

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY, 13 OCTOBER 2009. MINUTE NO. 143 IS NOT SUBJECT TO CALL-IN.

CABINET

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 1ST OCTOBER, 2009

PRESENT: Councillor Robertson (in the Chair)
Councillors Brodie - Browne, P Dowd, Lord Fearn,
Griffiths, Parry, Porter and Tattersall

ALSO PRESENT: Councillors Hands, Hill, McGuire, Papworth and
Shaw

130. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Fairclough and Maher.

131. MINUTES

RESOLVED:

That the Minutes of the Cabinet Meeting held on 3 September 2009 be confirmed as a correct record.

132. DECLARATIONS OF INTEREST

The following declaration of interest was received:

Member	Minute	Reason	Action
Councillor Brodie-Browne	155 - Analysis and Evaluation of Early Mechanisms in Health and Social Care Systems	Personal - He has a relative who works within the Social Care Sector	Took part in the consideration of the item and voted thereon.

133. URGENT BUSINESS

The Chair reported that he had agreed that the Cabinet would consider the following item of business:

Greater Merseyside Connexions Partnership (Minute No. 183) in view of the need to determine the way forward on the procurement arrangements.

134. SPECIALIST TRANSPORT SERVICE

Further to the petition submitted to the Council meeting held on 3 September 2009, Mr. John Corscaden, Chair of the Sefton Carers Forum Committee, submitted another petition signed by residents of the Borough, requesting "the reversal of the Cabinet policy decision regarding Specialist Transport Charges and a return to status quo" (Minute No. 76 of the Cabinet meeting held on 9 July 2009 refers) and he gave a statement on the content of the petition.

The Cabinet then considered the report of the Strategic Director of Adult Social Services (Health and Social Care) which addressed the issues raised by Mr. Corscaden during the submission of the petition on this issue to the recent Council meeting and incorporated a copy of the report previously considered by the Cabinet on 9 July 2009.

RESOLVED: That

- (1) the petition and statement given by Mr. Corscaden be noted;
- (2) the report be noted; and
- (3) the Strategic Director of Adult Social Services (Health and Social Care) review the impact of the introduction of the flat rate charge on all service users who have transport arranged by the Council's Specialist Transport Service after three months of operation and submit a report thereon to the Cabinet.

135. ANALYSIS AND EVALUATION OF EARLY MECHANISMS IN HEALTH AND SOCIAL CARE SYSTEMS

The Cabinet considered the report of the Overview and Scrutiny Committee (Health and Social Care) Working Group which undertook an analysis and evaluation of early mechanisms in Health and Social Care systems.

Councillor McGuire, Lead Member of the Working Group, outlined the conclusions and recommendations set out in the report.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the recommendations set out in the report be approved; and
- (2) the Strategic Director of Adult Social Services (Health and Social Care) submit a report to the Overview and Scrutiny Committee (Health and Social Care) on the action plan for the implementation of the recommendations in the report.

136. WATERCOURSE MAINTENANCE AND FLOODING WORKING GROUP - FINAL REPORT

The Cabinet considered the report of the Overview and Scrutiny Committee (Regeneration and Environmental Services) Working Group which undertook an inquiry into the maintenance of watercourses and drainage in the Borough, particularly in the light of the Pitt Review.

Councillor Papworth, Lead Member of the Working Group, outlined the conclusions and recommendations set out in the report.

RESOLVED: That

- (1) the recommendations be approved and a further report be submitted to the Cabinet setting out a proposed practical way forward, including likely costs and timescales;
- (2) it be noted that the report will be shared with United Utilities, the Environmental Agency, Parish Councils and other partner agencies; and
- (3) it be noted that the report should be considered as a "work in progress" and that aspects may need to be revisited over time as conditions dictate.

137. CORE STRATEGY - STRATEGIC FLOOD RISK ASSESSMENT FOR SEFTON

Further to Minute No. 121 of the meeting held on 3 September 2009, the Cabinet gave further consideration to the report of the Planning and Economic Regeneration Director which provided details of the proposed Strategic Flood Risk Assessment, which would form part of the evidence base for the Core Strategy and other development plans.

