

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY, 18TH DECEMBER 2024. MINUTE NO. 76 (3) IS NOT SUBJECT TO "CALL-IN".

CABINET

MEETING HELD AT THE ASSEMBLY HALL, TOWN HALL, BOOTLE ON THURSDAY 5TH DECEMBER, 2024

PRESENT: Councillor Atkinson (in the Chair)
Councillors Dowd, Doyle, Harvey, Howard, Lappin,
Moncur, Roscoe and Veidman

ALSO PRESENT: Councillor Sir Ron Watson CBE

71. APOLOGIES FOR ABSENCE

No apologies for absence were received.

72. DECLARATIONS OF INTEREST

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

73. MINUTES OF THE PREVIOUS MEETING

Decision Made:

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

74. HEALTHWATCH PROCUREMENT

The Cabinet considered the report of the Executive Director - Adult Social Care, Health and Wellbeing (Place Director) that sought approval to commence a procurement exercise for the provision of Healthwatch services.

Decisions Made:

That

- (1) the commencement of a procurement exercise to establish a new contract post-31 March 2025 for the provision of Healthwatch services, be approved;
- (2) any decisions regarding the Healthwatch services procurement exercise be delegated to the Executive Director - Adult Social Care, Health and Wellbeing (Place Director), in consultation with the Cabinet Member - Adult Social Care and Health;

- (3) decisions on the commissioning / procurement model, tender evaluation criteria, contract terms and conditions, and service specification to be applied to the procurement exercises, be delegated to the Executive Director - Adult Social Care, Health and Wellbeing (Place Director), in consultation with the Cabinet Member - Adult Social Care and Health, on the basis that the contract can be contained within existing and approved budget provision for such services;
- (4) the contract be awarded for an initial contract term of three years with the option to further extend for a period of up to two years, either as a single extension or via two separate twelve-month extensions, subject to satisfactory performance and demonstration of value for money of the successful supplier, and the required budget being available, and that decisions on the awarding of the contracts, and any permitted extensions thereof, be delegated to the Executive Director - Adult Social Care, Health and Wellbeing (Place Director), in consultation with Cabinet Member - Adult Social Care and Health and Deputy Leader;
- (5) in the event that it be identified during the contractual period that the contract needs to be amended to reflect factors such as increases in demand for Healthwatch services or changes in national funding arrangements, then delegated authority be granted to the Executive Director - Adult Social Care, Health and Wellbeing (Place Director), in consultation with the Cabinet Member - Adult Social Care and Health to approve any such variations, under the proviso that they fall within the associated delegated authority and are in line with the applicable procurement regulations and the cost can be met from within the services budget; and
- (6) the Executive Director - Adult Social Care, Health and Wellbeing (Place Director), in consultation with Cabinet Member - Adult Social Care and Health, be authorised to implement a maximum six-month extension to the current Adult Social Care commissioned Healthwatch service contract, in order to ensure that a compliant procurement exercise can be conducted, to ensure that Healthwatch services continue to be delivered and to also ensure that sufficient notice period is given to the current Provider so that wider principles such as those within the New Realities agreement are met.

Reasons for the Decisions:

To ensure that a procurement exercise took place, and existing contractual arrangements were extended to ensure ongoing delivery of Healthwatch services post-31 March 2025.

Alternative Options Considered and Rejected:

None.

75. SEFTON NEW DIRECTIONS

The Cabinet considered the report of the Executive Director - Adult Social Care, Health and Wellbeing (Place Director) updating on Sefton New Directions and provided a 2025/26 budget position for the company, including any risks for the Council and the progress of New Directions in relation to the review of services and transformation programme.

Decisions Made:

That

- (1) the financial information / update provided in the report be noted; and
- (2) the fact that the Sefton New Directions transformation programme is ongoing, the purpose of which is to achieve positive outcomes to support with the ongoing sustainability of the company, be noted.

