

CABINET

**MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL,
SOUTHPORT
ON THURSDAY 3RD NOVEMBER, 2022**

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

ALSO PRESENT: Councillor Sir Ron Watson

76. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Atkinson and Cummins.

77. DECLARATIONS OF INTEREST

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

78. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 6 October 2022 be confirmed as a correct record.

79. SEFTON CARERS CENTRE

The Cabinet considered the report of the Executive Director of Adult Social Care which sought approval for the implementation of a 2-year integrated contract with the Sefton Carers Centre from 1 April 2023, which would incorporate all commissioned activity detailed within the report, whilst an in-depth strategic review of the service is undertaken.

Decision Made: That:

- (1) the Executive Director of Adult Social Care who is also the NHS Place Director for Sefton be authorised to implement a 2-year integrated contract with Sefton Carers Centre from 1 April 2023, that incorporates all commissioned activity within the current NHS and Council budget available, whilst an in-depth strategic review of the service is undertaken;
- (2) it be noted that a further report will be presented to Cabinet detailing the findings of the strategic review once finalised; and

- (3) any decision with regards to any variance of the existing contract/contract value, within the current NHS and Council budget available, be delegated to the Director of Adult Social Care and NHS Director of Sefton in consultation with the Executive Director of People, the Cabinet Member for Adult Social Care, and the Cabinet Member for Communities and Housing in the event that the service review highlights additional activity to be delivered to ensure compliance with our statutory obligations.

Reasons for the Decision:

The implementation of a 2-year contract bringing together the funding streams will enable time and capacity to complete a strategic review of the service offer for carers in Sefton which will inform longer term recommendations and also reflects the priority to provide integrated Social Care and Health services in Sefton. The review will involve carers and families.

The review of the service will be underpinned by Sefton's Carers Strategy for the next 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 carer's this option is not recommended.

80. HOUSING STRATEGY 2022 - 2027

The Cabinet considered the report of the Assistant Director of Place (Economic Growth and Housing) which sought approval for the Sefton Housing Strategy 2022-2027 which sets out the vision, key themes and strategic housing priorities for Sefton over the next five years.

Decision Made: That:

- (1) approval be given to the Sefton Housing Strategy 2022 – 2027 as set out in the Appendix to the report for publication.
- (2) it be noted that further work would be undertaken in Autumn/Winter 2022 on the Housing Strategy Action Plan and Monitoring Reports. The Action Plan would include specific activities and actions to be undertaken by the Council to achieve the strategic priorities as identified in the Housing Strategy document; and
- (3) the Assistant Director Place (Economic Growth and Housing) be authorised in consultation with the Cabinet Member for

Communities and Housing to approve the Housing Strategy Action Plan and Monitoring Reports as set out in resolution (2) above

Reasons for the Decision:

The Government has recognised that “housing should provide a secure foundation for individuals to live the lives they want to live. Finding the right home, in the right place, can be an essential platform for people seeking to support their families and sustain work”. The updated Housing Strategy sets out the locally agreed, long-term vision for housing and sets out strategic housing priorities, objectives and broad target outcomes to help achieve this aim.

Alternative Options Considered and Rejected:

The Council could utilise the existing Housing Strategy (2016 – 2021) to deliver housing priorities and guide economic growth and investment in the Borough but this option had been considered and rejected for the following reasons:

The existing Housing Strategy (2016 – 2021) is now largely obsolete as many of the housing priorities contained within it have been successfully implemented. Additionally, the landscape and the way in which housing services are delivered has changed considerably over the past 5 years, therefore, a refreshed housing strategy is considered appropriate.

81. SEFTON ECONOMIC STRATEGY

The Assistant Director of Place (Economic Growth and Housing) which provided an update on the progress of the Sefton Economic Strategy Action Plan, the associated Covid-19 Recovery Plan and plans to refresh and update the Sefton Economic Strategy Action Plan to take effect from April 2022.

Decision Made: That:

- (1) the report be noted;
- (2) the progress of the Sefton Economic Strategy Action Plan approved by Cabinet Member for Communities and Housing in December 2019 and the associated Covid-19 Recovery Plan be noted; and
- 3) approval be given to the Sefton Economic Strategy Action Plan being updated to take effect from April 2022.

Reasons for the Decision:

To update members on this ongoing work and advise on the progress of the Sefton Economic Strategy Action Plan (Dec 2019), the associated Covid-19 Recovery Plan and work underway to refresh and update the Sefton Economic Strategy Action Plan to take effect from April 2022.

Alternative Options Considered and Rejected:

None.

82. MAKING AN ARTICLE 4 DIRECTION TO PREVENT THE CONVERSION OF USE CLASS E (COMMERCIAL, BUSINESS AND SERVICE) TO USE CLASS C3 (HOUSING) WITHOUT THE NEED FOR PLANNING PERMISSION

The Cabinet considered the report of the Assistant Director of Place (Economic Growth and Housing which sought approval for the making of a non-immediate Article 4 Direction in relation to changes of Use from E to C3 in relation to shopping parades within the Bootle Area Action Plan Area. The Article 4 Direction would remove the permitted development rights that allow units within shopping parades to be changed to residential dwellings without the need for planning permission.