RESOLVED:

That the Strategic Flood Risk Assessment be approved.

138. CORE STRATEGY - THE SPATIAL STRATEGY : WHERE SHOULD DEVELOPMENT BE LOCATED?

Further to Minute No. 50 of the meeting of the Cabinet Member - Regeneration, held on 30 September 2009, the Cabinet considered the report of the Planning and Economic Regeneration Director which provided details of the key findings of background studies and consultations held on the Core Strategy which were helping to shape the Spatial Strategy for the Borough which would identify where development should be located during the next 15 - 20 years.

RESOLVED: That

- (1) the issues outlined in section 5 of the report be included in the Core Strategy as strategic priorities;
- (2) the spatial strategy set out in section 6 of the report be approved; and
- (3) the Planning and Economic Regeneration Director submit an update report to the Cabinet on the options for meeting future developments needs in Sefton based on the options set out in sections 6 and 7 of the report.

139. TRANSFORMATION UPDATE

Further to Minute No. 37 of the meeting held on 11 June 2009, the Chief Executive submitted a report on the progress made in relation to the Transformation Agenda including the Strategic Budget Review.

RESOLVED: That

- (1) the progress made in developing the Transformation Programme and Strategic Budget Review be noted;
- (2) approval be given to the continuation of the Voluntary Early Retirement/Voluntary Redundancy Expressions of Interest exercise, and a further report on its outcome be presented to Cabinet for consideration/approval;
- (3) approval be given to the establishment of the Transformation Team, as described in the report;
- (4) approval be given to the further development and investigation of the generic work-streams outlined in the report and further reports on the outcomes to be presented to Cabinet for consideration/approval; and
- (5) the comments made in the report in relation to timely decision making; political support for the reviews and investigations; clear communications; development of staff skills and abilities; and the identification of priorities, including a review of the Corporate Plan and Community Strategy be endorsed.

140. REVENUE BUDGET MONITORING 2009/10

The Cabinet considered the report of the Finance and Information Services Director which provided an update on the current year revenue budget monitoring position.

RESOLVED: That

- (1) the report be noted;
- (2) the intention to carry out an officer led review of existing overspends and the opportunities to address the overall overspend be noted; and
- (3) the ongoing review of the existing spending freeze be noted and a further report be submitted to the Cabinet on the proposed transfer of any such savings to be corporate budget.

141. MEMBERS FINANCIAL LITERACY / TRAINING

Further to Minute No. 58 of the meeting of the Audit and Governance Committee held on 30 September 2009, the Cabinet considered the report of the Finance and Information Services Director on the discussions held with the Council's External Auditors, PricewaterhouseCoopers on proposals for improving the financial literacy of Senior Members and the provision of financial training for Members.

RESOLVED: That

- (1) the Officers' definition of Senior Members for the Purposes of the Council's Use of Resources Assessment set out in paragraph 2.1a of the report be noted;
- (2) Members should receive specific finance training on becoming Members of the Audit and Governance Committee; and
- (3) the intention to run a DVD based financial training session be noted.

142. CHANGES TO EXECUTIVE ARRANGEMENTS - LEADER OR ELECTED MAYOR FOR SEFTON

Further to Minute No. 27 of the meeting of the Council held on 3 September 2009, the Cabinet considered the report of the Legal Director on the proposed changes to the Council's Constitution as a result of the formal decision to adopt the new style Leader and Cabinet model.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED:

That the Council be recommended to:

- (1) formally approve the changes to the Constitution as set out in Annex A of the report;

- (2) approve the new arrangements to take effect from May 2010; and
- (3) authorise the Legal Director to advertise the Council's proposals for its new Governance arrangements.

