

Report to:	Overview and Scrutiny Committee (Regeneration and Skills)	Date of Meeting:	21 January 2020
Subject:	Work Programme 2019/20, Scrutiny Review Topics and Key Decision Forward Plan		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	All
Cabinet Portfolio:	Communities and Housing; Health and Wellbeing (Green Sefton element) Locality Services; Planning and Building Control; and Regeneration and Skills		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To review the Work Programme for 2019/20; to identify potential topics for scrutiny reviews to be undertaken by a Working Group(s) appointed by the Committee; to identify any items for pre-scrutiny by the Committee from the Key Decision Forward Plan; to receive an update on the Liverpool City Region Combined Authority Overview and Scrutiny Committee; and to update Members on the progress of items that have previously been considered by the Committee

Recommendation: That:

- (1) the Work Programme for 2019/20, as set out in Appendix 1 to the report, be noted; and consideration be given to any additional items to be included and thereon be agreed;
- (2) the presentation on the Merseyside Recycling and Waste Authority – Service Delivery Plan be deferred to the meeting to be held on 10 March 2020;
- (3) bearing in mind that the Government has decided not to take forward the proposals for any changes to permitted development rights for non-hydraulic fracturing shale gas exploratory development at this time, updates on the Government position and Good Practice and Expectations Document be removed from the Work Programme;
- (4) the Committee considers items for pre-scrutiny from the Key Decision Forward Plan as set out in Appendix 3 to the report, which fall under the remit of the Committee and any agreed items be included in the work programme referred to in (1) above; and

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

Reasons for the Recommendation(s):

To determine the Work Programme of items to be considered during the Municipal Year 2019/20 and identify scrutiny review topics which would demonstrate that the work of the Overview and Scrutiny ‘adds value’ to the Council. To comply with a decision of the Committee to update on the Liverpool City Region Combined Authority Overview and Scrutiny Committee.

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

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

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

What will it cost and how will it be financed?

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

(A) Revenue Costs – see above

(B) Capital Costs – see above

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications.

Contribution to the Council’s Core Purpose:

Protect the most vulnerable: None directly applicable to this report.
Facilitate confident and resilient communities: None directly applicable to this report.
Commission, broker and provide core services: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of reports, as referenced in the Work Programme, relating to the review of Winter Service and Operational Plan; the Merseyside Recycling and Waste Authority – Service Delivery Plan 2018/19; the Update on Operational Activities delivered via Locality Services; and Green Sefton 2018/19 Annual Report, Service Vision 2030, and Service Plan 2019/20.
Place – leadership and influencer: None directly applicable to this report.
Drivers of change and reform: None directly applicable to this report but reports would

be submitted to the Committee detailing how the Council is leading on beneficial changes to be made with reference to United Utilities charging policies and new houses being sold as leasehold.

Facilitate sustainable economic prosperity: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of a report in the Work Programme relating to the Sefton Economic Strategy for Growth

Greater income for social investment: None directly applicable to this report.

Cleaner Greener: None directly applicable to this report but the Committee would be made aware of such issues via the receipt of reports, as referenced in the Work Programme, relating to the review of Winter Service and Operational Plan; the Merseyside Recycling and Waste Authority – Service Delivery Plan 2018/19; the Update on Operational Activities delivered via Locality Services; Green Sefton 2018/19 Annual Report, Service Vision 2030, and Service Plan 2019/20 together with the implementation of recommendations arising from the Shale Gas Working Group.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Work Programme Report is not subject to FD/LD consultation. Any specific financial and legal implications associated with any subsequent reports arising from the report will be included in those reports as appropriate.

Head of Locality Services

Head of Economic Growth and Housing

(B) External Consultations

Not applicable

Liverpool City Region Combined Authority

Implementation Date for the Decision

Immediately following the Committee meeting.

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Appendices:

The following appendices are attached to this report:

- Overview and Scrutiny Committee Work Programme for 2019/2020
- Criteria Checklist for Selecting Topics for Review
- Latest Key Decision Forward Plan items relating to this Overview and Scrutiny Committee

Background Papers:

There are no background papers available for inspection.

