

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY, 28 FEBRUARY, 2012. MINUTE NOS. 104, 105, 106, 107, 108 AND 109 ARE NOT SUBJECT TO "CALL-IN"**

**CABINET**

**MEETING HELD AT THE TOWN HALL, BOOTLE  
ON THURSDAY 16TH FEBRUARY, 2012**

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

**101. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**102. DECLARATIONS OF INTEREST**

The following declarations of interest were received:

<u>Member/Officer</u>	<u>Minute No.</u>	<u>Reason</u>	<u>Action</u>
Councillor Brodie - Browne	104 - Transformation Programme 2011-2014	Personal – His employer is involved in discussions with Council Officers relating to the provision of Supporting People services, which are referred to in the report	Stayed in the room and took part in the consideration of the item
Councillor Fairclough	108 – Treasury Management Policy and Strategy 2012/13	Personal - His employer is referred to in the report	Stayed in the room and took part in the consideration of the item
Councillor Shaw	104 - Transformation Programme 2011-2014	Personal – His son is employed by Sefton Library Service which will be affected by issues referred to in the report	Stayed in the room and took part in the consideration of the item

Councillor Shaw	113 - Notice to Withdraw from Local Government Association (LGA) Membership	Prejudicial – He is a member of the Local Government Pensions Committee (LGA body) and a substitute member of other LGA bodies in the Human Resources field, membership of which would be affected by issues referred to in the report	Left the room during the discussion on the item
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**103. MINUTES OF PREVIOUS MEETING**

The Cabinet considered the minutes of the Cabinet Meeting held on 2 February 2012 and a discussion took place on Minute No. 94 (8) relating to the Transformation Programme 2011-2014 and in particular the recommendation in respect of the proposed action to be taken on policy option E3.6 – Sports and Recreation – Review of the life guard cover at all swimming pools. In response to the concerns raised during consultation on this option, it was proposed that the proposed action to be taken on the option of providing “a limited reduction of life guard cover during the low cost periods identified in the report” be deleted and substituted by “life guard cover be provided at all public swimming sessions, as at present and the shortfall in budget savings to be achieved, be met by an increase of 3% above inflation in the charges for swimming sessions.

**RESOLVED:**

That the Minutes of the Cabinet Meeting held on 2 February 2012 be confirmed as a correct record, subject to the amendment of Minute 94 (8) to enable the recommended action to be taken on option E3.6 to read as follows:

<b>Ref</b>	<b>Service Area</b>	<b>Proposal</b>	<b>Recommendation to Council</b>
E3.6	Sports and Recreation	Review of the life guard cover at all swimming pools	<ul style="list-style-type: none"> <li>life guard cover be provided at all public swimming sessions, as at present and the shortfall in budget savings to be achieved, be met by an increase of 3% above inflation in the charges for swimming</li> </ul>

			<p>sessions.</p> <ul style="list-style-type: none"> <li>Officers be authorised to prepare for implementation immediately, (subject to the duty to consult with employees and trade unions) including the issue of relevant statutory notifications, if necessary, subject to the final decision of Council.</li> </ul>
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#### 104. TRANSFORMATION PROGRAMME 2011 - 2014

Further to Minute No. 94 of the meeting held on 2 February 2012, the Cabinet considered the report of the Chief Executive detailing the progress made towards the establishment of the budget for 2012/13 and the reviews of services and consultation processes completed and in progress, as part of the Transformation Programme.

The report incorporated the following information:

- Introduction/Background
- Work Programme and Prioritisation
- Consultation and Engagement Overview
- Impact Assessment Overview
- Risk Management
- Low and Medium Impact Options - Further clarification on issues raised at the Cabinet meeting held on 2 February 2012
- Low and Medium Impact Options to progress
- Reviews
- Options requiring further consideration
  - Landscape Services
  - Supporting People
  - Adults Transport
  - Re-Commissioning of Nursing and Residential Care
- Conclusion

The report also contained the following Annexes -

Annex A	Work Programme Timetable
Annex B	Options previously reported to Cabinet where the impact had been assessed as relatively low or medium following the analysis of the consultation and engagement activity
Annex C	Option where the impact had been assessed as relatively low or medium following the analysis of the consultation and engagement activity
Annex D	Voluntary, Community and Faith Sector Review
Annex E	Terms of Reference - Library Services Review

Annex F	Terms of Reference - Leisure Activity Review
Annex G	Terms of Reference - 24 Hour Response Review
Annex H	Terms of Reference - Street Lighting Review
Annex I	Landscape Services Change Proposals
Annex J	Supporting People Proposal

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

The Chief Executive introduced the content of the report and reminded Members of the need to take into account the equality analysis assessment, risks and the mitigating actions for each budget saving proposal set out in the report. She referred to the extensive consultation exercise undertaken by the Council on the options and made Members aware that the report contained a range of implications for service users and Members of staff affected by the proposals in the report.