143. STRENGTHENING LOCAL DEMOCRACY

Further to Minute No. 49 of the meeting of the Cabinet Member - Performance and Governance held on 30 September 2009, the Cabinet considered the report of the Legal Director which sought views on the proposals in the Government's latest Consultation Paper "Strengthening Local Democracy", which sets out important new powers and an enhanced role for all Local Authorities in co-ordinating, scrutinising and leading local service delivery and responding to local challenges and needs.

RESOLVED: That

- (1) the proposals contained within the Consultation Paper be noted;
- (2) the draft responses set out in Annex C of the report be approved; and
- (3) it be noted that the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) has given his consent under Rule 17 of the Scrutiny Procedure Rules for this decision to be treated as urgent and not subject to "call in" on the basis that it cannot be reasonably deferred as responses are required by 2 October 2009.

144. ELECTED MEMBER MEDIA GUIDELINES

Further to Minute No. 23 of the meeting of the Standards Committee held on 17 September 2009, the Cabinet considered the joint report of the Assistant Chief Executive (Communications) and Legal Director seeking approval for a set of guidelines governing the ways in which the elected Members' media relations should operate.

RESOLVED:

That, subject to the following amendment, the Elected Member Media Guidelines be submitted to the Council for approval:

Section 3 - 2nd bullet point

Amend the text to read "The report itself, the information contained within the report and any discussions undertaken in the meeting once the public have been excluded should be regarded as strictly confidential and must not be disclosed; for clarity, this does not include the way that Members voted."

145. FOSTERING SERVICE WORKING GROUP REPORT - UPDATE

Further to Minute No. 6 of the meeting held on 14 May 2009, the Cabinet considered the report of the Strategic Director of Children's Services which provided an update on the implementation of the recommendations in the Fostering Service Working Group report which do not have any financial implications.

RESOLVED:

That the report be noted.

(Councillor P Dowd left the meeting at this point)

146. AIMING HIGH FOR DISABLED CHILDREN - PROPOSED SCHEMES

Further to Minute No. 66 of the meeting of the Cabinet Member - Children's Services held on 15 September 2009, the Cabinet considered the report of the Strategic Director of Children's Services seeking approval to the implementation of a scheme to be funded from the Aiming High for Disabled Children Capital Allocation.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the £400,000 of funding, detailed in the report be included in the project's capital budget already allocated to the scheme within the Leisure Services Department capital programme portfolio; and
- (2) the residue of £158,700 funding be included in the Children's Services Capital Programme 2009/10.

147. INTEGRATED CHILDREN'S SYSTEM - FURTHER CAPITAL GRANT 2009/10

Further to Minute No. 65 of the meeting of the Cabinet Member - Children's Services held on 15 September 2009, the Cabinet considered the report of the Strategic Director of Children's Services on the additional capital allocation awarded by the Department for Children, Schools and Families to further support the implementation of the Integrated Children's System.

RESOLVED: That

- (1) the report be noted; and
- (2) the additional allocation detailed in the report be included in the Children's Services Capital Programme 2009/10.

148. SCHOOL TRAVEL PLAN CAPITAL GRANT 2009/10

Further to Minute No. 67 of the meeting of the Cabinet Member - Children's Services held on 15 September 2009, the Cabinet considered the report of the Strategic Director of Children's Services seeking approval to the implementation of schemes to be funded from the School Travel Plan Capital Grant Allocations.

RESOLVED:

That the expenditure for the schemes to be funded from specific resources be included in the Children's Services Capital Programme 2009/10.

149. SPECIALIST SCHOOL STATUS - MEOLS COP HIGH SCHOOL PROPOSED SCHEME

Further to Minute No. 63 of the meeting of the Cabinet Member - Children's Services held on 15 September 2009, the Cabinet considered the report of the Strategic Director of Children's Services seeking approval to the implementation of a scheme to enhance the facilities of Meols Cop High School following its designation as a specialist school for sport with effect from 1 September 2009.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED:

That the expenditure for the scheme to be funded from specific resources be included in the Children's Services Capital Programme 2009/10.

