

CABINET

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON THURSDAY 29TH JULY, 2021**

PRESENT: Councillor Ian Maher (in the Chair)
Councillors Atkinson, Cummins, Doyle, Fairclough,
Hardy, Lappin, Roscoe and Moncur

27. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Veidman.

28. DECLARATIONS OF INTEREST

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

29. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the Meeting held on 24 June 2021 be approved as a correct record.

**30. CHILDREN, YOUNG PEOPLE & FAMILIES PUBLIC HEALTH
COMMISSIONED SERVICES**

The Cabinet considered the report of the Head of Health and Wellbeing in relation to Children, Young People and Families Public Health Commissioned Services. The report detailed the reasons for the proposal to extend the existing contracts for a further 1-year period for both the Sefton's Integrated 0-19 Healthy Child Programme Service and for also the Sefton's Young People and Family Substance Use Service – We are With You.

Decision Made: That:

- (1) the authorisation of an out of contract 1-year extension to the existing 0-19 Integrated Healthy Child Programme contract and Young People and Family Substance Use Service contract both of which are due to expire on 31st March 2022, be approved; and
- (2) the authorisation of a novation of the 0-19 Integrated Healthy Child Programme contract to the Mersey Care Foundation Trust, be

approved.

Reasons for the Decisions:

Services have been working in business continuity for the last 14 months, adapting and responding to the requirements and restrictions associated with COVID-19 guidance. Currently, the services are going through a period of recovery and restoration which needs to be fully exercised to ensure stability in service delivery.

The impacts of COVID-19 on children, young people and families are significant and long lasting. Themes are emerging, which include a decline in emotional health and wellbeing, widening inequalities and increased demand on specialist services. As children return to school and services resume face to face delivery, issues hidden during restrictive periods are presenting. Time to fully assess the changing needs of children, young people and families is required to enable the design of future services that are responsive to those needs.

There is provision for this allocation via a contract variation under Regulation 72 of the Public Contract Regulations which states:

“Contracts and framework agreements may be modified without a new procurement procedure in accordance with this Part in any of the following cases:

c) where all the following conditions are fulfilled: -

- (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

In this instance:

- (i) the need for modification has been brought about by the Impact of COVID-19 as described within this report and could not have been foreseen.
- (ii) the request to extend the contract does not alter the existing conditions within the contracts
- (iii) any increase in price will not exceed 50% of the value of the original contract or framework agreement.

Alternative Options Considered and Rejected:

To re-tender the services. This is not the preferred option due to the services working in business continuity during COVID-19 restrictive periods and the potentially destabilising effect on the wider system. The preferred option is for the services to have time to go through a period of

restoration and for the emerging impacts of COVID-19 on children, young people and families to be fully realised and reviewed to inform future service redesign.

31. EMOTIONAL HEALTH AND WELLBEING STRATEGY

The Cabinet considered the report of the Executive Director of Children's Social Care and Education in relation to the Sefton Children and Young People's Emotional Wellbeing Strategy 2021-2026. The report highlighted that the Sefton Children and Young People's Emotional Wellbeing Strategy 2021-2026 would link closely to the Sefton Health and Wellbeing Strategy and would also work alongside the Children and Young People's Plan 2020/25.

The report referred to the partnership approach in the development of the strategy ensuring that the strategy provided the overarching framework, key issue points, and clear direction to improve the emotional health and wellbeing of children and young people in Sefton.

The report also highlighted the need to adapt and refresh the strategy as and when required.

The Cabinet Member for Children's Social Care, Councillor Doyle reported that the Strategy was a well presented and concise document and commended it to the Cabinet for approval.

Decision Made: That the adoption of the Children and Young People's Emotional Health and Wellbeing Strategy for Sefton be approved.

Reasons for the Decision:

The Strategy has received oversight from the Health and Wellbeing Board and Overview and Scrutiny before submission to Cabinet.

Alternative Options Considered and Rejected:

None.

