

Public Document Pack

Sefton Council

MEETING: CABINET
DATE: Thursday 23rd May, 2024
TIME: 10.00 am
VENUE: Committee Room, Town Hall, Bootle

DECISION MAKER: **CABINET**

Councillor Atkinson (Chair)
Councillor Dowd
Councillor Doyle
Councillor Harvey
Councillor Howard
Councillor Lappin
Councillor Moncur
Councillor Roscoe
Councillor Veidman

COMMITTEE OFFICER: Debbie Campbell
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The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an * on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

A G E N D A

Items marked with an * involve key decisions

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>	
1	Apologies for Absence		
2	Declarations of Interest Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda. Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation. Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.		
3	Minutes of the Previous Meeting		(Pages 5 - 20)
	Minutes of the meeting held on 4 April 2024		
* 4	Future Approach to Commissioning of Residential & Nursing Care Sector Report of the Executive Director of Adult Social Care and Health	All Wards	(Pages 21 - 28)
* 5	Determination of Proposal to Establish SEND Resource Provision at Marshside Primary School, Southport Report of the Assistant Director of Children's Services (Education)	All Wards	(Pages 29 - 40)

6	Children's Services Staff Structure Report of the Executive Director of Children's Social Care and Education		TO FOLLOW
7	High Needs Capital Programme 2023 - 2024 Report of the Assistant Director of Children's Services (Education)	All Wards	(Pages 41 - 52)
* 8	Maritime Corridor Scheme - Receipt of Capital Funding Report of the Assistant Director of Place (Highways and Public Protection)	Litherland; Molyneux; Netherton and Orrell; St. Oswald	(Pages 53 - 64)
* 9	Southport Eastern Access Scheme - Receipt of Capital Funding Report of the Assistant Director of Place (Highways and Public Protection)	Dukes; Kew; Norwood	(Pages 65 - 72)
10	Appointments to Outside Bodies 2024/25 Report of the Chief Legal and Democratic Officer		TO FOLLOW

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THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY 17 APRIL 2024. MINUTES NOD. 153 (4) AND 158 ARE NOT SUBJECT TO "CALL-IN"

CABINET

MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL, SOUTHPORT ON 4 APRIL 2024

PRESENT: Councillor Atkinson (in the Chair)

Councillors Cummins, Doyle, Fairclough, Howard,
Lappin, Moncur, Roscoe and Veidman

ALSO PRESENT: Councillor Sir Ron Watson

145. APOLOGIES FOR ABSENCE

No apologies for absence were received.

146. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declaration of personal interest was made and the Member concerned remained in the room during the consideration of the item, took part in the consideration of the item and voted thereon:

Member	Minute No.	Nature of Interest
Councillor Cummins	Minute No. 150 - Approval of Legal Documentation for Academy Conversions	He is a Governor at one of the schools referred to.

147. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 7 March 2024 be confirmed as a correct record.

148. ADULT SOCIAL CARE FEES 2024/25

Mr. Jonathan Cunningham, a Care Home Provider, spoke in support of a petition containing 25 signatures which stated:

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We the undersigned believe, “the proposed Sefton social care fees increase of 8.02% is inadequate to cover the true cost of care and request that Sefton Council reconsider and increase this fee.”

The Cabinet then considered the joint report of the Executive Director of Adult Social Care and Health and the Executive Director of Corporate Resources and Customer Services requesting the Cabinet to determine the fees payable for Sefton Adult Social Care services for the financial period 2024/2025. The fees proposed included a range of care and support services to adults, including Direct Payment Recipients.

The following appendices were attached to the report:

- Appendix A – 2024/25 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 Initial Equality Impact Assessment
- Appendix E – Domiciliary Care Initial Equality Impact Assessment
- Appendix F – Supported Living Initial Equality Impact Assessment
- Appendix G – Extra Care Housing Initial Equality Impact Assessment
- Appendix H – Community Support Initial Equality Impact Assessment
- Appendix I – Day Care Initial Equality Impact Assessment

Decisions 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, which includes the associated Appendices, 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 2024 be authorised, which for some sectors are higher than those originally consulted upon, having taken into account a range of factors including the response from Providers, national context, risks raised in relation to additional costs and other information available at the time of the consultation and the availability of financial resources;
- (3) **Residential & Nursing Care** – the following rates be implemented:

	Residential Care	Residential Dementia	Nursing	Nursing Dementia
2024/25 Fee	£701.81	£794.04	£721.67	£802.06
<i>2023/24 Fee</i>	£649.70	£735.09	£668.09	£742.51
Weekly Increase	£52.11	£58.95	£53.58	£59.55
% Increase	8.02%	8.02%	8.02%	8.02%

(4) 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;

(5) **Domiciliary Care** – the following rates be implemented for contracted / Pseudo Dynamic Purchasing System (PDPS) Providers:

Duration / Service Element*	2024/25 Rate	<i>2023/24 Rate</i>
1 Hour	£23.42	£21.56
45 Minutes	£17.57	£16.17
30 Minutes	£11.71	£10.78
Sleep-in (8 Hour Night)	£105.25	£95.86
Waking Night (8 Hour Night)	£187.36	£172.48

*Any call duration outside of this framework will also be uplifted. It be noted that the consultation letter sent to Providers highlighted the Council's ongoing commitment to not commissioning 15-minute visit durations;

(6) **Community Support Services**

Duration / Service Element	2024/25 Rate	<i>2023/24 Rates</i>
1 Hour	£22.55	£21.56

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- (7) **Direct Payment recipients who access a CQC Agency for Community Support** - that the above Community Support hourly rate be implemented:

Duration / Service Element	2024/25 Proposed Rate	2023/24 Rates
1 Hour	£22.55	£21.56

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

Duration / Service Element	2024/25 Rate	2023/24 Rate
1 Hour (Domiciliary Care & Community Support)	£23.42	£21.56
Sleep-in (10 Hour Night)	£131.56	£119.83
Waking Night (10 Hour Night)	£234.20	£215.60

- (9) **Direct Payment Recipients who utilise a Personal Assistant for Domiciliary Care or Community Support:**

Duration / Service Element	2024/25	2023/24
1 Hour	£15.84	£14.55
Sleep-in (10 Hour Night)	£131.56	£119.83
Waking Night (10 Hour Night)	£158.40	£145.50

- (10) **Direct Payment Recipients who utilise Day Care / Day Opportunity Services:**

Dependency Level	2024/25 Proposed Rate	2023/24 Rates
Low	£40	£37
Medium	£61	£56
High	£121	£112

- (11) **Supported Living** – the following rates be implemented which are higher than those originally proposed at the commencement of the consultation exercise (apart from the sleep-in rates):

Duration / Service Element	2024/25 Rate	Originally Proposed 2024/25 Rate	2023/24 Rates
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Hourly Rate	£20.64	£20.53	£18.91
Sleep-in (9 Hours)	£118.40	£118.40	£107.85
Sleep-in (10 Hours)	£131.56	£131.56	£119.83
Waking Night (9 Hours)	£185.76	£184.77	£170.19
Waking Night (10 Hours)	£206.40	£205.30	£189.10

- (12) **Extra Care Housing Services** - the following rates be implemented which are higher than the rate originally proposed at the commencement of the consultation exercise:

Duration / Service Element	2024/25 Rate	<i>Originally Proposed 2024/25 Rate</i>	<i>2023/24 Rate</i>
Hourly Rate	£20.64	£20.53	£18.91

- (13) **Individual Service Funds** – the following rates be implemented which are higher than those originally proposed at the commencement of the consultation exercise (apart from the sleep-in rate):

Duration / Service Element	2024/25 Rate	<i>Originally Proposed 2024/25 Rates</i>	<i>2023/24 Rates</i>
1 Hour	£21.66	£21.54	£19.84
Sleep-in (9 Hour Night)	£118.40	£118.40	£107.85
Waking Night (9 Hour Night)	£194.94	£193.86	£178.56

- (14) **Day Care** – the rates be increased by **9.15%** (original proposal consulted on was for an increase of 8.57%);

- (15) **Shared Lives** – the rates be increased by **9.15%**;

- (16) based on the average inflationary increases awarded to Providers and/or calculated required increases to existing agreements/contracts, that inflationary increases also be awarded to Voluntary, Community and Faith (VCF) grants, contracts for the delivery of Carers services and contracts with Partner Providers;

- (17) the method applied to the calculation and payment of sleep-in services be maintained under the current Domiciliary Care, Direct

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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. In the event that it is evidenced that this is not the case, Council Officers be authorised to review current contractual, Direct Payment and pilot project arrangements and adjust payments, if appropriate;

- (18) further to Decision (5) above, relating to the Domiciliary Care rate, this rate be used to formulate a rate to be implemented as a 'guide price' / hourly rate for any additional 1:1 care commissioned for individual care home placements to support people to remain safe and achieve their assessed needs, and as part of a policy and process relating to the provision of 1:1 care. The 'guide price' / hourly rate be formulated by using elements of the Domiciliary Care rate and that decisions on the 'guide price' / hourly rate formulated be delegated to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care and the Executive Director of Corporate Resources and Customer Services;
- (19) 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. Such decisions be delegated to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care and the Executive Director of Corporate Resources and Customer Services;
- (20) the ongoing fee modelling approaches outlined in the report, particularly with respect to the Real Living Wage, be noted; and
- (21) it be noted that with respect to the Residential and Nursing sector, the above work will link into the wider market work taking place, such as the development of a new commissioning framework for which a separate report will be submitted to the Cabinet on this matter at a future date, and work taking place to update Sefton's Market Position Statement and Market Sustainability Plan.

Reasons for the Decisions:

To enable the Council to set the fees payable for services, during the financial year period 2024/25.

Alternative Options Considered and Rejected:

1. **Not awarding increases** – this option was rejected in relation to all service areas as there was a requirement to ensure that fee levels were increased to consider the outcome of consultation and in relation to increases to Provider's costs.

2. **Awarding originally proposed fee increases for some sectors** – this option was considered and rejected following an evaluation of the consultation responses and wider market analysis work, which resulted in the revised proposals being recommended in the report.

149. HEALTHY ADVERTISING

The Cabinet considered the report of the Director of Public Health seeking approval to adopt a healthier food and drink advertising policy for council-owned sites in Sefton.

Equality Impact Assessments were attached to the report, together with the draft policy which had been published and circulated to the Cabinet prior to the meeting.

Decisions Made:

That

- (1) the proposed policy be approved for immediate implementation; and
- (2) the approach be championed with other Local Authorities and stakeholders with advertising space in the borough.

Reasons for the Decisions:

Implementation of the policy will support the Council to meet multiple priorities:

- Reducing inequalities
- Improved health - specifically diet-related diseases such as obesity, diabetes, cancer, heart disease and tooth decay, as well as saving local health and social care services money
- Climate change
- At negligible cost - the policy was expected to maintain advertising revenues and had done so when implemented by other local authorities

The policy also supported the aims of Sefton's Healthy Weight Declaration.

Alternative Options Considered and Rejected:

None.

150. APPROVAL OF LEGAL DOCUMENTATION FOR ACADEMY CONVERSIONS

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The Cabinet considered the report of the Assistant Director of Children's Services (Education Excellence) advising of the decision by the following Governing Bodies to voluntarily convert to Academy Status:

- St Edmunds and St Thomas, Our Lady of Lourdes, St Mary's, and Our Lady of Walsingham Catholic Primary Schools to convert to Pope Francis Learning Trust
- The Grange Primary School to become part of the Lydiate Learning Trust
- Lander Road Primary School to become part of the Great Schools Trust.
- Trinity St Peters to become part of the All Saints Multi Academy Trust.

In accordance with statutory requirements the report sought authorisation for officers to sign the documentation required by the academy conversion process. The Education Skills Funding Agency (ESFA) had indicated that the date of conversion would be 1 September 2024.

The report also advised the Cabinet of the decisions by the Secretary of State for Education, as follows:

- to convert Linacre Primary School, to the Great Schools Trust in accordance with statutory requirements and sought authorisation for officers to sign the documentation required by the academy conversion process. The ESFA had indicated that the date of conversion would be 1 September 2024
- to convert Linaker Primary School, Southport to a trust that was to be identified by the Regional Schools Group in accordance with statutory requirements and sought authorisation for officers to sign the documentation required by the academy conversion process. The ESFA had indicated that the date of conversion would be 1 September 2024

Reference was made to the tight timescales and Cabinet Members thanked staff for their work on the conversions.

Decisions Made:

That

- (1) the statutory requirements regarding academy conversions be noted;
- (2) the financial implications to the Council of the academy conversions be noted; and
- (3) authority be delegated to the Executive Director of Corporate Resources and Customer Services, in conjunction with the Executive Director of Children's Social Care and Education, in

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consultation with the Cabinet Member – Education, to complete the necessary agreements required as part of the academy conversion process as outlined in the report.

Reasons for the Decisions:

The Cabinet needed to authorise appropriate officers to enter into the agreements required as part of the academy conversion process.

Alternative Options Considered and Rejected:

None – this was a statutory process following the exercise of the educational establishments' discretion to choose to convert to academy status under the Academies Act 2010.

The Secretary of State had the powers to direct that the academy conversion process could continue if the agreements were not signed.

151. EXTENSION OF HIGHWAY MAINTENANCE CONTRACTS

Further to Minute No. 68 of 5 October 2023, the Cabinet considered the report of the Assistant Director of Place (Highways and Public Protection) seeking approval to amend the contract end dates of three Highway Maintenance Service Contracts, namely HM01 (Carriageway Resurfacing); HM08 (Surface Treatments); and HM10 (Highway Maintenance).

Decisions Made:

That

- (1) the Highway Term Maintenance Contract HM01 (Carriageway resurfacing) be extended until 31 July 2026;
- (2) the Highway Term Maintenance Contract HM08 (Surface treatments) be extended until 31st August 2026;
- (3) the Highway Term Maintenance Contract HM10 (Highway Maintenance) be extended until 30 September 2026; and
- (4) the Assistant Director of Place (Highways and Public Protection), in consultation with the Chief Legal and Democratic Officer, be authorised to formally extend the contracts to the revised dates.