Reasons for the Decisions:

Sefton New Directions remained a key partner of both Sefton Adult Social Care and Cheshire and Merseyside Integrated Care Board, supporting them to deliver strategic priorities and services to support some of the most vulnerable people in Sefton.

The transformation programme of Sefton New Directions was on-going and critical to ensuring that services they delivered were re-shaped so that they could continue to meet the needs of Sefton, were sustainable, offered value for money and could be delivered within the current budget.

Alternative Options Considered and Rejected:

There were no alternative options to be considered, given that it was previously agreed that regular updates on the transformation programme and budget position of Sefton New Directions would be regularly reported back to the Cabinet.

76. MAKING SPACE FOR WATER CROSSENS SUDS SCHEME

The Cabinet considered the report of the Assistant Director - Operational In-House Services that sought approval to authorise the pre-procurement contract award, as described within the report, for the Making Space for Water scheme to manage flooding in the Crossens area; and seeking approval by the Council to a supplementary capital estimate of £1.75m funded from £1.6m Environment Agency Grant funding, subject to a funding award, and £0.15m from the Highways capital programme.

Cabinet Members welcomed the scheme as good news.

Decisions Made:

That:

- (1) the pre-procurement report describing the tender process to procure the contractor for the Making Space for Water Crossens SuDS scheme as outlined in the report, be approved;
- (2) delegated authority be granted to the Assistant Director - Operational In-House Services in consultation with the Cabinet Member – Public Health and Wellbeing, to award the contract resulting from the procurement; and
- (3) **the Council be recommended to approve** a supplementary capital estimate of £1.75m, funded from an Environment Agency grant of £1.6m, subject to funding being allocated by the Environment Agency, and £0.15m from the Highways capital programme, as outlined in the report.

Reasons for the Decisions:

The use of a national framework for procurement to a single supplier was appropriate for the scheme.

Alternative Options Considered and Rejected:

Sefton Council's Highway term contractor was considered as the contractor for the scheme, but with their current workload and lack of experience in this type of flood suds scheme, it was considered that they would be unable to deliver the scheme in a timely fashion.

77. ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENTS - SHORT TERM HOLIDAY LETS AND BOUNDARY TREATMENTS

The Cabinet considered the report of the Assistant Director - Economic Growth and Housing indicating that the Council had recently consulted on the following Supplementary Planning Documents (SPDs):

- Boundary Treatments SPD
- Short-term Lets SPD

Having considered the responses received, in conjunction with the Cabinet Member - Housing and Highways, it was proposed that the SPDs, incorporating any changes recommended in the report and appendices, should be reported to the Cabinet for adoption, to enable them to be given weight as material considerations when planning applications were determined.

The following appendices were attached to the report:

- Appendix A - Boundary Treatments SPD

- Appendix B - Short-term Lets SPD
- Appendix C – List of comments submitted through the consultation on the SPDs

Decision Made:

That the Short-term Lets and Boundary Treatments Supplementary Planning Documents (SPDs) be approved for adoption and use in planning decisions.

Reasons for the Decision(s):

On approval, the SPDs would be published on the Council's planning webpages and used in assessing planning applications and appeals.

Alternative Options Considered and Rejected:

The alternative would be not to adopt the SPDs. This would require planning decisions to be made using outdated policies. In the case of the Short-term Lets SPD, there would be no local policy coverage.

78. SOUTHPORT EASTERN ACCESS AND MARITIME CORRIDOR MAJOR SCHEMES - LAND ACQUISITION

The Cabinet considered the report of the Assistant Director - Highways and Public Protection seeking in principle authority to acquire the necessary land, outside of the ownership of the Council, to enable the construction of Phase 2 of both the Maritime Corridor and Southport Eastern Access Highway Schemes. The additional land, beyond the current highway boundary, was required to provide the additional capacity required at the junctions and the cycle and walking routes that formed an essential element of both schemes. Whilst every effort was being made to acquire the land and other interests by negotiation, it might be necessary to make a compulsory purchase order (CPO) to acquire the necessary land interest, should negotiations not be successful. The Cabinet was requested to authorise the in-principle use of compulsory purchase powers. This would be followed in the future by a second resolution, formally making the CPOs, if deemed necessary.

