

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 11 APRIL 2013. MINUTE NO's 132, 134, 137 AND 138 ARE NOT SUBJECT TO "CALL-IN".**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 28TH MARCH, 2013**

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

**ALSO PRESENT:** Councillors Crabtree, Hands and McKinley

#### **129. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

#### **130. DECLARATIONS OF INTEREST**

No declarations of interest were received.

#### **131. MINUTES OF PREVIOUS MEETING**

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

That the minutes of the Cabinet meeting held on 28 February 2013 be confirmed as a correct record.

#### **132. RETIREMENT OF STRATEGIC DIRECTOR - PLACE AND DIRECTOR OF CORPORATE SUPPORT SERVICES**

The Chair reported that this would be the last Cabinet meeting that the Strategic Director – Place, Bill Milburn, and the Director of Corporate Support Services, Mike Fogg, would be attending prior to their retirement on 14 April 2013.

The Chair paid tribute to the sterling work undertaken by Bill and Mike for the Council and the Borough of Sefton during the last 17 years and 27 years respectively.

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

That the thanks and appreciation of the Council be extended to the Strategic Director - Place, Bill Milburn, and the Director of Corporate Support Services, Mike Fogg, for the work they have undertaken for the Council and the Borough of Sefton during the last 17 years and 27 years respectively and best wishes be extended to them for a happy and healthy retirement.

**133. NOT IN EDUCATION, EMPLOYMENT OR TRAINING (NEET)  
WORKING GROUP FINAL REPORT**

The Cabinet considered the report of the Director of Corporate Commissioning on the recommendations of the NEETS Working Group, which had been jointly established by the Overview and Scrutiny Committee (Regeneration and Environmental Services) and the Overview and Scrutiny Committee (Children's Services), to undertake a review on issues surrounding the delivery of the NEETS (not in education, employment or training) service within the Borough.

Councillor McKinley, a Member of the Working Group, attended the meeting to outline the findings and recommendations set out in the report of the Working Group. Councillor McKinley reported that the Overview and Scrutiny Committee (Children's Services) had also requested that the Cabinet agree to forward a copy of the Working Group's report to the Local Government Association, as a potential example of best practice.

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

**Decisions Made:** That

- (1) the Director of Young People and Families be authorised to:-
  - (i) request head-teachers and chairs of governors of high schools (including academies and free schools) within the Borough, to consider increasing the breadth, range and quality of impartial advice and guidance provision for young people in schools, prior to leaving year 11, to receive advice on the full range of options available to them and for information to also be made available to parents;
  - (ii) request head-teachers of high schools and principals of colleges within the Borough to consider increasing the level of mentoring support and guidance for young people, in order for them to be better supported in learning about the range of options available to them, prior to leaving school and college;
  - (iii) produce a follow-up report, to be submitted to the relevant Overview and Scrutiny Committees in twelve months time, to include (i) whether the Council is receiving best value for money in terms of services provided within the NEETS area; and (ii) monitoring of looked after young people leaving Council care and their achievements, or whether they subsequently fall into the NEETS category;
  - (iv) produce six monthly reports to be submitted to the relevant Overview and Scrutiny Committee, outlining the latest position with regard to the NEETS;

- (v) ensure that the Council and its partners be encouraged to use all available statistical evidence to identify NEET hotspots and agree robust intervention targets to reduce numbers in these areas, together with agreed robust systems for monitoring and evaluating the impact of joint interventions; and
- (2) the Director of Corporate Commissioning be authorised to forward a copy of the Working Group's report to the Local Government Association, as a potential example of best practice.

**Reasons for the Decision:**

To enable the recommendations of the Overview and Scrutiny Working Group to be implemented.

**Alternative Options Considered and Rejected:**

The Cabinet could refuse part or all of the recommendations.

**134. SEFTON HEALTH AND WELLBEING STRATEGY 2013-2018 AND BOARD GOVERNANCE**

The Cabinet considered the report of the Head of Business Intelligence and Performance on the proposed governance structure for the Health and Wellbeing Board to be established from April 2013. The report also incorporated a copy of the draft Health and Wellbeing Strategy for Sefton 2013-2018 and the Equality Analysis Report on the findings of the draft Strategy which had previously been considered by the Shadow Health and Wellbeing Board.

The Chair reported that a letter had recently been received from the Police and Crime Commissioner for Merseyside, requesting membership of the Board.

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

**Decision Made: That**

- (1) subject to the delegation set out in resolution (2) below, the Council be recommended to approve the Health and Wellbeing Strategy for Sefton and note the findings within the Equality Analysis report;
- (2) authority be delegated to the Strategic Director – People, in consultation with the Chair of the Shadow Health and Wellbeing Board (Cabinet Member for Children, Schools, Families and Leisure), to agree the next iteration of the Strategy which shall be submitted to the Council for approval;

