

**CABINET**

**REMOTE MEETING HELD  
ON THURSDAY 25TH JUNE, 2020**

**PRESENT:** Councillor Maher (in the Chair)  
Councillors Atkinson, Cummins, Fairclough, Hardy,  
John Joseph Kelly, Lappin, Moncur and Veidman

**9. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**10. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interests or personal interests were received.

**11. MINUTES OF THE PREVIOUS MEETING**

**Decision Made:**

That the Minutes of the meeting held on 28 May 2020 be approved as a correct record.

**12. COVID-19 RESPONSE**

The Cabinet considered the report of the Chief Executive that provided an overview of the Council's response to the COVID-19 pandemic; that ensured that Cabinet Members were fully informed on the impacts and mitigations; and were engaged in discussions on management and potential changes to affected services.

The Cabinet also received a presentation from Dwayne Johnson, Chief Executive on the Council's response to the Covid-19 pandemic that provided information on:

- The Council's approach to the pandemic which included supporting the most vulnerable, working alongside partner agencies and businesses, communications with communities and planning for recovery
- Governance arrangements in place which included membership of the Merseyside Resilience Forum's Strategic and Tactical Groups; the establishment of Strategic and Tactical Groups for Sefton, supported by 12 operational cells; continued proactive communications with communities and the workforce; and strategic and tactical recovery planning that was underway
- The immediate Council response to the pandemic following Royal Assent of the Coronavirus 2020 Act on 25 March which included an

- announcement of business grants and rate relief; agile working; virtual meetings; maintaining services – e.g. social work, cleansing services and on-line library services; the closure of some services – libraries; leisure services; Atkinson; the establishment of support infrastructure for clinically vulnerable shielding residents including emergency food support, basic care needs and delivery of medicines; staff volunteering to work in other departments; the ordering of significant amounts of PPE; and communications
- Key statistics so far which included grants paid totalling almost £45M to over 4,000 businesses; support provided to over 3,000 Sefton residents who were considered extremely vulnerable and in need of shielding; 1,000 Sefton residents who had registered as volunteers and Sefton Councillors who had been actively been involved in contacting over 3,000 households; the redeployment of over 500 Officers to support alternative service areas to meet new or additional demands; almost 1000 lab-confirmed positive Covid cases in Sefton being reported; and tragically over 278 people had died in Sefton of Covid 19
  - Support for residents and communities and the Council's workforce in relation to children social care and youth services; schools and early years services; adult social care; public health; the provision of temporary accommodation to over 140 homeless households; highways; cultural activities; economic and business support; Registrars; refuse services; Contact centre; shielded residents; Voluntary Sector partnership and support; and elected members visiting socially isolated residents
  - The economic impacts in Sefton which included 27,700 jobs furloughed in the borough as at 31st May 2020 and that financial support for 8,500 self-employed individuals had been provided; and details of the potential job losses in various employment sectors;
  - Core objectives for recovery planning which included the development and implementation of a recovery plan for the borough that supported delivery of the partnership 2030 vision for Sefton, the Council's effectiveness in its role in that plan, including maximising opportunity for transformation and continuous improvement and collaborative work with partners to develop and implement this plan, ensuring prioritisation of shared objectives and the 2030 Vision; the return to local democracy of meetings of Planning Committee and Cabinet and work to restart meetings of Overview and Scrutiny Committees; supporting the implementation of strategies for our town centres and business areas; and the capturing and sharing lessons learned from the response and recovery;
  - The strategic approach to recovery which included addressing, in all areas, the key questions of what have we had to start doing that we will need to stop doing, what have we started doing that we want to continue with, what have we stopped doing that we need to restart and what have we stopped doing that we don't want to restart; and continuing to work towards the 2030 Vision for Sefton; and
  - A progress update regarding recovery planning.

**Decision Made:**

**That:**

- (1) the Council's ongoing and developing response to COVID-19 pandemic be noted;
- (2) the ongoing and emerging financial implications of the response, including the impact on Council income, in advance of a review of the Council's budget for the current financial year and as referred to in the report of the Executive Director – Corporate Resources and Customer Services (Minute No. 13 refers), be noted; and
- (3) the appreciation of Cabinet be recorded for the work being undertaken by Council staff providing front-line services and in supporting alternative service areas to meet new or additional demands during the Covid-19 pandemic.

**Reasons for Decision:**

To outline the impact of COVID-19 on existing services and their current and future operations, along with the financial implications of these impacts and potential changes; and to ensure Cabinet Member visibility and continued engagement in response, recovery, and future financial planning.

**Alternative Options Considered and Rejected:**

None.

Following on from the above report and presentation Councillor Maher, Leader of the Council, referred to the impact of Covid-19 and its devastating consequences on our communities here in Sefton; and tragically, that many Sefton residents had lost their lives due to the pandemic.

The Cabinet then observed a minute's silence in memory of the 278 Sefton residents who have died from Covid-19.

