

CABINET

MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE ON THURSDAY 25TH MAY, 2023

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

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

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

3. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 6 April 2023 be confirmed as a correct record.

4. ADULT SOCIAL CARE FEES 2023/24

Mr Jonathan Cunningham, Chair of the North and South Sefton Care Home Group spoke in support of a petition containing 132 signatures which stated:

We the undersigned: "Consider the proposed Sefton increase of social care fees of 16% remains insufficient to cover the cost of care. Sefton recognise that this remains below the true cost of care. Sefton is asked to reconsider and review this proposed fee rate.

Desired Outcome:

1. That Sefton reconsider the rate and increase to at least 20%
2. Sefton provide assurance that it is the True Cost of Care that should be paid."

The Cabinet then considered the report of the Executive Director of Adult Social Care and Health and the Executive Director of Corporate Resources and Customer Services which set out the fees payable for Sefton Adult Social Care Services and Care sectors for the financial year

2023/24. The fees proposed include a range of care and support services to adults, including Direct Payment Recipients. The report also set out the future strategic direction for services, as part of the national work, which is underpinned by the Department of Health and Social Care national reforms.

The following appendices were attached to the report which reflect the detail of the robust consultation approach and the potential risks for mitigation linked to the Equality Impact Assessments which were monitored and updated throughout the life of the consultation period:

- Appendix A – 2023/24 Fee Increase consultation letters.
- Appendix B – Provider Responses to the consultations.
- Appendix C – Notes from the consultation events held with Providers.
- Appendix D – Care Home Equality Impact Assessment.
- Appendix E – Domiciliary Care & Direct Payment Rates Equality Impact Assessment.
- Appendix F – Supported Living Equality Impact Assessment.
- Appendix G – Extra Care Housing Equality Impact Assessment.
- Appendix H – Community Support Equality Impact Assessment.
- Appendix I – Day Care Equality Impact Assessment

The Executive Director of Adult Social Care and Health outlined the content of the report and referred to a letter submitted by the Chief Executive of the Alternative Futures Group relating to the Sefton Council Supported Living Rates 2023/24 which had been published and circulated to the Cabinet prior to the meeting.

The Cabinet then discussed the content of the report and the appendices published in the agenda and supplementary agenda.

Decision Made: That

(1) the petition be noted;

(2) the contents of the report be noted and having given full consideration to the options outlined in the body of the report and the associated Appendices, including the responses to the consultation from a wide range of Care and Support Providers, and the Equality Impact Assessments undertaken as part of the work, the implementation of the following fee increases set out below from 1 April 2023 be authorised having taken into account a range of factors including the response from Providers, national context, risks raised in relation to additional costs, regional averages, any other information available at the time of the consultation and the availability of financial resources:

(3) the proposed fees for Supported Living and Day Care Services be deferred for further consideration at a special meeting of the Cabinet to be held on 8 June 2023 at 10.00am in Bootle Town Hall, to enable officers to undertake a further market analysis to augment employee wages for Supported Living and Day Care Services for consideration by the Cabinet;

(4) **Residential and Nursing Care** – the following rates be implemented that are higher than the originally proposed rates outlined in the initial consultation exercise:

	Residential Care	Residential Dementia	Nursing	Nursing Dementia
2023/24 Fee	£649.70	£735.09	£668.09	£742.51
<i>2022/23 Fee</i>	£561.10	£634.85	£576.98	£641.26
Weekly Increase	£88.60	£100.24	£91.11	£101.25
% Increase	15.79%	15.79%	15.79%	15.79%
<i>Originally Proposed 2023/24 Fee</i>	£616.87	£697.95	£634.33	£705.00
<i>Originally Proposed Weekly Increase</i>	£55.77	£63.10	£57.35	£63.74
<i>Originally Proposed % Increase</i>	9.94%	9.94%	9.94%	9.94%

