

**THE "CALL-IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY, 15 MARCH 2011. MINUTE NOS. 236, 237, 238, 239, 240, 241, 247 AND 249 ARE NOT SUBJECT TO "CALL-IN"**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 3RD MARCH, 2011**

**PRESENT:** Councillor Robertson (in the Chair)  
Councillors Booth, Brodie - Browne, P. Dowd,  
Fairclough, Maher, Moncur, Parry, Porter and  
Tattersall

**ALSO PRESENT:** Councillors Cuthbertson, McGuire and Preece

#### **230. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **231. URGENT BUSINESS**

The Chair reported that he had agreed that the Cabinet would consider the report relating to the Selection of the Deputy Chair (Minute No. 249) as an urgent item, in view of the need to seek approval to the submission of a recommendation to the Council Meeting later that day, with regard to an amendment to the Council Constitution.

#### **232. RETIREMENT/WELCOME TO OFFICERS**

Members of the Cabinet referred to the forthcoming retirement of the following Officers and extended their appreciation for their services to the Council and best wishes for a happy retirement:

- Mr. J. Alford - Assistant Director (Regulatory Services)
- Mr. J. Farrell - Interim Head of Corporate Finance and ICT Strategy
- Mr. C. Speight - Principal Manager - Social Care
- Mr. A. Wallis - Planning and Economic Development Director
- Mr. S. Waldron - Assistant Director (Transportation)

The Chair also extended a welcome to the following officers who were attending their first Cabinet Meeting:

- Mrs. J. Gowing - Head of Planning Service
- Mrs. M. Rawding - Head of Corporate Finance and ICT

**233. DECLARATIONS OF INTEREST**

The following declarations of interest were received:

Member / Officer	Minute No.	Reason	Action
Councillor Fairclough	236 - Treasury Management Policy and Strategy 2011/12	Personal - His employer is referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Booth	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - He is a member of Meols Cop Youth Club Management Committee which is affected by proposals in the report	Took part in the consideration of the item and voted thereon
Councillor Moncur	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - His wife's employer is referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Robertson	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - He is a member of Aintree Youth Club Management Committee which is affected by proposals in the report	Took part in the consideration of the item and voted thereon
Mr. P. Morgan - Strategic Director - Children, Schools and Families	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - He is a Director of Greater Merseyside Connexions which is referred to in the report	Stayed in the room during the consideration of the item

**234. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the Minutes of the Cabinet Meeting held on 17 February 2011 be confirmed as a correct record.

**235. CHARGING FOR NON-RESIDENTIAL SOCIAL CARE SERVICES**

Further to Minute No. 211 of the meeting held on 17 February 2011 and Minute No. 66 of the meeting of the Cabinet Member - Health and Social Care held on 2 March 2011, the Cabinet considered the report of the Adult Social Care Director on the revised charges for users of non-residential social care services.

RESOLVED: That

- (1) service users who have in excess of £23,250 capital or those who refuse to divulge their financial details be charged a maximum amount of £45 per day towards the actual cost of their day centre place and the actual cost of other care services provided by the Council;
- (2) the percentage of disposable income charged against as part of the financial assessment be increased from 65% to 80%;
- (3) the revised charges referred to in (1) and (2) be implemented from 11 April 2011, and the Adult Social Care Director be requested to monitor and review the impact of the increases in the charges and submit a report thereon to the Cabinet Member – Health and Social Care in six months; and
- (4) it be noted that 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 - Health and Social Care had been consulted under Rule 15 of the Access to Information Procedure Rules of the Constitution, to the decision being made by the Cabinet Member/Cabinet 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 the savings targets contained within the report are a component in achieving the setting of the Council's balanced budget for 2011/12. The item was not included on the Forward Plan because of the timescales dictated by the Transformation Agenda to achieve significant budget savings across the Council.

**236. TREASURY MANAGEMENT POLICY AND STRATEGY 2011/12**

The Cabinet considered the report of the Chief Executive and Section 151 Officer which provided details of the proposed procedures and strategy to be adopted in respect of the Council's Treasury Management Function in 2011/12.

RESOLVED:

That the Council be recommended to give approval to:

- (1) the Treasury Management Policy Document for 2011/12;
- (2) the Treasury Management Strategy Document for 2011/12;
- (3) the amendment to banking arrangements contained within the Financial Procedures Rules of the Constitution;
- (4) the Money Laundering Policy Document; and
- (5) the option set out in Section 5 of the report being used as the basis for the calculation of the Minimum Revenue Provision or Debt Repayment in 2011/12.

**237. THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES - PRUDENTIAL INDICATORS 2011/12**

The Cabinet considered the report of the Chief Executive and Section 151 Officer 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.

