuses of leasehold; in particular the sale of new leasehold houses and onerous ground rents; and
- (2) highlighted the information, help and guidance published on the Council's web site regarding leasehold sales.

The report indicated that the Cabinet Member – Communities and Housing had submitted a response to the Government's consultation 'Tackling unfair practices in the leasehold market'; that the Government published its report on 21 December 2017; and summarised the responses in relation to leasehold sales and ground rents



on leasehold properties. The full published response can be accessed here: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/670204/Tackling\\_Unfair\\_Practices\\_-\\_gov\\_response.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670204/Tackling_Unfair_Practices_-_gov_response.pdf)

The report concluded by detailing how the Council was raising awareness of leasehold sales in Sefton by promoting and publicising information via its preferred communication channels including the Council's Housing and Investment Services departmental web pages alongside news items published on the MYSefton news site.

## **Refuse Collection, Recycling and Food Waste Update**

The Committee considered the [report](#) of the Head of Locality Services – Provision that updated on refuse collection, recycling and food waste collections during 2016 / 2017.

The report indicated that the waste collection operation within the Council's Cleansing Services Section effectively consisted of four strands of operation, namely:-

- Waste which cannot be recycled (collected via black sack or grey wheeled bin)
- Waste which can be recycled (collected via hessian sack or brown wheeled bin)
- Food waste (collected via a green caddy and compostable liner system)
- Green 'Garden' Waste (collected via green wheeled bin);

updated on the insourcing of the contract for dry recycling materials whereby the Council would undertake to deliver all dry recyclable material to the Merseyside Waste and Recycling Authority Materials Recycling Facility at Gilmoor and be a fully-fledged comingled Council in line with neighbouring Liverpool City Region Councils.

The report also indicated that the dry recycling performance across the Council had actually remained static at 39%; that the tonnage of collected food waste had reduced from approximately 2,700 tonnes per annum to around 1,800 tonnes, despite the availability of free compostable caddy liners and a free additional food waste storage bin if requested; that the Green (garden) waste service had improved dramatically over the last twelve months and that around 20,000 tonnes per year were now collected; and that the total of household waste collected in 2016/2017 increased over the previous twelve months by approximately 1,200 tonnes.

The report also highlighted current issues within the refuse, recycling and green waste services relating to problems occurring with the "clear all" policy in sack collection areas and that a review would be undertaken to combat problems being experienced; and the additional pressure being experienced by refuse collection operatives due to the 2,700 additional properties that had been built in the borough since 2014 that had required refuse collection services and that by 2019 it was expected that some 4,000 additional houses/properties would have been





built/developed within the Borough which equated to one new collection crew and vehicle being required.

The report concluded that any reduction in budget across the service had effectively been found via efficiencies as the Council was still required to collect refuse or empty bins from every property across the Borough; zonal arrangements, extended working week, vehicle and route optimisation and varying shift patterns were some of the strategies utilised in order to maintain the required level of service against the backdrop of reducing budgetary provision; and that officers would continue to seek ways to reduce expenditure and increase efficiencies across the Refuse Collection Service and as such welcomed observations, comments and suggestions from any interested parties.

Members were also advised of the operation of the Wilton incinerator site, Teeside and expressed an interest to visit the facility. A site visit was subsequently undertaken on 19 October 2017 and information on the Merseyside and Halton Waste Partnership Waste Resource Recovery Contract at Wilton can be accessed [here](#)

### **Winter Service Policy and Operational Plan**

The Committee considered the [report](#) of the Head of Locality Services – Commissioned seeking views on the Winter Service Policy and Operational Plan (the Plan) and the submission of views thereon to the Cabinet Member – Locality Services.

The report indicated that the Head of Locality Services – Commissioned and his staff provided a Winter Service to the borough in accordance with the Plan; that Officers monitored the weather conditions 24 hours a day throughout the winter season and enacted the plan when weather conditions dictated; and detailed the duties placed on the Council arising from the Railways and Transport Safety Act 2003 (section 111), section (41(1A)) to the Highways Act 1980 and the Traffic Management Act 2004.

The Plan was subject to an annual review and reassessment and the report detailed the consultation process associated with the Plan which included, in accordance with Cabinet Member – Locality Services' wishes, a consultation letter being sent to every elected Member (a copy of the letter was attached as Annex A to the report); and consultation with Merseytravel to ensure that, in light of the major bus review, officers were aware of any changes to bus routes in the borough.

The report concluded that the Plan was based on guidance provided by the Government in a document entitled 'Well Maintained Highways – Code of Practice for Highway Maintenance Management; that Appendix H of that document referred specifically to Winter Service; that In October 2016 a new code of practice was published entitled 'Well Managed Highway Infrastructure which superseded all previous codes of practice and authorities had until October 2018 to adopt the code; that the Section relating to Winter Service had been delayed and had yet to be



published; and that any revised guidance would be addressed when available and a report submitted to the Cabinet Member – Locality Services and this Committee.

A copy of the [Plan](#) was appended to the report.

## **Flood and Coastal Erosion Risk Management**

In November 2017 the Committee considered the [report](#) of the Head of Locality Services – Commissioned seeking, in accordance with the Flood and Water Management Act 2010 (the Act), a review and scrutiny of the exercise by the Council as a Lead Local Flood Risk Authority of its flood risk management functions and coastal erosion risk management. An [Action Plan](#) was attached to the report

The report indicated that Sefton’s Flood and Coastal Erosion Risk Strategy (the Strategy) was a requirement under section 9 of the Act; that the Strategy was adopted by Cabinet on the 1 October 2015; that the Strategy set out how Sefton would deliver flood and coastal erosion risk management, what investment would be needed to deliver this and the manner in which this service would be delivered and defined the outcomes, outputs and actions for this service area; and that the Strategy was due to be updated in 2018 and work was currently underway to review the risk, update actions and review outcomes to see if they were still relevant for the next strategy period.

The report also detailed flooding incidents that occurred in the Southport and Formby areas on 5 September 2017; work that had been developed to help deliver Sefton Council’s priorities to create resilient communities and outlined that projects aimed to support communities to become more resilient during flood events and to have an input in the decisions made about flood risk management; work undertaken with the Formby Flood Group, Maghull Flood Committee and Thornton Parish Council on flooding issues; staffing issues within the Flood and Coastal Erosion Risk Management Team; the work undertaken as a statutory consultee for major planning applications and the provision of technical support and advice to the planning authority throughout the Local Plan inquiry; grant in aid has been secured from the Environment Agency to undertake investigations and studies into two watercourses that serve Southport and Birkdale (Nile and Pool Investigations); that £30k funding had been secured from Environment Agency to undertake the Merseyside Natural Flood Risk Management project; and regarding coastal risk management there had been no significant incidents of flooding or erosion along the coast.

The report also detailed partnership working with Merseyside Tactical and Strategic Flood Risk Partnership, North West and North Wales Coastal Group, Liverpool Bay Coastal Sub Group, Northern Coastal Sub Group, the Environment Agency and United Utilities.

The report concluded by setting out the priorities for 2018 relating to Supporting the Local Planning Authority, Community Engagement/SUDS Hubs, Crosby Coastal Schemes, Flood and Coastal Erosion Risk Strategy Review, Securing Capital Funding, Natural Flood Risk Management, Performance management and the Green Infrastructure Service.



