

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY 26 FEBRUARY 2013. MINUTE NO'S 106, 108, 109 AND 110 ARE NOT SUBJECT TO "CALL-IN."

CABINET

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 14TH FEBRUARY, 2013

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

ALSO PRESENT: Councillors Ashton, Crabtree, Dawson, Lord Fearn,
Hartill, Keith, S. McGuire, Papworth, Preece, Shaw
and Tonkiss.

102. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Fairclough.

103. DECLARATIONS OF INTEREST

Councillors Hardy and Maher declared an 'Other Interest' in Minute No. 114.

104. MINUTES OF PREVIOUS MEETING

Decision Made:

That the Minutes of the Cabinet meeting held on 31 January 2013 be confirmed as a correct record.

(The Chair agreed that the following item be considered as an urgent item under Section 100 B (4) (b) of the Local Government Act 1972 (as amended by the Local Government (Access to Information) Act 1985 in view of the need for the Cabinet to be updated on initiatives being undertaken to deal with gun crime issues within the Borough.)

105. POLICE AND CRIME COMMISSIONER

The Chair reported that he had invited Jane Kennedy, the Merseyside Police and Crime Commissioner to attend the meeting to address the Cabinet on the initiatives being taken by the Merseyside Police, the Council and other partner agencies to deal with gun crime issues within the Borough. She was accompanied by Chief Superintendent Nikki Holland (Sefton Divisional Commander), Chief Inspector Chris Platt and Steve McCullum from her Office.

The Commissioner indicated that for the twelve month period ending in January 2012, 15 firearm discharges (guns fired) were made in the Borough and of those, 5 resulted in injuries to other persons; and that for the corresponding period ending in January 2013, 18 firearm discharges were made, with 11 resulting in injuries.

The Sefton Safer Communities Partnership had recently set up a Multi-Agency Response to Guns and Gangs (MARGG), to deal with gun crime issues within the Borough, which was co-chaired by Superintendent Johnson and Steph Prewett from the Council; and arrangements were being made for a Multi-Agency Strategic Hub (MASH) to be set up by 1 April 2013 in St. Peter's House, Bootle. The MASH would initially take a multi-agency approach to Children's Services issues but this would be extended to include all multi-agency services in due course.

The Commissioner thanked the Council for its involvement in the multi-agency approach to tackle gun crime and crime in general; and requested the Council to provide the Police with the use of CCTV camera feed in order to enhance the tools available to them to apprehend any offenders. She concluded by giving an assurance that the Police would continue to give a full and strong response to incidents of gun crime within the Borough and across Merseyside.

The Chair thanked the Commissioner and her colleagues for attending the meeting to provide details of the multi-agency approach being taken to gun crime and for the assurances given on the action to be taken in future.

106. REVIEW OF LIBRARY SERVICES

The Cabinet heard representations from the following lead petitioners who had submitted petitions requesting the Council to keep the following libraries open:

- Ainsdale – Ms M. Horridge
- Ainsdale, Birkdale and Churchtown – Councillor Dawson
- Aintree – Mr W. Honeyman
- Birkdale – Mrs M. McQueen
- College Road, Crosby – Ms H. Short
- College Road, Crosby – Councillor Tonkiss

Further to Minutes No. 65 of the meeting held on 11 October 2012, the Cabinet then considered the report of the Strategic Director – Place which provided an update on the Review of Library Services, including the outcomes from the consultation exercise and outlined options for consideration emerging from the review and consultation.

This report was arranged in a number of sections with associated annexes as indicated below:

	Annex
Petitions	A
Analysis of questionnaires	B
Analysis of consultation in addition to questionnaires	C
Sefton Council for Voluntary Services letter	D
Birkdale Library Action Group letter	E
Public Sector Equality Duty – Analysis Report	F
List of Background documents and reports	G

The Chair referred to the addendum note, setting out various amendments to the content of the report. The Strategic Director reported that the word “Rank” should be added to columns 2 and 5 in the Annex PSED A (page 211), within Annex F of the report

The Chair thanked the Lead Petitioners for attending the meeting to address the Cabinet and indicated that the Council would consider any sustainable and feasible options from voluntary organisations and charitable bodies for the operation of the library service.

