

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY 20 NOVEMBER, 2012. MINUTE NO's 72 (3) AND 73 (4) ARE NOT SUBJECT TO "CALL-IN".**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 8TH NOVEMBER, 2012**

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

**ALSO PRESENT:** Councillors Ashton and M. Fearn

#### **68. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Fairclough, Hardy and Tweed.

#### **69. DECLARATIONS OF INTEREST**

No declarations of pecuniary interest were made.

#### **70. MINUTES OF PREVIOUS MEETING**

##### **Decision Made:**

That the Minutes of the Cabinet meeting held on 11 October 2012 be confirmed as a correct record.

#### **71. PUBLIC HEALTH ANNUAL REPORT 2012 - 'PROTECTING THE HEALTH OF SEFTON'**

The Cabinet considered the report of the Director of Public Health on the 2012 Public Health Annual Report, which provided an overview of the health of the population of Sefton, described work currently being completed and made recommendations about future priorities to improve health and wellbeing and to reduce health inequalities in Sefton.

The 2012 Public Health Annual Report, "Protecting the Health of Sefton", focused on an area of public health that is often not very well understood, that of health protection. This area of public health was concerned with protecting the local population from disease and disability. The report included chapters relating to key areas of health protection including screening, vaccinations and immunisations, sexual health, the control of communicable diseases and the environment. A number of key priorities for future work were also identified in the report.

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

**Decision Made:**

That the Public Health Annual Report 2012 be noted.

**Reasons for Decision:**

The report highlighted proposals for improving health and wellbeing and to reduce health inequalities in Sefton.

**Alternative Options Considered and Rejected:**

None.

**72. TRANSFORMATION PROGRAMME AND REVENUE BUDGET  
2012 - 2015**

Further to Minute No. 64 of the meeting held on 11 October 2012, the Cabinet considered the joint report of the Head of Corporate Finance and ICT and the Head of Transformation which provided details of the progress towards the establishment of the 2013/14 – 2014/15 budget plan and the consultations processes which were being undertaken. The report also set out a further package of budget savings proposals relating to the 'inform consultation options' set out in Annex B of the report.

The report contained the following annexes:

Annex A	Work Programme Timetable
Annex B	Options previously approved for Consultation, Engagement or Information
Annex C	Integration Options
Annex D	Further information on options previously recommended to Council by the Cabinet

The Chief Executive reported that a consultation response had been submitted prior to the meeting from the National Allotment Society relating to Option F1.5 (Allotment Users Fees and Charges) in Annex B of the report and that the details of the response and any officer comments would be included in the report to be submitted to the Council meeting on 22 November 2012.

The Chair referred to the current budget savings of £43.7m which had to be achieved for the period 2013/14 to 2014/15 and indicated that the Government was due to announce the Local Government Settlement for 2013/14 in December 2012 and the confirmation of the external revenue support from the Government would provide greater clarity of the Council's saving requirement for 2013/14.

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

**Decision Made:**

- (1) it be noted that the figures and phasing set out in the annexes to the report were working assumptions of options to be considered and the figures should not be seen as predetermining any decisions. Many of the options would be subject to consultation and engagement, and any figures indicated were being used to facilitate outline budgetary forecasting only;
- (2) the work programme timetable contained in Annex A of the report be noted;

**Annex B – Proposals – Community being informed of changes**

- (3) it be noted that the relevant legislative framework, the risks and mitigating issues identified, the equality impact assessment information and the mitigating factors for each individual proposal in Annex B of the report had been taken into account;
- (4) subject to the deferral of Option F1.1 (Cars Parks), the Council at its meeting on 22 November 2012 be recommended to approve the remaining proposals set out in Annex B of the report;

**Annex C – Integration Proposals**

- (5) the Council at its meeting on 22 November 2012 be recommended to approve the integration options set out in Annex C of the report and mandate Officers to continue with consultation, engagement and implementation processes with partners, key stakeholders, employees and Trade Unions as appropriate with a view to achieving the agreed changes at the earliest opportunity. (This would involve engagement in consultation as necessary, and the issuing of statutory notices to Trade Unions under Section 188 of the Trade Union Labour Relations (Consolidation) Act 1992 and to the Department of Business Innovation and Skills, as necessary. Ultimately the implementation would lead to the termination of employee contracts due to the changes for which officers are as necessary attributed to implement at different stages).