In March 2018 the Committee considered the [report](#) of the Head of Locality Services – Commissioned on the Flood and Coastal Erosion Management (FCERM) Strategy review scoping document.

The report indicated that Sefton had a requirement under the Flood and Water Management Act 2010 to produce a Local Flood Risk Strategy; that the Act required each Lead Local Flood Authority (LLFA) in England and Wales to set out how it would manage flooding and coastal erosion in its area; that Sefton was a Lead Local Flood Authority and this Strategy would satisfy this statutory need and also satisfied the requirements under the Flood Risk Regulations 2009 for a Flood Risk Management Plan; that the Sefton Strategy was first produced in 2015 and after 3 years it was required to be updated; and therefore the report set out the scope of this update, reviewing what had changed since 2015 and sought views and input on the proposals.

The report detailed the strategic developments since 2015 to be considered in the new strategy in relation to:-

- Liverpool City Region
- Sefton 2030
- UK Climate Predictions update 2018
- Department for Food, Environment and Rural Affairs 25 year plan
- The Sefton Coast Plan
- Coastal Adaptation Strategy
- New policies adopted by the FCERM team

The report also detailed funding issues since 2015 to be considered in the new strategy in relation to:-

- Budgetary issues associated with the FCERM team being merged into a new service area called Green Sefton with the Parks and Green spaces and Coast and Countryside teams
- Merseyside Partnership Quick Win Funding
- Cell 11 Regional Monitoring Programme (Cerms) Funding and Shoreline Management Officer Local Levy funding
- United Utilities spend programme

The report then highlighted the changes in the understanding of risk associated with:-

- Shoreline Management Plan review
- Coastal erosion predictions
- Climate change predictions
- Surface Water Management Plan realisation of modelled data

and developments in the way the Council worked relating to:-



- Sustainable flood risk management
- Communication
- Data management and sharing
- Performance management

The report concluded by detailing the constraints facing the Council due to budget reductions and which meant that priorities were changing and alternative ways of delivering the service were being looked at; and that the FCERM team would be undertaking a review of its strategy and the outcomes and actions set out in the 2015 to 2018 strategy and of the understanding of coastal erosion and flooding both coastal and inland would be undertaken with the most up to date information available. It was anticipated that the final document would be published in January 2019.

### **Preliminary Flood Risk Assessment Review**

The Committee considered the [report](#) of the Head of Locality Services – Commissioned on the Preliminary Flood Risk Assessment.

The report indicated that the Flood Risk Regulations 2009 (FRR 2009) required each Lead Local Flood Authority (LLFA) to complete a Preliminary Flood Risk Assessment (PFRA) and identify Flood Risk Areas (FRA) for local flood risk, primarily surface water runoff, groundwater and ordinary watercourses; that in Sefton this was completed in 2011; that FRR 2009 required a review of the PFRA on a 6 year cycle to be coordinated by the Environment Agency; that LLFAs must therefore submit their draft reviews to the Environment Agency by 22 June 2017 to enable the Environment Agency to undertake an internal review and request any changes; and that Sefton Council’s draft review was submitted to the Environment Agency in April 2017.

The report also identified that the Environment Agency provided a self- assessment template to be completed by each LLFA and Sefton’s completed template was attached to the report as [Appendix 1](#); that the September 2012 significant flood event report, investigated as required by the Flood and Water Management Act 2010, was contained in annex 1 of the review attached to the report as [Appendix 2](#); and that overall there had been little change to the 2011 PFRA (attached to the report as [Appendix 3](#)) following the review with much of the understanding remaining unchanged or with minor amendments. There had, however, been improvements or confirmation of understanding particularly in respect of Sefton’s future flood information and the following pieces of work have contributed to our understanding:-

- Sefton Council PFRA desktop study 2013 to improved understanding of initial PFRA assessment and flood risks.
- Modelling of catchments in Formby, Maghull and Seaforth/Litherland.
- Groundwater monitoring locations across Sefton.
- Sefton Council Local Plan. The plan identified flood risks on development sites.



The report concluded by detailing future developments that the PFRA review would feed into the update of Sefton's Flood and Coastal Erosion Risk Management Strategy 2015-2018, which was currently underway; that the PFRA review would feed into the review of the Environment Agency's Flood Risk Management Plans that operated at a catchment wide scale; that Sefton would continue to seek funding to improve the situation for residents and communities at risk of flooding or coastal erosion; and that Sefton would continue to review and update its understanding of flood risk.

## PRESENTATIONS

### Merseyside Recycling and Waste Authority - Service Delivery Plan 2017/18

The Committee received a [presentation](#) from Carl Beer, Chief Executive of Merseyside Recycling and Waste Authority (MRWA) on his Authority's Service Delivery Plan 2017/18.

Mr. Beer provided information on:-

- The “waste hierarchy” regarding the most and least favoured options in respect of waste
- The Merseyside and Halton Waste Partnership and detailed that 1.5 million residents, living in 688,000 households, generated 650,000 tonnes of waste per year of which 42% was recycled
- Household Waste Recycling Centres and the recycling and diversion performance statistics for 2009 – 2017
- The Bidston and Gillmoss materials recovery facilities
- The Kirkby rail loading station used to transport waste to the Wilton Energy from Waste Combined Heat and Power Facility
- The MRWA and Veolia Community Fund
- Household recycling rates
- Liverpool City Region kerbside residual waste results - 2015/16
- A Classification of residential neighbourhoods (ACORN) together with associated recycling statistics
- Collection strategy considerations
- Waste prevention and re-use
- The “circular economy” and the need for those materials that are discarded the MRWA must ensure that they return in some form to the local economy – securing and creating jobs for local people
- The cost of service vs the MRWA levy
- The strategic review which included actions from a Leaders meeting in September 2017 which included as part of Phase One - c.£500k savings options from MRWA, levy apportionment mechanism options and ‘Publish’ Strategic Review report; and as part of Phase Two - governance options, District Collaboration, bulky and clinical waste and common policies

Members also watched a short video that provided information on the transfer of Merseyside's residual waste, via train from the Kirkby rail loading station, to the Wilton energy from waste plant in Teeside.



## Strand Shopping Centre - Commercial Acquisition

A Special Meeting of the Committee was arranged for Members to receive a presentation on the Council's acquisition of the Strand Shopping Centre. Prior to the presentation Margaret Carney, Chief Executive, set out the strategic context of the Council's acquisition of the Strand Shopping Centre and indicated that by 2020 Sefton's budget would have reduced by 50% from the 2010 level; that operating in such a demanding environment of decreasing central government support coupled with an increasing demand on services, the Council had approved its Framework for Change and budget strategy in 2017; that during this process the Council had made it clear that it would need to generate new and improved income streams whilst ensuring it met its core purpose; and that indeed, the Council approved core purpose explicitly states that a key priority was to:-

**“Generate income for social reinvestment:** the Council will develop a commercial approach and look to what it can do either by itself or with others to generate income and resource that can be reinvested into delivering the councils key priorities

The Committee then received a [presentation](#) from Sarah Kemp, Executive Director, on the commercial acquisition of the Strand Shopping Centre.