- (3) having due regard to the views expressed by the Shadow Board, the Council be recommended to approve that membership of the Board shall comprise the following:
- Councillors Cummins, J.J.Kelly and Moncur (as determined by the Leader of the Council);
  - One representative of the local Healthwatch organisation;
  - One clinical representative of the NHS Southport and Formby Clinical Commissioning Group;
  - One clinical representative of the NHS South Sefton Clinical Commissioning Group;
  - The statutory director for adult social care;
  - The statutory director for children's services;
  - The statutory director of public health;
  - The Chief Officer of NHS Southport and Formby and the NHS South Sefton Clinical Commissioning Groups; and
  - One representative of the National Commissioning Board
- (4) the Council be recommended to agree a criteria for determining future membership of the Board beyond that listed in resolution (3) above, so as to enable a process to operate whereby future membership could be increased, provided that the tests set out in paragraph 4.6 of the report are met and the request from the Merseyside Police and Crime Commissioner be considered in the light of this criteria;
- (5) the Council be recommended to agree that substitution should not apply to Board Members;
- (6) the Council be recommended to agree that all members of the Board shall have the right to vote, but that this vote would only be exercised in exceptional circumstances: The convention that shall apply is that the Board would have an open debate and would reach decisions based on consensus. Should a vote be required, then it would be based on a simple majority of those present and voting at the meeting;
- (7) the Council be recommended to note that the Board does not favour the creation of sub-committees at this time and that the requirements relating to the Code of Conduct and declaration of interests applies to Board members;and
- (8) the principle functions of the Board be noted and considered by the Audit and Governance Committee and Council for inclusion within the Council's Constitution as set out in paragraph 4.6 of the report.

**Reasons for Decisions:**

The Health and Social Care Act 2012 gives health and wellbeing boards specific functions. One of the statutory functions is to prepare a Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy.

The Council, NHS Clinical Commissioning Groups, the National Commissioning Board, along with others, have a duty to co-operate. The regulations under section 194 of that Act set out the constitutional and governance arrangements of the Board. The Board has statutory powers from 1<sup>st</sup> April 2013, and is required to publish a Health and Wellbeing Strategy by April 2013.

**Alternative Options Considered and Rejected:**

None - There is a statutory requirement to produce a Health and Wellbeing Strategy and to establish a Health and Wellbeing Board.

**135. THE REECH PROJECT, GREEN DEAL GO EARLY PROJECT AND REECH INTO BUSINESS BID**

The Cabinet considered the report of the Director of Built Environment which provided an update on the Renewable Energy and Energy Efficiency in Housing (REECH) Project; the Green Deal Go Early project bid submitted to Liverpool City Council and the Department for Climate Change; and REECH into Business bid submitted to the Department for Communities and Local Government (DCLG). The matter had also been recently considered by the Cabinet Member – Regeneration and Tourism.

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

**Decision Made:** That

- (1) the success in securing funding for the Green Deal Go Early Project be noted;
- (2) should the "REECH into Business" bid be successful, approval in principle be given to Sefton Council being the Accountable Body for this sub-regional project and that the Head of Corporate Legal Services be authorised to execute any necessary legal agreements with the DCLG and any other delivery partners; and
- (3) subject to resolution (2) above, the remit of the REECH Steering Group (Chaired by the Cabinet Member – Regeneration and Tourism) be extended to include the REECH into Business Project.

**Reason for Decision:**

To enable actions to be taken in progressing the REECH, Green Deal Go Early and the REECH into Business Projects.

**Alternative Options Considered and Rejected:**

None – Not to progress the recommendation would mean Sefton business and residents would not be able to benefit from the opportunities that these three projects would generate.

**136. NOTICE OF MOTION - FINANCIAL MALPRACTICE**

Further to Minute No. 70 of the Council meeting held on 22 November 2012, the Cabinet considered the report of the Director of Corporate Commissioning on the motion submitted by Councillor McKinley relating to financial malpractice, which had been referred by the Council to the Cabinet for consideration in accordance with Paragraph 84 in Chapter 4 of the Council's Constitution (Motions on Expenditure).

The Director of Corporate Commissioning undertook to seek further clarification on the timescale for the finalisation of the new procurement directives by the European Commission.

**Decision Made:** That

- (1) the work being undertaken in the Borough on financial inclusion be noted; and
- (2) the Council's procurement processes be reviewed and reported to the Audit and Governance Committee at such time when the European Commission has finalised the procurement directives to include aspects of social value.

**Reasons for Decision:**

To enable the Cabinet to respond to the Council motion.

**Alternative Options Considered and Rejected:**

None.

**137. SELECTION OF THE MAYOR AND DEPUTY CHAIR FOR 2013/14**

The Cabinet considered the report of the Director of Corporate Commissioning which sought the nomination of the Mayor and Deputy Chair for the Municipal Year 2013/14.

The report indicated that any nominations agreed by the Cabinet would be submitted to the Annual Council meeting to be held on 9 May 2013 for consideration.

**Decision Made:** That

- (1) the Director of Corporate Commissioning be authorised to formally write to the Leader of the Conservative Group, requesting a nomination for a Mayor and the Leader of the Liberal Democrat Group requesting a nomination for a Deputy Chair for the Municipal Year 2013/14; and

- (2) the matter be re-considered at the next Cabinet meeting to be held on 25 April 2013.

**Reason for the Decision:**

It is a statutory requirement for the Council to appoint a Mayor and Deputy Chair under Sections 3(1) and 5(1) of Part 1 of the Local Government Act 1972.

**Alternative Options Considered and Rejected:**

None.

**138. PROGRAMME OF MEETINGS - 2013/14 MUNICIPAL YEAR**

The Cabinet considered the report of the Director of Corporate Commissioning which provided details of the Proposed Programme of Meetings for the 2013/14 Municipal Year.

The report indicated that the Council, at its Budget Meeting held on 28 February 2013, approved options to reduce the frequency of meetings generally and to reduce the number of Area Committees from 7 to 3. These options were currently being consulted upon and the outcome of the consultation process would be reported to the Council on 18 April 2013.

**Decision Made:**

That the report be noted and referred to the Council on 18 April 2013 for deliberation.

**Reason for Decision:**

To enable the business of the Council and the various Committees to be conducted during the 2013/14 Municipal Year.

**Alternative Options Considered and Rejected:**

None.