(5) It be noted that for Residential and Nursing care services, any existing placements which are costed based on an individual Service User assessment are increased based on the same percentage uplifts detailed in the table above, unless where it is identified that the fee rate is sufficient for the placement. It also be noted that the above fee rates are not the sole funding route to agree a fee rate with care homes as there can be negotiated additional payments to reflect the complexity of care to support individuals when they are placed in a care home setting, which is directly negotiated as part of placement and Care Act assessment activities;

(6) **Domiciliary Care** – the following rates be implemented that are higher than the originally proposed rates outlined in the initial consultation exercise (apart from the Sleep-in rate) for contracted / Pseudo Dynamic Purchasing System (PDPS) Providers:

Duration / Service Element*	2023/24 Rate	<i>Originally Proposed 2023/24 Rate</i>	<i>2022/23 Rate</i>
1 Hour	£21.56	£19.66	£17.89
45 Minutes	£16.17	£14.75	£13.42
30 Minutes	£10.78	£9.83	£8.95
Sleep-in (8 Hour Night)	£95.86	£95.86	£87.40
Waking Night (8 Hour Night)	£172.48	£157.28	£143.12

*Any call duration outside of this framework will have been commissioned by request with Service Users and uplift will apply on a case-by-case basis. It is noted that future commissioning arrangements are currently being put in place which highlight that the Council does not seek to commission 15 - minute visit durations.

(7) **Direct Payment recipients who access an Agency** - that the above Domiciliary Care hourly rate be implemented and that rates for night services be increased to the following:

Duration / Service Element	2023/24 Rate	<i>Originally Proposed 2023/24 Rate</i>	<i>2022/23 Rates</i>
1 Hour (Domiciliary Care & Community Support)	£21.56	£19.66	£17.89
Sleep-in (10 Hour Night)	£119.83	£119.83	£109.25
Waking Night (10 Hour Night)	£215.60	£196.60	£178.90

(8) **Direct Payment recipients who utilise a Personal Assistant** - the following rates be implemented, which include a 11.92% increase to the daytime hourly rate and the associated waking-night rate:

Duration / Service Element	2023/24	<i>2022/23</i>
1 Hour	£14.55	£13.00
Sleep-in (10 Hour Night)	£119.83	£109.25
Waking Night (10 Hour Night)	£145.50	£130.00

(9) **Community Support Services**

Duration / Service Element	2023/24 Rate	<i>2022/23 Rates</i>
1 Hour	£21.56	£17.89

(10) **Extra Care Housing Services** - the following rates be implemented that are higher than the originally proposed rates outlined in the initial consultation exercise and constitute a 11.99% increase:

Duration / Service Element	2023/24 Rate	<i>Originally Proposed 2023/24 Rate</i>	<i>2022/23 Rate</i>
Hourly Rate	£18.77	£18.41	£16.76

(11) **Individual Service Funds** – the rates be increased based on the proposed 9.84% increase awarded to Supported Living services:

Duration / Service Element	2023/24 Rates	<i>2022/23 Rates</i>
1 Hour	£19.31	£17.58
Sleep-in (9 Hour Night)	£107.85	£98.33
Waking Night (9 Hour Night)	£173.79	£158.22

(12) it be noted that the method applied to the calculation and payment of sleep-in services are maintained under the current Domiciliary Care, Direct Payment, Supported Living and Individual Service Fund contractual and policy guidelines which is based on the expectation that Providers / Direct Payment recipients pay staff the hourly rate calculated within these rates;

(13) It be noted that fee rates will also be reviewed as part of future commissioning / procurement work for certain sectors. Final decisions on any such revised fee rates will be agreed as part of the associated procurement exercise decision-making processes and subject to their assessed affordability, the Executive Director of Adult Social Care and Health be granted delegated authority in consultation with the Cabinet Member – Adult Social Care and the Executive Director of Corporate Resources and Customer Services to implement such decisions; and

(14) the future fee modelling approaches outlined in this report, particularly with respect to the Real Living Wage be noted.

Reasons for the Decision:

To enable the Council to set the fees payable for services, during the financial year period 2023/24 and to give further consideration to proposed fees for Supported Living and Day Care Services at a further Cabinet meeting.

