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Governance & Civic Services

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To: Members of the Council

Date: 28 February 2013

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Dear Councillor

COUNCIL - THURSDAY 28TH FEBRUARY, 2013

I refer to the agenda for the above meeting and now enclose the following reports which were unavailable when the agenda was printed.

Agenda No.	Item
6.	Questions Raised by Members of the Council (Pages 309 - 314) Schedule attached.
14.	Two year Financial Plan and Revenue Budget 2013 /14 (Pages 315 - 324) (1) Amendment sheet setting out typographical errors to Annex A of the report (2) Resolution of Overview and Scrutiny Committee (Performance and Corporate Services – 19 February 2013 (3) Resolution of the Cabinet – 28 February 2013

Yours sincerely,

M. CARNEY

Chief Executive

QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

1. Question submitted by Councillor Dawson to the Leader of the Council (Councillor P. Dowd)

“The report submitted to the Cabinet on 14 February 2013 shows that the respondents in the scientific and 'representative' survey commissioned by the Cabinet into the willingness of Sefton MBC residents to pay an additional £1.50 per week in Council Tax, representing an approximately 6 percent average increase in Council Tax this year, showed an overwhelming 63 per cent of households questioned within the Borough were willing to pay this level of increase.

Would it be the view of the Leader of the Council, on the basis of such a 'scientific sample', that the Council Tax should, therefore, be increased by such an amount or perhaps more?

If not, could he inform the Council what would be the percentage level of support for such a move, obtained in such a 'scientific' and 'representative' survey, which have been necessary for him to recommend a local referendum being held on this issue this year?”

Response:

- i) No
- ii) I refer to my previous answer, i.e. No.

2. Question submitted by Councillor Dawson to the Cabinet Member – Regeneration and Tourism (Councillor Maher)

“Concerning the announced relocation of the Musical Fireworks event from the Kings Gardens to Victoria Park, Southport, could the Cabinet member inform the Council what consultation with local resident in the Westcliffe Road area and Rotten Row was there before this decision was made and what noise-impact assessments have there been of moving the event so much closer to people’s homes?

Given the disappointment with previous published predictions on this matter, does the Cabinet Member believe that the Coast Road will be fully-open and its drains properly-maintained on a regular basis by the time this event takes place in October?

What contact has he had from English Nature exercising their role as supervisor of Sefton Council’s role as drainage manager for the Site of Special Scientific Interest under the Higher Level Stewardship Agreement?”

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Response:

- i) None
- ii) None
- iii) This is not my area of responsibility.

3. **Question submitted by Councillor Dawson to the Cabinet Member – Children, Schools, Families and Leisure (Councillor Moncur)**

“Does the Cabinet Member recognise the worry caused to proprietors and customers of the Cambridge Arcade, Southport (which will shortly again become a major thoroughfare for Atkinson Centre customers) due to the apparent inability of the Local Authority and Police to exercise any sanctions at all over Skateboarders using Chapel Street, the Arcade and the Town Gardens for their recreation?”

Will he agree to meet with me, traders and skateboard representatives to see whether there is any way forward in this matter, including looking at the wider aspects of skateboard provision locally?”

Response:

This is not my area of responsibility.

4. **Question submitted by Councillor Dawson to the Cabinet Member – Transportation (Councillor Fairclough)**

“Could the Cabinet Member - Transportation inform me:

- (i) how many Residents’ Parking Bays are there and how many residents’ parking passes were issued in the past year for them in (a) Southport (b) Bootle (c) Sefton MBC as a whole?
- (ii) what are the presumed annual costs for (a) monitoring (b) marking these bays and (c) administrating the residents parking scheme?
- (iii) what is the gross income and overall net cost/income of these schemes throughout the Sefton MBC area?
- (iv) what are the comparable costs charged to residents for residents parking in Liverpool, Wirral, and any directly-comparable local authorities?
- (v) in how many streets of Southport and Sefton MBC have residents submitted expressions of interest for residents’ parking schemes in the past five years?”

Response:

As this is part of the car parking review, I will provide appropriate information upon completion.