Reasons for the Decisions:

To align the end dates with the delayed start dates of the contracts.

Alternative Options Considered and Rejected:

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All three contracts were currently due to end on 31 March 2026, as per the original contract documents, and the Council could decide not to change this date.

In accordance with the provisions within the Contract, the Council agreed 2-year contract extensions with the Contractors. However, as the commencement dates were delayed when the original contracts were issued in 2016, recent advice had highlighted that the current end dates would result in the contracts running for a shorter term than tendered for. Therefore, not changing the end dates to align with the actual commencement of the contracts could result in challenge, a need to re-negotiate rates and potential compensation events.

152. HOMELESSNESS AND ROUGH SLEEPING STRATEGY 2024 - 2029

The Cabinet considered the report of the Assistant Director of Place (Economic Growth and Housing) indicating that the Homelessness Act 2002 required every Local Authority to publish a Homelessness Strategy at least every 5 years. The Strategy sought to tackle all forms of homelessness, including those owed a statutory duty.

Appendix A to the report set out the Homelessness and Rough Sleeping Strategy 2024-29.

Decisions Made:

That

- (1) the Council's Homelessness and Rough Sleeping Strategy 2024-29 be approved;
- (2) the Assistant Director of Place (Economic Growth and Housing), in consultation with Cabinet Member - Communities and Housing, be given delegated authority to put in place a Homelessness Strategy action plan, which would help deliver the strategy and monitor delivery; and
- (3) the Executive Director – People, in consultation with the Leader, be given delegated authority to make any typographical and presentation amendments to the Strategy.

Reasons for the Decisions:

The Homelessness Act 2002 required every Local Authority to publish a Homelessness Strategy at least every 5 years. The existing Strategy was published in January 2019 and was due to be renewed.

Alternative Options Considered and Rejected:

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The Homelessness Act 2002 made it a legal requirement for every Local Authority to carry out a homelessness review every 5 years, and to develop and publish a Homelessness Strategy based on the review. The only options related to the agreed contents of a Strategy.

153. COUNCIL HOUSING GOVERNANCE AND MANAGEMENT ARRANGEMENTS

The Cabinet considered the report of the Assistant Director of Place (Economic Growth and Housing) that sought delegated authority for the formal adoption of a suite of council housing policies required to facilitate the management and maintenance of any new Council owned homes as part of the Council Housing Programme; details the future governance arrangements for the management of the Council's homes; and also sought approval for an Early Acquisition Scheme including delegated authority to acquire additional properties for council housing provision.

The following appendix was attached to the report:

- Appendix 1 - Regulator of Social Housing Consumer Standards April 2024.

Decisions Made:

That

- (1) authority be given to the Assistant Director of Place (Economic Growth and Housing), in consultation with the Cabinet Member - Communities and Housing, to review and approve a suite of council housing policies to be adopted to facilitate the operational housing management of new council housing;
- (2) authority be given to the Assistant Director of Place (Economic Growth and Housing), in consultation with the Cabinet Member - Communities and Housing, to agree any amendments and/or additions to the suite of policies including the adoption of any future policies that may be required;
- (3) the proposal to create a Housing Advisory Board as part of the future governance arrangements in respect of housing management, be noted;
- (4) **the Council be recommended to approve** a supplementary capital estimate of £750,000, for an Early Acquisition Scheme to acquire additional properties for Council housing to be included within the Capital Programme, funded through historic right to buy sharing agreement receipts and Homes England grant funding where this may be available and suitable; and
- (5) in the event that the supplementary capital estimate is approved by the Council, authority be delegated to the Executive Director of

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Corporate Resources and Customer Services and the Assistant Director of Place (Economic Growth and Housing), in consultation with the Cabinet Member - Communities and Housing and the Cabinet Member - Regulatory, Compliance and Corporate Services, to approve acquisitions to the Council Housing Programme up to a value of £750,000 funded through historic right to buy sharing agreement receipts and Homes England grant funding where this may be available and suitable.

Reasons for the Decisions:

To ensure that the Council had the necessary policies and governance arrangements in place ready to manage new council housing. Approval at this stage would allow the Council to progress to be operationally ready to take homes into management.

Given the homes at Buckley Hill Lane were not due for handover until early 2025, there was opportunity for the Council to consider early acquisitions to the Council Housing Programme to bring additional homes into management to help meet housing need as demand for social housing increased. The Council was seeing growing pressures on its homelessness service and temporary accommodation provided and early acquisitions into the programme could help to support this.

Alternative Options Considered and Rejected:

No alternative option in respect of the policy adoption was available. The Council was required to have a range of policies in place that would help to meet legislative and regulatory requirements for the management and maintenance of the Council's homes.

The Council could choose not to set up and operate a Housing Advisory Board. This option was not recommended. A number of existing stock holding local authorities operated a board type of arrangement. The creation of a Housing Advisory Board provided additional and strengthened governance arrangements to the landlord service that the Council would provide to future tenants. The Housing Advisory Board provided a good opportunity for tenants to help shape the service, be involved in and participate in decision making on key matters of the management and maintenance of the Council's homes. This also supported the new regulatory standard of 'Transparency, Influence and Accountability Standard' enabling opportunity for tenants to influence strategies, policies and services. The new standard would take effect from 1 April 2024 as part of the revised consumer standards and Code of Practice published by the Regulator of Social Housing. As referred to in Appendix 1 of the report.

The Council could choose not to support early acquisitions into the Council Housing Programme. However, given the Council intended to be operationally ready to manage homes in advance of the properties at Buckley Hill Lane being handed over, there were opportunities available to

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start bringing homes into management earlier and respond to the housing and homelessness pressures being faced in Sefton.

154. PEER REVIEW

The Cabinet considered the joint report of the Chief Executive and the Executive Director of Corporate Resources and Customer Services that set out the key findings from the Local Government Association (LGA) Peer Review undertaken in October 2023 and sought approval of the action plan that would allow the Council to respond to the peer team's recommendations, subject to comments and observations.

The following Appendices were attached to the report:

- Appendix 1- Peer Review Report
- Appendix 2- Agreed Implementation Plan

Decisions Made:

That

- (1) thanks to the LGA peer team be recorded and the feedback report be welcomed;
- (2) the LGA peer review report and feedback received be noted;
- (3) the recommendations of the LGA peer review report be accepted; and
- (4) the associated action plan be approved.

Reasons for the Decisions:

Peer Reviews were a proven tool for sector-led improvement and the Council had always been open to learning from others and sharing good practice. The challenge provided external recognition of the things it believed the Council was doing well, highlighted where the Council could learn from other councils in light of best practice elsewhere, and had recommended a number of key actions.

Alternative Options Considered and Rejected:

There were no alternative options.

155. 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 matter in private for the reason set out below.

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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 item 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.

156. ACQUISITION OF MAGDALEN HOUSE, 30 TRINITY ROAD, BOOTLE - EXEMPT APPENDIX

The Cabinet considered exempt information provided by the Executive Director of Corporate Resources and Customer Services in relation to the Acquisition of Magdalen House, 30 Trinity Road, Bootle (Minute No. 158 below refers).

Decision Made:

That the exempt information be considered as part of the report in relation to the Acquisition of Magdalen House, 30 Trinity Road, Bootle (Minute No. 158 below refers).

Reasons for the Decision:

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

Alternative Options Considered and Rejected:

None.

157. RE-ADMITTANCE OF THE PUBLIC

Decision Made:

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

158. ACQUISITION OF MAGDALEN HOUSE, 30 TRINITY ROAD, BOOTLE

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services on the principal terms and conditions agreed for the acquisition of the freehold interest in Magdalen House, Bootle.

The following exempt appendix was attached to the report:

- Appendix 1 – Financial Details

Decisions Made:

That the Council be recommended to:

- (1) approve the acquisition of the freehold interest in Magdalen House on the basis of the price detailed within Appendix 1 of the report;
- (2) authorise the Chief Legal and Democratic Officer to complete the necessary legal documentation;
- (3) approve the seeking of Public Works Loan Board (PWLB) funding to meet the capital costs required; and
- (4) approve a supplementary capital estimate, as detailed within Appendix 1 of the report, for inclusion within the Capital Programme to be funded by borrowing, repayments to be met from the annual rental saving.

Reasons for the Decisions:

1. An acquisition would allow the Council to occupy the Property rent free for the Useful Economic Life (UEL) of the Property and remove the requirement to pay dilapidations (based upon continued office uses).
2. The Council would gain control and flexibility to react to its changing occupational needs and requirements, and with regards to the future of Bootle town centre (and beyond) – this included future opportunities around decanting into Bootle Town Hall, as associated capital costs to accommodate would no longer be required.
3. The capital expenditure in acquiring the property was less than the remaining rental and anticipated dilapidation liabilities.
4. The capital costs for acquisition would be sourced from PWLB.

Alternative Options Considered and Rejected:

Do nothing and remain as tenant.

The risks: The 'do nothing' approach was considered to be financially disadvantageous and also limited the Council in being able to affect change to meet its future occupational needs.

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Agenda Item 4

Report to:	Cabinet	Date of Meeting:	23 rd May 2024
Subject:	Future Approach to Commissioning of Residential & Nursing Care Sector.		
Report of:	Executive Director Adult Social Care & Health	Wards Affected:	All
Cabinet Portfolio:	Cabinet Member - Adult Social Care and Health		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

To seek approval for the future commissioning approach for the Sefton Adult Social Care Residential & Nursing Sector.

Recommendation(s):

Cabinet is recommended to approve:

- (1) Establishing a new Sefton framework of Residential & Nursing Care Homes that will be established for up to, and not more than, a ten-year period, commencing in the 2024/25 financial year, compliant to the latest regulations effective of 1st October 2024.
- (2) That decisions on the award, contracting models, contract terms and conditions and service specification to be applied to the new Framework be delegated to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member on the basis that they can be contained within existing and approved budget provision within the service.
- (3) That delegated authority is given the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member, Adult Social Care to issue new contract terms and conditions to all care homes for adults over 18 who are commissioned by Sefton Council. This includes the direct award of contracts to such homes, with the proviso that this approach and any such awards adhere to procurement regulations, and the intent that this approach maintains prospective Care Home residents' Choice Directive.
- (4) Periodic re-opening exercises of the Framework, and make decisions on the awarding of contracts to successful new applicants and with respect to any such specific commissioning exercises / competitions.
- (5) That over the course of the new Framework, delegated authority is given to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care, to make decisions on any amendments to its rules / operation.

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Reasons for the Recommendation(s):

To ensure that updated commissioning and contractual arrangements are put in place. These commissioning and contractual arrangements will adhere to the new CQC single assessment framework, which aims to deliver Effective, Responsive, Safe, Caring and Well-led models of care, and which will ensure that there is greater control of the market, that future decisions on commissioning and market management can be made in a timely manner, and to put in place new contractual and service delivery arrangements which both seek to ensure market sustainability and that there is a greater focus on commissioning high quality services with Providers that are willing to deliver services in line with the Framework arrangements.

Alternative Options Considered and Rejected: (including any Risk Implications)

1. **Maintaining the status quo** – This was not considered a viable option due to identification of the need to establish new commissioning arrangements in Sefton for the Residential & Nursing care sector, which reflect the needs of Sefton Residents and meets Sefton's joint Social Care and Health strategic and commissioning objectives for the sector.

What will it cost and how will it be financed?

- (A) Revenue Costs
Revenue costs with respect to the new contracts will need to be met from existing Residential and Nursing care sector budgets. The current gross expenditure on Residential & Nursing care is £66.8m per annum, however this does include expenditure on care home placements outside of the Sefton borough.
- (B) Capital Costs
There are no capital costs associated with the implementation of the recommendations within this report.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
Legal Implications: Care Act 2014 Care and Support Statutory Guidance
Equality Implications: The equality Implications have been identified and mitigated.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: The new Framework and associated service specifications and contractual arrangements will help to ensure that Sefton commission placements with Residential & Nursing Care settings that meet the requirements of the new CQC single assessment framework (Effective, Responsive, Safe, Caring and Well-led) and adhere, follow or exceed the performance indicators of the Residential & Nursing Service Specification that we are developing with LCR colleagues. These documents have been developed with a specific focus on driving innovation and continuous improvement in Residential & Nursing Care Settings so that residents can live their lives well, receiving the right care, in the right place and in the right way. However, it must be stressed that the new Framework and associated service
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specifications and contractual arrangements will be utilised in such a way as to maintain the choice directive for residents and their families, to ensure the best possible outcomes.
<p>Facilitate confident and resilient communities:</p> <p>The implementation of the new Framework and associated service specifications and contractual arrangements will give greater control to Sefton of our Residential & Nursing Care Home sector whilst maintaining the choice directive to ensure the best possible outcomes for our adults, subject to an Adult Social Care, Care Act 2024 Needs Assessment, including where the best interest option may be to remain and contributing to vibrant communities.</p>
<p>Commission, broker and provide core services:</p> <p>The implementation of the new Framework and associated service specifications and contractual arrangements will give greater control to Sefton of our Residential & Nursing Care Home sector.</p>
<p>Place – leadership and influencer:</p> <p>The implementation of the new Framework and associated service specifications and contractual arrangements will give greater control to Sefton of our Residential & Nursing Care Home sector and proceed with our future strategic commissioning vision.</p>
<p>Drivers of change and reform:</p> <p>Implementing the Framework will innovate how placements are commissioned and arranged with our Residential & Nursing Care Sector, and wider Adult Social Care in Sefton.</p>
<p>Facilitate sustainable economic prosperity:</p> <p>Implementation and delivery of the new Framework, service specification and contractual arrangements all complement our Market Transformation Project Initiation Documentation and Market Sustainability Plan.</p>
<p>Greater income for social investment:</p> <p>N/A</p>
<p>Cleaner Greener:</p> <p>N/A</p>

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director Corporate Resources and Customer Services (FD 7637/24) and the Chief Legal and Democratic Officer (LD.5737/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Consultation has taken place with Stakeholders. If the recommendations within this report are approved then as part of the development of the new Framework, further consultation an engagement will take place with Stakeholders as well as care Providers on the arrangements for the Framework and the procurement approach.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting.