Alternative Options Considered and Rejected:

1. **Not awarding increases** – this option was rejected in relation to all service areas as there is a requirement to ensure that fee levels are increased to consider the outcome of consultation and in relation to increases to Provider's costs, such as the increase to the National Minimum Wage.
2. **Awarding lower rates to the Residential and Nursing care, as proposed at the beginning of the consultation** – this option was considered but rejected following the analysis of the consultation responses and wider impacts, principally current market conditions, cost pressures being experienced by the sector and the national Market Sustainability and Cost of Care programme, and the specific additional funding allocated for the programme.
3. **Awarding lower rates to Domiciliary Care (which then has linkages to Direct Payments – Agency, Community Support and Extra Care Services) as proposed at the beginning of the consultation** – this option was considered but rejected following the analysis of the consultation responses and wider impacts, principally current market conditions, cost pressures being experienced by the sector and the national Market Sustainability and Cost of Care programme and the specific additional funding allocated for this programme.

5. HESKETH PARK LEGACY PROJECT

The Cabinet considered the report of the Assistant Director of People (Operational In-House Services) which provided details of the bequest of £850k to Hesketh Park from the will and estate of Louis and Anita Marks, a local couple that passed away recently. The report sought approval to the acceptance of this sum, and authority for officers to enter into a legal agreement with the trustees to then enact the specified works, overseen by the Cabinet Member for Health and Wellbeing.

Members of the Cabinet expressed their appreciation for the significant bequest from the estate of Louis and Anita Marks which would help the Council considerably in undertaking improvements to Hesketh Park.

Decision Made: That

- (1) the Assistant Director of People (Operational In-House Services) be authorised in consultation with the Cabinet Member for Health and Wellbeing, to enter into contract with the trustees (and negotiate

further as necessary) to accept a £850,000 bequest from the Marks family;

- (2) approval be given to a supplementary capital estimate of £722,650 to fund the capital elements of the project outlined in the report;
- (3) approval be given to a supplementary revenue estimate of £127,350 for the fixed-term gardening staff and an apprenticeship post at Hesketh Park, including on-costs and required machinery and consumables;
- (4) the Assistant Director of People (Operational In-House Services) be authorised to undertake procurement for contractors as required within the Contract Procedure Rules for the various works, and to engage Project Management support as specified in the report;
- (5) delegated authority be granted for both the works and future maintenance to be monitored and managed by the Assistant Director of People (Operational In-House Services), in consultation with the Cabinet Member for Health and Wellbeing, including agreement of any amendments that may be required within the budgeted envelope; and
- (6) The Executive Director – People be requested to convey the appreciation and thanks of the Cabinet to the Trustees of the estate of Louis and Anita Marks for the significant donation towards improvements to Hesketh Park.

Reasons for the Decision:

To enable the bequest to be formally accepted and for the projects to proceed.

Alternative Options Considered and Rejected:

Not to accept the bequest, and not see the investment into the park.

6. SUSTAINABLE WARMTH FUNDING - EXTENSION

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which indicated that as part of a competitive bidding process co-ordinated through the Liverpool City Region Combined Authority, Sefton Council had been awarded £3,374,297 of grant funding to retrofit 307 poorly insulated homes for low-income Sefton residents. The funding had come from the Department of Business Energy and Industrial Strategy as part of the Government's post Covid 19 response and support for UK Net Zero Carbon by the 2050 target. An additional £1M was awarded to Sefton in November 2022 which would be used to upgrade an additional 100 properties. This additional

funding was reported to Council, with a request to accept the funding, via the regular financial management update in November 2022.

The report also indicated that the newly formed Department for Energy Security and Net Zero had announced on 10 February 2023, that the Sustainable Warmth Scheme would be extended by six months, however they are yet to confirm additional funding requested by Sefton. A decision on the request for an additional £2M will be reviewed from mid-June 2023.

Decision Made:

That approval be given to the direct award of works (to fulfil the requirements of the Sustainable Warmth fund) to Eco Gee Ltd as per the parameters set out in the report and below.

