

Enquiries to: Information Team  
Our Ref: FOI684443/IR



Liverpool  
City Council

[request-566309-aabc22e7@whatdotheyknow.com](mailto:request-566309-aabc22e7@whatdotheyknow.com)

Dear Ms Mullen

### **Freedom of Information Request 684443 – Internal Review**

Thank you for your various emails in which you requested that the City Council undertake an Internal Review of the above information request. For purposes of clarity and context, your original request and our accompanying responses are summarised below as follows –

*“The Fractional Investment & Development Scrutiny Panel was set up [Chair Jane Corbett] to look into the matter...please explain why [a] Meeting - 8th November 2018- no Minutes/no info in Reports Pack/no Printed Decisions*

*[b] 22nd November - 2018 - no Minutes/no info in Reports Pack/no Printed Decisions*

*[c] 12th Dec. - 2018 - no Minutes/no info in Reports Pack/no Printed Decisions*

*[d] 13th March 2019 - no Minutes/no info in Reports Pack/no Printed Decisions*

*[e] 20th March - 2019 - no Minutes/no info in Reports Pack/no Printed Decisions*

#### **QUESTION 2**

*Please explain in full the absence of all this information*

#### **REQUEST 1**

*Please supply copies of all the missing Minutes/ Reports Pack information and Printed Decisions for ALL meetings*

#### **REQUEST 2**

*Please supply a copy of Jane Corbett's report on the findings of this scrutiny panel*

### **Original Liverpool City Council Response –**

*With regard to Question 1 and Request 1, we would advise that the Agendas for these meetings are already fully in the public domain and reasonably accessible to you.*

*With regard to any materials discussed during informal meetings these were provided by third parties and returned to third parties and as such information thereof is not in the control or possession of the City Council. The Minutes of such meetings, once finalised, will be published to the website once the final report of the Scrutiny Panel has been prepared and published. These will be available at – <http://councillors.liverpool.gov.uk/ieListMeetings.aspx?Committeeld=1562> On this basis and as the requested information is intended for future publication, Section 22 of the Freedom of Information Act 2000 is applied.*

*With regard to the final part of this question, Scrutiny Panels are not decision-making bodies and as such no decisions are made by such Panels.*

*With regard to Request 2, the report of Councillor Corbett and the Scrutiny Panel, once*

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*finalised, will be submitted for consideration by the relevant Select Committee. Select Committees are public meetings for which information is published and made available online. It is anticipated that the report will be referred to Select Committee on or before 30 September 2019. On this basis and as the requested information is intended for future publication, Section 22 of the Freedom of Information Act 2000 is applied.*

## **Internal Review**

The basis upon which you have requested an Internal Review be undertaken was as follows

*Please add the following to my Internal Review Please note the following paragraph from - ! Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities 13. Authorities with a directly-elected mayor should ensure that scrutiny committees are well-resourced, are able to recruit high-calibre members and that their scrutiny functions pay particular attention to issues surrounding:*

- rights of access to documents by the press, public and councillors; !!!!!!!!!!!!!!!!!!!!!*
- transparent and fully recorded decision-making processes, especially avoiding decisions by 'unofficial' committees or working groups; !!!!!!!!!!!!!!!!!!!!!*
- delegated decisions by the Mayor; !!!!!!!!!!!!!!!*
- whistleblowing protections for both staff and councillors; and • powers of Full Council, where applicable, to question and review*

*[1] The Agenda Reports Packs for this scrutiny Panel only contains the agenda - why?*

*[2] If you then click on agenda items, [eg - LCC Due Diligence Policies - it just takes you back to the Agenda. - why?*

## **Review Outcome**

Turning firstly to your reference to the content of the Agenda items for the meetings of the Scrutiny Panel. The listed Agenda items represent matters for discussion and debate during each of the meetings and whilst Agenda Items are listed for discussion there is no requirement for these to then be supported by formal reports or documentation.

During the course of each meeting of the Panel, and with due regard to the Agenda Items listed for each meeting, the Panel was addressed by a number of third parties in relation to this sector of the commercial property market. Whilst a number of third parties in turn showed materials to illustrate their points, these remain in the ownership and control of the third party individuals and companies and are not nor have then been held by the City Council.

With regard to your comments relating to the publication of Minutes, we would advise that the purpose of the Scrutiny Panel was to gather evidence and produce a final report. As such, the report of the Panel once prepared will contain relevant narrative text addressing matters raised in each meeting of the Panel.

We would further advise that the City Council and its Officers remain fully conversant with both statutory and non-statutory guidance issued to local authorities as regards the scrutiny process and fully compliant with its obligations thereof, and has been since the introduction of this process to Local Government through the Local Government Act 2000. The City Council operates a number of Select Committees and subordinate Scrutiny Panels discharging a range of functions and has a comprehensive scrutiny regime in place.

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Turning now to our original response. Whilst a date of 30 September was quoted, this was and remains contingent on the capacity of Elected Members to participate in, draft, and consider such reports. Elected Members have a wide range of responsibilities to discharge at present, including dealing with complex residents queries arising from reductions in Central Government funding for services and extending to consideration of the City Council budget process, which extends into March 2020.

At this juncture, a report relating to the work of this Scrutiny Panel remains to be drafted and considered. Once a draft report has been prepared then the Chair and Members of the Panel will consider this and agree subsequent publication. This has not been prepared at this stage. At present and taking into consideration forthcoming scheduling requirements and the restrictions placed on publication as a consequence of the imminent General Election, publication is now anticipated to take place during the first months of 2020. As indicated above, this is again subject to members capacity. The longstop date for publication is 30 April 2020 this reflecting the conclusion of the municipal year to which the Scrutiny Panel was established to conduct its work and report within. On this basis and as the requested information remains subject to preparation and is intended for future publication, Section 22 of the Freedom of Information Act 2000 continues to be applied.

This concludes our Internal Review process on this matter.

If you remain dissatisfied, you may also apply to the Information Commissioner for a decision about whether the request for information has been dealt with in accordance with the Freedom of Information Act 2000.

The Information Commissioner's website is [www.ico.gov.uk](http://www.ico.gov.uk) and the postal address and telephone numbers are:- Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone 0303 123 1113. Email – [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk) (they advise that their email is not secure)

I trust this information satisfies your enquiry.

Yours sincerely  
**Information Team**