32. CAPITAL FUNDING FOR SHORT-TERM ASSESSMENT UNIT

The Cabinet considered the report of the Executive Director of Adult Social Care and Health in relation to the capital funding for a short-term assessment unit.

The report detailed that Riverside Housing, who intended to purchase the site, had proposed a redevelopment scheme consisting of 32 houses, 2 bungalows,

6 maisonettes and a 3-storey 90-unit extra care scheme.

The Council have requested that as part of the development a purpose-built short-term assessment unit for Sefton residents, be built to meet the Council's needs which will be leased back on a long-term arrangement at a peppercorn rent for the Councils use.

Decision Made: That:

- (1) the Cabinet agreed and referred the request to the Council to approve the supplementary capital estimate of £2.58m for inclusion in the capital programme (subject to a satisfactory lease agreement with Riverside). The Council has an Adult Social Care Capital budget made up of Disabled Facility Grant underspend held in the Better Care Fund. This development is within the conditions of the DFG grant. This proposal when completed will satisfy all conditions on the use of DFG funds;
- (2) the Executive Director of Corporate Resources and Customer Services in consultation with the Cabinet Member for Regulatory, Compliance and Corporate Services be granted delegated authority to agree a long-term lease for the short-term assessment unit between Riverside and the Council, be approved;
- (3) the Executive Director of Adult Social Care and Health be authorised to undertake an open procurement exercise to procure the care and support provider who will meet the assessed care and support needs of those individuals who will reside within the new service, be approved;
- (4) the Executive Director of Social Care and Health in consultation with the Cabinet Member for Adult Social Care be granted delegated authority to make decisions with regards to the procurement process for the care and support service, service specification, contract duration, consultation approach and tender evaluation criteria, be approved;
- (5) the Executive Director of Social Care and Health in consultation with the Cabinet Member for Adult Social Care be granted delegated authority to award the contract and any permitted extensions thereof, beyond the initial contract period, be approved; and
- (6) it be noted that officers will report back to Cabinet seeking approval to the terms of the land sale to Riverside Housing once the negotiations and external valuation purchase price has been confirmed. This will take account of deductions for demolition and abnormal foundation works, and the completion of independent valuation to satisfy best value considerations.

Reasons for the Decisions:

- (1) The new service model reflects both local and national priorities to commission joined up health and social care services at place, that prevent hospital admission and support timely discharge from an acute setting, whilst improving outcomes for individuals accessing the service.
- (2) At present there are multiple commissioning arrangements in place, both in borough and out of borough, for some of the most complex individuals and the proposed new service model will enable us to commission a service that is focussed upon improving outcomes for individuals, whilst enabling the Council to achieve efficiencies through more cost-effective commissioning arrangements at place.

Alternative Options Considered and Rejected:

1. Do nothing – Continue to utilise current provision and out of borough placements which do not meet our needs and are financially unsustainable.
2. Redevelop existing building-based provision – this has been explored and discounted as an option and refurbishment and redevelopment of a number of existing respite facilities would be at a higher cost and the technology and space standards could not be integrated due to age of buildings. In addition, there would be a need to identify alternative services/placements whilst this happened for an extended period.
3. Design and build solely by the council would have an additional capital impact of £0.75m. By pursuing a partnership approach, we will be benefiting from the economies and capacity to deliver the scheme as part of the wider development.

33. PROCUREMENT OF ADVOCACY PROVISION

The Cabinet considered the report of the Executive Director of Adult Social Care and Health in relation to the procurement of an integrated Sefton advocacy hub with a lead provider that will provide a single point of access to service users and referrers but still provide essential specialist provision to people who feel excluded from mainstream services.