Reasons for the Recommendation(s):

To use a public procurement regulations compliant framework (Fusion 21) for the selection of the Contractor, via a direct award (contract award without the need for a mini competition) which is a compliant mechanism for an award within this Framework. Based on lessons learnt during previous phases of this funding and current delivery:

1. Timescales – Funding and delivery are time critical. The programme has only 6 months to run, therefore it would not be possible or practical to go to market for an alternative delivery partner.
2. Continuity – the mobilisation of a contractor to deliver external wall insulation (EWI) for example can take months. Therefore, the option of maintaining the current work stream delivering EWI must be considered.
3. Proven delivery – Eco Gee have demonstrated the ability to deliver quality work locally at competitive rates.
4. Customer service and ECO flex – Excellent customer service has been demonstrated. Eco Gee are also one of 4 appointed contractors to deliver the ECO flex programme in Sefton, this provides residents with access to alternative and supplementary funding support.
5. Competitive costing – To secure the most competitive prices, officers considered approved procurement frameworks, where contractors had set out prices at the beginning of the framework. This allowed for a transparent assessment of value for money.
6. Local knowledge – Eco Gee are a local company based just outside Sefton's border in Liverpool. Evidence from previous experience showed that local companies with detailed knowledge of building stock and local supply chains were best placed to mobilise and deliver quickly and effectively.

Alternative Options Considered and Rejected:

Procurement for an alternative delivery partner will mean the project will not be fulfilled within timescales.

7. COUNCIL CORPORATE INTERNET AND WIDE AREA NETWORK CONNECTIVITY PROVISION

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which following an unsuccessful procurement exercise, sought approval to complete a direct award to Virgin for a continuation of the existing wide area network and connectivity provision to the Council for a up to a 36-month period, whilst Sefton reviews the contractual requirements of the Council and considers alternative procurement options. This may include the opportunity to procure at a regional level within the Liverpool City Region.

Decision Made: That

- 1) 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 make a direct award for 2 + optional 1 year contract via a CSS Framework to the Council's current provider to ensure the continuation of the current services in relation to the Councils Corporate Internet and Wide Area Network provision; and
- 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 award the one-year extension if deemed appropriate.

Reasons for the Decision:

To ensure continuation of services

Alternative Options Considered and Rejected

To re-issue the tender to market - Due to the time required to complete another tender exercise and the subsequent timeline for implementation, this would not be possible prior to the end of the current contractual arrangement. This option would also not allow the Council to take the opportunity potentially afforded by a regional procurement across the Liverpool City Region.

8. APPOINTMENTS TO OUTSIDE BODIES 2023/24

The Cabinet considered the report of the Chief Legal and Democratic Officer which sought approval of the appointment of Council representatives to serve on Outside Bodies set out in the report for 2023/24, or for periods longer than one year. Details of the proposed representation on Outside Bodies were set out in the report and appendices.

The appendices showed the proposed appointments for 2023/24 following nominations submitted by the Political Groups on the Council.

Councillor Doyle indicated that she could no longer be the Council's representative on the Peterhouse School Governance Committee, and it was noted that there was one vacancy still to be filled on the Mersey Port Health Committee.

Decision Made: That:

- (1) the proposed representation on the various Outside Bodies for a twelve-month period expiring in May 2024 as set out in Appendix 1 to the report be approved, subject to resolution (2) below;
- (2) the Cabinet give further consideration to the appointment of a representative on the Peterhouse School Governance School and the vacancy to be filled on the Mersey Port Health Committee at the meeting of the Cabinet to be held on 22 June 2023; and
- (3) the proposed representation on the various Outside Bodies for the term of office as indicated and set out in Appendix 2 to the report be approved.

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.

Alternative Options Considered and Rejected:

None.