The presentation focussed on the following points:-

- Legal relationship pre-purchase
- Marketing of the Strand
- The Market Offer and the acquisition of entire share capital
- Powers to act/policy context
- QC advice and conclusions
- Treasury management
- Timeline of commercial events
- Critical decision-making factors
- Procurement of advisors
- How the diligence was applied
- Pre-bid diligence
- Timeline of events pre-bid
- Property key documentation pre-bid
- Financial key documentation pre-bid
- Legal key documentation pre-bid
- Corporate key documentation pre-bid
- Conclusions of pre-bid diligence relating to the bid report, property report, vendor pack, structures report, Commercial and Financial Analysis, key risks, legal report and counterfactual: no bid
- Process post-bid
- Financial key documentation – post-bid
- Sensitivity modelling



- Property Key Documentation – post-bid
- Legal and Corporate\_- key documentation
- Building survey report conclusions
- The “Red Book” Valuation that assessed the market value of the long leasehold interest in the Strand
- Financial due diligence\_- conclusions
- Legal/Corporate due diligence – conclusions
- Transactions approved by Cabinet
- Corporate Structure on Completion
- Process - post acquisition to hive-up
- Key documents – hive-up
- Corporate structure on hive-up
- Capital Investment Funds
- Tax implications - tax payable on operations
- HMRC taxes
- Management arrangements
- Asset management
- Property Services Manager
- Post-acquisition company decisions
- Current status quo
- Why Part 2 (exempt) Cabinet decision

## WORKING GROUPS

### Peer Review Working Group

The Committee considered the [report](#) of the Head of Regulation and Compliance in relation to the [Final Report](#) of a review undertaken by the Peer Review Working Group.

Councillor Dan. T. Lewis, Lead Member of the Peer Review Working Group commended the report to Cabinet for approval. He thanked his colleagues Councillor O’Brien, Councillor Carragher and Councillor Anne Thompson for all their hard work and support whilst undertaking the review.

### Shale Gas Working Group

The Committee considered the [report](#) of the Head of Regeneration and Housing that updated on the position with implementing the recommendations of the Shale Gas Working Group.

The report indicated that shale developments had regularly been in the regional and national news especially with respect to projects in Lancashire at the Cuadrilla sites where there had been well-reported legal challenges and direct action that however, during the intervening period there had been no formal inquiries to Sefton planning or Merseyside Environmental Advisory Service with regards to proposed shale oil and gas development in Sefton; and updated on actions relating to:-



- Action 1 - Cross-Regulator Working Group
- Action 2 – Good Practice and Expectations Document
- Action 3 - Local Validation List
- Action 4 - Sefton Council's Statement of Community Involvement
- Action 8 – Resourcing Regulatory and Monitoring requirements

The report concluded by detailing target activity relating to actions associated with recommendations of the Working Group.

### **Town Centres (Scrutiny Review Working Group) Report**

The Committee considered the [report](#) of the Head of Regeneration and Housing indicating that on 26 February 2015, Cabinet resolved to accept the Final Report of the Town Centres Working Group Final Report; and that one recommendation within the Final Report was that all recommendations contained within it be monitored and progress reported to This Committee every six months.

The report indicated that the Head of Investment and Employment provided a comprehensive update to this Committee on 8 November 2016 that detailed completed actions or highlighting actions that were now redundant as a result of other actions; and that significant progress had now been made in relation to town centres and that high level visions for future investment and a direction of travel had been prepared and published for each of the following Town Centres:

- Bootle Town Centre Investment Framework, published October 2016
- Crosby Development Strategy, published November 2015
- Southport Development Framework published November 2016

The report continued that Action Plans had been drawn up for Bootle, Crosby and Southport, illustrating the work streams and themes that would be progressed for each Town Centre; that each Action Plan was a long-term living document and would evolve as new opportunities and developments emerged; and that the work streams identified for each Town Centre were being actively progressed.

The report concluded by recommending that no further formal update reports be submitted to the Committee but that instead, updates be provided via the Cabinet Member - Regeneration and Skills report to each Committee.

### **Employment Development Working Group**

The Committee considered the [report](#) of the Chief Executive that provided an update setting out the progress made against each of the recommendations formulated by the Employment Development Working Group and approved by Cabinet.

The report indicated that as a result of the expected impact of the Sefton Economic Strategy due to be adopted by the Council in 2018, the current update report had varied from earlier reports; that the forthcoming Sefton Economic strategy would incorporate all the Council's objectives related to employment and skills for younger people and adults in the community, encompassing those actions which were the





responsibility of the Investment and Employment services such as Sefton@work and Invest Sefton; and that accordingly, it was recommended that future reporting on employment actions form a part of the performance reporting framework to be devised once the Council had adopted the forthcoming Sefton Economic Strategy.

### **Housing Licensing Performance Framework Working Group**

The Committee established a Housing Licensing Performance Framework Working Group in November 2017. The Council is working toward the introduction of Private Rented Sector Housing Selective Licensing and Additional HMO Licensing schemes in parts of the borough and the objective of the Working Group was to help develop and review a proposed Selective Licensing Performance Framework before it was completed and submitted for approval to the Cabinet Member – Communities and Housing.

Councillor Bill Welsh was appointed Lead Member of the Working Group and was assisted by Councillor Michael O'Brien.

The Committee considered a [report](#) of the Head of Regulation and Compliance and approved the Working Group's [Final Report](#) in March 2018 for submission to Cabinet. As is the usual practice the Committee will receive update reports on progress made against the recommendations contained in the Final Report.

### **Cabinet Member Reports**

In keeping with previous years and in order to keep Members informed, the Overview and Scrutiny Management Board agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees. The Terms of Reference of the Overview and Scrutiny Committee covered the portfolios of the Cabinet Member – Communities and Housing, Cabinet Member – Locality Services, Cabinet Member – Planning and Building Control and Cabinet Member – Regeneration and Skills. I would like to pay particular thanks to Councillor Atkinson who has been a regular attender at meetings to answer questions from Members of the Committee.

### **Pre-Scrutiny – The Key Decision Forward Plan**

The Overview and Scrutiny Committee has also been given the opportunity to pre-scrutinise items from the Council's Key Decision Forward Plan. The Forward Plan is submitted to the Overview and Scrutiny Committee as part of the Work Programme update. The pre-scrutiny process assists the Cabinet to make effective decisions by giving the Overview and Scrutiny Committee the opportunity to examine issues beforehand and making recommendations prior to a determination being made.

### **The Year Ahead**

The Committee will continue to make progress on the following priorities over the coming year:



- Flood & Coastal Risk – Annual Report
- Preliminary Flood Risk Assessment Review
- Review of Winter Service and Operational Plan
- Merseyside Recycling and Waste Authority – Service Delivery Plan 2018/19
- United Utilities – Update on Increase in Charges
- Refuse Collection
- Leasehold House Sales
- Sefton’s Empty Homes Strategy
- Mental Health and Employment Task Group – Update
- Updates on the implementation of recommendations associated with the peer Review and Housing Licensing Performance Framework Working Groups

I envisage the forthcoming year to be extremely busy and challenging for the Committee given the difficult budgetary challenges and financial savings that have to be met in Sefton.

Finally, and on behalf of the Committee, I would like to thank everyone who has contributed to our work over the past year. I would personally like to thank all Members of the Committee, Cabinet Members Councillors Atkinson, Fairclough, Hardy and Veidman and officers who have attended meetings for their support to me over the past year and provided the Committee with valuable information.