Introduction/Background

1. WORK PROGRAMME 2019/20

1.1 The proposed Work Programme of items to be submitted to the Committee for consideration during the Municipal Year 2019/20 is set out in Appendix 1 to the report. The programme has been produced in liaison with the appropriate Heads of Service, whose roles fall under the remit of the Committee.

1.2 Members are requested to consider whether there are any other items that they wish the Committee to consider, that fall within the terms of reference of the Committee. The Work Programme will be submitted to each meeting of the Committee during 2019/20 and updated, as appropriate.

1.3 Merseyside Recycling and Waste Authority (MRWA) – Service Delivery Plan

The Work Programme approved in July 2019 indicated that an item would be considered at the meeting of the Committee held on 21 January 2020 about the MRWA – Service Delivery Plan. The Head of Locality Services has been in contact with the Chief Executive of MRWA who has indicated that the MWRA will set its budget and approve its Service Delivery Plans for the year ahead on 7 February 2020; and that as part of this process further action on waste in response to Climate Emergency declarations, etc may be included. It is recommended therefore that this matter be deferred to the Committee meeting on 10 March 2020 to enable this updated and interesting information to be included in the presentation to Members.

1.4 Shale Gas Working Group – Report on Government Position published and Good Practice and Expectations Document amended

It was intended that a report on the above matter would be submitted to this meeting of the Committee. The Head of Economic Growth and Housing has advised that Officers remain vigilant in monitoring the progress and reporting of non-hydraulic fracturing shale gas development and extraction.

Sefton responded to a recent ‘permitted development rights’ consultation (the primary purpose of the consultation was to seek views on the principle of whether non-hydraulic fracturing shale gas exploration development should be granted planning permission through permitted development rights). The Government published its response on 1/11/19 – there were 15,226 responses overall. There were 4639 responses to the specific question of the permitted development principle. There was minimal support for this proposal. Nearly all respondents (97.5%) opposed introducing a permitted development right for non-hydraulic fracturing shale gas exploration development.

The main tenant of the Government response is reproduced below with the Head of Economic Growth and Housing’s emphasis on the key point.

It is our view that while there could be considerable merit in taking forward these proposals in the future, the sector in the UK is at too early a stage in its development to properly assess the impact of the measures or their ability to deliver changes suitable for the future potential planning needs of industry. The

consultation has also identified that there is little consensus on what the measures would look like or the degree to which they would be worthwhile currently. As such, the Government has decided not to take forward the proposals for any changes to permitted development rights for non-hydraulic fracturing shale gas exploratory development at this time.

This was followed by a further announcement on 2 November 2019:

The Department for Business, Energy and Industrial Strategy said that, after the OGA concluded that further seismic activity could not be ruled out, "further consents for fracking will not be granted" unless the industry "can reliably predict and control tremors" linked to the process.

As such, it is recommended to close this workstream to further reporting whilst this stance at national Government level remains.

- 1.5 The Committee is requested to approve the deferral of the presentation on the Merseyside Recycling and Waste Authority – Service Delivery Plan to the meeting on 10 March 2020; remove the issue from the Work Programme relating to shale gas extraction; comment on the Work Programme for 2019/20; and note that additional items may be submitted to the Programme at future meetings of the Committee during this Municipal Year.

2. SCRUTINY REVIEW TOPICS 2019/20

- 2.1 It is usual practise for the Committee to appoint a Working Group(s) to undertake a scrutiny review of services during the Municipal Year.
- 2.2 Last year the Committee agreed to establish a Working Group to review the topic of the Effectiveness of the Council's Enforcement Activity. This review is on-going and it is anticipated that the Working Group's Final Report will be completed before the end of the Municipal Year.
- 2.3 The Committee, at its last meeting held on 5 November 2019 agreed to establish a Working Group to review the topic of housing support services provided to vulnerable clients by non-governmental organisations and charities and their links to statutory agencies. Councillors Blackburne, Marshall, Michael O'Brien, Robinson and Anne Thompson have agreed to be members of the Working Group; and it is anticipated that the first meeting will be held in January, 2020 to approve the scoping document.
- 2.4 For the information of Members a criteria checklist for selecting and rejecting potential topics to review is attached at **Appendix 2**. This is used to assist the Committee in selecting topics and appointing Working Group(s) for the Municipal Year.
- 2.5 Bearing in mind that the Committee currently has two Working Groups running it is recommended that no new Working Groups be established.