**9. BOOTLE STRAND RE-PURPOSING PROGRAMME –
MEMORANDUM OF UNDERSTANDING WITH THE
DEPARTMENT FOR LEVELLING UP, HOUSING AND
COMMUNITIES FOR CAPITAL LEVELLING UP FUNDING**

This Cabinet considered the report of the Executive Director – Place which provided details of the arrangements for the Council to access the £20m grant funding allocated to the Council by the Department for Levelling Up Housing and Communities (DLUHC) for the delivery of part of Phase 1 of The Strand Re-purposing Programme (the Programme). The funding had been awarded based on the bid submitted by the Council to DLUHC in

Round 2 of the Levelling Up Fund (LUF) process in summer 2022. Sefton was not one of the councils successful in that LUF process but when further DLUHC funding became available in 2023, through the Capital Levelling Up Fund (CLUF), the Council's bid was chosen amongst a small number of others to be awarded the full amount that had been bid for from LUF.

The Cabinet on 5 January 2023 (Minute No. 108 refers) had approved the Strand Business Plan for the period 2022/23 to 2024/25, which included the recommendation that Phase 1 of the Programme should continue to be progressed. The report related to the approvals required for the Council to sign the DLUHC issued Memorandum of Understanding (MoU), which is not legally enforceable but describes an understanding between the Council and DLUHC in relation to how the grant funding is to be used. Signing this MoU would secure the availability of the funding for the Council to access when works commence on Phase 1, scheduled for February 2024.

Prior to commencing works and starting to defray the grant funding, a further report would be submitted to the Cabinet with a full business case for delivering Phase 1 of the Programme for approval. In the event that Phase 1 did not proceed then the grant funding would not be drawn down and the MoU would be withdrawn.

Decision Made: That

- (1) the Executive Director - Place, in consultation with the Cabinet Member for Regeneration and Skills, and the Cabinet Member for Regulatory, Compliance and Corporate Services be granted delegated authority to complete the DLUHC Memorandum of Understanding for the allocation of the Capital Levelling Up Fund grant, totalling £20,000,000 and
- (2) any draw-down and defrayment of the Capital Levelling Up Funds made available to the Council through that Memorandum of Understanding must be subject to approval of a subsequent Cabinet Report containing a detailed business case before commencing the construction works.

Reasons for the Decision:

The Council's objectives for the acquisition of The Strand in 2017 were to ensure that it was supported to continue its role in the local community, as a key asset at the heart of Bootle critical to the town's physical, economic and social regeneration. This remains the Council's priority in relation to the centre. However, the continued changes to the nature of UK high streets, the uncertainties of the current economic climate and the impacts these are having on the retail sector continue to necessitate financial subsidy to keep the Strand operational and prevent the centre from realising its full potential to drive the physical, social and economic regeneration of Bootle.

To become financially sustainable and to act as the catalyst for regeneration in Bootle, The Strand needs significant investment to diversify its offer to one with less reliance on retail and which also includes leisure, food and beverage, and cultural activities, as well as health and education services.

This diversification and enhancement of The Bootle Strand offer is the objective of the Strand Re-purposing Programme, the delivery of Phase 1 of which will generate significant local value in its own right as well as unlocking the remaining development phases of the Programme and wider development opportunities across the town.

The Programme as a whole and Phase 1, in particular, will realise the following benefits:

- Phase 1 will attract more local people and visitors to Bootle resulting in increased footfall and local spend in The Strand and surrounding businesses in the town. This will help move The Strand to a sustainable financial position; grow the local economy; and create new employment opportunities.
- The creation of lots of new high quality public realm and shaping the place in a way that makes local people proud and enhances the brand and reputation of the town regionally and nationally, will help to encourage inward investment from both future employers and investors and developers.
- Provision of a rich and exciting cultural and leisure offer, including food and beverage as well as entertainment and other events spaces will also attract more visitors and footfall as well as encourage people to stay in the town for longer during the day and beyond, creating a new night-time economy.
- The provision of flexible and high-quality, digitally enabled space for new hi-tech creative and commercial activities, will create even more employment opportunities and reasons for businesses to locate and invest in Bootle.
- The inclusion of education delivery at the heart of the Town Centre will help to drive up skills and educational attainment for local people, enabling them to take advantage of new employment opportunities.
- The mix of a much more diverse and exciting offer, available during the day and the evening, along with high quality public places and facilities to work, play and shop, will all help to drive regeneration in the town.