Members of the Cabinet raised questions on the following issues referred to in the report and officers responded to the Issues as indicated below:

Councillor Cummins requested the officers to continue to examine the feasibility of all options submitted during the consultation exercise in order to establish whether they were sustainable and viable especially with regard to the current condition of the library buildings within the Borough and the costs of maintenance.

Councillor Hardy sought assurance that the equality implications of the Option B Proposals had been fully evaluated.

Response:

The Director of Corporate Commissioning indicated that the equality implications had been considered and set out in the pre options report submitted to the Cabinet on 11 October 2012. The Public Sector Equality Duty Analysis Report set out in Annex F of the report submitted to this meeting provided details of how the equality implications had been evaluated and he referred to the conclusions set out in that annex. The Library Services staff had been assisted by staff within his Directorate and by an Independent Equalities Adviser on the equalities analysis and he assured the Cabinet that all of the equality implications had been fully evaluated.

Councillor Maher enquired how the implementation plan for the delivery of the revised library service would be delivered and how it would fit in to the Strategic Plan for Libraries.

Response:

The Strategic Director – Place indicated that the implementation plan would only be produced once the Council made the final decision on the Review of the Library Service. The timescales and actions to be

undertaken would be set out in a draft plan to be submitted to the Cabinet for consideration within 2/3 months of the decision being made by the Council. Details of the short and long term plans for the library service would be included within the Strategic Plan, which would also be submitted to the Cabinet for consideration and approval in due course.

Councillor Tweed enquired about the disabled parking available within the vicinity of The Atkinson building in Southport and whether talks would be held with public transport operators to improve improved access to libraries within the Borough.

Response:

The Strategic Director indicated that an on-street pay and display car park was in King Street and off-street parking was in Tulketh Street, Southport. The following disabled car parking spaces were available within the vicinity of The Atkinson building:

Vincent Hotel – 2

Kings Street – 4

Eastbank Street – 2

Lord Street – 2

Hulme Street – 2

Scarisbrick Avenue – 2

He also indicated on the frequency of bus services from the following areas to Southport Town Centre:

Churchtown - 1 bus route operating a 10 minute journey, 6 times every hour;

Birkdale - 3 bus routes operating a 10 minute journey, 3 times every hour; and

Ainsdale - 4 bus routes operating a 12 / 23 minute journey, 8 times every hour.

Discussions would be held with public transport operators but there was no guarantee of any changes in the operation of bus services

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

Decisions Made:

That consideration of the report be deferred to the meeting of the Cabinet on 28 February 2013 to enable Members to fully consider:

- (a) the consultation responses and the analysis thereof;
- (b) the Public Sector Equality Duty Analysis Report;
- (c) the representations made by petitioners; and

- (d) the information given by officers at this meeting in response to questions from Members.

Reasons for Decision:

To enable the Cabinet to fully consider the above information on the Review of the Library Service at its next meeting on 28 February 2013.

Alternative Options Considered and Rejected:

Members have previously considered options for consultation only. The report sought to provide Members with sufficient information on the outcome of that consultation to allow them to come to a decision on a sustainable, comprehensive and efficient Library Service for Sefton for future years.

107. TRANSFORMATION PROGRAMME 2012/13 -BUDGET UPDATE

The Cabinet considered the report of the Head of Corporate Finance and ICT on the current position in respect of the approved budget savings for 2012/13.

Decision Made: That

- (1) the progress to date on the achievement of the approved savings for 2012/13 be noted; and
- (2) approval be given to the inclusion of the additional monies received from the Department of Health into the Adult Social Care budget for 2012/13, as set out in paragraph 2.8 of the report.

Reasons for Decision:

To ensure Cabinet are informed of the latest position on the achievement of savings for the current financial year and to facilitate the achievement of the savings targets for 2012/2013.

Alternative Options Considered and Rejected:

None

108. TRANSFORMATION PROGRAMME AND REVENUE BUDGET 2013- 2015

Further to Minute No. 94 of the meeting held on 31 January 2013, the Cabinet considered the report of the Head of Transformation Services and Head of Finance and ICT which provided an update on the outcome of consultation on options previously approved for consultation, set out recommendations on what should now be included in the final two year

Budget Plan and identified further new budget options and assumptions for consideration and consultation.