Decision Made: That:

- (1) approval be given to the making of a non-immediate Article 4 Direction, attached in Appendix A, for the reasons set out in the report, in relation to changes of Use from use class E to C3 in selected areas of the Bootle Area Action Plan;
- (2) approval be given to the required consultation; and
- (3) approval be given to the preparation of a report, following notification and consultation, to seek Cabinet approval as to whether or not to confirm the non-immediate Article 4 Direction.

Reasons for the Decision:

To remove the permitted development rights that exist for units in shopping parades to convert to residential in parts of the Bootle without the need for planning permission. Once the Article 4 is enacted, planning permission will be required, and this would ensure the Council had control of those proposals. The Council would therefore be able to consider whether the proposals, either individually, or in combination, would have a detrimental impact on residential amenity and the vitality and viability of existing parades.

Alternative Options Considered and Rejected:

Option 1 – Do not have an Article 4 Direction.

This is a possibility. It would mean business as usual, and that the Council would continue to have little control over conversions from units in Use Class E (such as in shopping parades) to Use Class C3 (residential). It may risk further fragmentation of shopping areas with a detrimental impact on the usability and health of those shopping areas. It may also mean that

some accommodation provided may not be low quality and provide poor living conditions.

Option 2 – Article 4 Direction with an immediate effect.

This would mean that the control of use from units in parades to dwellings would be in place as soon as the direction was made. However, the Council would be liable to pay compensation to owners. This could be costly, and it was not clear how that would be financed.

Option 3 – Cover the whole of the Bootle Area Action Plan area with an Article 4 Direction.

The National Planning Policy Framework is clear that an Article 4 should be kept to the minimum area that is necessary. The Council are aware of Article 4 Directions being rejected by the Secretary of State due to proposed directions being applied too wide.

83. HIGH NEEDS FUNDING 2022/23 - QUARTERLY MONITORING UPDATE

The Cabinet considered the report of the Executive Director of Children's Services which provided:

1. The monitoring position of the High Needs budget position on the 1 September 2022 as per the previous Cabinet resolution to provide update on a quarterly basis;
2. The forecast year end deficit position based on current special educational needs and disability (SEND) placement pressures and support for individual pupils with SEND required during 2022/23;
3. An update on the 2022/23 SEN Review / Sufficiency Programme aimed at bringing High Needs expenditure pressures back into a more manageable financial position in the future.

Decision Made: That:

DSG – High Needs Budget

- (1) the current forecast year-end deficit position relating to the 2022/23 High Needs Budget be noted;
- (2) the financial risks associated with the delivery of the 2022/23 High Needs budget be noted and it be acknowledged that the forecast outturn position will continue to be reviewed / reported to Cabinet on a quarterly basis to ensure a more sustainable financial position can be achieved in the future;

Update on the 2022/23 SEN Review / Sufficiency Programme

- (3) the work undertaken in the implementation of the new High Needs Funding Model for SEND placements in Special Schools and Alternative Provision Schools from April 2022 be noted; and
- (4) the changes to SEND placements from September 2022, both in Sefton and out of Borough be noted.

Reasons for the Decision:

- 1) To provide an updated forecast financial position of the 2022/23 High Needs budget.
- 2) To ensure that the SEND Review / Sufficiency programme can progress to provide sustainable and effective SEND support for Sefton pupils within the available resources allocated through the Dedicated Schools Grant – High Needs Block.

Alternative Options Considered and Rejected:

None.

84. FINANCIAL MANAGEMENT 2022/23 TO 2024/25 AND FRAMEWORK FOR CHANGE 2020 - REVENUE AND CAPITAL BUDGET UPDATE 2022/23 – NOVEMBER UPDATE

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which provided details of:

1. The current position relating to the 2022/23 revenue budget.
2. The current forecast on Council Tax and Business Rates collection for 2022/23.
3. The monitoring position of the Council's capital programme to the end of September 2023:
 - The forecast expenditure to year end;
 - Variations against the approved budgets and an explanation of those variations for consideration by Members; and
 - Updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient

delivery of capital projects are also presented for approval.

4. The latest performance management information for 2022/23.
5. The latest corporate risk management information for 2023/23.
6. A proposed update to the scheme relating to the discretionary payments of the Council Tax Energy Rebate.

The Executive Director of Corporate Resources and Customer Services reported that this was a consolidated report showing the levels of performance, risk issues and the latest financial forecast for the first six months of 2022/23 and similar reports would be submitted to the Cabinet on a quarterly basis in future.