The Programme requires public funding to deliver Phase 1 and thereby to start to realise these benefits and to act as a catalyst to unlock further

investment. The provision of £20m CLUF funding enables most of the components of Phase 1 to be delivered quickly, which is the reason for recommending the grant offer is accepted via completion of the MoU, ensuring that it is not withdrawn in the interim whilst the detailed business case for commencing construction works is completed for subsequent review and approval by Cabinet.

Alternative Options Considered and Rejected:

The alternative would be to not accept the grant funding. This has been rejected as it would prevent the Repurposing Programme from proceeding and therefore prevent the realisation of the Council's regeneration objectives for Bootle.

10. ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENTS AND PLANNING INFORMATION NOTES

The Cabinet considered the report of the Assistant Director of Place (Economic Growth and Housing) which indicated that officers has recently consulted on the following Supplementary Planning Documents (SPDs):

- Affordable and Supported Housing SPD;
- Conversion to Flats and Houses in Multiple Occupation SPD;
- House Extensions SPD;
- New Build Homes SPD; and
- Social Value (employment and skills) in development SPD.

and the following Information Notes:

- Contributions towards education - A guide for developers; and
- HRA Recreational Pressure.

Having considered the responses received, in conjunction with the Cabinet Member for Planning and Building Control, it was proposed that the SPDs and the Information Notes, incorporating any changes recommended in the report and appendices, should be adopted by the Council with immediate effect following approval by the Cabinet, to enable them to be given weight as material considerations when planning applications are determined.

Decision Made: That

(1) the following Supplementary Planning Documents (SPDs) be adopted:

- Affordable and Supported Housing SPD;
- Conversion to Flats and Houses in Multiple Occupation SPD;
- House Extensions SPD;
- New Build Homes SPD; and
- Social Value (employment and skills) in development SPD;

- (2) the following Information Notes be adopted:
 - Contributions towards education - A guide for developers; and
 - HRA Recreational Pressure
- (3) the Chief Planning Officer be granted delegated authority to make minor editorial and presentational changes prior to the publication of the SPDs and Information Notes; and
- (4) the existing SPDs/Information Notes that will be replaced by the above (and listed in section 9 of the report) be revoked.

Reasons for the Decision:

It is necessary for the Council to review and adopt the Supplementary Planning Documents (SPDs) and Information Notes to provide clear and consistent guidance for developers and others about how the requirements of policies in the Sefton Local Plan will be interpreted and implemented.

Alternative Options Considered and Rejected:

The alternative would be not to adopt the SPDs. This would require planning decisions to be made using outdated policies.

11. MILLERS BRIDGE RAILWAY BRIDGE - INVESTIGATION WORK

The Cabinet considered the report of the Assistant Director of Place (Highways and Public Protection) which indicated that the Department for Transport had provided £2m to the Council to complete investigatory works on the road bridge over the railway on the A5058, Millers Bridge. This is to ensure that the bridge is capable of carrying loads including abnormal loads to the Port of Liverpool. The report sought approval to the addition of the funding into the Council's Transport Capital Programme.

Decision Made: That

- (1) the Council be recommended to give approval to the inclusion of a supplementary capital estimate for £2m, for the Millers Bridge Scheme, into the Council's Transport Capital Programme; and
- (2) the progress on the necessary investigatory work be noted.

Reasons for the Decision:

The additional funding needs Council approval for it to be added to the Capital Programme. This would enable the commissioning of the necessary technical support work and the track possessions needed to facilitate the investigation.

Alternative Options Considered and Rejected:

None.

12. EXCLUSION OF PRESS AND PUBLIC

To comply with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, notice had been published regarding the intention to consider the following matters in private for the reason set out below.

Decision Made:

That, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the press and public be excluded from the meeting for the following items on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.

13. CROWN BUILDINGS AND THE ENTERPRISE ARCADE PROJECT UPDATE - EXEMPT APPENDICES

The Cabinet considered exempt information provided by the Executive Director - Place in relation to the Crown Buildings and Enterprise Arcade Project (Minute No. 16 below refers).

Decision Made:

That the exempt information be considered as part of the report in relation to the Crown Building and Enterprise Arcade Project. (Minute No. 16 below refers).