The following Appendices were attached to the report:

- Appendix 1 - CPO Map for Maritime Corridor
- Appendix 2 - Schedule for Maritime Corridor
- Appendix 3 - CPO Map for Southport Eastern Access
- Appendix 4 - Schedule for Southport Eastern Access

Decisions Made:

That

- (1) the in-principle use of compulsory purchase powers under Part XII of the Highways Act 1980 and the Acquisition of Land Act 1981 to secure the compulsory acquisition of the land shown coloured pink on the plan attached at Appendix 1 to the report, to deliver the Maritime Corridor Improvements, be approved; and
- (2) the in-principle use of compulsory purchase powers under Part XII of the Highways Act 1980 and the Acquisition of Land Act 1981 to secure the compulsory acquisition of the land shown coloured pink on the plan attached at Appendix 2 to the report, to deliver the Southport Eastern Access Improvements, be approved.

Reasons for the Decisions:

Following Legal advice sought, it was considered that the proposed CPO was necessary to facilitate the delivery of both schemes and that the statutory requirements for the use of compulsory purchase powers under the Highways Act 1980 had been met. The Order Lands had been determined to be the minimum needed to deliver both Schemes and the Schemes had both been designed to minimise the impact on those with land interests in the area. Given the significant public benefits that would be achieved with the delivery of the Schemes and the support of local, regional and national policy, it was considered that the use of compulsory purchase powers was necessary and justifiable in the public interest, and this should warrant a first stage 'in principle' resolution to allow the Council to move forward.

Alternative Options Considered and Rejected:

Relying on the securing of all land packages by negotiation had been considered, but this approach had been considered to involve significant risk to the Council in either the land not being secured in the funding window or the Council having to pay significantly in excess of the land value in order to persuade the landowner to sell.

79. ENTERPRISE ARCADE BUSINESS CASE

Further to Minute No. 16 of 25 May 2023, the Cabinet considered the report of the Executive Director – Regeneration, Economy and Assets indicating that the Enterprise Arcade was being delivered and funded as a capital project within the Southport Town Deal Programme. The Enterprise Arcade would provide a co-working and collaborative workspace for creative and digital businesses in Southport with a mix of accommodation comprising a collaborative Ground Floor Food and Drink based offer; a co-working / hot desk and start-up space on the first floor; three 'grow on' offices on the second floor; and a large single office on the third floor identified as suitable for an 'anchor tenant' for the project.

The report indicated that in May 2023 the Cabinet had agreed to a recommendation to adopt direct responsibility for management of the facility, on the basis that a future report would be presented on the operational Business Plan for the building. The report now provided a summary of the Business Plan, as physical works on the project progressed towards completion early in 2025.

Cabinet Members welcomed the project.

Decisions Made:

That

- (1) the Business Plan Profit and Loss Statement of Operation based on the Council taking a direct role in the management of the Enterprise Arcade be noted; and
- (2) the fact that existing budgets will be utilised to allow the project to become operational and deliver the commitments to outputs set out in the Southport Town Deal, be noted.

Reasons for the Decisions:

The Enterprise Arcade was delivering an important element of the Southport Town Deal that sought to increase the sector representation of Creative and Digital businesses in Southport and across the Borough as a whole. In this way Enterprise Arcade would provide a focus for the sector, a hub for collaboration and a base for skills and learning development in a work-based environment. In addition, it would help diversify the town centre and local economy.

The business Profit and Loss statement of operation would continue to exist as a live operating model, would be monitored and managed in a positive and proactive manner to ensure the best possible outcome (financially, economically and socially) for the Council, the Borough, and those businesses and individuals engaged in the provision of the dedicated digital and creative work space.

Next steps for the project involved ongoing dialogue with prospective tenants and marketing of the facility to the market. Further refinement of the operational cost associated with the facility would be undertaken to refine estimated figures.