Decision Made: That:

- (1) the Executive Director of Social Care and Health be authorised to conduct a Light Touch regime open procurement exercise for an Integrated Sefton Advocacy Hub with an initial contract term of three years that will incorporate both statutory and non-statutory

advocacy provision to commence from the 1st January 2022, with the option to further extend for a period of up to two years (either as a single extension or via two separate twelve-month extensions) subject to satisfactory performance of the successful supplier and the required budget being available, be approved:

- (2) the Executive Director of Social Care and Health in consultation with the Cabinet Member for Adult Social Care be granted delegated authority to make decisions with regards to the procurement process, service specification and tender evaluation criteria, be approved;
- (3) the Executive Director of Social Care and Health in consultation with the Cabinet Member for Adult Social Care be granted delegated authority to award the contract and any permitted extensions thereof, beyond the initial three-year contract period, be approved; and
- (4) the Executive Director of Social Care and Health in consultation with the Cabinet Member for Adult Social Care be granted delegated authority to increase the contract value if necessary following successful award, due to the unknown impact of the implementation of the Liberty Protection Safeguards, be approved.

Reasons for the Decisions:

This new service model reflects the key priorities identified within the Integrated Commissioning Work Plan, which is to commission joined up Social Care and Health services with streamlined pathways that improve the service user / patient journey by providing efficient and effective service provision at place.

The commissioning of an Integrated Sefton Advocacy Hub also meets the requirements of the Care Act 2014, which states that individuals accessing advocacy services should have consistency with the advocate supporting them through their journey. It states that if an individual's needs change the advocate should be skilled to continue to support the person and not be signposted to another service where they are not known.

The new service model will underpin Sefton's Advocacy Strategy for the next 3-5 years and reflects the aims and vision of the Council's New Realities Agreement which outlines our commitment to working in partnership with the Voluntary, Community and Faith sector.

Alternative Options Considered and Rejected:

To do nothing in terms of maintaining the current service delivery arrangements has been considered, but on the basis of being able to develop services further and achieve greater system wide efficiencies, as

well as improved experiences for users of advocacy services this option is not recommended.

There are potential TUPE implications that will need to be handled sensitively and adherence to a strict procurement timeline will be required to ensure a sufficient period is available for staff consultation to take place.

Financial analysis and modelling has taken place based upon the information about the changing legislation that is currently known. However, the risk cannot be entirely eliminated, in the absence of the statutory practice guidance that is yet to be published.

34. MARINE LAKE EVENTS CENTRE – PRE-DEVELOPMENT AND CAPITAL FUNDING BID SUBMISSIONS

The Cabinet considered the report of the Executive Director of Place in relation to the submission of a pre-development funding bid of up to £2.5m to the Liverpool City Region Combined Authority (LCR CA), along with a capital funding bid submission to Arts Council England (ACE) of up to £5m.

The report also detailed the proposal to procure a range of required consultancy services for the proposed new Southport Marine Lake Events Centre, in order to progress the design, business case and operating model, to enable the required Town Deal submission by March 2022 to draw down the necessary funds.

The Cabinet Member for Regeneration and Skills, Councillor Atkinson referred to the hard work of officers and key partners in seeking and securing funds to assist with the delivery of the Marine Lake Events Centre. Councillor Atkinson thanked officers, members of the Southport Town Deal Board and Liverpool City Region Combined Authority for their continued support and hard work.

Councillor Atkinson also referred to the fantastic opening of Southport Market that had taken place on Thursday 22 July 2021 and congratulated the Tourism team and partners for all their hard work and commitment.

Decisions Made: That:

- (1) the submission of a pre development funding bid of up to £2.5m to the Liverpool City Region Combined Authority, be approved;
- (2) the submission of a Cultural Development Fund bid to Arts Council England of up to £5m, be approved;
- (3) subject to the funding bid, the tender processes to procure a range of consultancy services, using several different compliant

procurement methods as detailed in the report, be approved;

- (4) the Executive Director of Place, in consultation with Cabinet Member for Regeneration be granted delegated authority to award the necessary contracts, be approved;
- (5) 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 (Regeneration and Skills) 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 of the opportunity for early release of pre-development funding; and
- (6) it be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regeneration and Skills) had given his consent under Rule 46 of the Overview and 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 because of the opportunity for early release of pre-development funding.