Members referred to the consultation responses referred to in the report and the need to ensure the prioritisation of Council services.

RESOLVED: That

- (1) it be noted that the financial recommendations associated with the report had been included in the Framework Budget Recommendation for 2012/13 set out in Minute No. 106 below;
- (2) in respect of the proposals within the Framework Budget Recommendation for 2012/13 set out in Minute No. 106, Officers be authorised to prepare for implementation immediately, subject to the duty to consult with employees and trade unions, including the issue of relevant statutory and contractual notifications, subject to the final decision of the Council;
- (3) the work programme timetable contained in Annex A of the report be noted;
- (4) the Council be requested to approve the following budget savings options set out in Annex B of the report, after taking into account the relevant legislative framework and the issues raised in the consultation, the equality analysis assessment and the mitigating factors for each individual proposal:

**E4 Street Scene**

Ref	Service Area	Option
E4.4	Highways Maintenance	A further reduction in Highways Grounds Maintenance Works Budgets to be delivered by a reduction in the number of cuts to all highway grassed areas

**E6 Other**

<b>Ref</b>	<b>Service Area</b>	<b>Option</b>
E6.6	Public Conveniences	Public Conveniences - Market Test
E6.7	Tourism	Review of Service

- (5) the following option set out in Annex C of the report be not approved, after taking into account the relevant legislative framework and the issues raised in consultation, the equality analysis assessment and the mitigating factors for the proposal. Furthermore, negotiations were on-going with possible interested parties, of which the outcome was not yet known.

**E3 Leisure and Culture**

<b>Ref</b>	<b>Service Area</b>	<b>Option Not Approved</b>
E3.14	Arts and Culture	The cessation of all Council originated activity at Crosby Civic Hall, retaining the building as a 'latch-key' operation for local hirers but retaining core supplies and service budgets

- (6) it be noted that savings of £142,000 associated with the Community Care Practitioner Review had already been achieved through the Voluntary Early Retirement/Voluntary Redundancy process, but the proposed additional savings of £108,000 to be achieved under the Review be deferred, pending the submission of further information, including clarity on how this proposal relates to Adult Social Care Reviewing Officers to the Council on 1 March 2012;
- (7) in respect of the Voluntary, Community Faith (VCF) Review referred to in Annex D of the report:
- (i) it be noted that the VCF review is now concluded and any future changes would be considered within the prioritisation process;
  - (ii) the key messages identified from the results of the VCF consultation and equality analysis report be noted and taken into account; and
  - (iii) approval be given to the introduction of three year commissioning processes where grant aid is given to organisations subject to annual performance reviews, subject to the proposals relating to the Sefton Play Council in the Annex being deferred, pending the submission of further information to the Council on 1 March 2012;
- (8) approval be given to the terms of reference for the following reviews as outlined in Annexes E to H of the report and the associated timescales:

- Library Services
- Leisure Activity
- 24 Hour Response
- Street Lighting

(9) after taking into account the consultation responses received, the following proposals relating to budget savings options set out in Annex I of the report, be deferred for further consideration at the Council Meeting to be held on 1 March 2012:

<b>Ref</b>	<b>Service Area</b>	<b>Recommendations to be the subject of further consideration by the Council</b>
E4.6	Parks and Green Spaces	Recharge formal sports users and allotment users the costs of provision of utilities at pavilions, allotment sites, etc.
E4.7	Parks and Green Spaces	Recharge formal sports users the costs of grounds maintenance to provide formal facilities
E4.8	Parks and Green Spaces	Closure of Aviary, Nursery Shop and Fernery at Botanic Gardens and Conservatory at Hesketh Park

(10) after taking into account the interdependencies, the relevant legislative framework and the issues raised in consultation; the equality analysis assessment and the mitigating factors for the following change proposals set out in Annex I of the report, which requested approval to the re-engineering of the Parks and Green Spaces Service and Coast and Countryside Service in order to achieve a saving of £380,000 in 2012/13 and £330,000 in 2013/14 with the details of the savings to be agreed by the Cabinet Member – Leisure, Culture and Tourism Services, the proposals be deferred for further consideration at the Council Meeting to be held on 1 March 2012:

<b>Ref</b>	<b>Change Proposal to be the subject of further consideration by the Council</b>
E4.5	General reduction in Parks Management and Maintenance Standards
E4.10	Cessation of Park Ranger functions
E4.11	Merger of Parks and Coastal Rangers
E4.12	Coast and Countryside site and visitor management

- (11) in respect of the Supporting People proposal referred to in Annex J of the report:
- (i) approval be given to a further period of consultation on commissioning priorities for the remaining resources and the detail of how the budget reduction could best be delivered whilst minimising/mitigating the impacts i.e. a further review;
  - (ii) it be noted that this further review would be completed by May 2012 so that it identifies the services to be ceased/de-commissioned, rationalised and resources targeted to maximise effect on the basis of those commissioning priorities. (The outcome of this review to be reported to Cabinet in June 2012 and Officers to confirm whether it will be possible to deliver the full-year budget saving of £3m);
  - (iii) the high level project plan for the further review of the Supporting People budget and services be noted; and
- (12) approval be given to a further review of transport services provided for vulnerable adults, in order to establish a policy that would determine the future commissioning of such transport; and
- (13) approval be given to a review of Nursing and Residential Care commissioning and to explore alternative commissioning approaches.

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

The Cabinet considered the report of the Head of Corporate Finance and ICT which provided an assessment of the robustness of the estimates, the adequacy of financial reserves and the longer term revenue and capital plans, based on the proposals set out in the Transformation Programme report (Minute No. 104) and the Framework Budget Recommendation report (Minute No. 106).

The report indicated that the proposed budget still contained a number of options which Members may consider before a final budget is proposed to the Council on 1 March 2012. Should significant changes be made or amendments submitted, a revised option would be given.

RESOLVED:

That the report be noted.

**106. FRAMEWORK BUDGET RECOMMENDATION 2012/13**

Further to Minute Nos. 104 and 105 above, the Cabinet considered the report of the Head of Corporate Finance and ICT on proposed amendments to the Medium Term Finances Plan and the proposed 'Framework' Budget/Council Tax recommendation for 2012/2013 to the full Council based, on previously approved decisions and Transformation Programme proposals to be considered by Council on 1 March 2012.

RESOLVED: That

- (1) the proposals to amend the Council's Medium Term Financial Plan, including the changes to the previously agreed savings options relating to Terms and Conditions, the Capita contract and the subscription to the North West Employers Organisation be noted;
- (2) the expected impact of external levies on the Council budget for 2012/13 be noted;
- (3) the Framework Budget set out in the report, as amended by Minute No. 104 above, be referred to the Overview and Scrutiny Committee (Performance and Corporate Services) for consideration and to the Council for approval;
- (4) the Government's offer of additional grant support (for 2012/13 only) be noted should the Authority agree a Council Tax Freeze;
- (5) the new thresholds for Sefton's maximum Council Tax increase for 2012/13 (+1.94%) without the need for a referendum to be held be noted; and
- (6) the level of the Council Tax for 2012/13 be referred to the Council Meeting on 1 March 2012 for determination.

**107. CAPITAL PROGRAMME 2011/12 AND CAPITAL ALLOCATIONS 2012/13**

The Cabinet considered the report of the Head of Corporate Finance and ICT which provided details of the 2012/13 Capital Allocations received to date and their use in the development of a new starts programme for 2012/13. The report also sought approval for the utilisation of additional allocations of Integrated Transport Block Grant and Disabled Facilities Grant in 2011/12.

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

RESOLVED: That

- (1) the Council be recommended to approve the revised Capital Programme for 2011/12 as set out in the report;



- (2) the utilisation of £203,153 Aiming Higher for Disabled Children resources in 2011/12 as outlined in paragraph 2.2 of the report be confirmed;
- (3) it be noted that any revenue implications of the schemes reported to the Cabinet Member - Children, Schools and Families on 7 February 2012, as outlined in paragraph 2.3 of the report would be met from the schools' delegated budgets;
- (4) the utilisation of the additional £163,000 Integrated Transport Block grant in 2011/12 for Transportation purposes be confirmed;
- (5) the utilisation of the additional £188,866 Disabled Facilities Grant in 2011/12 for the provision of such grants be confirmed;
- (6) the 2012/13 capital allocations received to date be noted;
- (7) the proposal for all 2012/13 capital allocations to be pooled and subject to a bidding process be accepted in principle and a further report on this issue be submitted to a future meeting of the Cabinet; and
- (8) that further to (7) above the Strategic Asset Management Group be requested to consider a detailed strategy for the 2012/13 Capital Programme and submit its proposals to a future meeting of the Cabinet.