Contact Officer:	Neil Watson
Telephone Number:	07929 783315
Email Address:	Neil.Watson@Sefton.gov.uk

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Appendices:

None.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1. The vision for Adult Social Care in Sefton is that people should be supported to live independent lives at Home for as long as possible. To this end a key strategic priority is to expand Domiciliary Care, Extra Care Housing and Reablement provision so as to ensure that Sefton Residents have increased choice on where their care and support will be delivered.
- 1.2. When remaining at home is no longer possible and people require a Residential or Nursing Care Home placement, we want there to be high quality care and accommodation provision to best meet their unique needs. There is a continued recognition of the ongoing important role Residential and Nursing care provision plays in supporting some of the most vulnerable people in the borough.
- 1.3. The Sefton Adult Social Care Nursing and Residential sector remains as one of significant strategic importance as it supports some of the most vulnerable people in our community. The sector currently accounts for around 50% of the total gross Adult Social Care annual expenditure, which equates to £66.8m in the last financial year.
- 1.4. As at March 2024, Sefton has 122 Care Homes operating in the borough; 86 of these are situated in the Formby, Ainsdale, Southport areas of Sefton and the remaining 36 are spread across the South Sefton areas of Bootle, Crosby and Maghull in the east of the borough.
- 1.5. These care homes encompass 3,626 bedspaces and at any one time, we commission in the region of 1,500 placements each year in these care homes and Adult Social Care commissioning represents in the region of 41% of beds occupied.
- 1.6. The market has seen a significant change in vacancy levels which have previously been in the region of 6%, but in recent years reached a peak of 20% during the Covid pandemic and are now in the region of 10%. This is as a result in reductions to the overall demand for care home placements, the Covid pandemic and also the ongoing implementation of strategies to support more people to remain in their own homes for longer, which is then reflected in increased demand for other services, principally Domiciliary Care. This trend is being replicated both regionally and nationally.
- 1.7. The current approach to care home commissioning through the Council is that there are contracts in place with care homes which allows for placements to be made through individual placement agreements for individual Resident's underpinned through the overarching contract and service specification, both of which would benefit from being updated to reflect new contractual requirements and in order to

have an improved focus on quality, required environmental standards for care homes and outcomes for people.

- 1.8. In 2021, the Council and Health Partners developed a Joint 2021-24 Care Home Strategy and also a joint Intermediate Care Strategy. The care home strategy outlines key strategic objectives for the sector and includes the aim of Commissioners making less care home placements and supporting people to remain living independently in their own homes for longer. As a result, the strategy outlines to the market that it is expected that there will be exits from it due to these aims and the Council will support Providers with this.
- 1.9. It is also the case that there have been increases to service user acuity, as confirmed by ongoing market analysis work and as evidenced through the Joint Strategic Needs Assessment. Such analysis work will be used to inform the type of services to be commissioned to ensure there is sufficiency to meet needs of the frail older population.
- 1.10. However, as previously stated, the sector remains one of vital importance to both Adult Social Care, Health and the wider Sefton population. The Care Act 2014 sets out our duties to support market development, and to facilitate a diverse, sustainable high-quality market for their whole local population, including those who pay for their own care and to promote efficient and effective operation of the adult care and support market.
- 1.11. It is also envisaged that there will be a reduction in the number of people aged under 65 who are placed in care homes as additional extra care housing becomes available, and so this paper is focussed primarily on the approach to care homes who support frail older people or people who need specialist care home placements.

2. Proposed Future Approach

- 2.1. Sefton in conjunction with Liverpool is developing a new service specification for care with Liverpool City Region colleagues, focusing on service quality and outcomes for people.
- 2.2. It is therefore proposed that following on from the above workstream, a new Sefton Framework will be developed to implement new commissioning and contracting arrangements.
- 2.3. The new Framework will seek to ensure that:
 - Sefton Adult Social Care can better shape the market and meet their duties to protect the most vulnerable.
 - New contractual and service specification arrangements are implemented.
 - A system is established which supports continuation of the integration agenda.
 - There is a consistent approach to commissioning residential and nursing placements across Health and Social Care in Sefton, ensuring a single voice from statutory leadership and Commissioners.

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- There is the ability to implement arrangements based in the principles of person-centred care and an enabling approach to service delivery, including moving beyond the commissioning of traditional services.
- There is a system which can be used for specific commissioning arrangements, like block-booking of beds during Winter pressure periods.
- The Council and Providers can work together to be in a better position to meet changing need and provide the care support needed in the future, and reflect this in the framework arrangements, such as with regard to being clear on Sefton demand, such as that identified in Joint Strategic Needs Assessments and wider Health & Social Care system demand profiling.
- The framework supports with the implementation of ensuring that Staff working in care homes are paid the Real Living Wage, and that such developments are implemented within the available budget for the sector.
- The framework supports the continuous drive to improve quality in care homes and to further support care homes to develop the workforce.

- 2.4. The new Framework and associated documents such as a new contract, will be developed with Procurement and Legal and in line with procurement regulations and referencing the updated Service Specification. The Framework and associated tender documents will outline the minimum quality standards expected of Care Home Providers.
- 2.5. It is intended that the Framework will be established in the 2024/25 financial year and as part of its development, engagement with Care Home Providers will take place to stimulate the market and outline the approach to them. The Framework will be established for up to, and not more than, a ten-year period.
- 2.6. The Framework will seek to be the primary route to market and will allow us to deliver future commissioning exercises. The Framework gives us strong relationships with those Providers that share our vision and ambition and allow us a basis to work principally with those Providers. However, the choice directive for people who require a placement will continue to be of paramount importance.
- 2.7. The Framework will also be developed and shaped to support continued integration with partners, principally Health, and so that it can therefore be used as part of potential new joint commissioning and placement brokerage arrangements.
- 2.8. A co-production approach will be implemented to develop the framework, including working with key partners including Providers, on the desired service and quality standards to be stipulated under the rules of the framework and the contractual and service specification arrangements.
- 2.9. It is recommended that the following decisions are delegated to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care:-
- 2.10. The rules of the new Framework, including any amendments to them throughout the duration of the Framework.

- 2.11. Any new contracting models, contract terms and conditions and service specification to be applied to the new Framework, which may also include amendments to payment arrangements and fee rate models in order to reflect factors such as Service User acuity and amended fee rates to reflect specific commissioning exercises such as securing specific market capacity at times of winter pressures.
- 2.12. Awarding of contracts under this new Framework to Care Home Providers, based on the contract model agreed. This will include delegated authority for the direct award of contracts to existing Sefton Care Homes that apply and are accepted onto the Framework. Such contracts would be awarded at the commencement of the Framework and throughout its duration.
- 2.13. The periodic re-opening exercises of the Framework, to attract new Provider applications onto it and/or for specific commissioning exercises/ further competitions conducted using the Framework, and to then make decisions on the awarding of contracts to successful new applicants and with respect to the awarding of contracts relating to any such specific commissioning exercises/ further competitions conducted using the Framework.
- 2.14. It is also proposed that any new contract terms and conditions and service specification developed for the Framework are also used for the issuing of contracts to Sefton care homes that may not apply to go onto the Framework and also for out-of-borough care homes, so as to ensure that there is a consistent approach to contractual and service delivery arrangements in place with all care homes. It is therefore also recommended that delegated authority is also approved for the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care to issue such contracts throughout the same duration that the Framework will be in operation for. This will also ensure that such contracts can be issued in a timely manner which then supports with ensuring that care home placements can be arranged in a way that supports people's choice and control (for example when they wish to move into a care home in another Local Authority area in order to be close to their family / support networks) and reflects that any overarching contract issued will be underpinned by separate placement agreements for each individual placement made.
- 2.15. The above approach / proposal will continue to be developed with the Council's Procurement and Legal Teams to ensure adherence to all relevant legislation, to reflect the choice directive for people to be placed in the care home of their choice, and to take into account that any contract put in place with a care home would relate to overarching contractual arrangements for placements made, but that each placement is also a separate 'agreement' between the Council and the care home to provide services for the individual person, to meet their unique assessed needs.
- 2.16. The Framework will be co-produced / designed with key Partners, Providers and Stakeholders, including experts by experience so as to ensure that it reflects joint priorities, supports the delivery of person-centred and outcomes focussed services, supports with ensuring market sustainability and has an increased focus on delivering high quality services.

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3. Conclusions

- 3.1. The recommendations set out in Section 2 have been submitted in order to seek a new procurement approach that supports the Council in continuing to meet the needs of Sefton Residents. It will reflect that the care home market remains one of significant strategic importance to Sefton.
- 3.2. The new proposed arrangements will also seek to ensure that the care home market is sustainable, offers the identified required sufficiency of high-quality provision and that there are arrangements in place to support further opportunities for integrated commissioning arrangements.

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Report to:	Cabinet	Date of Meeting:	23 May 2024
Subject:	Determination of Proposal to Establish a SEN UNIT at Marshside Primary School		
Report of:	Executive Director for Children's Social Care and Education	Wards Affected:	All
Cabinet Portfolio:	Children Schools and Families		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

The purpose of the report is to seek a determination on the proposal to establish a SEN UNIT.

Recommendation(s):

That:

- (1) The Cabinet is requested to approve the proposal as detailed in the statutory notice to establish a SEN UNIT with effect from 1 September 2024

Reasons for the Recommendation(s):

The local authority has the power to consider all options including expanding a school following the statutory process detailed in the report.

The proposal will build on the good standards for teaching and learning already in place at the schools. The development will provide places for children and young people with SEND within the SEN Unit. Marshside Primary School has been judged by Ofsted to be providing good quality education.

This development will not have any negative impact on other schools, academies, and educational institutions in the area.

The proposed SEN Unit will not replace existing provision but will supplement and

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improve provision across the borough.

The addition of the SEN Unit to the school will not have a direct impact on admissions or provision at other schools within the area.

Long-term value for money will be achieved by pupils having their needs met within appropriate mainstream provision with specialist support rather than in special school provision. This will free special school places for pupils with the highest level of needs and provide the opportunity to place high need pupils within the borough, rather than in out of borough provision.

Alternative Options Considered and Rejected: (including any Risk Implications)

Failure to provide sufficient places for children with Special Education Needs and Disability (SEND) in the borough will result in additional costs for the Council through more expensive specialist placements.

What will it cost and how will it be financed?

(A) Revenue Costs

All annual running costs associated with the creation of additional SEN Unit places are highlighted within the report and will be funded from the High Needs Budget of the Dedicated Schools Grant.

(B) Capital Costs

Any associated capital costs associated with the creation of the SEN Unit identified within this report have been included and committed within the approved High Needs capital programme for 2024/2025

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

This will be incorporated into the costings.

Legal Implications:

Section 14 of the Education Act 1996 places a general duty upon a local authority to secure sufficient schools to provide primary and secondary education in their area and they should have regard to securing special education provision.

This proposal has been subject to consultation in accordance with section 19(3) of the Education and Inspections Act 2006 and the School Organisation (Prescribed

Alterations to Maintained Schools) (England) Regulations 2013.

Following the enactment of The Children and Families Act 2014, the Local Authority retains responsibility for commissioning services for children and young people with SEN or a disability.

The Local Authority is required to keep the provision for children and young people with SEN or disabilities under review, including its sufficiency (Section 315 of the Education Act 1996), and to promote wellbeing and improve quality, working in conjunction with parents, children, and providers.

This Act and its associated guidance are clear that, when considering any re-organisation of provision, decision makers must be clear how they are satisfied that the proposed alternative arrangements will lead to improvements in the standard, quality and/or range of educational provision for children with SEN or a disability.

Equality Implications:

See body of report section 7

Impact on Children and Young People: Yes

The proposal will provide additional school places for children with special educational needs and disability (SEND) and ensure that pupils will not have to travel to other areas to attend school.

Climate Emergency Implications:

All areas of SEND Sufficiency, pupil place planning and educational placements have a direct environmental impact, consideration of this element is informed in provision development and provision enhancement in the Borough due to the direct impact this will have to limiting students travelling outside the Borough. This would support reduced emissions of CO2.

The recommendations within this report will

Have a positive impact	Yes
Have a neutral impact	No
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

Contribution to the Council's Core Purpose:

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Protect the most vulnerable: The proposal will provide additional school places for children with special educational needs and disability (SEND) and ensure that pupils will not have to travel to other areas to attend school.
Facilitate confident and resilient communities:
Commission, broker and provide core services: The proposal will provide additional places for children with special educational needs and disability (SEND) to access education in the local area in a mainstream school.
Place – leadership and influencer: N/A
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener: N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 7635/24) and the Chief Legal and Democratic Officer (LD5735/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Consultation has been conducted with parents, governors, and staff at the schools. Consultation has been conducted with Headteachers, parents, governors, and staff at the schools. As part of consulting with the wider school community the proposals were published on the school's website.

Notices were published on Sefton Council website in accordance with current legislation, on 5th February 2024. and this was followed immediately by a four-week representation period which was due to end on 4th March 2024.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

Contact Officer:	Tracy McKeating/Heather Glennie
Telephone Number:	07837 863075
Email Address:	Tracy.mckeating@sefton.gov.uk heather.glennie@sefton.gov.uk

Appendices:

The following appendix is attached to this report:

Appendix A - Public Notices and Proposal for the Establishing SEND Resource Bases.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Children and Families Act 2014 sets out a statutory duty for local authorities to keep provision for children and young people with special educational needs and disabilities (SEND) under review, to ensure that the provision reflects and addresses local needs.
- 1.2 The number of children and young people with an EHCP in Sefton has increased significantly. The most common category of need within this group of pupils are those with social communication and interaction difficulties including Autism, as well as cognition and learning/social emotional and mental health.
- 1.3 The Council has thus embarked on a programme of SEND transformation, one of the key objectives is to reduce the number of out of borough placements by expanding in borough specialist provision, targeted at the right areas of need.
- 1.4 Approval was given by Cabinet Member for Education on 5 February 2024 to the publication of a statutory public notice to establish a SEN Unit at Marshside Primary School.
- 1.5 The SEN Unit will offer the increasing number of pupils displaying social and communication interaction difficulties the benefit from attending a mainstream school, whilst also receiving specialist input relevant to the child's special educational needs and disabilities (SEND).
- 1.6 The SEN Unit will be part of the school, operationally led and managed by the school.
- 1.7 All pupils accessing a SEN Unit place will be on roll of the school and have access to the mainstream provision dependent on their individual needs.
- 1.8 The Published Admission Number (PAN) of the school will not increase. The admission of children to the mainstream school will continue be managed by the local authority's Admissions Team. There are no changes to the admission arrangements as part of this proposal.