5. Question submitted by Councillor Dawson to the Cabinet Member – Transportation (Councillor Fairclough)

“Bearing in mind that some of the measures which are likely to be put forward by consultees in the planned parking consultation are likely to decrease net revenue, could the Cabinet Member give some indicative charge rates as to what the likely increase in parking fees would have to be in order to generate the £300,000 which is included in the present budget proposal budget?”

Response:

I refer you to my previous response.

6. Question submitted by Councillor Dawson to the Cabinet Member – Transportation (Councillor Fairclough)

“Could the Cabinet Member give consideration to public assurances given previously to Councillors concerning the proper re-instatement of the large paving flags in Chapel Street and Tulketh Street, Southport, and give his own assurances about a date by which this area will be restored to previous condition?”

Response:

- i) Yes
- ii) No

7. Question submitted by Councillor Dawson to the Chair of Overview and Scrutiny (Performance and Corporate Services) (Councillor McGinnity)

“Could the Chair explain why his committee only permitted scrutiny of the budget consultation, not the contents of the budget?”

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Response:

The Committee has had that opportunity over a number of meetings.

8. Question submitted by Councillor Tonkiss to the Cabinet Member – Children, Schools, Families and Leisure (Councillor Moncur)

- “i) In relation to the Libraries Review report to Cabinet on 14 February there appears to be an absence in the report of any reference to the importance of Carnegie Library on College Road as a Grade 11 Listed Building and its important history as a library originally funded by the philanthropist Andrew Carnegie. As the only 'Carnegie' library in Sefton it beggars belief that this was not mentioned in the report and given the due attention it deserves. Can the Cabinet Member explain why there should have been an omission in the report?
- ii) Item 7.3 of the report refers to the options for disposal in the event of closure needing to be agreed by the Cabinet or Cabinet Member. It also states that 'any mothballing/demolition or other costs included in the overall implementation and financial plan'. Would the Cabinet Member not agree that the Carnegie Library is of such importance that it should remain open from a conservation point of view as well as it being well supported as a Crosby library? What comments has the Conservation Officer made on this library?
- iii) In view of the uncertainties of redevelopment affecting the Crosby Civic Hall library would it be premature to include the Carnegie library in 'option B' of the report as residents in Crosby and Waterloo might be without a library during the time of any redevelopment?”

Response:

- i) The Listed status of the building is not relevant to the use as a library.
- ii) Yes, if feasible and sustainable. None
- iii) No it isn't premature.

9. Question submitted by Councillor Tonkiss to the Cabinet Member – Transportation (Councillor Fairclough)

- “i) When is it likely that Corporate Commissioning will be able to seek sponsorship of the Borough's traffic islands? Crosby and Waterloo in Bloom has received interest from landscape contractors to sponsor the traffic island on the A565 at Crosby Village at the junction of Moor Lane and the Bypass.

- ii) Can small contractors or individuals sponsor the flower beds to help maintenance in Crosby Village?"

Response:

- i) This is not my area of responsibility.
 ii) Yes they can.

10. Question submitted by Councillor Robertson to the Leader of the Council (Councillor P. Dowd)

“What individual precepting amounts have been notified to Sefton Council by the precepting bodies and parish councils who raise money within the Borough for 2013/14?”

Response:

The following precepting amounts have been received: -

	2013/14
	£
Merseyside Fire and Rescue Authority	5,256,663
Merseyside Police and Crime Commissioner	11,755,180

Parish Precepts: -

Aintree Village	90,000
Formby	44,930
Hightown	4,166
Ince Blundell	1,430
Little Altcar	2,500
Lydiate	129,903
Maghull	555,871
Melling	18,000
Sefton	2,779
Thornton	4,500

11. Question submitted by Councillor Keith to the Cabinet Member – Children, Schools, Families and Leisure (Councillor Moncur)

“Could the Cabinet Member say when he believes that the vacant offices in the Southport Town Hall which are to be taken up by Children’s’ Social Service staff, will actually be occupied?”

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Response:

No

12. Question submitted by Councillor Welsh to the Cabinet Member – Transportation (Councillor Fairclough)

“Is the Cabinet Member confident in the value for money and effectiveness of the present service being provide to the residents of the Borough in respect of surveying and identifying hazardous defects in the highways, including damaged grids and manholes which are the responsibility of United Utilities?”

