



METROPOLITAN BOROUGH OF SEFTON

COUNCIL SUMMONS

To Members of the Metropolitan Borough Council

Dear Councillor

You are requested to attend a Meeting of the Sefton Metropolitan Borough Council to

be held on **Thursday 5th July, 2012 at 6.30 pm at the Town Hall, Southport** to

transact the business set out on the agenda overleaf.

Yours sincerely,

A handwritten signature in black ink that reads "M. Carney".

Chief Executive

Town Hall,
Southport

27 June 2012

Please contact Steve Pearce, Head of Committee and Member Services
on 0151 934 2046 or e-mail steve.pearce@sefton.gov.uk

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AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.

3. Minutes of Previous Meetings

(Pages 7 - 26)

Minutes of the Annual Council Meeting held on 10 May 2012 and the Adjourned Annual Council Meeting held on 15 May 2012

4. Mayor's Communications

Public Session

5. Matters Raised by the Public

To deal with matters raised by members of the public within the Borough, in accordance with the procedures relating to Petitions, Public Questions and Motions set out in Rule 11 of the Council and Committee Procedure Rules.

Council Business Session

6. Questions Raised by Members of the Council

To receive and consider questions to Cabinet Members, Chairs of Committees or Spokespersons for any of the Joint Authorities upon any matter within their portfolio/area of responsibility, of which notice has been given in accordance with Rule 12 of the Council and Committee Procedure Rules.

7. Transformation, Medium Term Financial Plan and Revenue Budget Update

(Pages 27 - 44)

Report of the Head of Corporate Finance and ICT

8. Capital Programme and Capital Allocations 2012/13

(Pages 45 - 62)

Joint report of the Strategic Director – Place and Head of Corporate Finance and ICT

9. Dunes Splashworld - Purchase of Fitness Equipment - Recommendation from the Cabinet

(Pages 63 - 64)

Details of the Cabinet recommendation approved on 24 May 2012 attached

- 10. Standards Regime at Sefton Council** (Pages 65 - 86)
Report of the Head of Corporate Legal Services
- 11. Scheme of Members Allowances** (Pages 87 - 98)
Report of the Director of Corporate Commissioning
- 12. Overview and Scrutiny Annual Report 2011/12** (Pages 99 - 120)
Report attached
- 13. Appointments to Outside Bodies 2012/13**
The Council is requested to:
- (1) approve a proposed change to one of the Council's representatives on the Merseyside Integrated Transport Authority for 2012/13; and
- (2) appoint 1 Labour Group Member and delegate the appointment of the other Sefton Member on to the Merseyside Police and Crime Panel for 2012/13 to the Leader of the Council subject to the political balance being agreed across Merseyside
- 14. Membership of Committees 2012/13**
To consider any changes to the Membership of any committees etc.
- 15. Matters dealt with in accordance with Rule 17 of the Scrutiny Procedure Rules (Call-In and Urgency) of the Constitution** (Pages 121 - 122)
Report of the Leader of the Council
- 16. Notice of Motion Submitted by Councillor Hubbard** (Pages 123 - 126)
To consider the following Motion submitted by Councillor Hubbard:
- "The Council notes that:-
1. the centenary of the battle of Festubert will be in 2015;
 2. in excess of 150 men from what is now Sefton, died in that battle; and
 3. in 1920, Southport "adopted" the village of Festubert, raising money and establishing a cultural visits programme on an annual basis.
- The Council calls upon the Mayor to send a letter of friendship to the Mayor of Festubert"

(A copy of a briefing note produced by Councillor Hubbard is attached for information)

17. Notice of Motion Submitted by Councillor Papworth

To consider the following Motion submitted by Councillor Papworth:

"The Council congratulates and thanks those officers who organised the passage of the Olympic Torch through the Borough on 1st June 2012. The event was a huge success, and will have given lasting pleasure to many thousands of Sefton residents. The Council also gratefully acknowledges the part played by Sefton Council for Voluntary Service, Merseyside Police, and numerous other organisations."

18. Notice of Motion Submitted by Councillor Sir Ron Watson

To consider the following Motion submitted by Councillor Sir Ron Watson:

"The Council:

1. recognises the many representations, elected members have had from local pensioners over the changes to their tax allowances in the Budget and considers that the Coalition Government urgently needs to review their policy in this area with the aim of reinstating the previous allowance figure;
2. considers that pensioners in particular, have been the one group of society most badly hit by the unprecedented levels of low interest rates that have drastically reduced their retirement incomes from their hard earned savings;
3. believes that the Coalition Government should alter the tax free ISA provision to allow the current maximum figure of £ 11,280.00 to be invested in a Cash Isa, as opposed to the current situation where half has to be invested in what can be a risky stock exchange situation; and
4. requests the Coalition Government to address these issues in the Chancellors Autumn Statement"