Reasons for the Decision:

The exempt information is required to be considered with the information in the public domain in order that an informed decision may be made.

Alternative Options Considered and Rejected:

None.

14. CROSBY NEW LIBRARY - EXEMPT APPENDICES

The Cabinet considered exempt information provided by the Executive Director - People in relation to the Crosby New Library. (Minute No. 17 below refers).

Decision Made:

That the exempt information be considered as part of the report in relation to the Crosby New Library. (Minute No. 17 below refers).

Reasons for the Decision:

The exempt information is required to be considered with the information in the public domain in order that an informed decision may be made.

Alternative Options Considered and Rejected:

None.

15. PUBLIC SESSION

Decision Made:

That the press and public be re-admitted to the meeting.

16. CROWN BUILDING AND THE ENTERPRISE ARCADE PROJECT UPDATE

Further to Minute No. 13 above, the Cabinet considered the report of the Executive Director – Place which provided details of the progress to date on the Southport Town Deal project for the Enterprise Arcade and the proposed operating model. The report also provided details of the enabling works required to the Crown Buildings to facilitate the project.

Decision Made: That

- (1) the progress to date and the forthcoming project milestones be noted;
- (2) the finalisation of the procurement strategy for the main contractor for the refurbishment works to the Enterprise Arcade and the enabling works required in the Crown Buildings be delegated to the Executive Director of Place in consultation with the Cabinet Member, to ensure the capture of good practice and lessons learned from recent contractor procurement processes and construction projects;
- (2) the proposed alternative operating model be approved and that the Executive Director of Place be requested to progress discussions / procurement with potential partners and tenants as detailed in Option C, set out in the report;
- (3) approval be given to Officers developing the business plan model for Option C and, if in line with current assumptions that the project will not require any revenue subsidy, the Executive Director of Place be granted delegated authority in consultation with the Cabinet Member to approve the business plan model; and.

- (4) the Council be recommended to approve a supplementary capital estimate of £0.24m for the enabling works in the Crown Buildings to be funded from Capital receipts.

Reasons for the Decision:

To ensure that the build project continues to progress in line with the agreed Town deal funding parameters.

Alternative Options Considered and Rejected:

In summary:

- a) Do nothing, reopen negotiations with the preferred operator;
- b) Re tender the opportunity to the market;
- c) Delivery in-house and maintain control and management responsibility of the project; and
- d) Create new CIC with partner organisations.

Section 3.5 of the report and Appendix C (Summary of Operator Model Options) provided further details of the options considered.

17. CROSBY NEW LIBRARY

Further to Minute No. 14 above the Cabinet considered the report of the Executive Director – People on the detailed proposals for the provision of a library- led new facility in Crosby, built to the highest environmental standards and providing highly accessible service provision in a sustainable location. Work had been progressed in developing designs and feasibility studies to help fix the nature of a new facility. This work formed the basis for two funding bids through the Levelling Up Funding (LUF) rounds, the first round providing positive feedback and encouragement for a second-round bid in 2022 which unfortunately again failed to gain support in a very competitive process where 80% of bids nationally failed to gain support from the Government.

Based on the LUF first round feedback and the status of Sefton as a Levelling Up Tier 3 priority (the lowest tier as ranked by Government LUF Criteria), alongside work to prepare and submit the Round 2 LUF bid, officers were also asked to twin track alternative options for delivering what was a widely supported scheme for building a new library health and well-being facility.

This work is now complete and an Outline Business Case (OBC) had been produced in support of the project and the OBC had informed the report and the recommendations.

The report indicated that the following factors combine to provide a strong imperative case for the new facility:

- The existing Crosby Central Library and Civic Hall have long-standing and significant issues relating to the condition of the building, bringing

the long-term viability, in retaining the buildings, into question. Key elements of the building are reaching the end-of-life stage and there is a risk that those elements would be deemed beyond repair if they fail.