**108. TREASURY MANAGEMENT POLICY AND STRATEGY 2012/13**

The Cabinet considered the report of the Head of Corporate Finance and ICT which provided details of the proposed procedures and strategy to be adopted in respect of the Council's Treasury Management Function in 2012/13.

RESOLVED:

That the Council be recommended to give approval to:

- (1) the Treasury Management Policy Document for 2012/13 (Annex A);
- (2) the Treasury Management Strategy Document for 2012/13 (Annex B);
- (3) the amendment to banking arrangements contained within the Financial Procedures Rules of the Constitution;
- (4) the Money Laundering Policy Document (Annex C); 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 for Debt Repayment in 2012/13.

**109. THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES - PRUDENTIAL INDICATORS 2012/13**

The Cabinet considered the report of the Head of Corporate Finance and ICT 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 2012/13 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.

**110. REGIONAL GROWTH FUND BIDS FOR THE NORTH LIVERPOOL AND SOUTH SEFTON STRATEGIC REGENERATION FRAMEWORK**

The Cabinet considered the report of the Director of Built Environment on the outcome of the Regional Growth Fund Round 2 applications to the Department of Business Innovation and Science.

During the discussion on this item, a Cabinet Member requested that negotiations be held with Peel Ports and their tenants to ensure that all interested parties were involved in the development of the River Dredging project.

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

RESOLVED: That

- (1) the progress with the Regional Growth Fund Round 1 and 2 applications be noted;

- (2) the conditional offer of £35 million from the Department of Business Innovation and Science (BIS) to Sefton Council for River Dredging, be noted;
- (3) the Strategic Director - Place and Head of Corporate Finance and ICT be authorised to undertake all necessary due diligence to progress the offer to unconditional offer stage;
- (4) the Council accepts in principle the role of accountable body for the River Dredging project, subject to negotiation of a satisfactory legal agreement with Peel Ports (as Statutory Port Authority), completion of due diligence, and an unconditional grant offer letter from BIS;
- (5) officers proceed to negotiate a legal agreement with Peel Ports in respect of the River Dredging project, and report progress to the Cabinet at a subsequent meeting;
- (6) approval in principle be given to the commissioning of a Wide Area study to provide a spatial masterplan and investment programme, so that the benefits of investment in Port Expansion can be maximised for local communities; and
- (7) officers be authorised to prepare bids for Round 3 of the Regional Growth Fund, and to report back in due course.

#### **111. LOCAL DEVELOPMENT SCHEME FOR SEFTON**

Further to Minute No. 63 of the meeting of the Planning Committee held on 11 January 2012, the Cabinet considered the report of the Director of Built Environment outlining the purpose and proposed content of the Local Development Scheme for 2012.

RESOLVED: That

- (1) the draft Local Development Scheme be approved for submission to the Department for Communities and Local Government; and
- (2) 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 (Regeneration and Environmental Services) had been consulted under Rule 15 of the Access to Information Procedure Rules of the Constitution, to the decision being made by 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 there is a need to have an up-to-date Local Development Scheme. This is purely for procedural reasons, as the independent Inspector for the forthcoming Merseyside Waste Plan will check whether the timescales in each authority's Local Development Scheme are up-to-date and contain accurate dates for the Waste Plan.

**112. REDUNDANCY PAY POLICY**

Further to Minute No.63 of the meeting held on 10 November 2011, the Cabinet considered the report of the Director of Corporate Support Services on the issue of redundancy pay policy across the region following its consideration at a recent meeting of the North West Employers Human Resources Committee.

RESOLVED:

That the points highlighted by the North West Employers Human Resources Committee at its meeting on 6 December 2011, and confirmed in a letter of 16 December 2011 to the Director of Corporate Support Services, be noted.

**113. NOTICE TO WITHDRAW FROM LOCAL GOVERNMENT ASSOCIATION MEMBERSHIP**

The Cabinet considered the report of the Head of Corporate Legal Services seeking approval to extend the period of notice to withdraw from membership of the Local Government Association (LGA) from 1 April 2012 to 1 April 2013 to enable the Council to continue to receive support from the LGA in respect of joint action on legal claims seeking refunds of past charges for property searches data and in seeking a funding contribution from Central Government.

RESOLVED: That;

- (1) approval be given to the extension of the period of notice to withdraw from membership of the Local Government Association from 1 April 2012 to 1 April 2013; and
- (2) officers continue to monitor the benefits of the Council's membership of the Local Government Association.

(The vote on resolution (1) above was carried by 8 votes to 2).