**Councillor John Sayers**  
**July 2018**



## Regulatory, Compliance and Corporate Services



**Councillor Sue Bradshaw**  
*Chair of the Overview and Scrutiny Committee*  
**(Regulatory, Compliance and Corporate Services)**

**On behalf of the Members of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) it gives me great pleasure to introduce the 2017/18 Annual Report.**

During the year the Committee has met seven times and considered matters relating to financial issues and updates associated with the 2017/18 revenue budget, financial management across the Council, the 2018/19 Budget and the Medium Term Financial Plan 2018/20; the Accommodation Strategy/Agile Working Working Group Final Report and Agile Working - Potential Approach and Principles; an update on Universal Credit and Full Service Sefton M.B.C; Discretionary Relief for Business Rates following the Revaluation of 2017; the Code of Practice for Enforcement Agent Services; the Area Committees Working Group Final Report; the Licensing/Child Sexual Exploitation Working Group Final Report; the Environmental Services Restructure; Financial Reports and Terminology; Social Media Use and Effectiveness; Commissioning and the Procurement Policy; Levels of Disciplinary, Grievance and Sickness; Review of the Council Tax Reduction Scheme; an update on the Customer Experience of Claiming Council Administered Benefits and Financial Support Working Group recommendations; an Air Quality Update; the arvato contract; and Emergency Planning.

The Committee also received regular Work Programme and Cabinet Member update reports; and established a Working Group to review the topic of Digital Inclusion.

The Committee received many presentations and this enabled Members to engage with colleagues from within and outside of the Council on topics identified below.

Finally, I would like to take the opportunity to thank Councillor Lappin, Cabinet Member – Regulatory, Compliance and Corporate Services for her regular attendance at meetings to update Members on issues associated with her portfolio.

## FINANCIAL SCRUTINY

The Committee received regular budgetary update reports during the year and a Special Meeting of the Committee was held in February 2018 prior to the budget meetings of both Cabinet and Council. At this Special Meeting the Committee considered the joint [report](#) of the Chief Executive and the Head of Corporate Resources that provided information on the following issues in connection with Council's forthcoming consideration and approval, on 1 March 2018, of the Revenue Budget for the period 2018/19 – 2019/20, and also the level of Council Tax for 2018/19:-

- An assessment of the Council's current financial position and approach to the 2018/19 to 2019/20 Budget Plan;
- Progress that has been made during the last year within the Council's Framework for Change programme;
- An update on the Government's announcement of resources that are available to the Council for 2018/19 (subject to final confirmation by the Government);
- The Council's current financial position and the assumptions built into the Medium Term Financial Plan;
- The options available for the Council's Budget
- The proposed Capital Programme for 2018/19 and 2019/20; and
- The first budget estimate of the funding gap that the Council will face in 2020/21.

As such, the report set out the approach to the financial strategy of the Council and the national and local financial context within which it was operating; indicated that the Council had a statutory requirement to remain financially sustainable; that the Council's Framework for Change Programme was a comprehensive and ambitious programme that sought to support the delivery of the Council's core purpose; that as would be expected with a programme of this size and complexity that spanned a number of financial years, the detailed proposals had been and would continue to be the subject of change as they were developed and ultimately implemented; and that within this context, work had been undertaken to confirm that change proposals for 2018/19 were viable and would help deliver financial sustainability.

In respect of the overall financial context for the Council and its approach to the 2017/18 to 2019/20 Budget Plan the report indicated that In 2010, Central Government imposed, what were thought at the time, to be significant reductions in local government financial support; that rather than this being a short term restriction in spending, the austerity programme had extended into a ten-year long period of severe budget reductions; that for Sefton this had resulted in a funding gap of £233m being required to be met by the end of 2019/20, with a direct loss of 51% of government funding which equated to £722 per Sefton household; that due to the scale of this financial challenge (and taking into account the significant savings that had already been made since 2010) the Council undertook a comprehensive review of its role within the Borough, via the Imagine Sefton 2030 consultation and as a



result, updated its core purpose; and that it was subsequently determined that the delivery vehicle for the Council's core purpose and to ensure financial sustainability would be the "Framework for Change" programme, the key pillars of which were detailed in the following diagram in paragraph 2.4 of the report.

The report also detailed the progress to date made on the "Framework for Change" programme and that the Council remained focused on: -

- Creating more and better jobs for local people – Economic Growth
- Working with partners to deliver affordable services which achieve the best possible outcomes – Public Sector Reform
- Making every pound count in everything we do – Service Delivery Options
- Investing wisely and creatively to make and save money, grow faster and enable our communities to thrive – Strategic Investment

The report also provided information on the Medium Term Financial Plan (MTFP) 2018/19 – 2019/20 and in particular on the following issues:-

- Additional budget pressures associated with Adult Social Care and Children's Social Care
- Key MTFP assumption revisions relating to the Local Government Pay Offer, the Transport Levy, Business Rates and Council Tax Base, the Waste Levy, VAT Shelter Income, Leisure Income – VAT Liability Change, and the New Homes Bonus reduced funding
- Impact of the Local Government Financial Settlement
- Review of Budget proposals and planning assumptions

Regarding the Two-Year Budget Plan 2018/19 to 2019/20 the report indicated that, based upon the revisions to the MTFP and the savings that were forecast from the Public Sector Reform programme, it was now estimated that the funding shortfall in the following two years would be £11.227m and £2.542m respectively, before any Council Tax decisions were made and any additional service delivery options were considered; and that in order to support this two year package and the revised funding gap, a number of Service Delivery Options were now proposed relating to:-

- Supplies and Services Saving
- Sefton New Directions Contract Saving
- The annual income stream arising from the acquisition of the Strand Shopping Centre
- PSR2 – Re-phasing of Saving Achievement
- Transforming Sefton Reserve
- Risk Management, Financial Monitoring and Sustainability

In conclusion, the Budget Plan 2018/19 to 2019/20 had proved to be a very positive first year of the financial plan period; and indicated that the Council would continue



to play its part and show strong and visible leadership in delivering the Vision 2030; and that the Council had adopted the 2030 Sefton Vision of 'A confident and connected Sefton' and would continue to strive to deliver key priorities, ensuring everything it did had a contributory focus to the future of the Borough.

The report then set out specific Budget 2018/19 issues relating to charges relating to external / levying bodies and the proposed overall Council Tax increase; provided information on schools' related grants; other Government grant notifications in 2018/19; a summary of budget proposals for 2018/19; and precepts to the Police and Crime Commissioner and Fire and Rescue Service.

The following appendices were attached to the report:-

<a href="#">Appendix A</a>	Individual School Budgets
<a href="#">Appendix B</a>	Draft Council Budget Summary 2018/19 – 2019/20
<a href="#">Appendix C</a>	Fees and Charges 2018/19
<a href="#">Appendix D</a>	Capital Programme 2018/19 - 2019/20

## REPORTS

### Update on Universal Credit and Full Service Sefton M.B.C

The Committee considered the [report](#) of the Head of Corporate Resources that set out progress in rolling out Universal Credit (UC) in Sefton; updating on Department for Work and Pensions (DWP) new funding arrangement for Full Service due to commence in Sefton Jobcentre Plus offices in October 2017; and UC implementation locally and the support arrangements that would be introduced to support Sefton residents claiming UC.

The report indicated that UC helped ensure customers were better off in work than they were on benefits; that UC provided support to help people prepare for work, move into work or earn more; and that UC was a means-tested benefit that was intended to replace all of the following means-tested benefits (that top up existing income) with a single monthly payment and that the benefits and tax credits that fall within scope of the UC were:

- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Income Support
- Child Tax Credits
- Working Tax Credits
- Housing Benefit for working age.