The report also provided an update on the outcome of consultation with residents on a number of options previously approved for consultation on an increase in the Council Tax. No new options were presented in the report.

The report was arranged in a number of parts with the associated annex as indicated below:

		Annex
Part 1	Background	
Part 2	Consultation and Engagement	
Part 3	Options previously approved for Consultation	A
Part 4	Risk	
Part 5	Next Steps & Conclusion	

The Chief Executive indicated that the resolutions arising from the report would form the basis of the report to Budget Council meeting on 28 February 2013 which would enable the Council to set its budget and the two year plan. She requested the Cabinet to take into account amongst other things the consultation and engagement activity to date and the impact and risk associated with each option.

Councillor Hardy referred to the revised operational arrangements for the public conveniences service set out in the report which had been amended as a result of the outcome of consultation.

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

Decisions Made: That

Part 1 Background

- (1) it be noted that figures and phasing in the annex to the report are working assumptions of options to be considered and the figures should not be seen as predetermining any decisions. Some of these options remain subject to consultation, engagement and Public Sector Equality Duty assessment, and any figures indicated were being used to facilitate outline budgetary forecasting only;

Part 2 Consultation & Engagement

- (2) it be noted that the feedback on Consultation and Engagement set out in Part 2 of the report including the outcomes of the consultation with residents on Council Tax, had been taken into account;

Part 3 Options previously approved for consultation

Public Sector Equality Duty

- (3) it be noted that the detail within the equality analysis report, the consultation feedback and the mitigating actions within each option set out in the report had been taken into account;

Annex A

- (4) the Council be recommended to give approval to the following actions being taken on the options in Annex A of the report and Officers be authorised to prepare for implementation immediately pending final decisions of Council including the issue of relevant statutory and contractual notification, if appropriate to achieve change.

Ref	<u>Option</u>	<u>Recommended Action</u>
D1.23	Aiming High – Review of Integrated Short Breaks	<ul style="list-style-type: none"> • note that this option can now be delivered through improved ways of working and more efficient procurement of supplies and services and will no longer require consultation • Budget reduction of £55k
D1.24	Cleansing – cease provision of free plastic sacks excluding those premises which are currently identified as ‘difficult to access’	<ul style="list-style-type: none"> • agree to cease provision of free plastic sacks excluding those premises which are currently identified as ‘difficult to access’ • to consider, note and agree the contents of the consultation report • Budget reduction of £60k

D1.32	Increase the charge for pay-to-use facilities and where feasible introduce a charge for use at all public convenience facilities.	<ul style="list-style-type: none"> • to consider increasing the charge for pay-to-use facilities and where feasible introduce a charge for use at all public convenience facilities • consider a reduction in the current portfolio of facilities provided • to commit to the ongoing provision of facilities for the sole use of Arriva staff • to consider reducing the budget for repair maintenance and vandalism on the understanding that should any significant work be necessary this may result in the closure of a facility due to a lack of funding. • to consider and note the brief overview from consultation and agree to a full report being presented to Council • recommend to Council a budget reduction of £40k based on the details stated above as an alternative to closure
D1.33	Cleansing – reorganisation of the workload and work patterns of the Rapid Response Service	<ul style="list-style-type: none"> • note the reduced standards of service that will occur should this budget reduction be agreed • Budget reduction of £75k
D1.25	Re-finance the Mersey Forest subscription to make a saving on the revenue budget; accept voluntary reduction in working hours from two staff; and make further savings in supplies and services	<ul style="list-style-type: none"> • the costs and budgets in the Economy & Tourism Division be re-aligned • the voluntary reduction in hours be noted • to consider, and note the consultation information • Budget reduction of £51k

D1.27	Corporate Commissioning and Neighbourhood Coordination (CCNC) Service – rationalise service	<ul style="list-style-type: none"> • to effect any change (subject to any required employee/ Trade Union consultation) as necessary through Human Resource procedures that may involve VR/VER • to note the contents of the consultation report • to note the contents of the Impact Assessment • Budget planning assumed reduction of £200k
D1.34	Further deferment in the reinstatement of Highway Management funding	<ul style="list-style-type: none"> • Budget reduction of £800k for the purposes of budget planning

Part 4 Risk

- (5) it be noted that the risks and mitigating actions outlined in Annex A of the report had been taken into account; and
- (6) the budget savings options approved by the Cabinet on 31 January 2013 and the budget options set out in resolution (5) above be incorporated into the budget to be recommended to the Overview & Scrutiny Committee (Performance & Corporate Services) on 19 February 2013 and Council on 28 February 2013.