- Working conditions for staff in the building are not conducive to a modern working environment. Furthermore, the nature of the buildings and the changing needs of the service indicate the need for a new format for the library, providing the opportunity to grow the service in line with changing needs of the community/library users.
- The existing library also presents a major challenge in terms of the Council's Climate Emergency declaration and linked objectives of becoming carbon neutral by 2030. This is due to the nature of the building itself and the significant costs identified to address the very poor energy performance of the site.
- The Green Car Park site in Crosby Village Centre was identified, in the adopted Crosby Investment Strategy, as presenting an opportunity to deliver a development site, which could help with the long-term viability and vitality of the village centre. The site is ideally located to provide an alternative location for a new library facility with very good access supported by bus, rail and car travellers. Also, with the imminent introduction of highways improvements linked to sustainable travel, the site will benefit from greatly improved accessibility for pedestrians and cyclists.
- The existing Central library site is identified as a good opportunity for housing led regeneration with new homes and/or a mix of uses on the site complementary to the surrounding area. A Planning Brief (Appendix B) has been prepared for the site which supports the principles of regeneration and the opportunity to deliver a positive outcome for the local community.
- The condition of health facilities in the central Crosby area has been a concern for some time. The South Sefton Clinical Commissioning Group acknowledged in their High-Level Estate Primary and Community Health Service Requirement for the Crosby Village that:

'Current primary care premises in the area are generally not fit for purpose and lack the capacity to deliver current, let alone future integrated and extended health services.'

- This, alongside discussions with the Primary Care Network (PCN) and local GP providers, indicated a strong interest in being part of a shared facility in Crosby Village should the Council progress a new library, providing for the Library requirements alongside other health and wellbeing provision.

- This type of facility is now increasingly common across the country providing support across a wide range of health commissioned services and wider social prescribing models.

Decision Made: That

- (1) the significant risk to service delivery associated with the condition of existing Crosby Central Library facility be noted;
- (2) the content of the Outline Business Case for Crosby New Library as set out in Appendix A to the report and associated design development which has informed that work to date be noted;
- (3) It be noted that the capital cost of delivering the preferred options for the full scheme is currently estimated to be £13.8m. This cost will be subject to further review as part of the development of the Full Business Case (FBC). This includes the detailed full and final design necessary to develop the FBC for this project which are estimated to be £1.02m. These costs will be funded from the Growth Budget initially and then repaid on approval of the FBC;
- (4) It be noted that should the FBC not be approved, then it will not be possible to capitalise the design costs of £1.02m and they would therefore need be funded from revenue resources. It is proposed that these would be funded from the following: £0.62m Growth Budget; £0.10m virement from the Libraries Capital Programme; and the remaining £0.3m found from within the Communities Service budget;
- (5) the Executive Director - Place be authorised to commence an appropriate procurement process to deliver the Crosby New Library development in the manner outlined in the report based on the preferred options 3 and 8, to produce a Full Business Case to accompany final design and delivery proposals and submit a further report to Cabinet to confirm costs and seek authorisation to contract the works;
- (6) the Executive Director - Place be authorised to commence an appropriate soft market testing of the existing site based on the Planning Brief prepared for the purpose of informing such an exercise; and
- (7) It be noted that as part of the process of developing the Full Business Case (FBC) the Executive Director - People will carry out an exercise to inform the effective and efficient transfer of library services to the proposed new site in Crosby.

Reasons for the Decision:

Do nothing is not an option in addressing the pressing need to identify a suitable way forward in dealing with the issues linked to the physical

condition of the existing Library facility and the associated risk to service delivery.

Delivering the scheme will provide certainty for service delivery to the Council the development will strengthen local economic conditions for Crosby Village. Together with the inclusion of Health and Wellbeing facilities the new centre will significantly increase footfall in Crosby Village supporting long term the viability and vitality of the village. The new centre will provide the opportunity to enhance existing library services and also present new opportunities to community-based health providers where there is a directive to improving and enhancing community-based provision such as diagnostics as identified in the NHS Long Term Plan.

Alternative Options Considered and Rejected:

The nine options for the delivery of the objectives of the project were considered, which are detailed in the outline business case, Appendix A exempt and Appendix E redacted.