3. PRE-SCRUTINY OF ITEMS IN THE KEY DECISION FORWARD PLAN

- 3.1 Members may request to pre-scrutinise items from the Key Decision Forward

Plan which fall under the remit (terms of reference) of this Committee. The Forward Plan which is updated each month, sets out the list of items to be submitted to the Cabinet for consideration during the next four-month period.

- 3.2 The pre-scrutiny process assists the Cabinet Members to make effective decisions by examining issues beforehand and making recommendations prior to a determination being made.
- 3.3 The Overview and Scrutiny Management Board has requested that only those key decisions that fall under the remit of each Overview and Scrutiny Committee should be included on the agenda for consideration.
- 3.4 The latest Forward Plan published on 23 December 2019 is attached at **Appendix 3** for this purpose. For ease of identification, items listed on the Forward Plan for the first time appear as shaded.
- 3.5 Should Members require further information in relation to any item on the Key Decision Forward Plan, would they please contact the relevant Officer named against the item in the Plan, prior to the Meeting.
- 3.6 **The Committee is invited to consider items for pre-scrutiny from the Key Decision Forward Plan as set out in Appendix 3 to the report, which fall under the remit of the Committee and any agreed items be included in the Work Programme referred to in (1) above.**

4. **LIVERPOOL CITY REGION COMBINED AUTHORITY OVERVIEW AND SCRUTINY COMMITTEE**

- 4.1 During the last cycle of meetings, the Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees considered a report on the guidance produced by the Ministry of Housing, Communities and Local Government relating to Overview and Scrutiny in Local and Combined Authorities following on from the Communities and Local Government Select Committee's inquiry into Overview and Scrutiny. This Committee considered the matter at its meeting held on 22 October 2019 (Minute No. 20).
- 4.2 The Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees all agreed the recommendations contained in the report, one of which being that updates on Liverpool City Region Combined Authority Overview and Scrutiny Committee (LCRCAO&S) be included in the Work Programme report considered at each Overview and Scrutiny Committee meeting.
- 4.3 In accordance with the above decision, information on the LCRCAO&S is set out below.
- 4.4 **Role**

The Overview and Scrutiny Committee was established by the Combined Authority in May 2017 in accordance with the Combined Authorities Order 2017.

The role of the Overview and Scrutiny Committee is to:

- Scrutinise the decision and actions taken by the Combined Authority or the Metro Mayor;
- Provide a 'critical friend to policy and strategy development;
- Undertake scrutiny reviews into areas of strategic importance for the people of the Liverpool City Region; and
- Monitor the delivery of the Combined Authority's strategic plan.

4.5 **Membership**

The Committee is made up of 3 elected Members from each of the constituent Local Authorities of the LCR Combined Authority, along with one elected Member from both the Liverpool City Region Liberal Democrat Group and the Liverpool City Region Conservative Group.

Sefton's appointed Members are Councillors Dowd, Howard and Marshall. Councillor Dowd is Sefton's Scrutiny Link.

Councillors Pugh and Sir Ron Watson are the respective representatives of the Liverpool City Region Liberal Democrat Group and the Liverpool City Region Conservative Group.

4.6 **Chair**

The Chair of the LCRCAO&S cannot be a Member of the majority group. Councillor Thomas Crone, a Green Party Councillor serving on Liverpool City Council has been appointed Chair for the 2019/20 Municipal Year.

4.7 **Quoracy Issues**

A high number of meetings of the LCRCAO&S have been inquorate.

The quorum for meetings of the LCRCAO&S is 14, two-thirds of the total number of members, 20. This high threshold is not set by the Combined Authority but is set out in legislation.

The Combined Authority's Monitoring Officer will be looking to work with the Monitoring Officers from the other Combined Authorities to identify what problems they are experiencing with Scrutiny and how/if they had overcome them. Representations to Government would also be considered once all options locally to resolve the quorum issue had been exhausted. The CA Monitoring Officer would then be able to provide evidence to Government that the quorum level was obstructing the work of scrutiny within the CA.