150. PROPOSED WORLD OF WORK EXTENSION - RANGE HIGH SCHOOL, FORMBY

The Cabinet considered the report of the Strategic Director of Regeneration and Environmental Services on the tenders received for the provision of a new World of Work extension at Range High School, Formby.

RESOLVED: That

- (1) approval be given to the allocation of £357,467.02 in the Children's Services Capital Programme for this scheme, with funding for this scheme to be provided from the 14-19 Targeted Capital Fund budget and a £30,000 contribution from the schools devolved Formula Capital resources;
- (2) the lowest tender submitted by D. Henderson and Sons of Southport in the sum of £272,135 be accepted; and

- (3) the Legal Director be requested to enter into a formal contract with the successful tenderer.

151. PROPOSED WORLD OF WORK EXTENSION - FORMBY HIGH SCHOOL, FORMBY

The Cabinet considered the report of the Strategic Director of Regeneration and Environmental Services on the tenders received for the provision of a new World of Work extension at Formby High School.

RESOLVED: That

- (1) approval be given to the allocation of £270,867.48 in the Children's Services Capital for this scheme to be provided entirely from the 14-19 Diplomas budget;
- (2) the lowest tender submitted by D. Henderson and Sons of Southport in the sum of £194,967 be accepted; and
- (3) the Legal Director be requested to enter into a formal contract with the successful tenderer.

152. AMALGAMATING STRATEGIC HOUSING SERVICES WITHIN SEFTON

Further to Minute No. 45 of the meeting of the Cabinet Member - Regeneration held on 30 September 2009, the Cabinet considered the joint report of the Strategic Directors of Regeneration and Environmental Services and Adult Social Services (Health and Social Care) on proposals for the restructuring of the Council's Strategic Housing Function.

RESOLVED:

That approval 'in principle' be given to the restructuring of the Council's strategic housing function by consolidating existing strategic housing services within the current Housing Market Renewal Department, to be renamed the 'Housing and Renewal Department', subject to the outcome of the ongoing review of the Senior Management structure of the Council.

153. SEFTON HOUSING STRATEGY STATEMENT 2009 - 2013

Further to Minute No. 46 of the meeting of the Cabinet Member - Regeneration held on 30 September 2009, the Cabinet considered the joint report of the Strategic Director of Adult Social Services (Health and Social Care) and the Housing Market Renewal Director seeking approval to the revised Sefton Housing Strategy 2009-2013, which sets out the priorities for strategic housing services in Sefton, the evidence and rationale for such prioritisation and a series of required actions to further develop components of the strategy.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the Sefton Housing Strategy Statement 2009-2013 be approved; and
- (2) the Housing Market Renewal Director be granted delegated authority in order to make such minor amendments as may be required in order to ensure compliance with existing Council policy in relation to Strategic Housing Services in Sefton.

154. STRATEGIC HOUSING SERVICES VALUE FOR MONEY FRAMEWORK AND SERVICE IMPROVEMENT PLAN 2009

Further to Minute No. 48 of the meeting of the Cabinet Member - Regeneration held on 30 September 2009, the Cabinet considered the report of the Housing Market Renewal Director seeking approval to the adoption of the Housing Value for Money Framework and Service Improvement Plan 2009 in order to improve the effectiveness and quality of the Council's Strategic Housing Services.

RESOLVED:

That the Strategic Housing Value for Money Framework and Service Improvement Plan 2009 be approved.

155. ADOPTION OF REVISED HOUSING MARKET RE-STRUCTURING (IMPLEMENTATION) AGREEMENT - DEED OF VARIATION 2009 - 2010

Further to Minute No. 47 of the meeting of the Cabinet Member - Regeneration held on 30 September 2009, the Cabinet considered the report of the Housing Market Renewal Director seeking approval to the Council entering into a revised funding agreement with the Secretary of State for Communities and Local Government, in respect of Housing Market Renewal funding secured by the Newheartlands Pathfinder for 2009-2010.

