

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY 10 MARCH 2009. MINUTE NOS 274, 275, 276, 277 AND 282 ARE NOT SUBJECT TO "CALL-IN"

CABINET

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 26TH FEBRUARY, 2009

PRESENT: Councillor Robertson (in the Chair)
Councillors Brodie - Browne, P Dowd, Lord Fearn,
Fairclough, Maher, Parry, Platt, Porter and Tattersall

265. APOLOGIES FOR ABSENCE

There were no apologies for absence.

266. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Member	Minute No.	Reason	Action
Councillor Brodie-Browne	277 - Revenue Budget 2009/10 - Budget Update	Personal - He is the Chair of the Governors of Farnborough Road Juniors School which is referred to in the report	Took part in the consideration of the item and voted thereon.
Councillor Fairclough	274 - Treasury Management Policy and Strategy 2009/10	Personal - His employer is referred to in the report	Took part in the consideration of the item and voted thereon.
	276 - Capital Programme 2009/10 - 2011/12	Personal - He is the Chair of the South Sefton Development Trust, which is referred to in the report	Took part in the consideration of the item and voted thereon.

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Councillor Lord Fearn	281 - 23-35 Scarisbrick Avenue, Southport	Personal - He owns shares in the Royal Bank of Scotland, which is referred to in the report	Took part in the consideration of the item and voted thereon.
Councillor Robertson	277 - Revenue Budget 2009/10 - Budget Update	Personal - He is a member of Maghull Town Council which is referred to in the report	Took part in the consideration of the item and voted thereon.

267. URGENT BUSINESS

The Chair reported that he had agreed that the Cabinet would consider the following items of urgent business:

Royal Garden Party (Minute 278) in view of the urgent need to submit the nominations by the required deadline and Pennington Road Footbridge - Main Contractor Appointment (Minute 282) in view of the urgent need to conclude the legal agreement with the preferred contractor.

268. MINUTES

RESOLVED:

That the Minutes of the Cabinet Meeting held on 5 February 2009 be confirmed as a correct record.

269. CHILDREN'S PERSONAL SOCIAL SERVICES CAPITAL ALLOCATION - ADDITIONAL SCHEMES

Further to Minute No. 104 of the meeting of the Cabinet Member - Children's Services held on 20 January 2009, the Cabinet considered the report of the Strategic Director of Children's Services on the proposed scheme to be implemented under the Children's Personal Social Services Allocation for 2008/09.

This was a Key Decision and had been included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the proposed scheme detailed in the report be approved; and
- (2) the proposed expenditure, to be funded from specific resources, be included in the Children's Services Capital Programme 2008/09.

270. MERSEYSIDE GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT AND REGIONAL SPATIAL STRATEGY - PARTIAL REVIEW OF DRAFT POLICIES FOR GYPSIES AND TRAVELLERS AND TRAVELLING SHOWPEOPLE

The Cabinet considered the report of the Strategic Director of Health and Social Care, Planning and Economic Regeneration Director and Environmental Protection Director which summarised the findings of the Merseyside Gypsy and Traveller Accommodation Assessment together with the emerging requirements of the Partial Review of Regional Spatial Strategy. The report examined the likely implications for Sefton in relation to future additional permanent and transit pitch provision and meeting the housing and support needs of Gypsies and Travellers and Travelling Showpeople. It also sought delegated authority for the relevant directors to make representations on behalf of Sefton Council to the Regional Spatial Strategy Partial review consultations and subsequent Examination in Public.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the report be noted;
- (2) it be noted that there is a need to incorporate in the Council's Core Strategy under the Local Development Framework, additional Gypsy and Traveller and potentially Travelling Showpeople pitch provision in line with the assessed need as identified in the Merseyside Gypsy and Traveller Accommodation Assessment, other relevant studies and the emerging Regional Spatial Strategy policies;
- (3) the Planning and Economic Regeneration Director, in consultation with the Strategic Director of Health and Social Care and the Environmental Protection Director be authorised to respond on behalf of Sefton to the consultations around the emerging Regional Spatial Strategy Partial Review policies on Gypsy and Traveller permanent and transit pitch provision and provision for Travelling Showpeople;
- (4) it be noted that further research work will be needed to identify suitable sites and engage in consultation work;
- (5) further reports be submitted as details emerge as a result of discussions with sub regional and regional partners.