Reasons for the Decisions:

Cabinet have previously approved to progress with a new Events Centre in Southport as part of the successful Southport Town Deal. To enable progression of the project at pace, there is now opportunity to secure up to £2.5m from the Liverpool City Region Combined Authority as a contribution to the pre-development works. Moreover, Arts Council England has recently announced a Capital funding scheme, with the proposed Marine Lake Events Centre being eligible.

Furthermore, in order to complete the final business case, several procurements are required such as the delivery team and full design services. This will allow the project to progress on the necessary timetable to drawdown Town Deal funding in March 2022, and to submit the final business case to the Liverpool City Region Combined Authority as part of the capital contribution of up to £20m.

Alternative Options Considered and Rejected:

Two procurement timetable options have been considered and rejected;

1. Finalise the delivery strategy and present the procurement options to September Cabinet therefore given time to be on the forward plan. This option has been rejected due to the notification of pre development

funding being available from the Liverpool City Region Combined Authority.

2. Given the programme pressure and requirement to submit a planning application by February / March 2022, an approach to procure the core design team via the direct award route has been considered. This would allow the commencement of design development as early as possible, and therefore maximise the period for design development and cost certainty at the point of submitting the planning application.

However, the direct award route is deemed to be unsuitable due to the value of the works. The next preferred option is to procure the core design team via a mini-competition, resulting in a circa 2-month programme delay.

35. FINANCIAL AND CORPORATE PERFORMANCE 2020/2021

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services advising of the revenue and capital outturn position in relation to the 2020/21 financial year; and that in doing so the report outlined any key variations and where appropriate any impact on future years' financial performance. In addition, the report provided details of the Council's Corporate Performance for 2020/21.

A copy of the Council's Corporate Performance Report for 2020/21 was attached as an appendix to the report.

Decisions Made: That:

(A) In respect of the Revenue Outturn:

- (1) the General Fund net surplus of £4.234m for 2020/21 that will increase the Council's General Balances by £2.734m more than was budgeted for, be noted;
- (2) the increase in Schools' balances of £4.853m for 2020/21 and the net reduction of non-schools centrally retained DSG balances of £2.230m, be noted;
- (3) the changes to Earmarked Reserves in 2020/21, be noted;
- (4) the creation of the five Earmarked Reserves detailed in paragraph 6.4(g) from various underspends that have occurred during 2020/21, be approved;

(B) In respect of the Capital Outturn

- (1) the total capital outturn of £23.728m for the financial year 2020/21, be noted;

- (2) the successful delivery of a number of schemes as set out in section 11 that have supported the delivery of the Council's core purpose, be noted;

(C) The Council's Corporate Performance Report for 2020/21, be noted.

Reasons for the Decisions:

The production of a revenue and capital outturn report is a key feature of effective financial management and will allow Members to make informed decisions that will support service delivery and medium-term financial sustainability.

Alternative Options Considered and Rejected:

None.

36. TREASURY MANAGEMENT OUTTURN 2020/21

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services that provided a review of the Treasury Management activities undertaken to 31 March 2021; that advised that the outturn report allowed monitoring against the Treasury Management Policy and Strategy and Prudential Indicators approved by Cabinet and Council in February 2020; and which also provided information to the Audit and Governance Committee, whose role it was to carry out scrutiny of treasury management policies and practices.

Decision Made:

That the Treasury Management position to 31st March 2021 and the update to 31st May 2021; the review of the effects of decisions taken in pursuit of the Treasury Management Strategy; the implications of changes resulting from regulatory, economic and market factors affecting the Council's treasury management activities, be noted.

Reasons for Decision:

To ensure that Members are fully apprised of the treasury activity undertaken to 31st March 2021 and to 31st May 2021 in order to meet the reporting requirements set out in Sefton's Treasury Management Practices and those recommended by the CIPFA code.

Alternative Options Considered and Rejected:

None.