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- 1.9 The places available in the SEN Unit will be in addition to the schools Published Admission Number and will be placed in the Unit by virtue of being named in the child's education, health, and care plan.
- 1.10 The SEN Unit will offer an inclusive provision for pupils who require arrangements over and above that which a mainstream school can provide through an EHCP.
- 1.11 The decision to place a pupil or young person within the SEN Unit will be made by the Local Authority's SEN and Inclusion Service. All admissions will be determined by the Local Authority in accordance with the SEN and Disability Code of Practice.
- 1.12 The Local Authority will remain responsible for holding an overview of pupils placed at the SEN Unit.

2. PROPOSAL

The proposed significant change at Marshside Primary School will be the establishment of a SEN unit for children with an Education, Health and Care Plan (EHCP) with a primary SEN need of Autism with 1 class of 4 places across Reception and 8 places in Key Stage 1.

3. FINANCIAL IMPLICATIONS

- 3.1 The table below provides a comparison of the average costs associated with the placement of children in SEN Unit / In house Special Schools and Independent Schools.

		SEN Unit	Maintained Special School	Independent Non-maintained School
School	Places	Avg £ per place	Avg £ per place	Avg £ per place
Marshside Primary School	EYS 4 KS1 8	Band S4 £21,451 Band S3 £15,297	Band S4 £30,479 Band S3 £25,657	Band S4 £98,586 Band S3 £82,321
Annual cost of new places	EYS 4 KS1 8	£85,805 <u>£122,377</u> £208,181	£121,917 <u>£205,255</u> £327,172	£394,333 <u>£658,568</u> £1,052,912

- 3.2 The cost mitigation saving to the High Needs Budget through the creation of 12 additional SEN Unit places is in the circa of £118,991, compared to placing children in Maintained Special schools and potentially £844,731 if there was no additional in-house provision and children were placed in independent schools.

- 3.3 The creation of additional SEN Unit places within the Borough will also help to reduce transport times and associated costs for SEN children travelling to and from school.

4. STATUTORY PROCESS TO EXPAND THE SCHOOL

- 4.1. The Council is also required to follow a statutory process including publication of a statutory notice and formal consultation period to enlarge the premises of a school as set out in the Department of Education guidance as this is classed as a 'prescribed alteration' to the school. Cabinet is the decision maker for such proposals. The decision on whether to proceed must be made within two months of the end of the formal consultation period. The guidance also states that a proposal cannot be approved conditionally upon funding being made available so the funding would need to be in place prior to the decision being made.

The statutory process is shown in the table below:

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal/notice)		Must be published and on the Sefton website
Stage 2	Representation (formal consultation)	Must be 4 weeks from date of publication	As set out in 'Prescribed Alterations' regulations
Stage 3	Decision (by Cabinet)	LA should decide proposal within two months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

- 4.2. Upon publication of a statutory notice setting out the proposal, representations can be made to the LA by any person within a four-week period.

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- 4.3. The statutory guidance states that the LA as decision-maker will need to be satisfied that the appropriate, fair and open consultation has been carried out, and that the proposer has given full consideration to all the responses received.
- 4.4. The decision-maker must consider the views of those affected by a proposal or who have an interest in it and should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal especially parents of children at the affected school.

5. Response to the proposal

- 5.1 Sefton Council did receive a response to their published consultation. This was a request from a parent who requested the full consultation document. They were provided with this information.

6. The Decision-Making Process

- 6.1 Cabinet is the Decision Maker for the proposal which must be determined by the Local Authority. The Decision Maker must consider the four key issues below before judging the respective factors and merits of the proposal.

- **Is any information missing?** All necessary information is included in this report and the statutory process in making prescribed alterations has been followed.
- **Does the published notice comply with statutory requirements?** The published notices have been compiled in accordance with the statutory guidelines and advice from the DfE on the wording to be used. Annex A.
- **Has the consultation been carried out prior to the publication of the notice?** The consultation process was reported to the Cabinet Member for Education on 5 February 2024
- **Are the proposals “related” to other published proposals?** The proposals are not related to any other published proposals.

7. Equality Implications

- 7.1 The Equality Act 2010 says public authorities must comply with the public sector equality duty. In carrying out their functions, they need to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by or under this Act.
- Advance equality of opportunity between persons who share a relevant protected

characteristic and those who do not share it.

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

7.2 In Sefton, a motion was approved by Council, at its meeting on 19th January 2023 to include Care Experience, as a protected characteristic. This decision is recognised in the Equality, Diversity and Inclusion Strategy.

7.3 Young people are a protected characteristic by age, but they may also have other protected characteristics too, for example they may also have a disability or are care experienced.

7.4 According to the Census 2021 there are 71, 404 children and young people aged 0 – 24. In Sefton there are also currently over 600 cared for children and over 2500 children and young people who have an Education, Health, and Care plan.

7.5 This proposal seeks to establish SEN provision in a mainstream school to ensure that it best delivers for the current cohort of children within the borough, and therefore ensures that we are taking due regard for their needs.

7.6 Wherever possible the needs of a young person should be addressed within their local community at a local mainstream setting. Children experiencing additional (special educational) needs benefit from opportunities to be educated alongside their peers, fostering peer acceptance and positive self-image and enabling them to develop local friendships.

Statutory Proposal for Prescribed Alterations to Provide Special Educational Needs Provision in a Mainstream School

1.Proposal relating to:

Marshside Primary School, Elswick Road, Southport, PR9 9XA

Proposer: Sefton Metropolitan Borough Council, Magdalen House, 30 Trinity Road,

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Bootle, Liverpool, L20 3NJ

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 that Sefton Council intend to make a prescribed alteration to Marshside primary School from 1st September 2024.

2. Description of Proposed Significant Change

The proposed significant change at Marshside Primary School will be the establishment of a SEN unit for children with an Education, Health and Care Plan (EHCP) with a primary SEN need of Autism with 1 class of 4 places across Reception and 8 places in Key Stage 1.

3.Evidence of Demand for Places

The number of children and young people with an EHCP in Sefton has increased significantly. The most common category of need within this group of pupils are those with social communication and interaction difficulties including Autism as well as cognition and learning/social emotional and mental health.

The SEN Unit will offer the increasing number of pupils with Autism the benefit from attending a mainstream school, whilst also receiving specialist input relevant to the child's SEN needs.

4.Objectives of the Proposal and Educational Standards, and Impact on Parental Choice

The additional places will be in addition to and not part of the schools existing Pupil Admission Numbers (PAN).

Admission to the SEN Unit will be made via Sefton Councils SEN and Inclusion Service. Sefton Council proposes to carry out internal alterations to existing classrooms to enable the appropriate delivery of the Key Stage 1 group. The existing mobile unit at the school will create additional space to provide for the provision.

The proposed provision will be appropriately resourced to ensure that the children placed will be supported in achieving their educational outcomes.

The proposed Resource Bases will allow the Council and parents/carers the option to place children within local provision, rather than in independent provision.

5.Effect on other Education Establishments in the Area

There will not be any effect on other educational establishments in the Area.

6.Project Costs

If the proposal for this provision is agreed, funding for the additional accommodation will be provided directly through Department for Education High Needs Provision Capital Allocation.

7. Implementation and any proposed stages for implementation

It is intended that any new provision will be implemented during the 2023/24 Academic Year.

8. Procedure for Responding to this Proposal

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: School.Organisation@sefton.gov.uk

Any person wishing to raise objections, or make comments on the proposal should do so by emailing School Organisation at: School.Organisation@sefton.gov.uk within four weeks from the date of publication, i.e. no later than 4pm on 4th March 2024

Applicable legislation:

[Making significant changes \('prescribed alterations'\) to maintained school \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/118121/making-significant-changes-to-maintained-schools.pdf)

Signed: Lynda Poole, Assistant Director Education

Publication Date: 5th February 2024

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Report to:	Cabinet	Date of Meeting:	23 May 2024
Subject:	High Needs Capital Programme 2023 - 2024		
Report of:	Interim Assistant Director of Children's Services- Education	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member – Children Schools and Families		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

The LA continues to receive an increased demand for specialist placements for children requiring specialist SEN support due to a rise in the amount of Education, health and care plans (EHCP's) that have been issued.

Although the LA has increased the number of in-house SEN places to support increased demand and reduce the number of children needing more expensive "Out of Borough" independent school placements there are currently not enough specialist places to meet this continued increase in SEN need.

The current 2023 and proposed 2024/2025 HN capital programmes seek to ensure existing schools and High Needs provision can support existing and new SEND pupils and create additional places at some of its current specialist provisions.

Recommendation(s):

- (1) To note the High Needs schemes already approved in the 2023/24 High Needs capital programme of works highlighted in Section 1 of Annex A.
- (2) To approve the new High Needs schemes with a total value of £0.700m identified in Section 4 of this report and highlighted in Section 2 of Annex A into the proposed 2024/25 High Needs Capital Programme following formal approval of the 2024/24 High Needs capital budget by Council.
- (3) To approve the new uncommitted High Needs schemes with a total value of £1.330m identified in Section 4 of this report and highlighted in Section 2 of Annex A into the proposed 2024/25 High Needs Capital Programme pending formal approval of the 2024/25 High Needs capital budget by Council.

Reasons for the Recommendation(s):

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Having regard to the Children and Families Act 2014, Special Educational Needs and Disability Regulations 2014 and the SEN Code of Practice the LA is under a legal duty to secure the provision listed in Section I of the EHCP. The LA is unable to argue that a school is “full” and must show how it would impact on the other pupils currently in attendance.

The LA is responsible for providing the provisions in Section F of the ECHP.

Alternative Options Considered and Rejected: (including any Risk Implications)

The purchase of the additional external placements in Independent Schools would help support the increase in the number of students requiring places in specialist SEND settings. However, this option has been rejected due to the significant cost difference compared to in-house placements.

The consultation may lead to some changes. Any decisions that may affect changes to the proposals will be presented to the lead member.

What will it cost and how will it be financed?

(A) Revenue Costs

The placement and running costs of all additional High Needs places in Sefton schools will continue to be funded through the Dedicated Schools Grant - High Needs Block in 2024/25.

(B) Capital Costs

The proposed one-off capital costs for each project requiring approval are identified in Section 2 of Annex A of the report and, if approved, will be included in the proposed 2024/25 High Needs capital programme.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
Legal Implications: Children and Families Act 2014, Special Educational Needs and Disability Regulations 2014 and the SEN Code of Practice
Equality Implications: There is no equality implications
Impact on Children and Young People: Yes If 'Yes' please provide a short narrative here, or within the main body of the report, setting out the impact.

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	Yes
Have a neutral impact	No
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

Having sufficient and appropriate in-house SEN specialist placements within Sefton will reduce the need for more children having to be placed “out of Borough” in more expensive independent settings and reduce on the travel time for children going to and from school and so reduce Sefton’s carbon footprint.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: allows a Sefton wide focus on educational support for children with SEND.
Facilitate confident and resilient communities: Proposals allow greater localised control and focus on the SEND requirements of the borough of Sefton in the review and delivery of SEND Specialist Education Placements and Support Services.
Commission, broker and provide core services: Proposals strengthen the role of Strategic SEN Commissioning at a Sefton borough level and encourages greater collaboration with in-house SEND Settings for better outcomes for children.
Place – leadership and influencer: Proposals set out the road map for greater local control of SEN demand / provision by the Council.
Drivers of change and reform: Proposals allow for a Sefton wide focus on educational inequalities in provision for children with SEND.
Facilitate sustainable economic prosperity: Proposals allow for a broader financial focus on the borough of Sefton for education SEN support.
Greater income for social investment: Proposals allow for a broader financial focus on the borough of Sefton for education SEN support.
Cleaner Greener: The creation of more local in-house SEN provision should reduce SEND home to children’s transport journeys and so reduce carbon emissions.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 7646/24) and the Chief Legal and Democratic Officer (LD 5746/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Meetings with Schools, SEN sub-group of Schools Forum, Parents and Carers of SEN children

Implementation Date for the Decision

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Following the expiry of the “call-in” period for the Cabinet Member decision

Contact Officer:	Tracy McKeating/ Heather Glennie
Telephone Number:	Tel: 07837863075
Email Address:	

Appendices:

Annex A – overview of HN capital programme 2022 - 2023 and proposed HN capital programme 2024.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

1.1 There is a priority to create additional in-house SEN Resource Places with a specific focus on further development of mainstream school special educational needs units for implementation or commencement during 2024/25. If the additional provision cannot be actioned there is risk that placements could breakdown and any new children coming into the SEND system will be without school placements. If this happens the LA will have to commission places in expensive out of borough placements leading to further overspend of the High Needs Budget.

1.2 As more LAs have had to use out of borough placements in recent years, independent schools are becoming full and if investment is not in place children will be without school places, having a detrimental impact on their start to their reception year or secondary education.

2. High Needs capital works undertaken to date – HN capital programme 2022 – 2023

2.1 In March 2022, the Government announced the first two years of High Needs Provision Capital Allocations (HNCPA), covering financial years 2022-23 and 2023-24, amounting to over £1.4bn of new investment in high needs provision. The HNCPA allocation for Sefton over the two financial years totalled £4.9m.

2.2 The Government expected that the funding would help deliver tens of thousands of new places, supporting learning in both mainstream and special provision. It could also be used to improve the suitability and accessibility of existing buildings and go towards new special and alternative provision free schools to help drive up standards in special education.

2.3 The Cabinet Member has previously agreed to the use of the announced £4.9m, 2-year, HNCPA funding provided by the Government to support ongoing SEN demand pressures.