Alternative Options Considered and Rejected:

- i) Commercial Lease to Digital and Creative Operator - The original intention with the project was to lease the entire building and associated operation to an external provider. The tender for an external provider was not successful due to a number of reasons including a limited number of operators in this specialist area and

changes within the market. The Council was unable to identify a suitable operator and consequently agreed to operate the facility direct, in the short term, to ensure the facility could open on completion. The Council would however, continue to explore a partner to work with so the building could operate in the original manner envisaged, but this might not be necessary for the successful operation of the asset and the opportunity.

- ii) Keep in Council Use - An alternative approach could be for the Council not to progress with letting out the space in the building. This could result in the risk of clawback from the funders as the project was not delivered as intended, reputational risk and a reduced town centre regeneration impact.
- iii) Lease to a non-digital/creative 3rd Party or sell the building on completion This would result in non-compliance of the Town Deal grant and could result in grant clawback. Depending on the use, town centre diversification and growth of the local economy might not result.

80. ICT MANAGED SERVICE CONTRACT

The Cabinet considered the report of the Executive Director – Corporate Services and Commercial that provided a summary of the procurement process completed for the provision of ICT Managed Services to Sefton Council from 1 October 2025 and provided the rationale for the award recommendation.

The following Appendix was attached to the report:

- Appendix A – Key Performance Indicators

Decision Made:

That authority be granted to award the contract detailed in the report under Crown Commercial Services (CCS) Framework Technology Services Lot 3b, Operational Services, for a period of four plus one optional contract year to Agilisys Ltd and delegated authority be granted to the Executive Director - Corporate Services and Commercial, in consultation with the Cabinet Member - Corporate Services to grant the optional contract extension, if deemed appropriate.

Reasons for the Decision:

The Authority had completed a PCR2015 compliant procurement process and recommended the award of the Contract for ICT Managed Services to Agilisys Ltd from October 2025 for a period of four plus one optional year. The recommendation ensured the delivery of a contract in line with both

the quality and cost requirements of the tender and in addition, allowed the Authority to build on its existing good relationship with Agilisys Ltd.

Alternative Options Considered and Rejected:

There were no viable alternatives.

81. Q1 & Q2 (2024) CORPORATE PERFORMANCE REPORT

The agenda item was withdrawn.

82. FINANCIAL MANAGEMENT 2024/25 TO 2027/28 - REVENUE AND CAPITAL BUDGET UPDATE 2024/25 – DECEMBER UPDATE

The Cabinet considered the report of the Executive Director – Corporate Services and Commercial informing the Cabinet of:

- 1) The current position relating to the 2024/25 revenue budget.
- 2) The current forecast on Council Tax and Business Rates collection for 2024/25.
- 3) The monitoring position of the Council's capital programme to the end of October 2024:
 - 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.

The following appendix was attached to the report:

- Appendix A – Capital Programme 2024/25 to 2026/27

Cabinet Members recognised the pressures on certain services that all Councils were experiencing.

Decisions Made:

That

Revenue Outturn

- (1) the current position relating to the 2024/25 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 remedial action plan measures previously approved by the Cabinet on 7 November 2024, as outlined in section 3 of the report, be noted;
- (4) the financial risks associated with the delivery of the 2024/25 revenue budget be recognised and it be acknowledged 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;

Capital Programme

- (5) the spending profiles across financial years for the approved capital programme, as set out at paragraph 8.1 of the report, be noted;
- (6) the latest capital expenditure position as at 31 October 2024 of £28.498m, as set out at paragraph 7.3 of the report, and the latest full year forecast is £83.015m, as set out at paragraph 7.4 of the report, be noted; and
- (7) it be noted that capital resources will be managed by the Executive Director - Corporate Service and Commercial to ensure the capital programme remains fully funded and that capital funding arrangements secure the maximum financial benefit to the Council, as set out at paragraphs 7.7-7.9 of the report.

Reasons for the Decisions:

To ensure the Cabinet was informed of the current position in relation to the 2024/25 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 2024/25 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:

None.