RESOLVED:

That the Council be recommended to give approval to:

- (1) the Prudential Indicators details 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 2011/12 Revenue Budget; and
- (3) delegated authority being granted to the Head of Corporate Finance and ICT to manage the authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report.

## **238. CAPITAL PROGRAMME**

Further to Minute No. 97 of the meeting held on 2 September 2010, the Cabinet considered a joint report of the Interim Head of Corporate Finance and ICT Strategy and the Strategic Directors for Communities, Social Care and Wellbeing and Children, Schools and Families which set out the latest position in respect of the 2010/11 Capital Programme and its implications into 2011/12. The report also gave details of the capital resource notifications received from Central Government.

The report also set out proposals for the amendment of the Council Constitution to improve the accountability and management of the Capital Programme.

The Cabinet also considered an addendum to the report produced by the Strategic Director - Children, Schools and Families, seeking approval for Phase 2 of the Aintree Davenhill Scheme to be progressed.

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

### **RESOLVED:**

That the Council be recommended to:

- (1) approve the revised phasing of the ongoing Capital Programme as shown in Annex A of the report;
- (2) approve the inclusion of the Leisure and Tourism capital schemes, funded from specific capital resources and outlined in paragraph 2.4 of the report in the 2010/11 Capital Programme;
- (3) approve the proposals outlined in section 3 of the report to change the Scheme of Delegation in the Council Constitution;
- (4) confirm that the allocations detailed in paragraph 4.5.1 of the report can be utilised by the relevant service, with proposals for their use reported in line with the changes to the Constitution as referred to in (3) above;
- (5) note the approval by the Environment Agency of the Regional Coastal Monitoring Programme 2011/16 as outlined in paragraph 4.5.11 of the report; and
- (6) approve the inclusion of the funding identified in paragraph 1.3 of the addendum to the report for the completion of Aintree Davenhill Phase 2 works.

**239. LOCAL GOVERNMENT ACT 2003 - CHIEF FINANCIAL OFFICER'S REQUIREMENTS**

Further to Minute No. 212 of the meeting held on 17 February 2011, the Cabinet considered the report of the Chief Executive and Section 151 Officer which provided an assessment on the robustness of the estimates, the adequacy of the financial reserves and the longer term revenue and capital plans based on the proposals in the report on the Transformation Programme to be considered under Minute No. 239.

RESOLVED:

That the Council be requested to consider the report before approving a Budget and Council Tax for 2011/12.

**240. TRANSFORMATION PROGRAMME AND FINAL REVENUE BUDGET OPTIONS 2011/12**

Further to Minute No. 210 of the meeting held on 17 February 2011, the Cabinet considered the report of the Chief Executive and Section 151` Officer on proposals to finalise the 2011/12 Budget within the prioritisation framework agreed by the Council.

The Chair reported on the following corrections to the report, which do not affect the total budget figure:

Paragraph 7.1                      Coast and Countryside value should read £306,000  
Arts and Cultural Services value should read £497,000; and

Appendix B - Item 7.1.9      Arts and Culture should read £497,000 in 2011/12.

The Chair circulated an amendment to the recommendations in the report in respect of the Sure Start Children's Centres, Youth Centres and to create a Budget Pressure Reserve.

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

RESOLVED:

That the Council be recommended to:

- (1) note the progress to date on the Transformation Programme;
- (2) approve the Neighbourhoods and Safer/Stronger Communities Review, confirm that their activities be funded to the value of £1.2m and mandate officers to commence a consultation process with

partners, key stakeholders, employees and Trade Unions, including the issue of relevant statutory and contractual notifications;

- (3) approve the additional savings/budget adjustments outlined in paragraph 3.1 of the report and totalling £0.95m;
- (4) approve the further savings proposals relating to management and support costs set out in paragraph 4 of the report and mandate officers to continue/commence the consultation process with suppliers, employees and Trade Unions, with a view to realising the reduction in costs identified, including the issue of relevant statutory and contractual notifications;
- (5) note the balance of Management and Support savings yet to be identified and request officers to report back on specific proposals to meet this target;
- (6) note the update on Terms and Conditions and the Social Care Funding and give approval to the inclusion of the savings within the final approved budget;
- (7) approve the assessment of Tier 2 services in line with the previous resolution of Council and the specific savings proposals set out in Appendix B of the report, subject to the deletion of the savings relating to Targeted Youth and Detached Youth Work, and mandate Officers to continue the consultation process with relevant stakeholders, employees and Trade Unions, with a view to realising the reduction in costs identified;
- (8) note the shortfall of £0.30m on the savings achievable from Tier 3 in 2011/12 only, subject to a combined saving target of £1m being applied to all Youth Service activities in 2012/13 with a part year effect of £500,000 in 2011/12 and a redesign of the Youth Service being undertaken to ensure that the savings are met and that our most vulnerable young people are protected whilst still enabling an element of universal service;
- (9) approve the cessation of externally funded activity set out in Appendix D of the report due to the reduction in Government funding and mandate Officers to continue the consultation process with relevant stakeholders, employees and Trade Unions, with a view to realising the reduction in costs identified;
- (10) approve a savings target of £0.9m in 2011/12 is applied to the Strategic Review of Sure Start Children's Centres and that areas identified for saving be brought forward at the earliest opportunity and not left until the final report stage;
- (11) approve that any Children's Centre savings target for future years be kept under review;