- 2.4 The funding has been prioritised and used to make alterations to existing school accommodation and provide additional capacity in Sefton through the creation of new in-house Specialist SEN places at Sefton establishments as part of the 2022-2024 HN capital programme.
- 2.5 An overview of the approved High Needs schemes of works for 2022/23 and 2023/24 that are already part of the agreed HN capital programme are contained in Section 1 of Annex A to this report.
- 2.4 There is £0.05m of the 2023/24 HN capital funding allocation still available in the current financial year which will roll forward for use in 2024/25 along with any new High Needs capital funding.

3. High Needs capital funding 2024/25 and 2025/26

- 3.1 As of March 2024, the Government have announced the final tranche of funding from the £2.6bn: £844m for 2023-24 and 2024-25. The HNCPA funding allocation for Sefton over the next two financial years totals £4.7m
- 3.2 The funding is un-ringfenced (subject to certain conditions, as set out in the published Grant Determination Letter) and it is ultimately for local authorities to determine how to best use the funding to meet local priorities.
- 3.3 However, the Government recognise that the creation of additional places in state settings, whether in mainstream or special provision, will be an important factor in helping the system reduce overall cost pressures, including those associated with out-of-area placements and recent increases in the use of more expensive independent provision. To that end, the Government is providing this funding with the aim that it should primarily be used to meet the capital costs associated with providing new places and improving existing provision, for:
- Children and young people with complex needs, who have Education, Health and Care plans (EHCPs), and where appropriate other SEND pupils without an EHCP;
 - Children and young people who require AP (including children in AP settings without an EHCP).
- 3.4 The Government recognise that ensuring the sufficiency of high needs provision can also require local authorities to adapt, re-model or improve existing provision to make it appropriate or suitable for a different or wider set of pupil needs. Accordingly, HNCPA funding includes an element specifically intended to support local authorities to invest in suitability and/or accessibility projects where this may be appropriate.
- 3.5 The creation of new places versus remodelling or re-provision of existing places, will differ from local authority to local authority and will depend on local circumstances. Therefore, the Government is not setting out a central recommendation on how local authorities should apportion their funding between these objectives. It will be for local authorities to determine how to best prioritise their available funding to address their local priorities.

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4. High Needs Capital Programme 2024/25 and 2025/26

4.1 Council, in February 2024, approved a provisional allocation of £0.700m for the High Needs Capital Programme 2024/25. Following confirmation of the final HNPCA, a supplementary estimate totalling the announced £4.7m HNCPA allocation will need to formally approve by Council to support the High Needs capital programme in 2024/25 and 2025/26.

4.2 However, there are several priority schemes that require pre-approval from the Cabinet, before 2024/25 High Needs allocation is approved by Council, as it is imperative that procurement, planning, and preparation works begin as soon as possible to ensure new places are open in the new academic year. No expenditure commitments will be entered into until formal budget approval is granted by Council.

4.3 The following schemes of works proposed include:

- Formby High School – additional £200,000 to support conversion of Caretakers building to create 40 new secondary age SEN Resource Places to be open on 1st September 2024
- Bishop David Sheppard (Phase 2) additional building works £240,000 to create 2 SEN Resource Bases which will create an additional 16 SEN places from 1st September 2024
- £20,000 to equip and furnish 2 SEN Resource Bases at Bishop David Sheppard
- Marshside double modular classroom £370,000 to create 12 additional KS2 places from September 2024.
- Presfield – refurbishment of classroom £60,000 to support increase of 4 to existing cohort.
- £1,110,000 additional buildings work across three high schools to create SEN Units which will create an additional 36 places. This will be going through the full consultation process.
- Jigsaw double modular classroom £370,000 to create 12 additional Primary places from September 2024.
- £25,000 additional building works on the SEN Unit at Thomas Gray Primary School.

4.4 The full list of Schemes above requiring pre-approval by the Cabinet Member pending approval of the full £4.7m HNPCA allocation by Council are highlighted in Section 2 of Annex A to this report.

4.5 The list of schemes to be approved from the £0.700m capital estimate already approved by Council in February, and to be included in the capital programme for 2023/24 are as follows:

- Formby High School – additional £200,000 to support conversion of Caretakers building to create 40 new secondary age SEN Resource Places to be open on 1st September 2024

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- Bishop David Sheppard (Phase 2) additional building works £240,000 to create 2 SEN Resource Bases which will create an additional 16 SEN places from 1st September 2024
- Presfield – refurbishment of classroom £60,000 to support increase of 4 to existing cohort.
- £25,000 additional building works on the SEN Unit at Thomas Gray Primary School.
- £20,000 to equip and furnish 2 SEN Resource Bases at Bishop David Sheppard

4.6 The new Schemes will increase in-house SEN capacity by 120 places in the new academic year from September 2024 although the majority of the 40 new places at Formby High School will initially be occupied by EHCP pupils currently on roll at the school.

4.7 The following table provides an overview of the cost mitigation savings from the above programme of works against having to place pupils in Out of Borough / Independent school places:

Setting	Places	Avg Cost Res Unit Placement £13,337	Avg Cost Special School Placement £23,273	Avg Cost Ind School Placement £54,059
Formby High	40	£ 533,480.00	£ 930,920.00	£ 2,162,360.00
Bishop David Sheppard	16	£ 213,392.00	£ 372,368.00	£ 864,944.00
Marshside Primary	12	£ 160,044.00	£ 279,276.00	£ 648,708.00
3 secondary school units	36	£ 480,132.00	£ 837,828.00	£ 1,946,124.00
Total	104	£ 906,916.00	£ 2,420,392.00	£ 5,622,136.00

Setting	Places	Avg Cost Res Unit Placement £13,337	Avg Cost Special School Placement £23,273	Avg Cost Ind School Placement £54,059
Presfield Special School	4		£ 93,092.00	£ 216,236.00
Jigsaw PRU/specialist provision	12	£ 160,044.00		£ 648,708.00
Total	16	£ 160,044.00	£ 93,092.00	£ 864,944.00

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HIGH NEEDS PROVISION CAPITAL ALLOCATION

Section 1 - 2021/22 - 2023/24 works approved by Cabinet Member

Use of Grant Allocation:

	School	Project	2021/22 HNPCA	2022/23 HNPCA	2023/24 HNPCA	2024/25 HNPCA
			£	£	£	£
CC134	Oakfield PRU	Lockdown Facility / Fire Doors	22,272.00	-	-	-
CC166	Freshfield Primary	External play area to ASD classroom	47,850.00	-	-	-
CC167	Waterloo Primary	Internal works to ASD classrooms and communal areas	35,145.75	-	-	-
CC168	Bedford Primary	Internal alterations to classrooms and communal areas	33,000.00	-	-	-
CC169	Thomas Gray Primary	Create new nurture base	32,137.00	-	-	-
CC170	Oakfield PRU	Upgrade classrooms	50,431.38	-	-	-
CC171	Pinefield	New entrance and internal upgrading	16,433.34	-	-	-
CC184	Hudson CP	Additional ASD classroom	41,749.98	-	-	-
CC185	Formby High	Conversion and extension of caretaker's house for special needs provision	190,000.00	308,348.00	-	-
CC189	Crosby High School	Additional mobile classroom	103,252.25	40,770.25	-	-
	Rowan Park	Additional mobile classroom on Rowan High site	103,252.24	80,753.95	-	-
CC190	Rowan Park	PMLD Classroom	-	17,000.00	-	-
CC191	Formby High	Building Adaptations	-	13,000.00	-	-
CC192	St Nicholas Primary	Creation of SEND room	-	34,940.00	-	-
CC215	Newfield (St Teresas)	Conversion of existing primary school to special school site for KS1 and 2 provision	-	100,000.00	400,000.00	-
CC215	Newfield (St Teresa's School Site)	Conversion of existing St Teresa's infant school site to support new KS1 and KS2 Special school provision. Original estimate was £550k but following further investigation / quotations from contractors the cost is now estimated at £1,40m	-	197,590.00	702,410.00	-
CC216	Marshside CP	Alterations to IT classroom to convert to ASD classroom	-	25,000.00	-	-
CC217	Pinefield	Relocation of Cop. Educ. From Pinefield to Litherland Moss site - Internal alterations to building - Works not progressin - Budget virement to support addition SEN provision required in 2023/24	-	-	-	-
CC218	Freshfield CP	Extension to expand SEND provision and create additional class	-	331,903.00	-	-
CC218	Freshfield CP	Extension to expand SEND provision and create additional class - No longer priority , Governing Body will not approve increase in SEN provsion (approved funding allocation to be re-profiled and used to support new SEND initiatives)	-	(331,903.00)	-	-
CC219	Rowan Park	Two classroom extension to replace mobile classroom	-	-	521,000.00	-
CC219	Rowan Park	Two classroom extension to replace mobile classroom - not immediate priority (mobile classrooms on rental agreement for 5 years) - approved funding allocation to be re-profiled and used to support new SEND initiatives	-	-	(521,000.00)	-
CC220	The Grange CP	One classroom extension to create additional class	-	45,687.00	-	-
CC220	The Grange CP	Groundworks for one classroom extension to create additional class - School no longer wants an additional SEN unit on site. Approved funding re-profiled and used to support new SEND initiatives	-	(45,687.00)	-	-
CC221	Redgate CP	Convert former music service classrooms to resourced base classroom provision. Orginal estimate was £150,000 but following extensive site visits the revised scheme is projected to cost £312,000	-	312,000.00	-	-
CC222	Rowan Park Cp	New access door and corridor	-	40,000.00	-	-
CC222	Rowan Park Cp	Reduction in works - £20k vired to support increased costs of Newfield KS1 provision	-	(20,000.00)	-	-
CC223	Crosby HS	New footpath to access mobile class	-	12,500.00	-	-
CC225	Waterloo Primary	Relocate toilets and extend ASD base into area to create additional class	-	241,652.00	48,400.00	-
CC226	Waterloo Primary	Basic skills classroom KS2	-	50,000.00	-	-
CC227	Thomas Gray Primary	New ASD Classroom	-	350,000.00	-	-
CC228	Marshside Primary	New ASD Classroom	-	58,513.10	291,486.90	-

CC229	Redgate Primary	Outdoor Play Area to support extra SEN places	-	-	55,000.00	-
CC229	Redgate Primary	Reduction in works - £15k vired to support increased costs of Newfield KS1 provision	-	-	(15,000.00)	-
CC230	Rowan HS	Car Park additional due to mobile staff/minibuses	-	-	20,000.00	-
CC231	Presfield	Contribution to library facility - Cost £475k paid out of school balances	-	-	200,000.00	-
CC231	Presfield	Contribution to library facility - Works completed in 2022/23 and re-profiling of support from 2022/23 HN allocation requires approval	-	200,000.00	(200,000.00)	-
CC232	Lydiat Primary	Re-commission first floor classrooms to enable base provision	-	-	25,000.00	-
CC232	Lydiat Primary	budget removed as SEN Room not approved- to be vired to Thomas Gray	-	-	(25,000.00)	-
CC232	Lydiat Primary	Phase 2 of classroom redesign for SEN provision	-	-	45,000.00	-
CC232	Lydiat Primary	budget removed as SEN Room not approved- to be vired to Thomas Gray	-	-	(45,000.00)	-
CC234	Farnborough Jnr School	Acess Ramp and Canopy for hygiene unit	-	-	48,000.00	-
CC240	Norwood Primary School	Hygiene Room & specialist equipment	-	-	42,000.00	-
CC236	Holy Family High School	Two Storey 4 Classroom Mobile Block	-	-	488,000.00	-
		Ground Works	-	-	60,000.00	-
CC237	Holy Family High School	Furniture / Specialist equipment - 4 mobile classrooms HFH	-	-	80,000.00	-
CC235	Grange	Sensory Room re fit	-	-	21,952.00	-
CC235	Grange	Sensory Room re fit - reduction in cost - £15k vired to Newfield KS1 provision	-	-	(15,000.00)	-
CC238	Hudson	Internal changes to Reception Room re fit 5 EHCP children	-	-	14,500.00	-
CC242	Thomas Gray Primary	Internal alterations to make 4 bases	-	-	70,000.00	-
CC242	Thomas Gray Primary	Internal alterations to make 4 bases - additional funding virement from Lydiat	-	-	70,000.00	-
CC233	Bishop David Sheppard	Internal alterations and extension to create 2 base classes	-	-	70,000.00	-
CC243	Waterloo Primary	Alterations to upstairs toilets to make them SEND compliant / accessible	-	-	90,000.00	-
CC244	Waterloo Primary	Reception Room redesign to support SEN group works	-	-	25,000.00	-
CC241	St Michael's CE High School	Creation of additional KS3 Classroom provision and safe outdoor play area - September 2023	-	-	90,000.00	-
new	Waterloo CP	Alterations to existing ASD classrooms and provision of outdoor play space -New Scheme	-	-	201,600.00	-

Total Proposed	675,523.94	2,062,067.30	2,858,348.90	-
Total Grant	675,523.94	2,062,067.30	2,908,640.50	
Uncommitted	-	-	50,291.60	

Section 2 - new priority schemes requiring formal approval

School	Project	2023/24 HNP	2024/25 HNP	
		£	£	
New	Formby High School	Additional contribution to support conversion of Caretakers House to SEN Resource provision	50,292	149,708
New	Bishop David Sheppard	Phase 2 - internal alterations to create 2 SEN Resource Bases for Sept 2024	0	240,000
New	Bishop David Sheppard	Phase 2 - equipment & furniture - 2 SEN Resource Bases	0	20,000
New	Marshside Primary	Additional modular mobile classroom for creation of 12 KS2 SEN Resource places from Sept 2024	0	370,000
New	Presfield Special School	Internal refurbishment of classroom	0	60,000
New	Secondary School North, Central, South	Additional modular mobile classroom for creation of 36 Resource places from Sept 2024	0	1,110,000
New	Jigsaw	Additional modular mobile classroom for creation of 12 EYS SEN Resource places from Sept 2024	0	370,000
New	Thomas Grey	Additional building works SEN unit	0	25,000
New			0	0
Total Proposed		50,292	2,344,708	
Total Grant		50,292	3,369,938	
Uncommitted		-	1,025,230	