**Annex D – Further information on options previously recommended to Council**

- (6) it be noted that due regard of the information contained in Annex D of the report had been taken and Officers be mandated to commence consultation and engagement processes with the community, partners, key stakeholders, employees and Trade Unions; and

- (7) the risks and mitigating actions outlined in Annex B, C and D of the report be noted.

**Reasons for Decision:**

The recommendations in the report, are another step in agreeing a two year budget plan. Additional budget savings and options still need to be identified to ensure that future years' budgets can be balanced. It is a legal requirement to set a balanced budget and to ensure the medium term financial position is robust.

Early consideration of budget options continues to be essential as this supports informed decision making, including the consideration of the outcome of any consultations undertaken, the impact of any decisions to be made and any steps that can be taken to mitigate the impact of a decision.

**Alternative Options Considered and Rejected:**

Further budget savings and options would be presented to the next Cabinet meeting to be held on 6 December 2012.

**73. REVIEW OF NURSING AND RESIDENTIAL CARE COMMISSIONING**

Further to Minute No. 104(13) of the meeting held on 16 February 2012, the Cabinet considered the report of the Director of Older People which provided an update on the progress of the Review of Nursing and Residential Care Commissioning.

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

**Decisions Made:**

1. the progress on the Review of Nursing and Residential Care Commissioning be noted;
2. Officers, through dialogue and consultation with care providers, partners and other stakeholders be authorised to pursue the actions identified within Section 3 of the report, including the development of a revised Market Facilitation Strategy; and
3. the Cabinet Member – Health and Social Care be given delegated authority to approve the Market Facilitation Strategy, once developed.

**Reasons for Decision:**

On 16 February 2012, the Cabinet considered the report of the Chief Executive on the *Transformation Programme 2011-2014*, detailing the progress made towards the establishment of the budget for 2012/13 and the reviews of services/consultation processes completed or in progress as part of the Transformation Programme. Within that report, the Cabinet considered a proposal for a Review of Nursing and Residential Care Commissioning and agreed that “*approval be given to a Review of Nursing and Residential Care Commissioning and to explore alternative commissioning approaches*”. The Review is ongoing and the report provided an update to the Cabinet on the progress made and the current situation.

**Alternative Options Considered and Rejected:**

None.

**74. SUPPORTING PEOPLE REVIEW UPDATE**

Further to Minute No. 28 of the meeting held on 19 July 2012, the Cabinet considered the report of the Director of Older People which provided an update on the progress of the Supporting People Review and proposals for the commissioning of housing related support services.

The Chair and Cabinet Member – Older People referred to the consultations held by Officers with Social Care Providers in order to minimise the impact of the proposals upon service users and expressed thanks to the Officers and Providers for the work they had undertaken.

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

**Decisions Made:**

1. the progress on the Supporting People Review be noted;
2. the changes to commissioned housing-related support services identified within Section 5 and Annex 1 of the report be approved and Officers be authorised to proceed with the implementation of those changes;
3. it be noted that a further report would be made to Cabinet to update Members on the progress of the as yet unresolved consultations with service providers, the Care and Support Reviews and Integrated Re-Commissioning of Supported/Assisted Living being undertaken as part of the Supporting People Review.

**Reasons for Decision:**

On 21 June 2012, the Cabinet considered a report which provided an update on the progress of the Supporting People Review and set out the proposed commissioning priorities for the Supporting People Service with regard to the achievement of budget savings required for 2012/13 and 2013/14. Approval was given to the adoption of the principles set out in 5.1 of the report and Officers were authorised to work with providers, utilising the principles, to formulate reduction proposals to meet the required budget savings in 2012/13 and 2013/14.

A further report was submitted to the Cabinet on 19 July 2012 setting out the general budget reduction proposals that were subject to detailed consultation with service providers and further details of the proposed approach to commissioned Care and Support Services. The Cabinet approved the managed review and re-commissioning processes outlined in Section 5 of the report, including the integrated re-commissioning of all supported/assisted living services be approved; and requested that a further update be submitted to the Cabinet.

**Alternative Options Considered and Rejected:**

None.

**75. REFURBISHMENT OF KING'S GARDENS, SOUTHPORT - TENDER AWARD**

Further to Minute No. 30 of the meeting held on 19 July 2012, the Cabinet considered the report of the Strategic Director – Place on the procurement and tender process undertaken for the selection of the main contractor to undertake the refurbishment works at King's Gardens, Southport.

The Strategic Director – Place circulated a supplementary report which provided an update on the tender evaluation process.

