

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY, 6 JUNE 2012. MINUTE NOS. 4, 7 AND 11(2) ARE NOT SUBJECT TO 'CALL-IN'.**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 24TH MAY, 2012**

**PRESENT:** Councillor P. Dowd (in the Chair)  
Councillors Cummins, Fairclough, Hardy, Maher,  
Moncur and Tweed

**ALSO PRESENT:** Councillors Ashton, Booth, Brodie-Browne, Byrom,  
Hands, Jones, Papworth and Weavers

#### **1. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

#### **2. DECLARATIONS OF INTEREST**

The following declaration of interest was received:

<u>Member/Officer</u>	<u>Minute No.</u>	<u>Reason</u>	<u>Action</u>
Councillor Hardy	9 – Appointment of Representatives on Outside Bodies 2012/13	Personal – Her husband is referred to in the report	Stayed in the room and took part in the consideration of the item

#### **3. MINUTES OF PREVIOUS MEETING**

**RESOLVED:**

That the Minutes of the Cabinet meeting held on 29 March 2012 be confirmed as a correct record.

#### **4. CAPITAL PROGRAMME AND CAPITAL ALLOCATIONS 2012/13**

Further to Minute No. 107 of the meeting held on 16 February 2012, the Cabinet considered the joint report of the Strategic Director - Place and Head of Corporate Finance and ICT which provided an update on the development of a single capital pot bidding process and detailed the recommendations for the acceptance of an interim Capital New Starts Programme for 2012/13.

RESOLVED: That

- (1) the confirmation of the Disabled Facilities Grant capital allocation for 2012/13 be noted;
- (2) the Council be recommended to approve:
  - (a) the utilisation of the full 2012/13 Transportation capital allocation to meet existing capital new start proposals;
  - (b) the utilisation of the full 2012/13 Disabled Facilities Grant capital allocation to meet the cost of statutory disabled grant awards;
  - (c) the interim allocation of £2,661,750 as a Children's Services 2012/13 capital new starts programme in order to progress urgent and time constrained projects identified;
- (3) a further report detailing the outcome of the research and suggested appraisal methodology for the single capital pot bidding process be submitted to the Cabinet in June 2012 with the objective of having the appraisal methodology fully embedded for the 2013/14 financial year; and
- (4) it be noted that a further report will be presented later in the year, regarding Adult Social Care schemes to be included in the Capital Programme.

**5. HAWTHORNES FREE SCHOOL/CLOSURE OF ST GEORGE OF ENGLAND HIGH SCHOOL UPDATE**

Further to Minute No. 129 of the meeting held on 29 March 2012, the Cabinet considered the report of the Director of Young People and Families which provided an update on the various issues associated with the closure of the St. George of England High School and the development of the Hawthorne's Free School proposal on the St. George's site.

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

RESOLVED: That

- (1) the contents of the report and the latest information provided by the Department for Education be noted;
- (2) it be noted that the request from the Free School Trust and the Governing Body to bring the closure date for the St. George of England High School forward from 31 August 2013 to 31 August 2012 was for practical reasons and to ensure continuity of education for pupils affected and it was dependent on the decision

to open the Free School being approved by the Secretary of State for Education by 25 May 2012 when the decommissioning of the school would need to commence;

- (3) it be noted that the Free School would not be approved by the Secretary of State for Education by 25 May 2012;
- (4) the risks to the Council outlined in the report, if St. George's High School is decommissioned before the Free School is approved, be noted;
- (5) delegated authority be given to the Cabinet Member - Children, Schools, Families and Leisure to determine the closure of St. George of England High School on 31 August 2012, if the Department for Education confirms the Funding Agreement arrangements for the Hawthorne's Free School; and
- (6) the Strategic Director - People in conjunction with the Head of Corporate Personnel be authorised to take any steps associated with the closure of St. George of England High School, including the issue of any legal notices.

**6. RECOMMENDATION OF THE SOUTHPORT AREA COMMITTEE FOR A PERMANENT NAME FOR THE SOUTHPORT CULTURAL CENTRE**

Further to Minute No. 83 of the meeting held on 19 January 2012, the Cabinet considered the report of the Strategic Director – People on the proposed name for the Southport Cultural Centre.

RESOLVED:

That approval be given to the recommendation of the Southport Area Committee that the permanent name for the Southport Cultural Centre be 'The Atkinson'.

**7. APPOINTMENT OF REPRESENTATIVES ON JOINT AUTHORITIES 2012/13**

Further to Minute No. 16 of the Adjourned Annual Council Meeting held on 15 May 2012, the Cabinet considered the report of the Head of Corporate Legal Services relating to the appointment of the Council representatives on to the Merseyside Fire and Rescue Authority, Merseyside Integrated Transport Authority and Merseyside Waste Disposal Authority for 2012/13.