4.8 **Meetings**

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

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

6 November 2019

The last meeting of the LCRCAO&S was scheduled to be held on 6 November

2019. However, this meeting was inquorate and its business could not be formally transacted. Nonetheless, because Members were in attendance the items were discussed. Members received an update from the Metro Mayor Steve Rotherham and considered reports on updating on the Liverpool City Region Housing Statement; the Liverpool City Region Housing First Service; and Apprenticeships.

15 January 2020 – Budget Meeting

The next meeting of LCRCAO&S will be held on 15 January 2020. The meeting will be asked to consider the budget proposals for 2020/21 to be agreed by the Combined Authority; and to make recommendations to the Metro Mayor and the Liverpool City Region Combined Authority in respect of the proposals.

Details of both meetings can be obtained using the link referred to above.

5. UPDATE ON THE PROGRESS OF ITEMS THAT HAVE PREVIOUSLY BEEN CONSIDERED BY THE COMMITTEE

5.1 Liverpool City Region Combined Authority Town Centre Commission

As Members will be aware the Committee at its last meeting agreed, taking into account the work being undertaken by the Liverpool City Region Combined Authority Town Centre Commission, that a Working Group to investigate the factors associated with the decline of retail areas and shopping parades be not established; and that the Chief Legal and Democratic Officer be requested to obtain a copy of the Liverpool City Region Combined Authority Town Centre Commission when published and include it on the agenda for a meeting of this Committee (Minute No 25 (4) and (5) refers).

5.2 The Chief Legal and Democratic Officer has contacted the Liverpool City Region and been advised that it is anticipated that the Town Centre Panel and Commission final report will be approved in quarter 3 2020. This will be reported to the Committee in due course. Additional information has also been provided for the benefit of members and this is set out below.

5.3 The LCR Town Centre Panel and Commission has been set up with the terms of reference set out below, and includes officer representation from each Local Authority, as well as the Investment Manager from the CA. Sarah Kemp, Executive Director attends from Sefton. The first meeting was held in October 2019 and it is anticipated that meetings will be held monthly thereon.

Town Centres Panel

formed September 2019

Objectives:

- To share best practice in the revival of our town centres
- To maximise funding from all sources that goes into this revival
- To provide feedback on the Town Centres' Fund and engage with the associated Town Centres' Commission
- To provide a forum to prepare the best possible LCR submissions for Future High Streets' Fund, Towns' Fund and other programmes aimed at town centres

- Emphasising positive collaboration, coordination and deliverable ambition

Membership:

- One member per LA, representative from each of CA's investment, policy and integrated transport teams
- Observers welcome

Governance and operation:

- Established as a sub-group of the Growth Group
- Wes Rourke and Sophie Bevan to co-chair
- Monthly meetings unless otherwise recommended by the co-chairs
- CA to provide secretariat and to facilitate meetings

The **Town Centre Commission** will report to the Panel and has a remit, as a group of selected experts, as follows:

The purpose of the Commission is *"...bring together public, private and community partners from across the Liverpool City Region (LCR) and beyond to support the Metro Mayor, the CA and Constituent Authorities in identifying and supporting efforts to deliver the long term sustainability and vitality of our town centres as the focal points of their communities"*

The key objectives of the Commission will be:

- To diagnose any issues affecting the vitality and viability of our town centres (within LCR)
- To understand the role our town centres should play and their contribution to sustainable communities
- To identify practical steps to enacting a sustainable future for our towns and
- To provide a platform from which LCR partners can make evidence-based interventions to deliver the sustainability of town centres within the LCR

The Commissioners are in the process of being appointed, to form a small group of stakeholders representing public, private and community sectors who will meet approximately every 6 weeks to oversee the project. The meetings will provide an opportunity to discuss emerging findings from the research and to consider specific policy issues common to all towns across LCR.

IPPR North will provide the secretariat to the Commission for the duration of this project including taking notes of meetings, arranging meetings and agendas and sending out invitations.

In terms of the indicative timeframe for key outputs the ambition is to provide an Interim report by Q1 2020 and the final report by Q3 2020 (*noting that LCR local industrial strategy is scheduled for March 2020*)