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

**Decisions Made:**

1. the information contained within section 2 of the report and supplementary report relating to the management of risk be noted;
2. that based on the price and quality assessment of the tenders submitted for the project, Casey Pro Environment of Rochdale be appointed as the preferred contractor for the refurbishment project;
3. authority be given for the project to proceed on the basis of the scheme cost totalling £4,834,651.32; and

4. subject to the satisfactory resolution of outstanding matters with the Heritage Lottery Fund to the extent that the Council's financial contribution to the project is not increased, the Head of Corporate Legal Services be authorised to enter into a formal contract with the preferred contractor.

**Reasons for Decision:**

To comply with the Constitution and Heritage Lottery Fund Grant Award Contract conditions to enable the project to proceed.

**Alternative Options Considered and Rejected:**

None.

**76. EMPLOYMENT AND HOUSING - ANFIELD AND BEDFORD/QUEENS PROGRAMME**

The Cabinet considered the report of the Director of Built Environment on the award of Regional Growth Funding for the Employment and Housing: Anfield and Bedford/Queens programme; and proposals for the disposal of the Bedford/Queens Phase 3, the former St. Winefrides school, and the Kings Centre sites to Keepmoat Ltd. for development and refurbishment.

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

**Decisions Made:**

1. the grant offer of £1,468,715 made under the Regional Growth Fund Round 2 be accepted;
2. approval be given to the disposal of the Bedford/Queens Phase 3, the former St. Winefrides school and the Kings Centre to Keepmoat Homes Ltd. for development and refurbishment as new housing for sale and rent;
3. the Director of Built Environment, Head of Corporate Finance and ICT, and the Head of Corporate Legal Services be authorised to agree the final terms under which the grant is accepted, and the terms under which the sites will be disposed to Keepmoat Ltd;
4. approval be given to the Council entering into a tripartite agreement with both Keepmoat Ltd. and Liverpool City Council to indemnify the Council if either/or both Keepmoat Ltd. and Liverpool City Council fail to honour their obligations contained within the Regional Grant Fund (RGF) Agreement and to vary the existing Overarching Development Agreement with Keepmoat Ltd. to include the obligations contained within the RGF Agreement.

**Reasons for Decision:**

The Regional Growth Fund grant would provide the resources necessary to complete the Housing Market Renewal scheme in the Bedford/Queens area of Bootle, and to create, or preserve 122 jobs in North Liverpool and South Sefton.

**Alternative Options Considered and Rejected:**

With exception of the former St. Winefrides school, the sites in question were Compulsorily Purchased by the Council in order to redevelop with new housing and to use this land for any other purpose could result in legal challenge.

Keepmoat Limited. is the Council's appointed 'lead developer' for the Housing Market Renewal (HMR) programme in the Bedford/Queens area of Bootle. As such, the Council had previously entered into an Overarching Development Agreement with Keepmoat Limited which gave them 'first call' on HMR development opportunities in the Bedford/Queens area, subject to performance and viability.

However, it would be possible as matters stand to sell the former St. Winefrides School site on the open market. Keepmoat had carried out an initial development appraisal of this site and currently the cost of development with housing for sale considerably exceeded its value, which suggested that the site was not viable without grant. On the basis it was likely that if the Council were to sell the site on the open market it would remain undeveloped for some considerable time. Keepmoat are one of the joint applicants of the Regional Growth Fund bid and therefore access to it is dependent upon them being the developer.

**77. LIVERPOOL JOHN LENNON AIRPORT CONSULTATIVE COMMITTEE - CHANGE IN COUNCIL'S APPOINTED REPRESENTATIVE**

Further to Minute No. 9(2) of the meeting held on 24 May 2012, the Cabinet considered the report of the Director of Corporate Commissioning seeking approval to a proposed change in the Council's representation on the Liverpool John Lennon Airport Consultative Committee for the remainder of the 2012/13 Municipal Year.

**Decisions Made:**

1. that Councillor Roche be appointed as the Council's representative on the Liverpool John Lennon Airport Consultative Committee for the remainder of the 2012/13 Municipal Year in place of Councillor Hardy; and
- (2) Councillor L. Cluskey be appointed as a Substitute Member for Councillor Roche on the Consultative Committee.



**Reasons for Decision:**

The Cabinet had delegated powers to approve the Council's representatives to serve on Outside Bodies.

**Alternative Options Considered and Rejected:**

None.