The report provided details on the revised timescales of the UC national roll-out; that in Sefton, UC Live Service was introduced in Job Centre Plus (JCP) offices for single newly out-of-work people from 30th June 2014 and that this was expanded to couples from 28th July 2014 and rolled out to families from January 2015; that as at March 2017, there were 4,155 UC claims in Sefton, of which 1,124 were claiming council tax reduction (CTR) with the Council; and the work undertaken to implement UC in Sefton relating to the Council's Benefits Service Back Office, the Council's One Stop Shops and Personal Budgeting Support by the Citizen's Advice Bureau.

The report also provided details on the award by the Council of 208 UC customers with a discretionary housing payment; work undertaken with partners and key stakeholders such as Private Landlord Forums and Registered Social Landlords; UC Benefit Service workload for Live Service; and UC Benefit Service operational issues raised with DWP.

The report concluded by detailing that the UC Full Service was due to commence in Sefton Jobcentre Plus offices in October 2017 and that the Full Service would form part of the DWP's digital solution and that customers would use this solution for claiming and maintaining their UC claim online; that this would bring about a cultural and behavioural shift for claimants as the transition to monthly payments and direct payment of housing costs required them to be responsible for managing their money and paying their bills; and that the move to UC Full Service also meant that UC was delivered predominately via self-serve using the internet and that some claimants would need help with this.

The Committee also considered a further update [report](#) of the Head of Corporate Resources that set out the progress in rolling out Universal Credit (UC) Full Service that commenced in Sefton Jobcentre Plus offices on 11 October 2017 and the support arrangements that had been introduced to support Sefton residents claiming UC.

The report indicated that UC was claimed online and payments were made monthly and direct to the household; that the aim of UC was to help ensure customers were better off in work than they were on benefits; to provide support to help people prepare for work, move into work or earn more; and was a means-tested benefit that was intended to replace all of the following means-tested benefits (that topped up existing income and were referred to by the Department for Work and Pensions (DWP) as legacy benefits) with a single monthly payment:-

- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Income Support
- Child Tax Credits
- Working Tax Credits
- Housing Benefit for working age

The report also indicated that UC Full Service commenced in Sefton Jobcentre Plus offices (JCP) on 11 October 2017 formed part of the DWP's digital solution and that

customers now used this solution for claiming and maintaining their UC claim online; that this differed under the UC live service where all processes were manual and there was a very limited gateway; that the UC live service ended on the 31 December 2017; but that this would not affect Sefton since the introduction to Full Service had already been rolled out; and that all notifications to local authorities regarding UC awards were now sent through a DWP automated solution.

The report advised that with the introduction of UC Full Service the demand for claimant support services would change and that UC brought a cultural and behavioural shift for claimants; that the transition to monthly payments and direct payment of housing costs required customers to be responsible for managing their money and paying their bills; that the move to UC Full Service also meant that UC was delivered predominately via self-serve using the internet and that some claimants may need help with this; and that key DWP requirement for the UC Full Service was that local authorities provide extensive management information on a case-by-case basis to demonstrate the level of Assisted Digital Support (ADS) and Personal Budgeting Support (PBS) provided.

The report also advised that as at the end of November 2017, there were 4,409 UC claims in Sefton JCP, of which 1,439 were claiming Council Tax Reduction (CTR); of the work undertaken to implement UC by Sefton Benefit Service Back Office and Sefton's One Stop Shops (OSS's); and that since UC Full Service rollout on 11 October 2017, the number of UC customers visiting the OSS's increased from approximately 11 per month in September 2017 to 166 in October 2017 and to 276 in November 2017; and that the total number of customers assisted to claim UC increased from approximately 10 per month under live service to 174 per month under full service, a 1,740% increase.

The report concluded by providing information on PBS provided by Citizens Advice Sefton (CA); Discretionary Housing Payments (DHP); working with partners and key stakeholders such as Landlords, the Council's Customer Service, Benefit Service and Revenue Service and attendance at a Sefton Customer Representative Group hosted by DWP with Registered Social Landlords and CA; UC Benefit Service operational issues raised with DWP; and the impact on current service delivery which showed that show there had been a reduction in new claims and enquiries received for Housing Benefit for working age customers but there had been a significant increase in UC award notifications and also an increase in the number of customers requiring support to claim and manage their ongoing UC awards.

### **Discretionary Relief for Business Rates following the Revaluation of 2017**

The Committee considered the [report](#) of the Head of Corporate Resources on the Discretionary Rate Relief for Business Rates following the Revaluation of 2017; that detailed the process of adopting the powers provided by the Government for distributing Business Rates Locally Administered Discretionary Revaluation relief and setting out guidance for the award of relief to organisations that have had a significant increase in their Business Rates liability consequential from the Government's revaluation effective from 2017; and providing details of other Government announcements regarding discretionary rate relief for Local





Newspapers, Public Houses and small businesses ('Support to Small Business') encountering a large increase in Business Rates.

The report indicated that the Government determined to revalue Business Rates properties taking effect from 2017 based on 2015 values; that the review was not intended to raise additional revenue, but rather to update rental values for properties and that it was therefore intended to be 'fiscally neutral' nationally. However regionally and at an individual taxpayer level the effect varied, such that some Business Rate payers had encountered significant increases and decreases and that a system of transitional relief applied such that the gains and losses to individual taxpayers were limited in any one year and introduced over a five year period; the Government had recently determined that Local Authorities could also make available additional discretionary relief to properties affected by significant increases in their Business Rates via a £300m fund which it had introduced for this purpose and announced as part of the Spring Budget ;and that Sefton's allocation of the Government funding for discretionary rate relief was expected to be £945,838 spread across the next 4 years.

Attached as [Appendix A](#) to the report was the draft guidance in respect of the Locally Administered Discretionary Revaluation Relief scheme that was to be considered by Cabinet on 27 July 2017.

### **Code of Practice for Enforcement Agent Services**

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 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 the Revenue Service and Enforcement Agents.

### **Levels of Disciplinary, Grievance and Sickness**

The Committee considered the [report](#) of the Head of Corporate Resources that provided information on the levels of discipline, grievance and sickness absence within the Council (excluding schools).

The report indicated that based on current records the total number of 'available days', from 1 April 2017 to 30 June 2017, was 151,508 Full Time Equivalent (FTE) days; that the total sickness absence, both long and short term, was 6,543 FTE days which equated to 4.32%; that this comprised 1.46% short term and 2.86% long term absences; and that the overall Corporate target was 4% (short term 2.2%; long term 1.8%), and that this was a reduction compared to Q1 2016 which was 5.07%.

Annex 1 attached to the report illustrated departmental performance for the Quarter 1 period; whilst Annex 2 provided data across a period of 12 months to 30 June 2017 and therefore provided a wider analysis of absence levels across departments; but however, organisational change within Sefton would impact on making direct comparisons across departments. Support was provided across all service areas and it should be noted that a number of service areas were showing a reduction in absence at this stage.

The report also provided information on the reasons for absence and referral to the Health Unit in Quarter 1 2017; indicated that the Strategic Leadership Board (SLB) continued to monitor and encourage the reduction of levels of both short and long term absence; the Sickness Absence Policy that operated in partnership with trade unions to manage employee absence; and with regard to Disciplinary, Grievance And Capability issues, Annex 3 attached to the report provided a breakdown of formal cases for November 2016 to September 2017.