HIGH NEEDS PROVISION CAPITAL ALLOCATION

Section 1 - 2021/22 - 2023/24 works approved by Cabinet Member

Use of Grant Allocation:

	School	Project	2021/22 HNPCA	2022/23 HNPCA	2023/24 HNPCA	2024/25 HNPCA
			£	£	£	£
CC134	Oakfield PRU	Lockdown Facility / Fire Doors	22,272	-	-	-
CC166	Freshfield Primary	External play area to ASD classroom	47,850	-	-	-
CC167	Waterloo Primary	Internal works to ASD classrooms and communal areas	35,146	-	-	-
CC168	Bedford Primary	Internal alterations to classrooms and communal areas	33,000	-	-	-
CC169	Thomas Gray Primary	Create new nurture base	32,137	-	-	-
CC170	Oakfield PRU	Upgrade classrooms	50,431	-	-	-
CC171	Pinefield	New entrance and internal upgrading	16,433	-	-	-
CC184	Hudson CP	Additional ASD classroom	41,750	-	-	-
CC185	Formby High	Conversion and extension of caretaker's house for special needs provision	190,000	308,348	-	-
CC189	Crosby High School	Additional mobile classroom	103,252	40,770	-	-
	Rowan Park	Additional mobile classroom on Rowan High site	103,252	80,754	-	-
CC190	Rowan Park	PMLD Classroom	-	17,000	-	-
CC191	Formby High	Building Adaptations	-	13,000	-	-
CC192	St Nicholas Primary	Creation of SEND room	-	34,940	-	-
CC215	Newfield (St Teresas)	Conversion of existing primary school to special school site for KS1 and 2 provision	-	100,000	400,000	-
CC215	Newfield (St Teresa's School Site)	Conversion of existing St Teresa's infant school site to support new KS1 and KS2 Special school provision. Original estimate was £550k but following further investigation / quotations from contractors the cost is now estimated at £1,40m	-	197,590	702,410	-
CC216	Marshside CP	Alterations to IT classroom to convert to ASD classroom	-	25,000	-	-
CC217	Pinefield	Relocation of Cop. Educ. From Pinefield to Litherland Moss site - Internal alterations to building - Works not progressin - Budget virement to support addition SEN provision required in 2023/24	-	-	-	-
CC218	Freshfield CP	Extension to expand SEND provision and create additional class	-	331,903	-	-
CC218	Freshfield CP	Extension to expand SEND provision and create additional class - No longer priority , Governing Body will not approve increase in SEN provsion (approved funding allocation to be re-profiled and used to support new SEND initiatives)	-	331,903	-	-
CC219	Rowan Park	Two classroom extension to replace mobile classroom	-	-	521,000	-
CC219	Rowan Park	Two classroom extension to replace mobile classroom - not immediate priority (mobile classrooms on rental agreement for 5 years) - approved funding allocation to be re-profiled and used to support new SEND initiatives	-	-	521,000	-
CC220	The Grange CP	One classroom extension to create additional class	-	45,687	-	-
CC220	The Grange CP	Groundworks for one classroom extension to create additional class - School no longer wants an additional SEN unit on site. Approved funding re-profiled and used to support new SEND initiatives	-	45,687	-	-
CC221	Redgate CP	Convert former music service classrooms to resourced base classroom provision. Original estimate was £150,000 but following extensive site visits the revised scheme is projected to cost £312,000	-	312,000	-	-
CC222	Rowan Park Cp	New access door and corridor	-	40,000	-	-
CC222	Rowan Park Cp	Reduction in works - £20k vired to support increased costs of Newfield KS1 provision	-	20,000	-	-
CC223	Crosby HS	New footpath to access mobile class	-	12,500	-	-
CC225	Waterloo Primary	Relocate toilets and extend ASD base into area to create additional class	-	241,652	48,400	-
CC226	Waterloo Primary	Basic skills classroom KS2	-	50,000	-	-
CC227	Thomas Gray Primary	New ASD Classroom	-	350,000	-	-
CC228	Marshside Primary	New ASD Classroom	-	58,513	291,487	-
CC229	Redgate Primary	Outdoor Play Area to support extra SEN places	-	-	55,000	-
CC229	Redgate Primary	Reduction in works - £15k vired to support increased costs of Newfield KS1 provision	-	-	15,000	-
CC230	Rowan HS	Car Park additional due to mobile staff/minibuses	-	-	20,000	-
CC231	Presfield	Contribution to library facility - Cost £475k paid out of school balances	-	-	200,000	-
CC231	Presfield	Contribution to library facility - Works completed in 2022/23 and re-profiling of support from 2022/23 HN allocation requires approval	-	200,000	-	200,000
CC232	Lydiat Primary	Re-commission first floor classrooms to enable base provision	-	-	25,000	-
CC232	Lydiat Primary	budget removed as SEN Room not approved- to be vired to Thomas Gray	-	-	25,000	-
CC232	Lydiat Primary	Phase 2 of classroom redesign for SEN provision	-	-	45,000	-
CC232	Lydiat Primary	budget removed as SEN Room not approved- to be vired to Thomas Gray	-	-	45,000	-
CC234	Farnborough Jnr School	Access Ramp and Canopy for hygiene unit	-	-	48,000	-
CC240	Norwood Primary School	Hygiene Room & specialist equipment	-	-	42,000	-
CC236	Holy Family High School	Two Storey 4 Classroom Mobile Block	-	-	488,000	-
		Ground Works	-	-	60,000	-
CC237	Holy Family High School	Furniture / Specialist equipment - 4 mobile classrooms HFH	-	-	80,000	-
CC235	Grange	Sensory Room re fit	-	-	21,952	-
CC235	Grange	Sensory Room re fit - reduction in cost - £15k vired to Newfield KS1 provision	-	-	15,000	-
CC238	Hudson	Internal changes to Reception Room re fit 5 EHCP children	-	-	14,500	-
CC242	Thomas Gray Primary	Internal alterations to make 4 bases	-	-	70,000	-
CC242	Thomas Gray Primary	Internal alterations to make 4 bases - additional funding virement from Lydiat	-	-	70,000	-
CC233	Bishop David Sheppard	Internal alterations and extension to create 2 base classes	-	-	70,000	-
CC243	Waterloo Primary	Alterations to upstairs toilets to make them SEND compliant / accessible	-	-	90,000	-
CC244	Waterloo Primary	Reception Room redesign to support SEN group works	-	-	25,000	-
CC241	St Michael's CE High School	Creation of additional KS3 Classroom provision and safe outdoor play area - September 2023	-	-	90,000	-
new	Waterloo CP	Alterations to existing ASD classrooms and provision of outdoor play space -New Scheme	-	-	201,600	-

Total Proposed	675,524	2,062,067	2,858,349	-
Total Grant	675,524	2,062,067	2,908,641	-
Uncommitted	-	-	50,292	-

Agenda Item 7

Section 2 - new priority schemes requiring formal approval

	School	Project	2023/24 HNPCA		2024/25 HNPCA	
			£	£	£	£
New	Formby High School	Additional contribution to support conversion of Caretakers House to SEN Resource provision	-	-	50,292	149,708
New	Bishop David Sheppard	Phase 2 - internal alterations to create 2 SEN Resource Bases for Sept 2024	-	-	-	240,000
New	Bishop David Sheppard	Phase 2 - equipment & furniture - 2 SEN Resource Bases	-	-	-	20,000
New	Marshside Primary	Additional modular mobile classroom for creation of 10 /12 KS2 SEN Resource places from Sept 2024	-	-	-	370,000
New	Presfield Special School	Internal refurbishment of classroom	-	-	-	60,000
New	Secondary School Noth, Central, South	Additional modular mobile classroom for creation of 36 Resource places from Sept 2024	-	-	-	1,100,000
New	Jigsaw	Additional modular mobile classroom for creation of 8 EYS SEN Resource places from Sept 2024	-	-	-	370,000
New	Thomas Gray	Additional building works SEN unit	-	-	-	25,000
Total Proposed					50,292	2,334,708
Total Grant					50,292	4,740,380
Uncommitted			-	-	0	2,405,671

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Report to:	Cabinet Council	Date of Meeting:	Thursday 23 May 2024 Thursday 11 July 2024
Subject:	Maritime Corridor Scheme Phase 1 - Receipt of Capital Funding		
Report of:	Assistant Director of Place (Highways and Public Protection)	Wards Affected:	Litherland; Molyneux; Netherton and Orrell; St. Oswald;
Portfolio:	Cabinet Member - Housing and Highways		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

Schemes over £1m in value need Council approval and the necessary funding needs to be included within the Council's Capital Programme. The first Phase of the Maritime Corridor Scheme is expected to cost approximately £12.5m. Subject to approval from the Liverpool City Region Combined Authority, a Grant Funding Agreement will be received for this amount.

Recommendation(s):

Cabinet is recommended to:

- (1) Recommend to Council the approval of a supplementary capital estimate for £12.5m externally funded using the Levelling Up Fund and City Region Sustainable Transport Settlement from the Liverpool City Region Combined Authority (LCRCA) for the delivery of Maritime Corridor Phase 1 pending the receipt and signing of a grant funding agreement from the LCRCA.
- (2) Approve the delivery of the first Phase of the Maritime Corridor Phase 1 scheme.

Council is recommended to:

- (1) Approve a supplementary capital estimate for £12.5m externally funded using the Levelling Up Fund and City Region Sustainable Transport Settlement from the LCRCA for the delivery of Maritime Corridor Phase 1 pending the receipt and signing of a grant funding agreement from the LCRCA.

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Reasons for the Recommendation(s):

The Liverpool City Region Combined Authority (LCRCA) has received Levelling Up Fund (LUF) from the Department for Levelling Up, Housing and Communities to deliver a number of linked transport projects throughout the City Region including elements of the Maritime Corridor Phase 1. This funding is conditional on all the funds being expended by March 2025. Funding has also been allocated by the LCRCA with the City Region Transport Settlement, received from the Department for Transport, for the Maritime Corridor Scheme.

In order to meeting the LUF Funding deadline, the target programme identified that the works contract needs to be signed in July 2024. This report seeks to ensure that the necessary funding allocation is within the Capital Programme before the Contract is signed.

Whilst Cabinet Member Locality Services has previously approved the Transport Capital Programme which includes the Maritime Corridor scheme, the financial regulations require Council approval for schemes over £1m.

Alternative Options Considered and Rejected: (including any Risk Implications)

No alternative options have been considered

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

The Contract value is still being established through the Early Contractor Involvement stage of the procurement process previously agreed by Cabinet.

It is anticipated that the total scheme costs, which will include the Contract Target Cost, supervision and contract administration costs, statutory undertakers diversion costs and any legal or approval costs, will be approximately £12.5m.

The Grant Funding Agreement from the Liverpool City Region Combined Authority will set out the exact figure and a further supplementary estimate will be submitted for approval as per the Financial Procedure Rules for any variation to the £12.5m identified in this report.. This will be received and reviewed prior to the works Contract being signed. It should be noted that Cabinet has previously given delegated authority to the Chief Legal and Democratic Officer, following consultation with Cabinet Member, to sign the grant funding agreement for the necessary funding to enable the construction stage of the Maritime Corridor Phase 1 project to be undertaken.

It should be noted that Cabinet, at its meeting on 4th January approved a supplementary capital estimate of £500k of Development Funding for inclusion within the Transport Capital Programme. This funding is in addition to £12.5m identified in this report.

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets):</p> <p>The management of the contract will be overseen by staff in Transportation Planning and Highway Development team. The contract administration and supervision will be undertaken by a team from the existing Transport Technical Services Supply Framework. The intention being that this team will administer and supervise several large capital schemes which are expected for delivery at the same time. The staff costs incurred prior to the award of the Contract will be funded from the Development Funding secured by the Council from the LCRCA which is contained within the Transport Capital Programme. Staff Costs, once the contract for the works is awarded, will be funded from the capital funding secured for the construction.</p>								
<p>Legal Implications:</p> <p>As determined by the Council’s Contract Procedure Rules, the contract for the works will need to be sealed.</p>								
<p>Equality Implications:</p> <p>An Equality Impact Assessment has been completed. The assessment has been reviewed and considered in the detailed design process prior to construction.</p>								
<p>Impact on Cared for Children and Care Experienced Young People:</p> <p>The Impact of the scheme cared for children and care experienced young people was considered as part of the Equality Impact Assessment. Options for positive impacts will be considered in the development of the Social Value commitments that the Contractor will be expected to provide.</p>								
<p>Climate Emergency Implications:</p> <p>The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Have a positive impact</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;">Have a neutral impact</td> <td style="padding: 2px;">Yes</td> </tr> <tr> <td style="padding: 2px;">Have a negative impact</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;">The Author has undertaken the Climate Emergency training for report authors</td> <td style="padding: 2px;">Yes</td> </tr> </table> <p>The construction process will have negative impact in that new materials will be used and there will be a net carbon increase. There will also be a negative impact on traffic movements on the impacted streets whilst works are ongoing. However, the scheme when implemented, will improve accessibility and should encourage people to walk, cycle or use public transport . This should reduce the carbon impact. The scheme is one of a number of schemes currently subject to a Whole Life Carbon Assessment which</p>	Have a positive impact	No	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
Have a positive impact	No							
Have a neutral impact	Yes							
Have a negative impact	No							
The Author has undertaken the Climate Emergency training for report authors	Yes							

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will be able to provide a definitive picture.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

Not applicable.

Facilitate confident and resilient communities:

The scheme should improve walking and cycling in the local area by making employment areas easier to access.

Commission, broker and provide core services:

As the local Highway Authority, it is incumbent upon the Council to seek to improve provision for all highway users, including those walking, cycling, using public transport and driving motor vehicles.

Place – leadership and influencer:

The scheme should help improve access to places of employment in the south of the borough.