Decision Made: That:

Revenue Budget

- (1) the current position relating to the 2022/23 revenue budget be noted;
- (2) the actions being taken to offset the budget pressures being faced in 2022/23 be noted;
- (3) the financial risks associated with the delivery of the 2022/23 revenue budget be recognised and it be acknowledged that the forecast outturn position would continue to be reviewed, and remedial actions put in place, to ensure a balanced forecast outturn position and financial sustainability can be achieved;
- (4) approval be given to the utilisation of up to £0.630m from the Transforming Sefton Reserve to fund the costs in 2022/23 relating to the recruitment of 20 International Social Workers within Children's Social Care.
- (5) the current position relating to the High Needs budget be noted and it be acknowledged that officers are currently reviewing all options available to the Council to mitigate the additional pressure and to make the overall High Needs budget financially sustainable.

Capital Programme

- (6) the spending profiles across financial years for the approved capital programme (paragraph 8.1) be noted;
- (7) the latest capital expenditure position as at 30 September 2022 of £13.465m (paragraph 7.5) and the latest full year forecast of £51.753m (paragraph 8.6) be noted;
- (8) the programme outputs and progress to September (paragraphs 8.10 – 8.17) be noted;

- (9) approval be given to a supplementary capital estimate of £1m for the Sustainable Warmth Scheme, fully funded by grant from the Liverpool City Region Combined Authority (paragraph 8.18);
- (10) the Council be recommended to give approval to a supplementary capital estimate of £0.350m for the essential repairs and maintenance at two Leisure Centres funded by Prudential Borrowing (paragraph 8.23);
- (13) it be noted that capital resources would 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 (paragraphs 7.24-7.26);

Performance

- (14) the latest position relating to key performance measures be noted;

Risk Management

- (15) the latest position relating to key risk management areas be noted;
and

Council Tax Energy Rebate – Discretionary Fund

- (16) approval be given to the proposed change to the scheme relating to the distribution of payments from the Council Tax Energy Rebate Discretionary Fund.

Reasons for the Decision:

To ensure Cabinet are informed of the current position in relation to the 2022/23 revenue budget.

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 2022/23 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.

To ensure Cabinet are informed of key performance information and risk management areas.

Alternative Options Considered and Rejected:

None.

85. FINANCIAL MANAGEMENT 2022/23 TO 2024/25 AND FRAMEWORK FOR CHANGE 2020 - MEDIUM-TERM FINANCIAL PLAN 2023/24 TO 2024/25

The Cabinet considered the report of the Executive Director of Corporate Resources which provided:

1. An update to the Medium-Term Financial Plan (MTFP) for 2023/24 to 2025/26 taking account of all currently available information.
2. The position in respect of the Council's High Needs Budget, the commencement of the Delivering Better Value programme and within this, the need to reach an annual financially sustainable position. In addition, these plans will be shared with the Council's External Auditor.

Decision Made:

That the report be noted, and the Council be recommended to approve the updated Medium-Term Financial Plan for 2023/24 to 2025/26 and any assumptions made.

Reasons for the Decision:

In March 2022, the Council approved a one-year budget plan for 2022/23. As part of the report, an indicative budget gap of £8.9m for 2023/24 to 2024/25 was reported, before any decisions are taken on the level of Council Tax. The MTFP for this period had subsequently been updated to reflect the latest information available and to reflect the ongoing service pressures the Council was facing. The MTFP period had also been extended by a further year to 2025/26 and the Council would continue to ensure resources are well managed and reflect the key priorities of the residents of Sefton.

Alternative Options Considered and Rejected:

None.

86. TREASURY MANAGEMENT POSITION TO SEPTEMBER 2022

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which provided a review of the Treasury Management activities undertaken to 30 September 2022. The document was the mid-year report to Cabinet and Council, as well as the

second report of the ongoing quarterly monitoring provided to Audit and Governance Committee whose role was to carry out scrutiny of treasury management policies and practices.

Decision Made:

That the Treasury Management update to 30 September 2022, the effects of decisions taken in pursuit of the Treasury Management Strategy and the implications of changes resulting from regulatory, economic and market factors affecting the Council's treasury management activities be noted.

Reasons for the Decision:

To ensure that Members are fully appraised of the treasury activity undertaken to 30 September 2022 and 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.

87. APPOINTMENT TO SEFTON NEW DIRECTIONS LIMITED BOARD

Further to Minute No. 68 of the meeting held on 6 October 2022, the Cabinet considered the report of the Chief Legal and Democratic Officer seeking approval to the appointment of Councillor Hardman to serve on the Sefton New Directions Limited Board.

Decision Made:

That Councillor Hardman be appointed as a Council representative on the Sefton New Directions Limited Board and that the term of office expire on 25 May 2023.

Reasons for the Decision:

The Cabinet has delegated powers set out in Chapter 5, Paragraph 40 of the Constitution to appoint the Council's representatives to serve on Outside Bodies.

To comply with a previous decision of Cabinet that the appointment be made at this meeting of the Cabinet.

Alternative Options Considered and Rejected:

None.