271. PARKING CHARGES – BOOTLE LEISURE CENTRE AND DUNES LEISURE CENTRE

Further to Minute No. 121 of the meeting of the Cabinet Member - Technical Services held on 25 February 2009, the Cabinet considered the report of the Planning and Economic Development Director in the proposed amendments to the parking charges of Bootle Leisure Centre and Dunes Leisure Centre.

RESOLVED:

That approval be given to the revised charges as set out in Appendix 1 of the report.

272. LOCAL LEADERSHIP AND PUBLIC TRUST - COMMITTEE ON STANDARDS IN PUBLIC LIFE

The Cabinet considered the report of the Legal Director on the Twelfth Inquiry of the Committee on Standards in Public Life, which will examine how well the governance arrangements for London and Local Government across the UK do reflect the seven principles of public life with particular emphasis on the principles of leadership, openness and accountability. It is also intended to examine the impact the governance arrangements have had on public trust and confidence in public office holders.

Copies of the report had also been circulated to the Overview and Scrutiny Management Board and the Standards Committee.

RESOLVED: That the report be noted.

273. PROGRAMME OF MEETINGS 2009/10

The Cabinet considered the report of the Legal Director which detailed the draft Programme of Meetings for the 2009/10 Municipal year. This Programme was required to enable the business of the Council to be conducted.

The report indicated that an additional meeting of the Council has been scheduled for 17 December 2009 to enable the Council's governance arrangements to be determined and to agree the permitted resolution for submission to the Department for Communities and Local Government.

RESOLVED: That

- (1) the programme of meetings for Cabinet and Cabinet Members' meetings for 2009/10 as set out in Annexe D to the report, be approved subject to the meeting of the Cabinet Member - Corporate Services on 6 January 2010 being amended to 13 January 2010;
- (2) the programme of meetings for Council, Regulatory Committees, Overview and Scrutiny Committees, Area Committees and

Members' Briefings for 2009/10 as set out in Annexes A, B and C of the report be recommended to the Council for approval subject to the following amendments to Annexe C:

- Crosby Area Committee - deletion of the venue of Waterloo Primary School and the revision of the meeting scheduled for 17 February 2010 to a date which does not fall within the half-term week.
- Linacre and Derby Area Committee - deletion of the venue of Seaforth Community Centre.
- St Oswald and Netherton and Orrell Area Committee - deletion of the Hub Nub Centre as a venue and the substitution of Bootle Day Centre, Linacre Lane.
- All Area Committees - Deletion of all the meetings scheduled to be held during the month of April 2010, prior to the Council elections in May 2010.

274. TREASURY MANAGEMENT POLICY AND STRATEGY 2009/10

The Cabinet considered the report of the Finance and Information Services Director which provided details of the proposed procedures and strategy to be adopted in respect of the Council's Treasury Management Function in 2009/10.

RESOLVED:

That the Council be recommended to give approval to:

- (1) the Treasury Management Policy Document for 2009/10;
- (2) the Treasury Management Strategy Document for 2009/10;
- (3) the amendment to Banking arrangements contained within the Financial Procedures Rules of the Constitution;
- (4) the Money Laundering Policy Document;
- (5) the basis to be used in the calculation of the Minimum Revenue Provision for Debt Repayment in 2009/10.

275. THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES - PRUDENTIAL INDICATORS

The Cabinet considered the report of the Finance Director on proposals to establish the Prudential Indicators required under the Prudential Code of Capital Finance in Local Authorities. This would enable the Council to effectively manage its Capital Finance Activities, and comply with the Chartered Institute of Public Finance and Accountancy Prudential Code of Capital Finance in Local Authorities.

This was a Key Decision and had been included in the Council's Forward Plan of Key Decisions.

RESOLVED:

That the Council be recommended to give approval to:

- (1) the Prudential Indicators detailed in the report, and summarised in Annex A, as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- (2) the amendment of relevant Prudential Indicators in the event that any unsupported borrowing is approved as part of the 2009/10 Revenue Budget; and
- (3) delegated authority being granted to the Finance Director to manage the authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report.

276. CAPITAL PROGRAMME 2009/10 - 2011/12

The Cabinet considered a joint report of the Finance and Information Services Director and the Strategic Directors for Adult Social Services (Health and Social Care), Regeneration and Environmental Services and Children's Services in respect of 2008/09 and the development of the 2009/10 - 2011/12 Capital Programme in the light of recent resource notifications received from Central Government and the formulation of the Revenue Budget. Appended to the report at Annex A was the Council's Capital Programme 2008/09 - 2011/12.

This was a Key Decision and had been included in the Council's Forward Plan of Key Decisions.

RESOLVED:

That the Council be recommended to:

- (1) approve the 2009/10 - 2011/12 Capital Programme set out in Annex A of the report subject to the inclusion of an allocation of £50,000 for the 'Pride of Sefton' Narrowboat Project;
- (2) note the intention of the Strategic Asset Management Group (SAMG) to review the programme, with particular attention to dormant schemes, with the possibility that resources may be made available for other schemes;
- (3) confirm that Cabinet Members may continue to approve schemes from within their specific capital allocations included in Annex A of the report;

- (4) approve the use of lease facilities in 2009/10 provided that any revenue consequences can be accommodated within appropriate budgets; and
- (5) request that SAMG review the new Starts Programme in light of emerging issues.

277. REVENUE BUDGET 2009/10 - BUDGET UPDATE

Further to Minute No. 252 of the Cabinet meeting held on 5 February 2009, the Cabinet considered a report by the Finance and Information Services Director which provided an update on current issues relating to the completion of the 2009/10 budgetary process.

The Council had to set a Budget and a Council Tax by 10 March 2009, at the latest. In accordance with the Council's Constitution and Statute, the Cabinet was required to propose a budget for independent assessment by the Overview and Scrutiny Committee (Performance and Corporate Services) in advance of the final budget Council. This assessment had taken place at the Overview and Scrutiny Committee meeting held on 17 February 2009 and a summary of the budget proposals submitted by the three Political Groups was appended to the report at Annex A.

The Finance and Information Services Director circulated a supplementary update note which provided details of the resolution passed by the Overview and Scrutiny Committee (Performance and Corporate Services) on the budget proposals submitted by the three political groups, the precept set by the Police Authority, the precept provisionally set by the Fire and Civil Defence Authority and the Council Tax capping criteria..

The Cabinet was advised of a letter circulated to all Members of the Council by the Association for the Conservation of Energy requesting the Council to lobby the local Members of Parliament to attend the Second Reading of the Fuel Poverty Bill in Parliament on 20 March 2009.

This was a Key Decision and had been included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the confirmed impact of external levies on the Council Tax be noted;
- (2) the Finance and Information Services Director's assessment on the robustness of the budget proposals submitted by the three Political Groups be noted;
- (3) the resolution made by the Overview and Scrutiny Committee (Performance and Corporate Services) be noted;

- (4) the budget proposals of the three political groups be submitted to the Council for consideration;
- (5) the update provided in respect of precepts required by the Police and Fire and Civil Defence Authorities and the Council Tax capping criteria be noted;
- (6) the final Parish Precepts for 2009/10 be noted.
- (7) the Chief Executive request the local Members of Parliament to attend the Second Reading of the Fuel Poverty Bill in Parliament on 20 March 2009.