Reasons for Decisions:

The recommendations in the report would bring the Council closer to agreeing the 2013/14 budget and a two year budget plan.

Alternative Options Considered and Rejected:

Any new options identified by Members, Officers, public or partners will be assessed for feasibility and financial implications and will be reported to future meetings as appropriate.

109. TREASURY MANAGEMENT POLICY AND STRATEGY 2013/14

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 2013/14.

Decision Made:

That the Council be recommended to give approval to:

- (1) the Treasury Management Policy Document for 2013/14 (Annex A); and
- (2) the Treasury Management Strategy Document for 2013/14 (Annex B).

Reasons for Decision:

To enable the Council to effectively manage its treasury activities.

Alternative Options considered and Rejected:

None

110. THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES - PRUDENTIAL INDICATORS 2013/14

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.

Decision Made:

That the Council be recommended to:

- (1) approve the Prudential Indicators as 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) approve the amendment of relevant Prudential Indicators in the event that any unsupported borrowing is approved as part of the 2013/14 Revenue Budget;
- (3) note that estimates of capital expenditure referred to in Paragraph 2.2 of the report may change as grant allocations are received; and
- (4) grant delegated authority to the Head of Corporate Finance & ICT to manage the authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report.

Reasons for Decision:

To enable the Council to effectively manage its Capital Financing activities, and comply with the CIPFA Prudential Code for Capital Finance in Local Authorities.

Alternative Options Considered and Rejected:

None

**111. HOUSING IN MULTIPLE OCCUPATION AND FLATS
SUPPLEMENTARY PLANNING DOCUMENT**

Further to Minute No. 123 of the meeting of the Planning Committee held on 6 February 2013, the Cabinet considered the report of the Director of Built Environment on the results of the recent consultation on the draft supplementary planning document for housing in multiple occupation and flats.

The Cabinet also considered an addendum note produced by the Director of Built Environment on a revised recommendation made by the Planning Committee and a copy of the presentation given by Amanda Brown, (Planning Consultant) to the Planning Committee on 6 February 2013.

The Chair sought assurances that adequate consultation had been undertaken on the draft supplementary planning document and the Director of Built Environment indicated that a 12 week consultation period had been held; officers had considered and replied to the seven responses submitted and met the Private Landlords Forum to discuss the issues set out in the document.

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

Decision Made:

The supplementary planning document be approved subject to the insertion of the following text before table 3 in the document, to provide clarity on where the size standards in the table apply:

"These minimum standards will apply to all self-contained flats whether the development is part of a HMO (Use Classes C4 or Sui Generis HMO) or part of a scheme consisting entirely of self-contained flats (Use Class C3)".

Reasons for Decision:

To adopt the supplementary planning document for decision making for Planning applications and enforcement purposes.

Alternative Options Considered and Rejected:

None.

112. RED ROSE PARK

The Cabinet considered the report of the Director of Built Environment on proposals to utilise funding from the Homes and Communities Agency to refurbish existing pitches and to provide new pitches within the existing Gypsy and Traveller site at Red Rose Park, Broad Lane, Formby.

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

Decisions Made:

- (1) the grant offer of £308,020 made under the Homes and Communities Agency's Gypsy and Traveller Fund be accepted to refurbish the existing pitches and provide four new pitches within the existing site boundary;
- (2) the Director of Built Environment be authorised to invite tenders for a contractor to carry out the works at Red Rose Park as set out in the report, subject to the necessary planning permission being granted for the works;
- (3) the Director of Built Environment be authorised to secure "Investment Partner" status with the Homes and Communities Agency; and
- (4) the Council be recommended to give approval to the inclusion of the total scheme cost of £323,020 within the Capital Programme in 2013/14 to be funded by grant (£308,020) and a revenue contribution of £15,000, as set out in the report.

Reasons for Decision:

The project to refurbish the existing pitches and provide new pitches at the site is currently not part of the approved Capital Programme.