## Review of Local Council Tax Reduction Scheme 2017/18

The Committee considered the [report](#) of the Head of Corporate Resources that provided details of the consultation proposing various options for revising the existing Local Council Tax Reduction Scheme (LCTRS) and recommendations to both Cabinet and Council to revise the scheme accordingly for 2018/19 and an updated Council Tax Base for Sefton Council and each Parish Area for 2018/19.

The report indicated that the LCTRS replaced Council Tax Benefit (CTB) with effect from the 1 April 2013; that LCTRS was a discount awarded to those on a low income to help towards the cost of their Council Tax bill and was based. It is based on a person's household and income; that the LCTRS rules only applied to working age council tax payers as pensioners were protected by legislation and must be provided with the level of council tax support specified by the Government; that the total grant of £24.2m transferred to the Council, Police and Crime Commissioner, and Fire Service in 2013/14 to fund the local scheme was £3.0m (11%) lower than had previously been provided to fund CTB in 2012/13 and that as a result, the Council had to introduce changes to the national default LCTRS to ensure that the scheme was cost neutral; that as the Council was unable to alter the pensioner scheme rules, the saving requirement was met by reducing the level of support provided to working age claimants and through technical changes to empty property discounts; and that the Council must review and agree a LCTRS each year and for 2018/19 must be agreed by full Council by 31 January 2018.

The report also indicated that In order to satisfy the requirement to review the 2016/17 LCTRS key areas were evaluated and the report detailed such key areas relating to:-

- Claimant caseload
- Scheme expenditure.
- Impact on the most vulnerable claimants.
- Welfare reform changes including Universal credit roll out.
- Council Tax collection
- Attachment of Benefits.
- Review of scheme principles.
- Council Tax Exceptional Hardship fund

The report also provided information about Council Tax collection rates and that for 2016/17 Sefton had collected 96.3%; but that since the introduction of the LCTRS in April 2013 the number of working age Council Tax support claimants falling into arrears had grown; and that one recovery option open to the Council in respect of benefit claimants was to apply for an attachment of benefits (AOB) via the courts and statistics were provided relating to AOB cases.

The report also detailed the principles of the LCTRS, the Council Tax Exceptional Hardship Fund and a summary of the review LCTRS for 2016/17; and the proposed changes to the 2017/18 LCTRS that went out to consultation on 27 September 2017 and indicated that the scheme proposals would align key welfare reform changes



maintaining fairness, consistency and recognising that Universal Credit made provision for children, disability, housing and caring responsibilities.

Annex A attached to the report provided information on setting Sefton's Council Tax Base for 2018/19. The Council Tax Base was the link between the Council's budget and the level of Council Tax and that the tax base would be used to calculate the Council Tax in Sefton, once the Council's budget had been agreed. The Council was 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 2018. The calculation of the Council Tax Base took into account many factors such as the rate of new building and the trends in people living on their own (Sole Occupier Discount); and that the tax base calculation assumed a collection rate of 98.25% in 2018/19, that was unchanged from 2017/18.

The Committee was advised that Cabinet, at its meeting held on 11 January 2018, had also considered this report and had resolved that:-

- (1) the contents of the Council Tax Reduction Scheme 2017/18 review be noted;
- (2) the outcomes of the consultation process and the Equality Impact Assessment both of which have informed the recommendations for the Council Tax Reduction Scheme 2018/19 be noted;
- (3) It be agreed to revise the existing Council Tax Reduction Scheme as indicated in Section 5 (Options 1 to 6) of the report, with effect from 1 April 2018, and for this to be recommended to Full Council on 25 January 2018;
- (4) consideration and implementation of any minor textual changes to the Council Tax Reduction Scheme 2018/19 be delegated to the Head of Corporate Resources; and
- (5) Council be recommended to approve the Council Tax Base for 2018/19 for Sefton Council and each Parish Area as set out in Annex A to the report.

## **Air Quality Update**

The Committee considered the [report](#) of the Head of Regulation and Compliance that updated on Air Quality in Sefton.

The report indicated that the concept of Local Air Quality Management (LAQM) was introduced under the Environment Act 1995 (the Act); that evidence had shown that certain atmospheric pollutants were linked to poor health; that the Act placed a statutory duty on all Local Authorities to review and assess air quality in their areas at regular intervals; that the Air Quality Regulations, made under the Act, specified the pollutants that must be considered and set standards and objectives for each of

the pollutants, which were referred to as National Air Quality Standard (NAQS) Objectives; and that real time monitoring stations were located at:-

- Waterloo Primary School, Crosby Road North, Waterloo
- Hawthorne Road opposite KFC, Litherland
- Lathom Close, Seaforth
- Millers Bridge, Bootle
- A565, Crosby Road South (previously located at St Joan of Arc School)

The report also indicated that as part of the ongoing air quality assessment process the boundaries of 4 AQMAs have been identified across the Borough where NAQS objectives had not been met and these were located at:-

- A5036 Princess Way, Seaforth
- A5058 Millers Bridge, Bootle
- A565 Crosby Road North and South Road Junction, Waterloo
- B5422 Hawthorne Road and Church Road Junction, Litherland

An AQMA was previously in place at A565 Crosby Road North, Waterloo; however, significant work had been undertaken to reduce particulate levels in the area and a number of measures had been implemented as part of the Action Plan including the development of a Route Management Strategy Action Plan which had improved traffic flows in the area. As a result of these measures, the NAQS objective had consistently been met at this AQMA for the last 7 years and as such this AQMA had been de-declared and levels of PM10 now consistently comply with the particulate standard

The report also identified that in addition to the real time monitors, Sefton measured monthly NO<sub>2</sub> levels at approximately 100 sites across the Borough using diffusion tubes; and that results had shown that overall levels of NO<sub>2</sub> have been showing a gradual decline over the last few years. Compliance with the NAQS objectives had been met at all automatic monitoring sites in 2015 when assessed at the nearest residential premises, however monitoring at all sites would continue so that the impact of the port expansion could be assessed.

The report also detailed recent developments/current issues which showed that emissions from heavy goods vehicles (HGV's) in 3 of Sefton's AQMA's at Millers Bridge (A5056/A565), Princess Way (A5036) and Hawthorne Road/Church Road (A5036) had been identified as a significant contributor to air pollution levels in these locations; that the port of Liverpool's major expansion, including the construction of a deepwater river berth that would allow post panamax container ships to dock, would



increase the number of containers coming into the port significantly; that a Port Access study commissioned by Sefton concluded that the number of container carrying HGV's using the A5036 may double by 2030 and the road in its current state would reach capacity by 2020; that a Strategic Air Quality steering group, co-chaired by Councillors Lappin and Moncur had been introduced which acted as the main strategic forum for Air Quality Matters in the Borough; that Sefton was in the process of commissioning environmental consultants to undertake a Clean Air Zone (CAZ) feasibility study to assess the feasibility of implementing CAZs in Sefton to reduce traffic related emissions; and that officers from Environmental Health were working with Teachers at the ECO centre to develop a Schools Air Quality action programme targeting 10 schools in close proximity to Sefton's AQMAs with the aim of encouraging pupils to consider air quality and how their and their family's actions impacted on air quality in their neighbourhood.