Drivers of change and reform:

The delivery of facilities that encourage and enable more active travel is consistent with a range of national, regional and local policy objectives, including those related to addressing climate change and improving air quality, health and wellbeing

Facilitate sustainable economic prosperity:

The scheme should help improve access to existing and proposed development on Atlantic Park and other areas in the Corridor.

Greater income for social investment:

Not applicable.

Cleaner Greener

The scheme should improve walking and cycling in the local area by joining cycle infrastructure and making areas of employment easier to access on foot.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7647/24) and the Chief Legal and Democratic Officer (LD.5747/24.) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

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Consultation on the highway proposals formed part of the wider consultation on The Maritime Corridor. This consultation was completed in accordance with the proposals approved by the Public Consultation and Engagement Panel in April 2021. Further detailed engagement with Ward Members, key stakeholders, residents and business has recently been completed in September and October 2023 and results appraised. Comments relating to the Phase 1 proposals were summarised in the recent report to Licensing and Regulatory Committee (Nov 23).

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer:	Andrew Dunsmore
Telephone Number:	Tel: 0151 934 2766
Email Address:	andrew.dunsmore@sefton.gov.uk

Appendices:

Appendix A – General Arrangement Plans

Background Papers:

Report to Licensing and Regulatory Committee – 6 November 2023

Report to Cabinet – Procurement Strategy for Maritime Corridor Scheme – Phase 1 – 4 January 2024

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1. Introduction/Background

- 1.1 In January 2024 Cabinet considered a report seeking approval to the Procurement process of Phase 1 of The Maritime Corridor Scheme. This scheme includes a series of improvements centred around the A5036 and the A59 and the employment land in between. The proposals are intended to reduce congestion, improve safety and provide easier access to employment sites in the south of the borough. In the development of the proposals further consideration was given to how people walking or cycling could better access these sites and hence the scope of the scheme was increased to include active travel improvements.
- 1.2 This earlier report provided an update of the funding and delivery of the scheme. It explained that the Liverpool City Region Combined Authority (LCRCA) had submitted a Funding application to the Department for Levelling Up, Housing & Communities (DLUHC) to secure Levelling Up funding (LUF) for a series of transport related improvements in Liverpool, Wirral and Sefton. As such elements of the Maritime Corridor work were included in the LUF Business Case. This Business Case has now been approved and funding made available to the LCRCA.
- 1.3 In addition, funding has been identified in the City Region Sustainable Transport Settlement (CRSTS) allocation to the LCRCA, from the Department for Transport, for the Maritime Corridor Scheme.
- 1.4 The LUF allocation to the Maritime Corridor Scheme, of £9.5m, needs to be expended before March 2025 to meet the criteria set by government. Similarly any CRSTS funding needs to be expended by March 2027.
- 1.5 A procurement route has been chosen, and subsequently approved by Cabinet, to give the best chance of meeting the spending target. Balfour Beatty, appointed through the Scape Framework, have entered into a Contract with the Council, to develop the scheme Target Cost and delivery programme based on the design information. In addition a Social Value Plan is being developed with input from the Neighbourhoods Team. This Contract is for Early Contractor Involvement and is therefore limited in its scope. It does, however, enable the main works contract to be developed and the cost identified.

2 Funding and Approvals.

- 2.1 The LCRCA recently undertook a re-baselining process to identify a total allocation to fund the Maritime Corridor scheme within the current CRSTS window, i.e. before March 2027. This amounted to £21.2m made up of Levelling Up Funding and City Region Sustainable Transport Settlement Funding.
- 2.2 To give the best chance of ensuring funding timeframes are met, the scheme has been split into 2 phases. The first phase is focussed on work that doesn't require third party land.
- 2.3 To secure funding from the LCRCA the Council needs to go through a 'Gateway assessment'. This is a process set up by the LCRCA to ensure that the schemes

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are delivering the appropriate outputs and that Local Authorities have the processes in place to deliver the projects.

- 2.4 A Gateway 3 application, aimed at securing funds to progress design work, early contractor involvement and other costs, has been successful. A Grant Funding Agreement (GFA) was received for the full amount requested. This was subsequently reviewed and approved in accordance with the delegated authority previously granted by Cabinet.
- 2.5 A Gateway 4 application, aimed at securing the cost of works delivery and associated costs, has been submitted and is being reviewed by the relevant Panel. If approved, this should generate a GFA for approximately £12.5m. The LCRCA are being asked to try and ensure their processes are complete to enable the works contract to be let as soon as practicable following Council's decision in July 2024.
- 2.6 Cabinet, at its January meeting, gave delegated authority to the Chief Legal and Democratic Officer, following consultation with Cabinet Member, to sign the grant funding agreement for the necessary funding to enable the construction stage of the Maritime Corridor Phase 1 project to be undertaken. The same meeting also approved the delegation of the award of the construction contract to the Assistant Director of Place - Highways & Public Protection, again following consultation with Cabinet Member.
- 2.7 Assuming the GFA is approved, the Council will receive an additional £12.5m. Council approval is sought to include this additional funding within the Capital Programme.

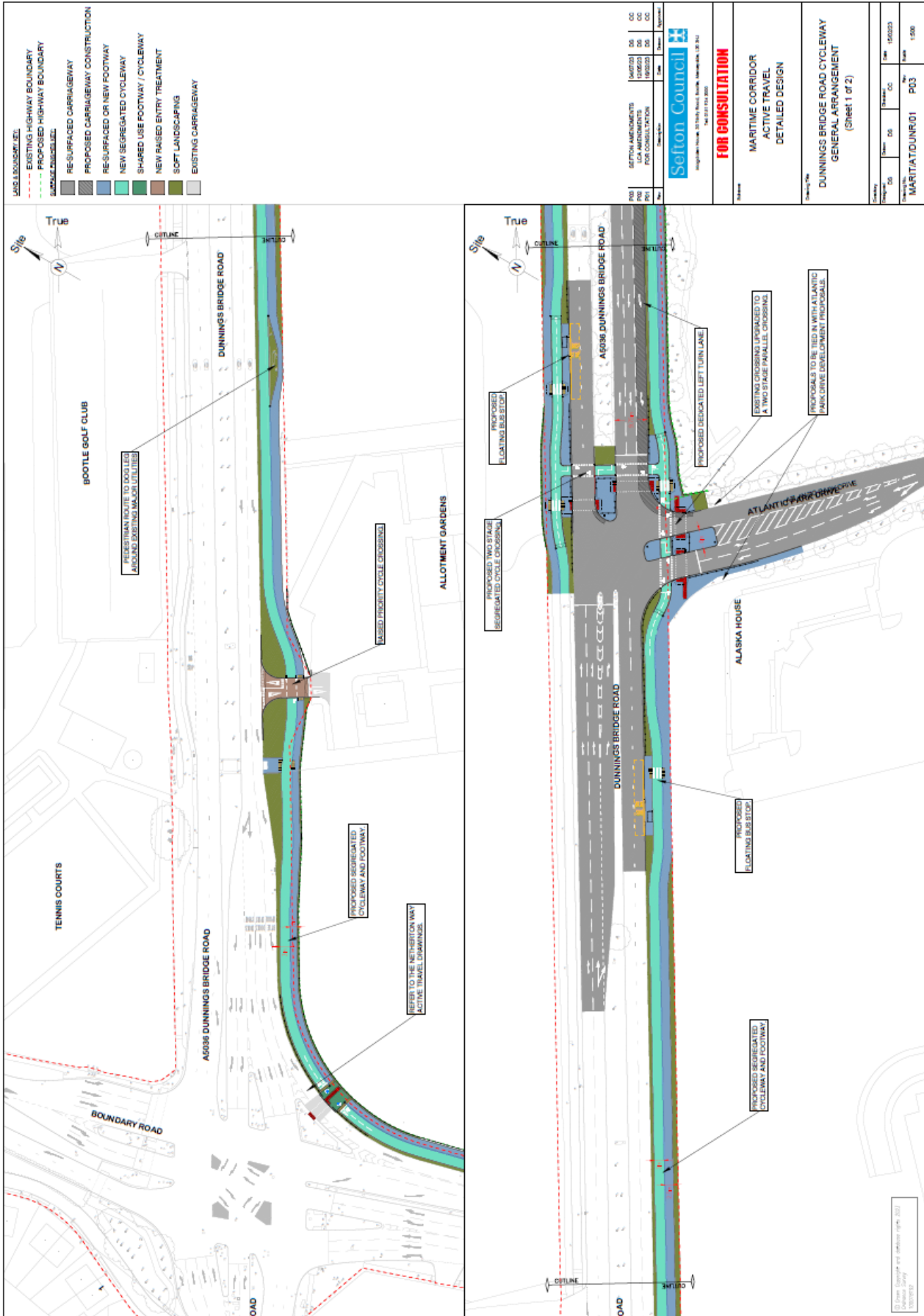
3.0 Scheme Details

- 3.1 The scheme was included in the Transport Capital Programme in 2023-24 and the scheme details, phasing and funding have been discussed with Cabinet Member.
- 3.2 The scope of the Phase 1 of the project was determined to ensure that and land required for construction was within Council ownership or Highway land. The three main elements are as follows;
 - Introduction of new cycle route on Netherton on Way linking the A5036 and Bridle Road
 - Modification of the junction of A5058, Netherton Way and Bridle Road incorporating pedestrian and cycle crossings.
 - With agreement with National Highways, introduction of a left turn lane from A5036, Dunnings Bridge Road, into Atlantic Park
- 3.3 The scheme details and associated consultation process were set out in the report to the Council's Licensing and Regulatory Committee in November 2023 (see Background Papers). This recommendations in this report were approved.

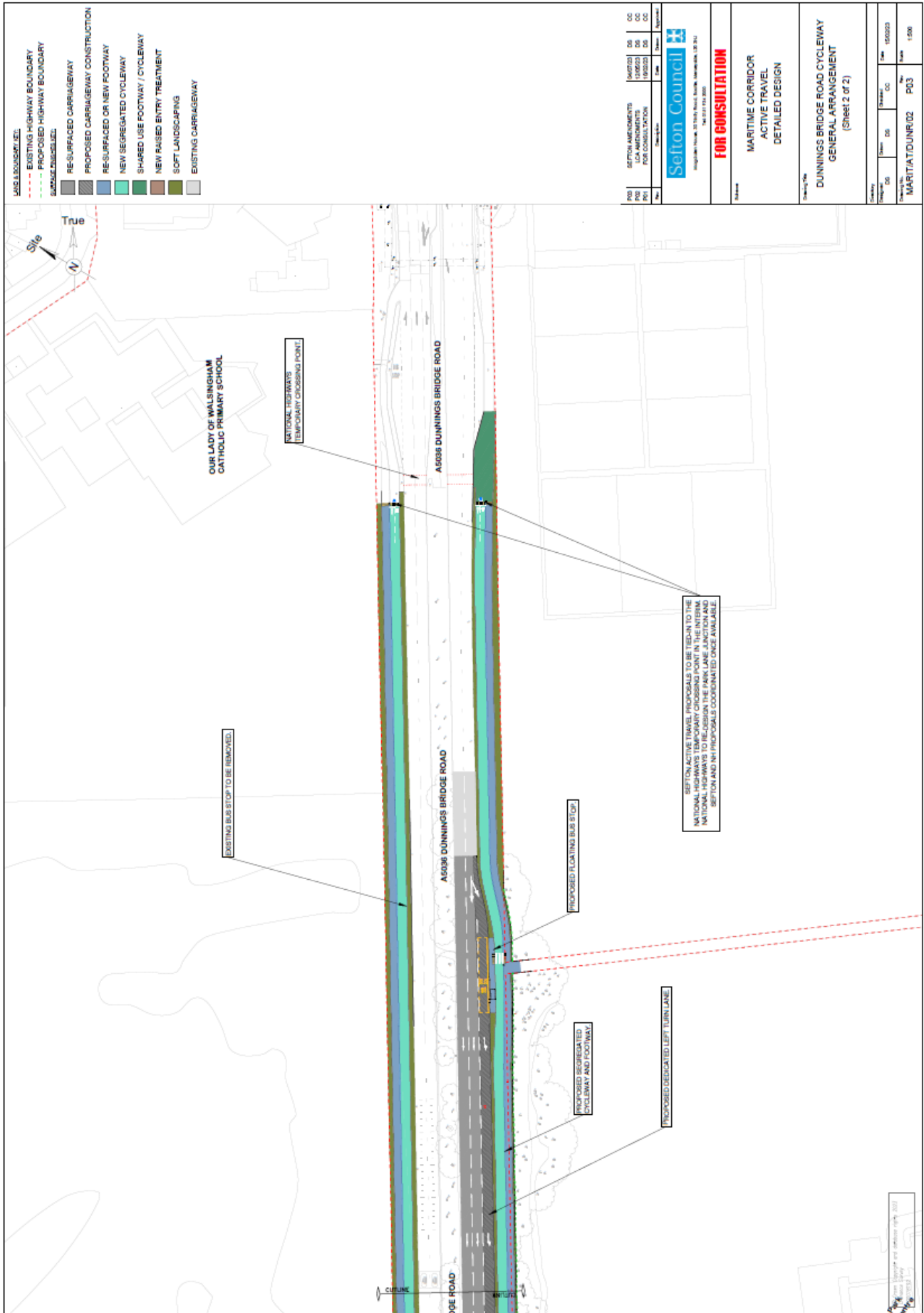
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- 3.4 It should be noted that negotiations have been in progress with National Highways for some years. They have approved the scheme in principle, but are currently going through a formal technical review which will culminate in the issue of a formal agreement to enable the Council to complete works on the trunk road.