Response:

Yes

13. Question submitted by Councillor Preece to the Cabinet Member – Transportation (Councillor Fairclough)

“Could the Cabinet Member provide the Council with a brief timetable of the search for and discovery of drains in the area around the Coast Road, Southport, which has been undertaken by Council officers to identify and cure the flooding problems of the past few months?”

Could the Cabinet Member identify what discoveries there have been in this process, what actions have been taken and what preventative processes have been scheduled for the future in order to prevent a repetition of the recent flooding?

Could the Cabinet Member provide a statement as to what contacts and when there have been during the past three months between the Council and Natural England in relation to the Council's responsibility to maintain the drainage of the sensitive ecosystem through which the Coast Road passes?”

Response:

This is not my area of responsibility.

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CABINET AND COUNCIL – 28 FEBRUARY 2013

TWO YEAR FINANCIAL PLAN AND REVENUE BUDGET 2013/14

Please note that due to typographical errors, the following requires amendment in Annex A (summary table only)

D1.38		Social Care-Subsidies-Increase client contributions for a range of non-residential services	244	320	564	<p>Cabinet on 31st January 2013 Recommended Option for Approval</p> <p>Officers are continuing to work with and listen to service users. Equality implications are currently being assessed and should significant issues arise Council Officers will advise Members accordingly.</p>
D1.40		Recover surplus / unspent direct payment funds at regular and earlier intervals and cease the first year one-off workplace insurance payment	752	0	752	<p>Cabinet on 31st January 2013 Recommended Option for Approval</p> <p>Officers are continuing to work with and listen to service users. Equality implications are currently being assessed and should significant issues arise Council Officers will advise Members accordingly.</p>

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THIS SET OF MINUTES IS NOT SUBJECT TO "CALL IN".

OVERVIEW AND SCRUTINY COMMITTEE (PERFORMANCE AND CORPORATE SERVICES)

MEETING HELD AT THE TOWN HALL, BOOTLE
ON TUESDAY 19TH FEBRUARY, 2013

Overview
& Scrutiny



32. TRANSFORMATION PROGRAMME AND REVENUE BUDGET - 2013 - 2015

The Committee considered the report and presentation of the Head of Corporate Finance and ICT detailing progress made in the identification of savings for the period 2013 to 2015 that would bring the Council closer to agreeing the 2013/14 budget and a two year financial plan.

The report of the Head of Corporate Finance and ICT also attached reports on the Transformation Programme and Revenue Budget 2013-2015 which had been considered by the Cabinet at its meetings held on 31 January and 14 February 2013. In addition to detailing the budget options, the report set out the consultations which had been undertaken on the savings proposals which had been considered by the Cabinet and indicated that regular and ongoing consultation had taken place with the public, service users, key stakeholders and Directors, employees and trade unions.

The presentation recapped the work programme and approach associated with the budget plan process; set out the delivery of the agreed process of developing the budget plan; and invited the Committee to approve comments for consideration by the Cabinet and the Council.

The presentation also outlined the following:-

- The methods used to ensure adequate opportunities for the public and service users to be consulted and to contribute their views
- Progress so far in achieving the required savings
- The detailed consultation and engagement process
- The role of the Overview and Scrutiny Committee

Members raised a series of issues to which officers responded as follows:-

ISSUE

Some of the consultation processes did not involve consultees receiving letters

RESPONSE

Each savings option had been referred to the Public Engagement and Consultation Panel and the method of consultation had been tailored to the particular issue, which would not always involve letters being sent. Consultations also build upon the extensive work undertaken last year.

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The robustness of some of the proposals was queried inasmuch as some of the larger proposals did not appear to have been subject to the same level of debate/consultation as some of the smaller ones.

The size of the proposed £3 million saving in respect of re-assessing the needs of the elderly population.

Although consultation appeared to have become more finely tuned and focused with the consultation on savings affecting libraries being a good example, consultation on other areas appeared to be less effective. The proposed saving arising from a proposal to charge for the green bin recycling service was in the latter category.

The cost and effectiveness of the recent telephone survey of residents was raised. This involved asking residents if they would be prepared to pay more Council Tax if proposed service cuts were thereby mitigated.