The report concluded that Air Quality in the majority of Sefton was of a good standard with NAQS Objectives complied with across the bulk of the borough; that the on-going review and assessment had identified localised areas where NAQS Objectives would not be met and Action Plans were in place to work towards compliance in these areas; that Action Plan measures had shown significant success and levels of pollution had reduced with levels of PM<sub>10</sub> at all monitoring locations below the NAQS objectives and resulted in the de-declaration of one AQMA; that there were however areas where there were major potential challenges to air quality and that the Port expansion and the associated increase in HGVs may lead to an increase in emissions that would affect air quality in the AQMAs and other areas around the A5036, A565 and A5058; and that significant Intervention in the form of introducing CAZs was an option currently under consideration and that regular updates on this study would be submitted to future meetings

## Emergency Planning

The Committee considered the [report](#) of the Head of Corporate Resources on the ongoing review of the Council's emergency planning arrangements; and which highlighted the key strands of work, expected outcomes and progress made.

The report indicated that the Civil Contingencies Act 2004 delivered a single framework for civil protection in the UK; that Part 1 of the Act established a clear set of roles and responsibilities for those involved in emergency preparation and response at the local level; that Local Authorities were identified as Category 1 responders, at the core of the response to most emergencies; that the Council maintained a small, dedicated Emergency Planning team in order to meet these requirements; and that the team was an intrinsic part of the Merseyside Resilience Forum (MRF), working with external partners who would also be involved in the response to local emergencies.

The report also indicated that following terror attacks in Manchester on 22 May 2017 and the Grenfell Tower fire on 15 September 2017 these factors had brought emergency preparedness into sharp focus, and the profile of emergency planning and the need to have robust plans in place had never been higher. This had led to a comprehensive review of the arrangements in place in Sefton.



The report detailed the seven areas of focus of the review and the progress made relating to command and control; training; human aspects and community resilience; logistics; communications; emergency plans; and business continuity; and concluded by advising that regular updates on the progress of the project were being provided to senior management and to the Audit and Governance Committee; that it was anticipated that the project would conclude by summer 2018; and that the revised arrangements would be monitored on an ongoing basis so as to ensure continued effectiveness.

Attached as an [Appendix](#) to the report was the Emergency Planning Review Project Plan.

## PRESENTATIONS

### Environmental Services Restructure

The Committee received a [presentation](#) from Steve Smith, Environmental Health and Trading Standards Manager and Terry Wood, Environment and Consumer Team Section Manager, Regulation and Compliance on the service option to reduce the Environmental Service structure by £500k and the considerations given to the different ways of working that this has necessitated.

Mr Smith and Mr Wood indicated that:-

- Historical savings of £1.1million had been made between 2010-2017; that the current target for 2017-2020 was £500,000; and that this required that a full Service review be undertaken with the aim of achieving £400,000 and £100,000 savings in Phases 1 and 2 respectively
- The approach to achieve the savings would entail re-engineering processes, demand reduction and improving resilience and a fundamental review would be undertaken of Environmental Health and Trading Standards with efficiency savings being sought in Local Licensing and Taxi Licensing
- The reduction in the demand for domestic and commercial services would be met by the introduction of thresholds, the development of self-help guides, training of Contact Centre staff and the streamlining of processes. Examples of demand reduction for the service were also provided
- Income generation would be investigated in the Pest Control Service, Food Hygiene advisory visits and the Dog Warden Service
- The advantages of the service option would be to improve service resilience, release resources to respond to complex technical issues and community resilience but that impacts would include reduced Public Health protection in respect of statutory nuisance and planning consultations thresholds and proactive health and safety at work and food safety and that response times would lengthen



- Phase 1 - £400,000 savings would be met by the reduction in the establishment of 9 FTE posts, new income generation of £38,000 and consumables savings of £20,000 whilst Phase 2 - £100,000 savings in year 2/3 would be met following a further management review

## Financial Reports and Terminology

The Committee received a [presentation](#) from Stephan Van Arendsen, Head of Corporate Resources on financial reports and terminology.

Mr Van Arendsen focussed on the following issues:-

- Best Practice in Financial Management – The three key elements of financial management were Enabling Transformation, Supporting Performance and Delivering Accountability and that financial reporting was a key part of each of these and enabled informed decisions to be reached. The role of the Chief Financial Officer (Head of Corporate Resources) had the responsibility for “making arrangements for the administration of the Council’s financial affairs” and this included ensuring budgets were robust, the Council had adequate reserves, effective controls were in place and value for money was achieved
- The annual reporting cycle – Council, Cabinet, Audit and Governance Committee and Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) were the key elected Member bodies in the annual reporting cycle; and the distinctions between revenue and capital was described, namely that revenue related to transactions relating to the day to day running of Council services whilst capital transactions related to investing in buildings, infrastructure and expensive pieces of equipment;
- How Members engage - the Medium Term Financial Plan, normally covering 3 years, process was detailed where the aim was to identify forecast budget gaps (April – June); options were formulated that could mitigate budget gaps and linked to the Council’s Core Purpose, Framework for Change, etc. (Typically July – October); and that Members considered options and a budget package was developed (November – March); and that Budget Council agreed the annual budget for the following year and level of Council Tax (and possibly budget plans for future years) (late February / early March) and that the Budget was formally monitored throughout year – monthly starting in June and considered by the Executive Leadership Team, Strategic Leadership Board, Cabinet and Overview and Scrutiny Committee
- Aims of Financial Reporting – this was a circular process whereby the Council set out what it sought to achieve, what had been done so far e.g. what had been spent/delivered, what was anticipated to be done e.g. what did the Council think it would spend, what conclusions had been reached and what decisions need to be made





- Key Aspects – the Capital Process, Capital Programme Budget Monitoring, Council Tax and Business Rates processes were described

### **Social Media Use and Effectiveness**

The Committee received a [presentation](#) from Nicky Speed, Corporate Communications Manager on social media use and effectiveness.

Ms Speed detailed:-

- UK social media usage across the different platforms such as Facebook, YouTube, Instagram and Twitter
- The forecast number of people within Sefton using social media and that this provided the Council with a big audience to tap into as people from all communities and all ages were using social media in Sefton and it was recognised as a great way to talk to our communities and to engage with them on the platforms they are using
- The ways Sefton Council was already using social media to promote our key messages/priorities, grow our audience/reach, encourage customers to self-service, signpost to events and activities, consult on plans and to share key partners' content
- That plans for the future included a social media audit, video content creation, a support channel shift and reduced calls, more focus on engagement, use for social listening, work with influencers/community groups and the provision of support for elected Members
- And concluded by requesting Members to follow the Council on Twitter, LinkedIn, Facebook, Instagram and YouTube to help the Council reach customers, by sharing our messages and promoting Sefton when out and about; and that if Members were not using social media but needed help doing so then the Corporate Communications Team could facilitate this

### **Commissioning and the Procurement Process**

The Committee received a [presentation](#) from Peter Moore, Head of Commissioning Support and Business Intelligence on Commissioning and the Procurement Policy.