**13. FINANCIAL MANAGEMENT 2020/21 TO 2022/23 AND FRAMEWORK FOR CHANGE - ISSUES ARISING FROM COVID-19 - JUNE UPDATE**

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services that provided an initial view on the financial issues that may affect the Council's finances and financial sustainability as a result of the COVID 19 pandemic. The report provided details of the key areas that would require monitoring and reporting together with an early estimate of the financial impact in both the current year and future years; and in doing so, the report updated on the dialogue that was ongoing with central government and the required guidance and support that the Council required.

The report was the first in a series of reports that would be provided to each future Cabinet meeting on the financial impact of the pandemic, with revisions being made to future reports both in terms of the financial estimates and the proposed approach to addressing each issue as per central government guidance.

**Decision Made:**

That:

- (1) reports be submitted to each future Cabinet meeting on the financial implications arising from the COVID 19 pandemic until further notice;
- (2) the revised timetable for the closure of the 2019/20 year-end accounts and the proposed dates for receipt of the accounts by Audit and Governance Committee be noted;
- (3) the potential impact of the COVID 19 pandemic on the final outturn for 2019/20 be noted;
- (4) the key financial issues that are facing the Council in the financial year 2020/21 especially with regard to income due from Council Tax, Business Rates and fees and charges be noted;
- (5) when firm financial estimates are available to the Council in respect of 2020/21 and central government guidance is available as to how these should be addressed, a subsequent report be presented to Cabinet agreeing the Council's approach to delivering financial sustainability in the current year and the proposed approach for the financial years 2021/22 and 2022/23; and it be noted that where these decisions require Council approval as per the constitution and financial procedure rules, decisions will be escalated as appropriate;
- (6) the position with regard to the potential cash flow implications arising from the COVID 19 pandemic in 2020/21 for the Council be noted; that in accordance with the Council's approved Treasury Management Strategy it be agreed that the Council's s151 officer be authorised to raise borrowing as a result of the Council being 'internally borrowed' as set out in this report; and that this action be conducted in accordance with the Treasury Management Strategy and Financial Procedure Rules;
- (7) the potential impact on the Council's debt management arrangements and provision be noted and approval be authorised to a full review of this being undertaken across the Council within 6 months with the outcome being reported to Cabinet and subsequently included in future budget setting plans;

- (8) Approval be given to the utilisation of the 'Emergency Fund' as set out in Appendix A where firm estimates are known and authority be delegated to the Chief Executive and s151 officer to incur additional expenditure on the other areas detailed up to the value of funding that has been made available by central government; and that detail of this expenditure and approvals be reported within future Cabinet reports; and
- (9) the Council's Framework for Change 2020 programme continue as approved by Budget Council but that each workstream be reviewed and updated to include the Council's response to the pandemic; and that this be presented to Cabinet and Council in due course for approval.

**Reasons for Decision:**

The recommendations will give Cabinet full visibility of the potential financial impact of the pandemic both in the current year and future years and will provide the basis for future decision making that will ensure that financial sustainability is maintained.

**Alternative Options Considered and Rejected:**

There are no alternative options available to the Council.

**14. COVID-19 PROCUREMENT ARRANGEMENTS**

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services advising that as part of the central government response to the COVID 19 pandemic, a number of Policy Procurement Notes (PPN) were issued to all Council's that provided direction on how certain procurement activities should be administered and how existing contractual relationships between the Council and 3rd parties should be maintained or could be varied.

The report detailed that the Council's own Contract Procedure Rules set out how the Council should administer its contractual arrangements and therefore it was important that visibility was provided on how these maybe impacted. As a result, the report sought to delegate authority to officers in order to amend current Council goods and/or services and works contracts to ensure continuity in the operation of Council services, or appoint an emergency contractor as per the Government's PPNs.

**Decision Made:**

That:

- (1) in relation to contracts where the supplier has requested an amendment due to COVID-19, or in the event that the Council needs to appoint an emergency supplier due to COVID-19, a delegation be made such that until 30 September 2020:

- (i) Heads of Service in consultation with the relevant Cabinet Member be authorised to negotiate, draft (with appropriate procurement and legal support) and enter in to a contract variation where they can be accommodated and contained within that services existing budget provision; or
  - (ii) in the event that expenditure cannot be contained within that service's existing budget provision further engagement and approval be sought from the Council's Chief Executive and Section 151 Officer on the basis that the expenditure can be contained within the Councils overall approved budget;
- (2) all actions taken under such delegation will be formally recorded in writing and reported to the Cabinet meeting in September 2020 together with a recommendation on whether the delegation is required to be maintained due to the impact of the pandemic; and
- (3) it be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because, in accordance with Government guidance, these variations need actioning as soon as possible to assist the Council with continuity of services, and contractors with liquidity.

**Reasons for Decision:**

To expedite approval for each contract variation or new contract appointment arising due to COVID-19 and to ensure that there is no delay in effecting an appointment or variation due to governance issues and to comply with government guidance.