Alternative Options Considered and Rejected:

The offer of grant could be rejected, and as there is no allocated funding for the purpose, the existing pitches could not be upgraded and no additional capacity can be added to the site. The condition of the existing accommodation is particularly poor and without improvements necessary to address these issues a question would be raised about whether the Council wished to continue providing sub-standard accommodation of this sort. The closure of Red Rose Park would likely to result in an increase in illegal encampments in the borough and leave 16 families without accommodation, most of who have resided at the site for many years.

113. HIGH STREET INNOVATION FUND

The Cabinet considered the report of the Director of Corporate Commissioning which indicated that the Council had been allocated a grant of £100,000 from the High Street Innovation Fund Initiative (HSIF) and set out proposals for the allocation of the funding to four Town Team Partnerships within the Borough, to support their planned activities to help revitalise the town-centres.

The report also indicated that Crosby, Maghull, Southport and Waterloo had also been awarded funding of £10,000 each from the Government as part of the Portas Pilots initiative.

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

Decisions Made: That

- (1) the current Town Team Partnerships that exist within Crosby, Maghull, Southport and Waterloo and their agreed activities be noted;
- (2) the grant of £100,000 from the High Street Innovation Fund be allocated as follows:
 - Crosby - £17,000
 - Maghull - £17,000
 - Southport - £49,000
 - Waterloo - £17,000; and
- (3) officers examine the feasibility of utilising unallocated funding to assist other Town Centre / private partners in the Borough to enhance and re-vitalise their town centres; and the details be included in the report on the Capital Programme 2012/13 and Capital Allocations for 2013/14 to be submitted to the next meeting of the Cabinet on 28 February 2013.

Reasons for Decision:

To allow Town Teams to progress with their initiatives and for the HSIF to be allocated across the Borough.

Alternative Options Considered and Rejected:

None

114. NOMINATIONS TO ONE VISION HOUSING BOARD

The Cabinet considered the report of the Director of Corporate Support Services on proposals to amend the Council's Housing Stock Transfer Agreement with One Vision Housing with regard to the Council's rights to nominate persons to the Board of One Vision Housing.

Decisions Made: That

- (1) it be noted that as a Board member of One Vision Housing, the Council has the benefit of a 33% shareholding;
- (2) the Council cease to nominate members to the Board of One Vision Housing with immediate effect, subject to One Vision Housing confirming that the Board would exercise their discretion to allow the Council to retain its shareholding;
- (3) the Head of Corporate Legal Services be instructed to complete a Deed of Variation to the Council's Housing Stock Transfer Agreement upon receipt of confirmation that the rules for One Vision Housing have been amended so as to allow the Council to retain its shareholding;
- (4) that the implications of the shareholding set out in paragraph 1.9 of the report be noted; and
- (5) the Chief Executive be nominated to exercise the rights of the shareholding at shareholders meetings of One Vision Housing, and the Head of Corporate Legal Services be requested to confirm the appointment to the Secretary of One Vision Housing.

Reasons for Decision:

To recognise the evolution of One Vision Housing as a business; and to ensure that One Vision's governance structures are not adversely affected by certain clauses contained within the Stock Transfer Agreement concluded between the Council and One Vision Housing on 30 October 2006.

Alternative Options Considered and Rejected:

The Council could continue to make nominations from time to time to the Board of One Vision Housing.

115. VEHICLE STORES AND PARTS PROCUREMENT TENDER RESULTS

The Cabinet considered the report of the Director of Street Scene on the outcome of the tender exercise to seek a contractor to operate the vehicle stores at Hawthorne Road Depot and to provide discounted parts to be used in maintaining the Council's vehicle fleet.

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

Decisions Made:

- (1) the results of the OJEU tendering exercise undertaken be noted;
and
- (2) the contract be awarded to Uniparts Ltd for a period of 3 years, with an option to extend for a period of 1 year on two occasions.

Reasons for Decision:

To deliver cost savings in relation to the procurement of vehicle parts, oils and lubricants utilised in the maintenance of the Council's vehicle fleet, and also in the operation of the Council's stores at Hawthorne Road Depot.

Alternatives Options Considered and Rejected:

The only other option available would be to continue to source vehicle parts using existing suppliers and as such not be able to access the discounted structures available to larger operators.