RESOLVED: That

- (1) the implications of entering into the Deed of Variation to the Housing Market Restructuring (Implementation) Agreement for 2009-2010 be noted; and
- (2) the Legal Director be authorised to formally execute the Deed of Variation on the Council's behalf.

156. FUNDING OPPORTUNITIES - PROGRESS REPORT 2

The Cabinet considered the report of the Strategic Director of Regeneration and Environmental Services on the progress made with regard to the expressions of interest submitted to the Regional Development Agency for funding under the North West Operational Plan to deliver projects throughout the Borough. The report also provided an update of further external funding opportunities.

RESOLVED:

That the report be noted.

157. SEFTON BUSINESS VILLAGE PARTNERSHIP REPORTS

Further to Minute No. 54 of the meeting of the Cabinet Member - Regeneration held on 30 September 2009, the Cabinet considered the report of the Planning and Economic Regeneration Director on the issues considered at the meeting of the Sefton Business Village Partnership Board held on 29 July 2009, in relation to the activities undertaken by the Business Village Partnerships in Southport, Birkdale, Formby, Crosby, Waterloo, Bootle and Altside.

RESOLVED: That

- (1) the content of the report be noted; and
- (2) when appropriate further reports on activities undertaken by Sefton Business Village Partnerships be submitted to the Cabinet.

158. THIRD LOCAL TRANSPORT PLAN - LTP3 - 2011 ONWARDS

Further to Minute No. 58 of the meeting of the Cabinet Member - Technical Services held on 23 September 2009, the Cabinet considered the report of the Planning and Economic Regeneration Director which provided details of the final Department for Transport Guidance on developing the third round of Local Transport Plans, and how the essential link to Sefton's emerging Local Development Framework is being progressed.

RESOLVED:

That the scope and proposals for Sefton's input to the development of the third Local Transport Plan be noted.

159. THORNTON SWITCH ISLAND LINK - COMMISSIONING REPORT/REVISED PROJECT MANAGEMENT/PROGRAMME AND SCHEME COST PROFILE

Further to Minute No. 59 of the meeting of the Cabinet Member - Technical Services held on 23 September 2009, the Cabinet considered the report of the Planning and Economic Regeneration Director on the receipt of a

satisfactory Commissioning Report for Phase 1 of the Early Contract Involvement (ECI) Contract for the Thornton Switch Island Link Scheme from the contractor, Balfour Beatty Civil Engineering Limited. The report also provided details of the revised Project Management arrangements, the revised programme and the cost profile for the scheme.

RESOLVED: That

- (1) the submission of the Commissioning Report in accordance with the Contract be noted;
- (2) the partnering arrangement established for the effective delivery of the scheme be noted;
- (3) the revised Project Management arrangements and Project Board for the scheme be approved;
- (4) the duties and responsibilities of the Contract Project Manager be delegated to the Assistant Director (Transportation and Development) Planning and Economic Regeneration Department;
- (5) the revised programme for the scheme be noted; and
- (6) the revised spend profile for the scheme be noted.

160. CHRISTMAS RETAIL PROMOTIONS - CAR PARKING OFFERS

The Cabinet considered the report of the Planning and Economic Regeneration Director seeking approval in principle to adjustments to the Council's car parking operations to support Christmas retail promotions.

RESOLVED: That

- (1) approval in principle be given to the adjustments to the Parking Service Operation to support Christmas retail operations in the Borough; and
- (2) the Cabinet Member - Technical Services be authorised to agree the details of the Christmas car parking promotions as part of the wider retailers' promotions, subject to the financial impact upon the Council not exceeding £10,000.

161. MASTER PLAN FOR BOOTLE CEMETERY AND THE PROPOSED DEMOLITION OF THE CHAPEL

Further to Minute No. 47 of the meeting of the Cabinet Member - Leisure and Tourism held on 9 September 2009, the Cabinet considered the report of the Leisure Director which provided an update on the proposed master plan for Bootle Cemetery and the proposals for the demolition of the Cemetery Chapel.