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- (12) approve that the Children's Centres savings target in 2011/12 be underwritten by one-off resources;
- (13) approve the creation of a Budget Pressure Reserve totalling £1.6m from one-off resources to be used to underpin potential increased demand or pressure in the budget and primarily in adult and children's social care; and
- (14) approve that the value of this Budget Pressure Reserve will be reduced should the 2010/11 underspend be less than £2m and that the Reserve be allocated at the discretion of the Cabinet;
- (15) approve the overall budget as detailed in Appendix C of the report, including the use of £4m of one-off resources funded from the re-appropriation of earmarked reserves, subject to:
  - the permanent increase of £402,000 for the budgets for items 168 - Targeted Youth Work and 169 - Detached Youth Work
  - the addition of £500,000 for 2011/12 only for the combined items 182 - Centre Based Youth Work and 183 - Duke of Edinburgh
  - a permanent reduction of £900,000 for item 193 - Sure Start Children's Centres Cost of Service;
- (16) note that a significant budget gap remains in 2012/13 and that work must begin immediately to identify options for bridging this gap.

### **241. COUNCIL TAX RECOMMENDATION 2011/12**

The Cabinet considered the report of the Chief Executive and Section 151 Officer on the level of levies and precepts set for 2011/12 and the proposed Council Tax for 2011/12 based on the budget recommendation to Council referred to in Minute No. 240 above.

RESOLVED: That

- (1) the impact of external levies set for 2011/12 be noted;
- (2) the precepts set by the Police Authority and the Fire and Rescue Authority for 2011/12 be noted;
- (3) the level of Parish Precepts set for 2011/12 be noted;
- (4) the capping principles that will apply to local authorities budgets for 2011/12 be noted;



- (5) the comments of the Parliamentary Under Secretary for Communities and Local Government on the Council Tax Freeze Grant set out in the report be noted; and
- (6) the Council be recommended to approve the following Band D Council Tax for 2011/12:

	£
Sefton	1,266.68
Police Authority	146.23
Fire and Rescue Authority	64.77
<b>Total</b>	<u>1,477.68</u>

**242. THORNTON TO SWITCH ISLAND LINK - PROGRESS UPDATE, REVISED PROJECT MANAGEMENT ARRANGEMENTS, SCHEME PROGRAMME AND COST PROFILE**

Further to Minute No. 141 of the meeting of the Cabinet Member - Technical Services held on 23 February 2011, the Cabinet considered the report of the Planning and Economic Development Director on the current progress with the Thornton to Switch Island scheme, including the responses from Government to the Council's Best and Final Funding Bid and the planning application. The report sought approval to accept the Government's funding offer, to initiate the next stages of the project, including land acquisition and the revised project management arrangements and set out the current scheme programme and cost profile.

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

RESOLVED: That

- (1) the Department for Transport's acceptance of the Council's Best and Final Funding Bid for the scheme be noted;
- (2) approval be given to the acceptance of the terms and conditions of the proposed Government funding for the scheme and the cost of the scheme be increased in the capital Programme by £14.5m to be funded by the Department for Transport grant;
- (3) the Government Office response to the planning application for the scheme confirming that they do not require a Public Inquiry to be held to consider the planning issues be noted;
- (4) the progress in the preparation of the necessary statutory Orders for the scheme be noted;

- (5) approval be given for the activities that were put on hold in June 2010 to be recommenced, including land acquisition;
- (6) approval be given to the start of work on the next stage of the scheme;
- (7) approval be given to the revised Project Management arrangements and Project Board for the scheme;
- (8) the revised programme for the scheme be noted; and
- (9) the revised spend profile for the scheme be noted.

**243. MERSEYSIDE LOCAL TRANSPORT PLAN PREFERRED STRATEGY AND OUTLINE SEFTON IMPLEMENTATION PROGRAMME**

Further to Minute No. 142 of the meeting of the Cabinet Member - Technical Services held on 23 February 2011, the Cabinet considered the report of the Planning and Economic Development Director on the Merseyside Local Transport Plan Preferred Strategy and the four year Outline Local Transport Plan Implementation Programme for Sefton.