Appendix A – General Arrangement Plans – Maritime Corridor Phase 1

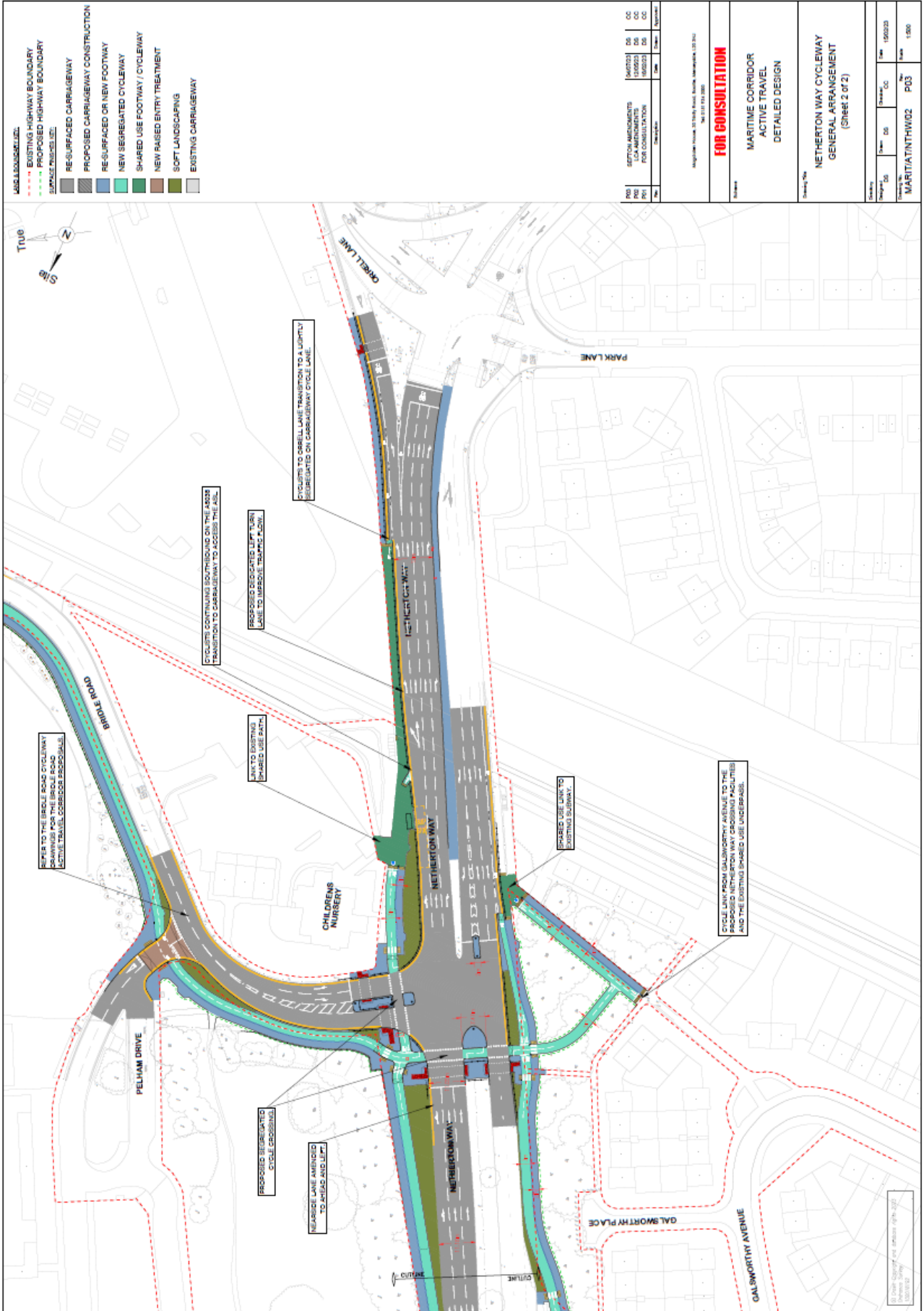


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Report to:	Cabinet Council	Date of Meeting:	Thursday 23 May 2024 Thursday 11 July 2024
Subject:	Southport Eastern Access Scheme - Receipt of Capital Funding		
Report of:	Assistant Director of Place (Highways and Public Protection)	Wards Affected:	Dukes; Kew; Norwood;
Portfolio:	Cabinet Member - Housing and Highways		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

Schemes over £1m in value need Council approval and the necessary funding needs to be included within the Council's Capital Programme. Southport Eastern Access scheme is expected to cost approximately £16.3m. Subject to approval from the Liverpool City Region Combined Authority, a Grant Funding Agreement will be received for this amount.

Recommendation(s):

Cabinet is recommended to:

- (1) Recommend to Council the approval of a supplementary capital estimate for £16.3m externally funded using the City Region Sustainable Transport Settlement from the Liverpool City Region Combined Authority (LCRCA) for the delivery of Southport Eastern Access scheme pending receipt and signing of a Grant Funding Agreement from the LCRCA.

Council is recommended to:

- (1) Approve a supplementary capital estimate for £16.3m externally funded using the City Region Sustainable Transport Settlement from the LCRCA for the delivery of Southport Eastern Access scheme pending receipt and signing of a Grant Funding Agreement from the LCRCA.

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Reasons for the Recommendation(s):

The Liverpool City Region Combined Authority (LCRCA) has received a City Region Sustainable Transport Settlement allocation from the Department for Transport to deliver highway improvement and maintenance projects throughout the City Region by March 2027. Within the recently completed re-baselining exercise an allocation of funding for £16.8m has been identified to fund Southport Eastern Access projects. It is recognised that careful planning and co-ordination of all the elements of work will be critical to ensure the works are delivered within the window and that disruption is minimised as far as possible

In order to meeting the LUF Funding deadline, the target programme identified that the works contract needs to be signed in Autumn 2024. This report seeks to ensure that the necessary funding allocation is within the Capital Programme before the Contract is signed for the first Phase of works.

Whilst Cabinet Member Locality Services has previously approved the Transport Capital Programme which includes the Southport Eastern Access scheme, the financial regulations require Cabinet approval for schemes over £1m.

Alternative Options Considered and Rejected: (including any Risk Implications)

No alternative options have been considered

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

A decision is currently being made to determine the likely scope of Phase 1 and Phase 2. Phase 1 will be target on land within the Council's control and can be delivered whilst land is being secured for the delivery of Phase 2

The Contract value of the works likely to form Phase 2 is still being established through the Early Contractor Involvement stage of the procurement process previously agreed by Cabinet.

It is anticipated that the total scheme costs for both phases, which will include the Contract Target Cost, supervision and contract administration costs, statutory undertakers diversion costs and any legal or approval costs, will be approximately £16.3m. Whilst £16.8m has been allocated, some of this funding has already been secured; Cabinet, at its meeting on 4th January approved a supplementary capital estimate of £0.450m of Development Funding for inclusion within the Transport Capital Programme.

The Grant Funding Agreement from the Liverpool City Region Combined Authority will set out the exact figure. This will be received and reviewed prior to the works Contract being signed and a further supplementary estimate will be submitted for approval as per the Financial Procedure Rules for any variation to the £16.3m identified in this report. It should be noted that Cabinet has previously given delegated authority to the Chief Legal and Democratic Officer, following consultation with Cabinet Member, to sign the grant funding agreement for the necessary funding to enable the construction stage of the Southport Eastern Access Scheme project (Phase 1) to be undertaken.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

The management of the contract will be overseen by staff in Transportation Planning and Highway Development team. The contract administration and supervision will be undertaken by a team from the existing Transport Technical Services Supply Framework. The intention being that this team will administer and supervise several large capital schemes which are expected for delivery at the same time. The staff costs incurred prior to the award of the Contract will be funded from the Development Funding secured by the Council from the LCRCA which is contained within the Transport Capital Programme. Staff Costs, once the contract for the works is awarded, will be funded from the capital funding secured for the construction.

Legal Implications:

As determined by the Council's Contract Procedure Rules, the contract for the works will need to be sealed.

Equality Implications:

An Equality Impact Assessment has been completed. The assessment has been reviewed and considered in the detailed design process prior to construction.

Impact on Cared for Children and Care Experienced Young People:

The Impact of the scheme cared for children and care experienced young people was considered as part of the Equality Impact Assessment. Options for positive impacts will be considered in the development of the Social Value commitments that the Contractor will be expected to provide.

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

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The construction process will have negative impact in that new materials will be used and there will be a net carbon increase. There will also be a negative impact on traffic movements on the impacted streets whilst works are ongoing. However, the scheme when implemented, will improve accessibility and should encourage people to walk, cycle or use public transport . This should reduce the carbon impact. The scheme is one of a number of schemes currently subject to a Whole Life Carbon Assessment which will be able to provide a definitive picture.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

Not applicable.

Facilitate confident and resilient communities:

The scheme should improve walking and cycling in the local area by making employment areas easier to access.

Commission, broker and provide core services:

Not applicable

Place – leadership and influencer:

The scheme should help improve access for all users to the seafront and town centre..

Drivers of change and reform:

The delivery of facilities that encourage and enable more active travel is consistent with a range of national, regional and local policy objectives, including those related to addressing climate change and improving air quality, health and wellbeing

Facilitate sustainable economic prosperity:

The scheme should help improve access to tourism facilities in Southport.

Greater income for social investment:

Not applicable.

Cleaner Greener

The scheme should improve walking and cycling in the local area by joining cycle infrastructure and making areas of employment easier to access on foot.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7648/24) and the Chief Legal and Democratic Officer (LD.5748/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Consultation on the highway proposals formed part of the wider consultation on The Southport Eastern Access Scheme. This consultation was completed in early 2022 in accordance with the proposals approved by the Public Consultation and Engagement Panel. Further detailed engagement with Ward Members, key stakeholders, residents and business was completed in October 2023. Public Engagement, showing further details of the scheme has been undertaken in November and December 2023 and results have been appraised, taken into consideration in the design process and will be reported to Licensing and Regulatory Committee in June 2024.

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer:	Andrew Dunsmore
Telephone Number:	Tel: 0151 934 2766
Email Address:	andrew.dunsmore@sefton.gov.uk

Appendices:

None

Background Papers:

Report to Cabinet – Procurement Strategy for Southport Eastern Access – 4 January 2024

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1. Introduction/Background

- 1.1 In January 2024 Cabinet considered a report seeking approval to the Procurement process of Phase 1 of the Southport Eastern Access (SEA) scheme. This was a series of junction and link improvements on key routes on the eastern approach to Southport including the re-opening of Foul Lane. The proposals were intended to reduce congestion, particularly on days when large numbers of visitors are attracted to the town. The measures were also designed to improve safety and accessibility. In the development of the proposals further consideration was given to how people walking or cycling could better access the town centre and hence the scope of the scheme was developed further to include a significant active travel element.
- 1.2 This report provided an update of the funding and delivery of the scheme. It explained that the Liverpool City Region Combined Authority (LCRCA) has, following a baselining process, confirmed an allocation of £16.8m in the current City Region Sustainable Transport Settlement (CRSTS) for the delivery of the Southport Eastern Access scheme. This needs to be expended by March 2027.
- 1.3 As the scheme is of a certain value, it is subject to the development of a Full Business Case (FBC). The approval of the FBC has been delegated by the Department for Transport to the LCRCA.
- 1.4 A procurement route has been chosen, and subsequently approved by Cabinet, to give the best chance of meeting the spending target. Balfour Beatty, appointed through the Scape Framework, have entered into a Contract with the Council, to develop the scheme Target Cost and delivery programme based on the design information. In addition a Social Value Plan is being developed with input from the Neighbourhoods Team. This Contract is for Early Contractor Involvement and is therefore limited in its scope. It does, however, enable the main works contract to be developed the scheme programmed and the cost identified.
- 1.5 Details of the likely phasing, land requirements, traffic management proposals and construction timescales are being developed to ensure, as far as possible, that schemes, up to the current funding allocation, can be delivered before March 2027.

2 Funding and Approvals.

- 2.1 To secure funding from the LCRCA the Council needs to go through a 'Gateway assessment'. This is a process set up by the LCRCA to ensure that the schemes are delivering the appropriate outputs and that Local Authorities have the processes in place to deliver the projects.
- 2.2 A Gateway 3 application, aimed at securing funds to progress design work, early contractor involvement and other costs, has been successful. A Grant Funding Agreement (GFA) will shortly be received, it is expected that this will be for the full amount requested. This will be reviewed and approved in accordance with the delegated authority previously granted by Cabinet.

- 2.3 A Gateway 4 application, aimed at securing the cost of works delivery and associated costs, will then be submitted to the relevant Panel for scrutiny. In parallel to this process a Full Business Case will be submitted and reviewed. The target date for the submission of both is July 2024.
- 2.4 If both the FBC and Gateway 4 application is approved, this should generate a GFA for approximately £16.3m. This should be approved by late summer/early Autumn.
- 2.5 Cabinet, at its January meeting, gave delegated authority to the Chief Legal and Democratic Officer, following consultation with Cabinet Member, to sign the grant funding agreement for the necessary funding to enable the construction stage of the first phase of Southport Eastern Access to be undertaken. The same meeting also approved the delegation of the award of the construction contract to the Assistant Director of Place - Highways & Public Protection, again following consultation with Cabinet Member.
- 2.6 Assuming the GFA is approved, the Council will receive an additional £16.3m. Council approval is sought to include this additional funding within the Capital Programme.

3.0 Scheme Details

- 3.1 The scheme was included in the Transport Capital Programme in 2023-24 and the scheme details, phasing and funding have been discussed with Cabinet Member.
- 3.2 Most of the design is complete, but there are some specific elements currently under development. This includes a series of safety and traffic mitigation measures planned for within the Norwood Ward where traffic patterns are likely to be influenced by the re-opening of Foul Lane to general traffic, which is one of the elements of the proposed scheme. Some further ground investigation works is also being undertaken on an area of the scheme where ground conditions are challenging.
- 3.3 The scope of the works likely to be delivered with the funding available is set down below.
- localised widening at the junction of Bispham Road and Norwood Road
 - junction improvement including widening at the junction of Sussex Road and Norwood Road
 - the reopening of Foul Lane to traffic including cycleway proposals
 - a series of improvement and traffic mitigation measures in the Norwood area.
- 3.4 A decision will be made shortly on the elements to form Phase 1 to enable works to commence as soon as possible following receipt of funding and the necessary approvals. Work will then progress on the securing of the land necessary to accommodate Phase 2.

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- 3.5 The scheme details and associated consultation process will be set out in a report to the Council's Licensing and Regulatory Committee in June 2024 for the junction and active travel improvements and in September 2024 for the mitigation and safety measures in the Norwood Ward.