The risks relating to each option had been assessed by Officers to apply their professional judgement to develop proposals, assess risks, examine whether savings are achievable and take into account possible knock-on effects.

Significant challenge has taken place before any option was presented for consideration.

This proposal related to the 2012/13 budget and was not covered directly by the report. However officers explained that the budget was affected by a judicial review case which had implications nationally. Previous savings targets in respect of residential nursing homes had been partially achieved and built into the budget process.

The charging for green waste is an option related to 2014/15 and would first require structural changes to be agreed by all of the Merseyside local authorities. Subject to those changes and receiving approval as a savings option, the proposal would then be referred to the Public Engagement and Consultation Panel.

The telephone survey was considered to be very effective in gaining the view of the general public on the overall budget. Members would be supplied with details of the company undertaking the survey and its cost.

The meaning of “Integration” proposals was queried and whether this constituted shared services and/or merged departments.

It was explained that integration was not principally about shared services. Rather, it referred to the identification of teams of employees or functions within the Council who used similar processes or whose desired outcomes were similar, with a view to effecting economies. However, some shared services have been implemented and discussions with neighbouring Authorities continued.

The initial option in relation to staff terms and conditions was estimated to produce savings of £6 million, but this had now shrunk to £3 million.

Significant savings had already been achieved from staff terms and conditions changes over the last 4 years. A “menu” of further changes had been discussed with employee representatives and the current option had been recommended following those negotiations after taking into consideration risk.

The consultation on the proposed option affecting the Borough’s public conveniences was queried and, in particular, whether bus and coach operators had been consulted.

Consultation had taken place on an initial proposal which had since been amended to increase income rather than seek closure. This will be referred to Cabinet and the full Council at the meetings on 28 February. The papers for these meetings would be made available later this week. Members would be supplied with details of whether bus and coach operators had been consulted.

The actual consultation process in relation to the level of the Council Tax.

This would be included in the papers to be made available later this week.

Whether the papers would show details of the phasing of savings in the two year budget and any recurrent savings.

Cabinet and full Council had agreed a 2 year budget plan process. Figures would be provided for 2013/14 and 2014/15 and where there would be no recurrent implications for any particular option, this would be made clear in

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the papers.

What was the difference between “consultation” and “a conversation with schools” regarding the School Crossing Service?

Charges for School Crossing Patrols could not be enforced but the idea could be discussed and encouraged. Similarly, possible contributions to savings targets were discussed with the Council’s main partners two years ago and this resulted in an annual contribution of £860,000 from Arvato.

What contingencies were in place if projected savings for year 2 were not met?

Although a two year budget plan was being set, the Council would only be determining the Council Tax for the first of those two years. Alternative savings would have to be identified if any of the options did not realise sufficient savings.

The question of whether the consultation undertaken on a possible Council Tax rise was meaningful as defined in law was raised.

Legal test cases had given rise to a number of different definitions of “consultation.”

RESOLVED:

That the presentation and report be noted and received.

CABINET

28 FEBRUARY 2013

119. TWO YEAR FINANCIAL PLAN AND REVENUE BUDGET 2013 /14

Further to Minute No's 107 and 108 of the meeting held on 14 February 2013, the Cabinet considered the report of the Head of Corporate Finance and ICT which:

- provided an update on the final Local Government Settlement and confirmed the budget gap of £50.8m over the next two years;
- provided further details on the outstanding budget savings options relating to the Review of the Library Services, Street Lighting and Public Conveniences and the proposed changes to the fees and charges for youth sports pitches; learning and development; car parking and public conveniences;
- provided updates on other budget savings options detailed in the report and requested consideration of what should now be included in the final two year Budget Plan;
- set out the full list of budget savings options to meet the £50.8m budget gap over the two financial years in Annex A to the report.

Following the Cabinet meeting held on 14 February 2013, the proposals for the Transformation Programme and Revenue Budget 2013/15 had been considered in detail at the meeting of the Overview and Scrutiny Committee (Performance and Corporate Services) held on 19 February 2013.