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

RESOLVED: That

- (1) the Merseyside Local Transport Plan Preferred Strategy be endorsed; and
- (2) the proposed four year outline Sefton Local Transport Plan Implementation Programme be approved.

**244. PLANNING FEES AND CHARGES 2011/12**

Further to Minute No. 140 of the meeting of the Cabinet Member - Technical Services held on 23 February 2011, the Cabinet considered the report of the Planning and Economic Development Director which sought approval to increase the fees and charges levied within the Planning portfolio.

The Cabinet also considered an addendum to the report on the revised charges for Local Land Searches in 2011/12.

RESOLVED:

That approval be given to revised fees and charges for 2011/12 set out in Annex A of the report and the addendum to the report, and the revised contributions to be set out in Supplementary Planning Guidance.

**245. EMPTY HOMES AND THE CORE STRATEGY**

Further to Minute No. 112 of the meeting held on 30 September 2010, the Cabinet considered the joint report of the Neighbourhoods and Investment Programmes Director and Planning and Economic Development Director on the current position relating to empty homes in the Borough in relation to previous discussions concerning the Green Belt Land Release Study and the future Planning Core Strategy.

RESOLVED: That

- (1) Sefton's position in relation to empty homes be noted; and
- (2) it be confirmed that the current risk based approach, focussing on the most problematical vacant properties, is the most appropriate response to the issue within current resource constraints.

**246. PROPOSED AMENDMENT TO THE OVERARCHING DEVELOPMENT AGREEMENT WITH KEEPMOAT LIMITED IN RESPECT TO LAND AT PINE GROVE**

The Cabinet considered the report of the Neighbourhoods and Investment Programmes Director on proposals to amend the Overarching Development Agreement with Keepmoat Limited to enable a new housing development at Pine Grove, Bootle, to progress on land owned by the Council.

RESOLVED: That

- (1) in order to progress the scheme at Pine Grove, Bootle, approval be given to Keepmoat Limited funding the financial gap from its own resources, in exchange for them being able to retain 100% of any overage until the gap of £36,756 has been eliminated, at which point, the overage arrangement will revert to that currently within the Overarching Development Agreement and that the legal agreement in respect to this scheme is altered to permit this; and
- (2) the Acting Head of Corporate Legal Services be authorised to amend the Overarching Development Agreement accordingly.

**247. MODERNISING DEMOCRATIC SERVICES**

Further to Minute No. 215 of the meeting held on 17 February 2011, the Cabinet considered a further report of the Assistant Chief Executive detailing changes to the programme of meetings for Area Committees and Overview and Scrutiny Committees in 2011/12 as part of the changes to the democratic processes to be implemented in order to meet the budget savings agreed by the Council on 16 December 2010.

RESOLVED: That

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- (1) the Council be recommended to approve the revised Programme of Meetings for 2011/12 as set out in Appendices B and C of the report; and
- (2) the following meetings scheduled to take place in April 2011 be reinstated:
  - Cabinet Member - Environmental - 6 April 2011
  - Cabinet Member - Children's Services - 19 April 2011; and
  - Overview and Scrutiny Committee (Children's Services) - 19 April 2011.

### **248. CABINET MEMBER REPORTS**

The Cabinet received reports from the Cabinet Members for Children's Services, Communities, Corporate Services, Environmental, Health and Social Care, Leisure and Tourism, Performance and Governance, Regeneration and Technical Services.

The Chair reported that a report on the new recycling contract would be submitted to the next Cabinet Meeting and the new contract would commence on 1 August 2011.

RESOLVED:

That the Cabinet Member reports be noted.

### **249. SELECTION OF DEPUTY CHAIR 2011/12**

Further to Minute No. 217 of the meeting held on 17 February 2011, and subsequent discussions at the meeting of the Mayoral Working Party held on 17 February 2011, the Cabinet considered a further report of the Assistant Chief Executive on proposals for the appointment of a Deputy Chair of Council Meetings for 2011/12 instead of a Deputy Mayor.

RESOLVED: That

- (1) the Council on 3 March 2011 be recommended to give approval to the amendment of Article 5 of the Council Constitution to reflect the amended role of Deputy Chair for 2011/12 and to the deletion of the payment of a Deputy Mayor's Allowance in the Members' Allowances Scheme; and
- (2) the Council be recommended to elect Councillor M. Fearn as the Deputy Chair for 2011/12 at the Annual Council Meeting on 12 May 2011.