RESOLVED: That

- (1) following clarification on the issue of proportionality:
  - (a) it be agreed that the revised proportionality on the three Joint Authorities is now as follows:

<b>Authority</b>	<b>Seats</b>	<b>Lab</b>	<b>Lib Dem</b>	<b>Con</b>
Fire & Rescue	4	3 (+1)	1	0 (-1)
Transport	4	3 (+1)	1	0 (-1)
Waste Disposal	2	2 (+1)	0 (-1)	0

- (b) the following Members be appointed on to the following Merseyside Joint Authorities for 2012/13:

<b>Authority</b>	<b>Seats</b>	<b>Lab</b>	<b>Lib Dem</b>	<b>Con</b>
Fire & Rescue	4	Cllrs. Byrom, John Joseph Kelly and Mahon	Cllr. Blackburn	-
Transport	4	Cllrs. M. Dowd, Friel and Kermode	Cllr. Dodd	-
Waste Disposal	2	Cllrs. K. Cluskey and Hardy	-	-

- (2) it be noted that the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) has given his consent under Rule 17 of the Scrutiny Procedure Rules for these decisions to be treated as urgent and not subject to “call in” on the basis that they cannot be reasonably deferred because of the scheduled meetings and induction sessions of the Joint Authorities.

#### **8. LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY 2012/13 - APPOINTMENT OF REPRESENTATION**

The Cabinet considered the report of the Director of Corporate Commissioning seeking the appointment of representatives to serve on the General Assembly of the Local Government Association (LGA) for 2012/13 and to attend the Annual Meeting to be held on 26 June 2012 at Birmingham; and agreement on the distribution of the voting power between the representatives appointed.

The Authority had been invited to nominate up to four representatives to attend and exercise the Council’s votes at the meetings of the LGA General Assembly.

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

RESOLVED: That

- (1) Councillor Maher be appointed as the named representative to attend meetings of the General Assembly of the LGA in 2012/13 and the Annual Meeting on 26 June 2012;
- (2) Councillor Maher be authorised to use 5 votes on behalf of the Council at meetings of the LGA General Assembly; and
- (3) Councillor Maher be authorised to attend the Local Government Association Annual Conference from 27 to 29 June 2012.

**9. APPOINTMENT OF COUNCIL REPRESENTATIVES ON OUTSIDE BODIES 2012/13**

The Cabinet considered a report on the Director of Corporate Commissioning which sought the appointment of Council representatives to serve on Outside Bodies set out in the report for 2012/13 or for periods longer than one year. Details of the existing representation on Outside Bodies was set out in the report.

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

RESOLVED: That

- (1) the following Members be appointed to serve on the undermentioned Outside Bodies for 2012/13:

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	REPRESENTATIVE(S)
Liverpool City Region Cabinet	1	Leader of the Council (Cllr. P. Dowd)  (Substitute: Cllr Maher)
Liverpool City Region Child Poverty and Life Chances Commission	1	Cabinet Member – Children, Schools, Families & Leisure (Cllr. Moncur)
Liverpool City Region Employment and Skills Board	1	Cabinet Member – Regeneration & Tourism (Cllr. Maher)
Liverpool City Region Local Enterprise Partnership Board	1	Leader of the Council (Cllr. P. Dowd)

Merseyside Police Authority Appointments Committee (Until November 2012)	3	Cllrs. P. Dowd, Maher and Brodie-Browne (or their nominees)
One Vision Housing Board	2	Cllr. John Kelly and Mr. D. Hardy; and

- (2) the Leader of the Council be granted delegated powers to determine any representation on the remaining Outside Bodies set out in Appendix 1 and 2 of the report, which have not been determined under resolution (1) above.

## **10. 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 they would involve the likely disclosure of exempt information as defined in Paragraph 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.

## **11. REVIEW OF CONTRACTUAL ARRANGEMENTS - HEALTH AND WELLBEING**

The Cabinet considered the report of the Strategic Director – People on proposals for the termination, for convenience, of the Council's contract arrangements with EZE Fitness at Dunes Splashworld.

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

RESOLVED: That

- (1) the Head of Health and Wellbeing and the Head of Corporate Legal Services be authorised to undertake the actions detailed in section 4 of the report, to terminate the contract for convenience, and
- (2) the Council be recommended to give approval to the inclusion of the purchase of fitness equipment of £262,000 in the capital programme funded from Prudential Borrowing.

**12. TOWN LANE KEW HOUSING AND COMMERCIAL  
DEVELOPMENT SITE SOUTHPORT**

The joint report of the Director of Built Environment and Head of Corporate Legal Services on this issue was withdrawn from consideration at the meeting.