37. FINANCIAL MANAGEMENT 2021/22 TO 2024/25 AND FRAMEWORK FOR CHANGE 2020 - REVENUE AND CAPITAL BUDGET UPDATE 2021/22 INCLUDING THE FINANCIAL IMPACT OF COVID-19 ON THE 2021/22 BUDGET - JULY UPDATE

The Cabinet considered the report of the Executive Director for Corporate Resources and Customer Services and were advised of:

- (1) the current estimated financial impact of COVID-19 on the 2021/22 Budget;
- (2) the current position relating to the 2021/22 revenue budget;
- (3) the current forecast on Council Tax and Business Rates collection for 2021/22; and
- (4) the monitoring position of the Council's capital programme to the end of June 2021 in relation to:
 - the forecast expenditure to year end;
 - variations against the approved budgets and an explanation of those variations; and
 - updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects.

The Cabinet Member for Regulatory, Compliance and Corporate Services, Councillor Lappin thanked the Executive Director and his team for all their hard work and extended her appreciation to all teams across the Council for their continued support in the management of the Councils resources.

Decisions Made: That:

- (A) in respect of the Revenue Budget:
 - (1) the current estimated impact of COVID-19 on the 2021/22 Budget together with the key issues that will influence the final position, be noted;
 - (2) the various Government grants that have been received to support residents and businesses which will be utilised in accordance with central government guidance, be noted;
 - (3) that the Executive Director of Adult Social Care and Health in consultation with the Cabinet Members for Adult Social Care and Health and Wellbeing be granted delegated authority to make decisions on the use of the discretionary elements of

- the Adult Social Care Infection Control and Testing Fund, be approved;
- (4) the Executive Director – People in consultation with the Cabinet Members for Communities and Housing be granted delegated authority to make decisions in relation to the use of the Local Support Grant, be approved;
 - (5) the current position relating to the 2021/22 revenue budget, be noted;
 - (6) the financial risks associated with the delivery of the 2021/22 revenue budget be recognised and acknowledged that the forecast outturn position will continue to be reviewed to ensure a balanced forecast outturn position and financial sustainability can be achieved;
- (B) that in respect of Grant Funding, the offer of £969,724 Adult Education Budget funding available to Sefton Council, which is ring-fenced for the delivery of adult community learning provision for residents aged over 19, be noted and accepted; and
- (C) that in respect of the Capital Programme:
- (1) the spending profiles across financial years for the approved capital programme, as detailed in paragraph 7.1 of the report, be noted;
 - (2) the revised Transport Allocations for Key Route Network maintenance (£0.471m) and the Pipeline Development Fund (£0.368m) as detailed in paragraph 7.7 of the report, be approved;
 - (3) the Council be recommended to approve the revised Highways Maintenance allocation of £3.100m as detailed in paragraph 7.7 of the report, be agreed;
 - (4) the supplementary capital estimate of £0.195m for the Regional Coastal Monitoring programme as detailed in paragraph 7.10 of the report, be approved.
 - (5) the latest capital expenditure position as at 30 June 2021 of £6.491m as detailed in paragraph 7.11 of the report and the latest full year forecast of £45.203m as detailed in paragraph 7.12 of the report, be noted;
 - (6) the explanations of variances to project budgets as detailed in paragraph 7.15 of the report, be noted; and
 - (7) it be noted that capital resources will be managed by the Executive Director Corporate Resources and Customer Services to ensure the capital programme remains fully

funded and that capital funding arrangements secure the maximum financial benefit to the Council as detailed in paragraph 7.18 of the report.

Reasons for the Decisions:

To ensure Cabinet are informed of the current position in relation to the 2021/22 revenue budget, including COVID19 pressures and additional funding being made available to the Council.

To provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

To keep members informed of the progress of the Capital Programme against the profiled budget for 2019/20 and agreed allocations for future years.

To progress any changes that are required in order to maintain a relevant and accurate budget profile necessary for effective monitoring of the Capital Programme.

To approve any updates to funding resources so that they can be applied to capital schemes in the delivery of the Council's overall capital strategy.

Alternative Options Considered and Rejected:

None