**Alternative Options Considered and Rejected:**

In the event that this delegation was not put in place, each responsible officer would have to request authority to amend a contract. This would cause delay in implementing the PPNs and could result in solvency issues for the provider(s) and/or service delivery delays / problems for the Council in its attempts to respond to the COVID-19 emergency.

**15. MEDICALLY MANAGED RESIDENTIAL DETOXIFICATION FOR SUBSTANCE USE**

Further to Minute No. 105 of 7 March 2019 the Cabinet considered the report of the Head of Health and Wellbeing advising that Medically Managed Residential Detoxification Services were highly specialised services, and few existed outside of NHS Trusts; that in March 2016, Mersey Care NHS Foundation Trust were awarded a contract to provide these services with effect from 1st July 2016; that the contract was awarded for three years with an option to extend for up to a further two years; that quarterly performance and service reviews throughout the duration of the contract proved entirely satisfactory and on 7th March 2019 Cabinet approved a two-year contract extension to be exercised with effect from the 1st July 2019.

The report concluded that consideration was now required on re-procuring this service as the current extension term expired on the 30th June 2021.

**Decision Made:**

That:

- (1) the Interim Director of Public Health be authorised to conduct an OJEU Light-Tough Regime tender exercise for a Medically Managed Residential Detoxification Service to run for a period of five years from 1st July 2021 with the option of further extensions to be exercised up to a maximum of two-years; and
- (2) Authority be delegated to the Interim Director of Public Health, in consultation with the Cabinet Member - Health and Wellbeing, to award the contract to the highest scoring bidder(s) resulting from the procurement and to award any extension thereof.

**Reasons for Decision:**

Medically Managed Residential Detoxification Services are a critical part of any substance use treatment system. As part of this treatment system, Sefton Council commissions residential detoxification services for individuals wanting to realise a drug and /or alcohol-free life, but where physical or mental ill health, family or social circumstances makes it unlikely that they are able to achieve this goal in a community setting. Medically Managed Residential Detoxification Services are often the means by which people with complex health care needs go on to achieve full rehabilitation and integration back into employment, education or training opportunities.

**Alternative Options Considered and Rejected:**

- (1) To align contract expiry dates with the Community Substance Use Assessment, Treatment and Recovery Service by offering a short-term contract. This could allow the option of considering combining

the community substance use treatment services and residential detoxification services within one contract. However, in order to align the expiry dates, a contract for Medically Managed Residential Detoxification Service could only be offered for ten months from the 1st July 2021. It is doubtful that this option would be financially viable for a specialist service provider and would create instability within the treatment system. Moreover, combining the contracts would narrow the field of viable providers within the market and could disadvantage some providers who specialise only in community treatment service provision.

- (2) To retain separate community and residential substance use services and commence a re-procurement exercise for a specialist Medically Managed Residential Detoxification Service. In order that stability is maintained within the treatment system it is recommended that Cabinet approves the procurement of Medically Managed Detoxification services for substance use for a period of five years with the option of further extensions to be exercised up to a maximum of two-years.

**16. SAFEGUARDING CHILDREN FROM CHILD SEXUAL AND CRIMINAL EXPLOITATION AND CHILDREN REPORTED AS MISSING**

The Cabinet considered the report of the Executive Director – Children’s Social Care and Education that advised of the work agencies had undertaken to safeguard children from child sexual and criminal exploitation and children who have been reported as missing from home / care.

**Decision Made:**

That the work taking place in Sefton regarding child sexual and criminal exploitation and safeguarding children who have been reported as missing from home /care be noted.

**Reasons for Decision:**

To ensure Cabinet is aware of the partnership activity undertaken to safeguard children from child sexual and criminal exploitation in Sefton and when they have been reported as missing, in respect of the statutory duties of every local authority to safeguard and promote the welfare of children within their area who are in need.

**Alternative Options Considered and Rejected:**

None.



## **17. BUSINESS DISCRETIONARY GRANTS**

The Cabinet considered the report of the Head of Economic Growth and Housing that advised, in accordance with the Constitution of the Council, of the decision of the Leader of the Council to exercise his powers to make urgent decisions because of the necessity to deliver emergency grant funding to Sefton businesses as part of the Government's Covid-19 response in Sefton.

### **Decision Made:**

That:

- (1) the necessity for the Leader of the Council to exercise his powers under the Council's Constitution to make urgent decisions to deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response in Sefton be noted; and
- (2) the specific grant criteria as set out in Appendix A to the report be noted.

### **Reasons for Decision:**

To advise of the decisions taken by the Leader of the Council, in accordance with the Constitution of the Council, to exercise his powers to make urgent decisions because of the necessity to deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response as to delay would cause them further financial hardship and distress.

### **Alternative Options Considered and Rejected:**

Delay of approval of the scheme until the date of this Cabinet meeting. This was rejected as to delay any further would have caused business recipients further financial hardship and distress and potentially place many businesses at risk of contraction or closure.