RESOLVED:

That the expenditure for the master plan set out in the report be included in the Leisure Services Capital Programme.

162. THE ENVIRONMENTAL DAMAGE (PREVENTION AND REMEDIATION) REGULATIONS 2009

Further to Minute No. 26 of the meeting of the Cabinet Member - Environmental held on 29 July 2009, the Cabinet considered the report of the Environmental Protection Director on the new enforcement duties placed on the Local Authority under the Environmental Damage (Prevention and Remediation) Regulations 2009 and the implications for Sefton.

RESOLVED:

That the Council be recommended to amend Part 3 of the Council Constitution (Responsibility for Functions) by the inclusion of the following wording:

"Environmental
Cabinet Member
C Environmental Protection Director

19 - power to authorise officers to take all necessary action under the Environmental Damage (Prevention and Remediation) Regulations 2009."

163. GREATER MERSEYSIDE CONNEXIONS PARTNERSHIP

Further to Minute No. 30 of the meeting of the Cabinet Urgent Business Committee held on 24 September 2009, the Cabinet considered the report of the Business and Support Services Director, Children's Services which provided an update on the Best and Final Offer submitted by the two companies who had submitted tenders for the new contract.

RESOLVED: That

1. the Chief Executive be authorised to appoint a Preferred Supplier as part of the Greater Merseyside Connexions Partnership. Such appointment to be within existing funding levels for Connexions Services for the period of 1 January 2010 to 31 March 2012 and subject to performance and funding availability, for a further extension of up to two years;
2. Halton Council be the Lead Authority for the contract with the new supplier on behalf of the six participating Local Authorities;
3. the Legal Director be authorised to enter into a Contribution Agreement on behalf of the Council with Halton Council for the provision of Connexions services;

4. it be noted that the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) has given his consent under Rule 16 of the Access to Information Procedure Rules for the key decision to be treated as urgent on the basis that it is impracticable to defer the decision until the commencement of the next Forward Plan because the Council has already agreed to award the contract for delivery of Sefton Connexions as part of a joint tendering exercise with all the other Merseyside Local Authorities. It was the understanding of Officers that this process would allow time for detailed scrutiny of the final tender documents and inclusion on the Forward Plan. However the timescales for delivery changed as part of the procurement process in order to meet the Go Live date needed to ensure that Connexions provision continues seamlessly at the end of the current contract.

164. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 2 and 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favour exclusion of the information from the press and public.

165. MEDIUM TERM FINANCIAL PLAN 2010/11 - 2012/13 - UPDATE

Further to Minute No. 304 of the meeting held on 16 April 2009, the Cabinet considered the report of the Finance and Information Services Director on the amended Medium Term Financial Plan which provides updated budget gaps for 2010/11 to 2012/13.

RESOLVED: That

- (1) the Revised Budget Gaps for 2010/11, 2011/12 and 2012/13 be noted;
- (2) the amended assumptions set out in the report be noted;
- (3) the potential implications of Government support for future budgets be noted;
- (4) the revised assumptions for Non-School Pay Inflation of 1.25% and Non-School Price Inflation of 0% be confirmed; and
- (5) the Council Tax Increase assumption be amended to be within the range of 0% to 3% for planning purposes, excluding the impact of the external levying bodies.

166. NEW PROTOCOLS FOR THE APPRAISAL, MONITORING AND CONTROL OF CAPITAL SCHEMES

The Cabinet considered the report of the Finance and Information Services Director on the new protocols and arrangements to be implemented for the appraisal, monitoring and control of capital schemes.

RESOLVED: That

- (1) the additional costs of the Sefton Water Centre and Water Quality Works be funded from the Capital Programme;
- (2) the introduction of the additional controls set out in the report be noted; and
- (3) the intention to assign lead elected Members to High Risk schemes and their subsequent involvement in the management of the projects be noted.