The report indicated that the two year budget plan, as summarised in Annex A would enable a budget for 2013/14 to be approved and identified the policy changes required to deliver a sustainable and robust two year budget plan. Due to the mixture of efficiencies and significant policy changes, some of the options could and would not be realised within a 12 month period and would contribute to the 2014/15 budget as illustrated in the report. This would require the implementation of major change programmes and appropriate capacity would need to be dedicated to ensure deliverability. Given the scale of the budget reductions any slippage or underachievement would have implications for the financial management of the Council and as such robust management and monitoring arrangements would continue to be operated.

The Chief Executive referred to the amendment sheet setting out the typographical errors to Annex A of the report which had been circulated and indicated that there were 7 options within the report that had been specifically highlighted as having a different status to all other options. This was for options where work was in progress including consultation and equality assessments. This information was made clear in Annex A by reference to the Status Column and one example of this was Day Care and Respite Care for Adults. She also indicated that Members would be advised

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accordingly should any significant implications arise from this ongoing work before a final decision was taken.

The Chief Executive also indicated that further details were available on every budget option and would be made available upon request before and during the Budget Council meeting.

The Chair thanked the officers for the work undertaken on the budget and referred to the Joint Further Submission on the Review of the Library Services endorsed by the Friends of Ainsdale Library; Birkdale Library Action Group (BLAG) and the Friends of Churchtown Library, which had been circulated with the supplementary agenda prior to the meeting. He indicated that the Council was always willing to consider any sustainable and feasible options for the future operation of services impacted by the savings options including libraries.

The Chair also reported that since the publication of the agenda, the Department for Communities and Local Government had published supplementary guidance entitled "Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act 2011" and as a consequence of that, he indicated that amendments should be made to the text in paragraph 3.4.4 of the report.

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

Decisions Made: That :

- (1) the updated information on the Review of Library Services, set out in paragraph 3.2 of the report and the Further Joint Submission be noted; and the Council at its Budget meeting on 28 February 2013 be recommended to approve Option B, as set out in paragraph 1.5 of the report to the Cabinet meeting held on 14 February 2013 in respect of the future library service for the following reasons:-
 - (i) the Council has taken into account its statutory duty to provide a comprehensive and efficient library service in accordance with Section 7 of the Public Libraries and Museums Act 1964 and considers that the adoption of Option B for the future library service would meet the requirement for a comprehensive and efficient library service;
 - (ii) the Council had engaged in an extensive public consultation exercise and the analysis of the 3,026 questionnaires received indicated that 43% of responders supported Option B; 41% supported Option C ; 14% did not support any option and 2% supported Option A. Thus, the highest percentage of support amongst responders to the questionnaire was for Option B;

- (iii) the Council had considered its Public Sector Equality Duty to eliminate discrimination and to advance equality of opportunity in accordance with Section 149 of the Equality Act 2010 and has produced a comprehensive Public Sector Equality Duty Analysis Report . A key finding of this analysis was that Option B met the Public Sector Equality Duty;
 - (iv) the review process had demonstrated that doing nothing would create an unsustainable network of provision located in buildings that required significant capital investment; and
 - (v) officers pursue the activities, discussions and lines of enquiry referred to in paragraphs 3.29 to 3.35 inclusive of the report to the Cabinet meeting held on 14 February 2013.
- (2) the final outcome of consultations held on budget saving option D1.32 – Public Conveniences be noted and approval be given to the increase in the charges for pay to use facilities and where feasible, the introduction of a charge for use at all public convenience facilities.
 - (3) approval be given to the implementation of the recommendations of the Street Lighting review as outlined in the budget option form in Annex A of the report;
 - (4) the Council be recommended to give approval to the two year budget plan for 2013/14 and 2014/15 contained within the report, which incorporates the decisions set out in resolutions (1) to (3) above; and
 - (5) that the Council be recommended to give approval to the addition of the following text as the penultimate sentence in paragraph 3.4.4 of the report:

“Members will note that supplementary guidance has been issued by the Secretary of State namely the Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act 2011. The Pay Policy will be amended so as to make clear that any decision taken with respect to severance payments will adhere to this guidance.”

Reasons for Decision:

The recommendations in the report would enable the Council to agree the 2013/14 budget and a two year budget plan.

Alternative Options Considered and Rejected:

All currently feasible / viable options had been put forward for consideration. A number of non viable budget options had been dismissed by Members.

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