Mr Moore detailed:-

- The Commissioning Support and Business Intelligence service's key aims of providing help with Strategy/Policy, Communications and Marketing and Change Management
- Key Work Areas in 2016-17 which included Review of CPR, Processes and Guidance, Framework for Change – PSR10, Re-focusing Performance and



Intelligence and Business as usual performance and intelligence, commissioning and procurement activity

- Headline Projects in 2016/17 which included Remodelled Adult Community Day Care Services, Remodelling Supported Living Services Adult Social Care Market Analysis Exercises, Collaborative remodelling of Domiciliary Care Services, Dynamic Purchasing System for Children's Placements, Contract Register Improvements, Sefton People and Place Profile and Ward Profiles and Extra Care Housing Gap Analysis
- The Procurement Activity of the Procurement Team
- And the next steps which included implementation of the refreshed Commissioning Framework, Completion of Organisational Development work, Implementation of the Performance Framework, support of the Framework for Change Programme and Framework for Change – PSR 10

### **The arvato Contract**

The Committee received a [presentation](#) from Stephan Van Arendsen, Head of Corporate Resources on the arvato contract.

Mr. Van Arendsen:-

- Set out the context and that the current 10 year contract expired on 30 September 2018 and had an annual value £15.4m; that services included transactional finance, HR and ICT; that the Council decision was to bring 5 of the 6 services back in house; and that a new ICT provider would be procured
- Updated on the governance exit plan arrangements that included a Steering Board established for with arvato
- Updated on the exit plan associated with the following workstreams Legal, Financial & Commercial; HR & Payroll; ICT; Operational Services; and Schools
- The Council aims and objectives that included that Service delivery was maintained between now and exit and that the Council could meet the requirements operationally and financially from PSR9 - ICT and Digital
- Current key issues associated with the exit plan relating to contracts; engagement; timing and quality of information provision; understanding how these services work; adherence to the exit plan; Key Performance Indicators; risk management, and the current status of arvato
- The ICT procurement exercise undertaken and that this was different to anything the Council had done before, namely utilising an invitation to participate in dialogue; that 6 submissions were received by the deadline date

and that it was considered that 2 could progress to the next stage; and that the contract would commence on 1 October 2018

- Concluded that this was a major project that was highly complex, was taking a vast amount of resources and was very sensitive; that the risks associated with the project reflected this and required careful management as did the current provider; that the largest amount of information would be received during April – July 2018; that the external provider market for ICT had changed significantly in recent years; that procurement was ongoing and any successful bidder would need to meet the Council's needs; and that Cabinet and the Cabinet Member – Regulatory, Compliance and Corporate Services would continue to be engaged.

## **WORKING GROUPS**

During the year the Committee considered three Working Group Final Reports relating to:-

### **Accommodation Strategy/Agile Working**

The Working Group was established to agree and confirm the approach to the delivery of the Council's Accommodation Strategy for the period 2016/17 to 2020. The [Final Report](#) and recommendations were approved by the Committee and Cabinet.

### **Licensing/Child Sexual Exploitation**

The Working Group was established to:-

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

This was a joint Working Group with the Overview and Scrutiny Committee (Children's Services and Safeguarding). The [Final Report](#) and recommendations were approved by both Overview and Scrutiny Committees and Cabinet.

The Committee also considered a six monthly update [report](#) of the Head of Regulation and Compliance that provided an update setting out the progress



made against each of the recommendations formulated by the Licensing/Child Sexual Exploitation Working Group and approved by Cabinet; and the table attached to the report set out progress made against each of the recommendations.

## Area Committees

The Working Group was established to:-

- 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'
- 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 could not reach a consensus and therefore recommended that the Overview and Scrutiny Committee consider the submissions detailed in paragraph 6 and Appendix 3 of the [Final Report](#) and determine the most appropriate course of action thereon. The Committee resolved that the Final Report be referred to Cabinet with a request that Cabinet select an option. Cabinet met and selected the option proposed by Councillor Carla Thomas. This decision was subsequently called-in and a Special Meeting of the Committee was arranged to consider the call-in. The Committee accepted the decision made by Cabinet and approved the option proposed by Councillor Thomas.

The Committee also considered a six monthly update [report](#) of the Head of Regulation and Compliance that provided an update setting out the progress made against each of the recommendations formulated by the Area Committees Working Group and approved by Cabinet together with an [action plan](#) produced by the Head of Communities.



## Digital Inclusion

The Committee also established a Working Group to review the topic of Digital Inclusion. The Working Group is pushing ahead with its task and its approved Scoping Document can be viewed [here](#) It is anticipated that the Working Group will publish its Final Report in October 2018.

## Customer Experience of Claiming Council Administered Benefits and Financial Support

The Committee considered the joint [report](#) of the Head of Corporate Resources and Head of Strategic Support that provided an update setting out the progress made against each of the recommendations formulated by the Customer Experience of Claiming Council Administered Benefits and Financial Support Working Group and approved by Cabinet.

The report indicated that the Customer Experience Board (Chaired by the Head of Strategic Support), and comprising of Council staff and Partners had continued to develop and make positive changes to the customer experience and would continue to identify further opportunities to make improvements, simplify processes and address customer's concerns; and that a number of the actions had resulted in changes that the customer would benefit from and that it was recognised that the Council and partners must continue to champion and motivate a culture of change in the workforce in order to maximise those opportunities and demonstrate the necessary behaviours in order to do so effectively.

The report also indicated that as the Head of Strategic Support chaired the Customer Experience Board and was the project sponsor for Customer Interface (PSR 9) progress and activity would be monitored accordingly; and therefore, it was recommended that progress associated to customer related activity in the future be monitored and reported as part of the Public Sector Reform Programme, under the Governance of Executive Leadership and Programme Board.

Annex 1 attached to the report detailed the key objectives set by the Working Group and the action taken and the progress made to date; and highlighted additional changes that had been implemented following the review and as part of PSR9 – Customer Interface.

## Cabinet Member Reports

In keeping with previous years and in order to keep Members informed, the Overview and Scrutiny Management Board agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees. The Terms of Reference of the Overview and Scrutiny Committee covered the portfolio of the Cabinet Member – Regulatory, Compliance and Corporate Services.

## **Pre-Scrutiny – The Key Decision Forward Plan**

The Overview and Scrutiny Committee has also been given the opportunity to pre-scrutinise items from the Council's Key Decision Forward Plan. The Forward Plan is submitted to the Overview and Scrutiny Committee as part of the Work Programme update. The pre-scrutiny process assists the Cabinet to make effective decisions by giving the Overview and Scrutiny Committee the opportunity to examine issues beforehand and making recommendations prior to a determination being made.

## **The Year Ahead**

The Committee will continue to make progress on the following priorities over the coming year:

- The consideration of budget proposals and savings and the Medium Term Financial Plan
- Review the Council Tax Reduction Scheme during the sixth year of operation
- Monitoring the operation of the Procurement Strategy
- Update on the disposal of surplus council owned land
- Monitoring reports on the implementation of recommendations arising from Overview and Scrutiny Working Group reviews
- Other service operational reports as deemed appropriate by the Committee

I envisage the forthcoming year to be extremely busy and challenging for the Committee given the difficult budgetary challenges and financial savings that have to be met in Sefton.

Finally, and on behalf of the Committee, I would like to thank everyone who has contributed to our work over the past year. I would personally like to thank all Members of the Committee, Councillor Paulette Lappin, Cabinet Member – Regulatory, Compliance and Corporate Services and officers who have attended meetings for their support to me over the past year and provided the Committee with valuable information.

**Councillor Sue Bradshaw**  
**July 2018**