278. ROYAL GARDEN PARTY 2009

The Cabinet considered the report of the Chief Executive which sought the nomination of representatives to attend a Royal Garden Party in July 2009.

It was noted that the Council had been allocated six places, this quota being determined by the population of the Borough. Nominations had to be submitted by Friday 13 March 2009 and the Lord Chamberlain's Office would not accept under any circumstances applications received after the closing date.

RESOLVED: That

- (1) the nomination from the Conservative Group to attend the Royal Garden Party in July 2009 be the Mayor and Mayoress; and
- (2) that the Leaders of the Liberal Democrat and Labour Groups submit their nominations to the Chief Executive by no later than 10 March 2009.

279. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 2 and 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public.

280. HOUSING MARKET RENEWAL INITIATIVE – DISPOSAL TO PLUS DANE HOUSING ASSOCIATION LIMITED

The Cabinet considered the report of the Housing Market Renewal Director which sought approval to the disposal of the Council's interests in the property 4/6 Wadham Road, Bootle to Plus Dane Housing Association Limited. The report indicated that the site of 4/6 Wadham Road will be

incorporated in the development of 2 Wadham Road to provide three, two bed flats to rent which will support the Housing Market Renewal Initiative.

RESOLVED: That

- (1) approval be given to the disposal of the site 4/6 Wadham Road to Plus Dane Housing Association Limited, at less than best consideration reasonably obtainable, on the basis of the terms and conditions set out in the report; and
- (2) the Strategic Director of Regeneration and Environmental Services and Legal Director be given authority to negotiate and agree any other detailed terms and conditions, as may be necessary to complete the transaction.

281. 23 – 35 SCARISBRICK AVENUE. SOUTHPORT

Further to Minute No. 212 of the meeting held on 11 December 2008, the Cabinet considered the report of the Strategic Director of Regeneration and Environmental Services on the current status of the refurbishment project at 23-35 Scarisbrick Avenue, Southport and proposals to utilise the ground floor of the development for the provision of an Independent Living Centre.

The proposal was a Key Decision but, unfortunately, had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) has been consulted under Rule 15 of the Access to Information Procedure Rules of the Constitution, to the decision being made by as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because of the current problems associated with the development at Scarisbrick Avenue which is part funded by grant monies from the European Regional Development Fund and the Heritage Lottery Fund.

RESOLVED: That

- (1) the report be noted;
- (2) it be noted that the development will provide 19 social housing apartments;
- (3) approval be given to an Independent Living Centre being located at the development at Scarisbrick Avenue;
- (4) the sum of £725,000 be included in the New Start Capital Programme to cover the cost of providing the Independent Living Centre at Scarisbrick Avenue; and

- (5) the Planning and Economic Regeneration Director be requested to ensure that adequate refuse collection facilities are provided in the revised development at Scarisbrick Avenue.

282. PENNINGTON ROAD FOOTBRIDGE - MAIN CONTRACTOR APPOINTMENT

Further to Minute No. 189 of the meeting held on 27 November 2008, the Cabinet considered the report of the Housing Market Renewal Director on the variations to the approved tender sum received in respect of the role of main contractor for the replacement of the Pennington Road Footbridge.

RESOLVED: That

- (1) approval be given to the acceptance of the revised contract sum set out in the report;
- (2) the Legal Director be requested to prepare a formal contract with the successful tenderer; and
- (3) it be noted that the Chair of the Scrutiny and Review Committee (Performance and Corporate Services) has given his consent under Rule 16 of the Access to Information Procedure Rules and Rule 17 of the Scrutiny Procedure Rules for this key decision to be treated as urgent and not subject to "call in" on the basis that the decision cannot be reasonably deferred because there is an urgent need to conclude the legal agreement with the preferred contractor. Any delay in formalising the agreement could result in further increases to the cost of the project.