

CABINET

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON THURSDAY 5TH OCTOBER, 2023**

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

ALSO PRESENT: Councillor Sir Ron Watson CBE

65. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Fairclough.

66. DECLARATIONS OF INTEREST

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

67. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 7 September 2023 be confirmed as a correct record.

68. EXTENSION OF HIGHWAY MAINTENANCE CONTRACTS

The Cabinet considered the report of the Assistant Director of Place (Highways and Public Protection) seeking approval to extend five Highway maintenance service contracts, in accordance with the options available in the tender awards.

Decisions Made:

That

- (1) the Highway Term Maintenance Contracts HM01 (Carriageway resurfacing), HM08 (Surface treatments) and HM10 (Highway Maintenance) be extended until the end of the available contract period in 2026;
- (2) the HM20 (Street Lighting Installation and Maintenance) Contract be extended until 31/03/26;
- (3) the Intelligent Transport Systems (ITS) Contract be extended until 31/03/25;

- (4) the Assistant Director of Place (Highways & Public Protection), in consultation with the Chief Legal and Democratic Officer, be authorised to formally extend the contracts in accordance with the agreed contract conditions; and
- (5) the Assistant Director of Place (Highways & Public Protection), in consultation with the Chief Legal and Democratic Officer and the Cabinet Member - Locality Services, be authorised to negotiate any further extensions that may be available for HM20 and the Intelligent Transport Systems (ITS) Contract, ensuring best value for the Council.

Reasons for the Decisions:

To allow continuity of work and ensure that projects are delivered on time and within budget provision.

Alternative Options Considered and Rejected:

The contracts could be re-tendered. Due to uncertainty in the market, this could mean a significant increase in rates which might affect the Council's ability to deliver projects on budget.

Extending existing contracts would also allow continuity of work and enhance the Council's ability to deliver high profile projects such as the Street Lighting LED scheme, thus maximising carbon and energy savings to the Council.

69. SCHOOLS INTERNET CONNECTIVITY

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services setting out the background to the current ICT connectivity provision provided to approximately 40 schools within the authority and proposing the associated procurement route required to renew the service.

The report indicated that the ICT connectivity provision referred to internet access, firewall protection and web/content filtering services provided to the schools concerned.

Decisions Made:

That

- (1) the Executive Director of Corporate Resources & Customer Services be authorised to conduct a direct award procurement exercise for the continuation of direct internet access, firewall and web-filtering provisions to schools within the authority who wish to continue or take up the use of this service, for a new 3-year period. This approach is compliant with the contract procedure rules and

the Public Contract Regulations as the framework that is being used allows for a direct award; and

- (2) the Executive Director of Corporate Resources and Customer Services, in consultation with the Cabinet Member - Regulatory, Compliance and Corporate Services, be granted delegated authority to award the Contract resulting from the procurement exercise.

Reasons for the Decisions:

To continue offering an appropriate internet provision to schools who opted into this service from the Council which contributed towards the educational provision for children within the Borough.

Alternative Options Considered and Rejected:

There were two options considered and rejected.

- (1) To run a full procurement exercise and open competition to other providers on relevant frameworks.

This option identified that in switching to another provider and/or solution would require new hardware in each school as the current equipment was leased under contract and not owned by the Council or school. There would therefore be an additional cost to each school to provide a new solution and the current equipment in each school was also far from end-of-life.

Indicative costs of new equipment, included in the previous tender, added between £850 and £1,900 to each school's cost over a 3-year period. There would also be additional costs to the Council from its ICT Service Provider to make configuration changes to continue allowing schools to link to the Council's network. This cost of change was estimated at circa 50k (estimate based on previous project costs).

Other periphery costs or disruptions would be associated with potentially training school staff to use a new solution and support for other third-party providers used by schools.

- (2) To stop offering this service to schools.

This option would result in each school needing to procure their own internet provisions and associated services from 1 April 2024. As detailed further in the report, a high proportion of schools who used this service currently had expressed intent to continue using it should it be available. Should the offer be removed, this could put schools at risk who were inexperienced or lacked sufficient ICT knowledge to procure a similar solution from elsewhere themselves.

70. FINANCIAL MANAGEMENT 2023/24 TO 2026/27 - REVENUE

AND CAPITAL BUDGET UPDATE 2023/24 – OCTOBER UPDATE

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services advising of:

- 1) The current position relating to the 2023/24 revenue budget.
- 2) The current forecast on Council Tax and Business Rates collection for 2023/24.
- 3) The monitoring position of the Council's capital programme to the end of August 2023:
 - The forecast expenditure to year end.
 - Variations against the approved budgets and an explanation of those variations for consideration by Members.
 - Updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects are also presented for approval.

The Capital Programme 2023/24 to 2025/26 was attached to the report at Appendix A.

Decisions Made:

That

Revenue Budget

- (1) the current position relating to the 2023/24 revenue budget be noted;
- (2) the actions being taken to refine forecasts and identify mitigating efficiencies to ensure each service achieves a balanced position, be noted;
- (3) the financial risks associated with the delivery of the 2023/24 revenue budget be recognised, and the fact that the forecast outturn position will continue to be reviewed, and remedial actions put in place, to ensure a balanced forecast outturn position and financial sustainability can be achieved, be acknowledged;

Capital Programme

- (4) the spending profiles across financial years for the approved capital programme, as set out in paragraph 7.1, be noted;
- (5) the latest capital expenditure position as at 31 August 2023 of £11.047m, as set out in paragraph 7.6; and the latest full year forecast is £66.536m, as set out in paragraph 7.7, be noted; and
- (6) the fact that capital resources will be managed by the Executive Director of Corporate Resources and Customer Services to ensure the capital programme remains fully funded and that capital funding

arrangements secure the maximum financial benefit to the Council, as set out in paragraphs 7.10 -7.12, be noted.

Reasons for the Decisions:

To ensure the Cabinet was informed of the current position in relation to the 2023/24 revenue budget.

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

To keep Members informed of the progress of the Capital Programme against the profiled budget for 2023/24 and agreed allocations for future years.

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

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

Alternative Options Considered and Rejected:

Not applicable.

71. ANTI-FRAUD, BRIBERY AND CORRUPTION POLICY

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services that sought approval for the revised Sefton Council Anti-Fraud, Bribery and Corruption Policy for adoption by the Council. The existing Policy had been reviewed and revised to strengthen and improve the Council's overall arrangements for the prevention, detection and investigation of fraud, bribery and corruption.

The revised Policy provided guidance on how any individual could report, in confidence, any suspected fraudulent or corrupt activity.

The Sefton Council Anti- Fraud, Bribery and Corruption Policy was attached to the report at Appendix 1.

Decision Made:

That the revised Sefton Council Anti-Fraud, Bribery and Corruption Policy be approved for adoption by the Council.

Reasons for the Decision:

The Council was required by law to protect the public funds it administered and to raise awareness in relation to any potential threats that might affect

the financial and/or reputational position of the Council. The revised Council Anti-Fraud, Bribery and Corruption Policy would support the Council's commitment to creating an environment in which fraud, bribery and corruption was minimised and complemented a number of other Council policies which supported internal controls and expected standards of behaviour.

Alternative Options Considered and Rejected:

If the Council failed to put in place proper policies regarding fraud, bribery and corruption, it would be unable to demonstrate adherence to proper practices in relation to the prevention and detection of fraud and its actions or decisions could be challenged. The Council also faced financial and reputational risk in that:

- Standards of public service that the Council was attempting to achieve were undermined.
- Financial resources available to pay for vital services were reduced.
- Public confidence in the Council was affected.