19. Notice of Motion Submitted by Councillor Dawson

To consider the following Motion submitted by Councillor Dawson:

“This Council:

1. Notes the widespread circulation of a report, authored by Cllr Joe Hanson of Liverpool City Council, which has detailed concerns relating to the financial management and past governance of Merseytravel over a number of years, and has prompted criticism from the District Auditor;
2. Welcomes statements from Merseytravel members, councillors of all Parties, of their intention to run their Authority in future in accordance with principles of good governance; and
3. Calls upon the Secretary of State for Transport and the Secretary of State for Communities & Local Government to ensure that the matters raised in the 'Hanson Report' and other concerns relating to the governance of Merseytravel in recent years, should be subject of independent investigation.”

THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

COUNCIL

ANNUAL MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 10TH MAY, 2012

PRESENT: The Mayor (Councillor K. Cluskey) (in the Chair)
The Deputy Chair (Councillor M. Fearn) (Vice Chair)

Councillors Ashton, Atkinson, Ball, Bennett, Booth, Bradshaw, Brennan, Brodie - Browne, Byrom, Carr, K. Cluskey, L. Cluskey, Crabtree, Cuthbertson, Dorgan, M. Dowd, P. Dowd, Dutton, Fairclough, Lord Fearn, Gatherer, Gustafson, Hands, Hardy, Hartill, Hubbard, Jones, John Kelly, John Joseph Kelly, Keith, Kermode, Kerrigan, Killen, Lappin, Maguire, Maher, McGinnity, McGuire, Mclvor, McKinley, Moncur, Murphy, Page, Papworth, Roberts, Robertson, Robinson, Roche, Tweed, Veidman, Sir Ron Watson, Weavers, Webster and Welsh

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blackburn, Dawson, Dodd, Friel, Mahon, Preece, Rimmer, Shaw, Sumner and Tonkiss.

2. ELECTION OF MAYOR FOR 2012/13

It was moved by Councillor P. Dowd, seconded by Councillor Maher and unanimously

RESOLVED:

That Kevin Cluskey, a Councillor of the Borough, be elected Mayor of the Borough for the ensuing Municipal Year and until the acceptance of office by his successor.

Councillor Cluskey then made a Declaration of Acceptance of Office and took the Chair for the meeting.

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3. ELECTION OF DEPUTY CHAIR FOR 2012/13

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne and unanimously

RESOLVED:

That Maureen Fearn, J.P., a Councillor of the Borough, be elected the Deputy Chair of the Council for the ensuing Municipal Year and until the acceptance of office by her successor.

4. VOTE OF THANKS TO RETIRING MAYOR

It was moved by Councillor Peter Dowd, seconded by Councillor Veidman and unanimously

RESOLVED: That

- (1) the Council does hereby place on record its appreciation of the ability, courtesy and impartiality, shown by Councillor Paul Pascal Cummins in his capacity as Mayor of the Borough and Chairman of the meetings of the Council, during the Municipal Year 2011-2012 and for his attendance at many civic and public functions, both inside and outside of the Borough;
- (2) the Council also desires to extend its thanks to Mrs. Carol Cummins for her support and encouragement given to the Mayor;
- (3) the Council wishes to record its appreciation of the excellent effort and involvement by both Councillor Cummins and Mrs. Cummins, in connection with the Mayor of Sefton's Charity Fund;
- (4) the Council further desires to extend its sincere thanks to Councillor Cummins and Mrs. Cummins for the hospitality extended to Royal Visits, Overseas Visitors, Civic Dignitaries and Twinning Officials hosted by this Borough; and
- (5) a copy of the Resolution be passed under the Corporate Seal and presented to Councillor Cummins.

Councillor Cummins and Mrs. Cummins were then presented with framed copies of the Vote of Thanks as tokens of the Council's appreciation of the manner in which they had undertaken their duties in the Office of Mayor during the past twelve months.

Councillor Cummins responded to the Vote of Thanks and expressed his appreciation to his Mayoress, Mrs. Cummins, the members of the public, various organisations and Council officers who had supported him during his Year of Office.

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5. ADJOURNMENT OF MEETING

It was moved by Councillor Peter Dowd, seconded by Councillor Maher and

RESOLVED:

That the meeting be adjourned and the Council re-convene on Tuesday, 15 May 2012 at 6.30 p.m. in Bootle Town Hall.

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COUNCIL

ADJOURNED ANNUAL MEETING HELD AT THE TOWN HALL, BOOTLE ON TUESDAY 15TH MAY, 2012

PRESENT: The Mayor (Councillor K. Cluskey) (in the Chair)
The Deputy Chair (Councillor M. Fearn) (Vice Chair)

Councillors Ashton, Atkinson, Ball, Bennett, Blackburn, Booth, Bradshaw, Brennan, Brodie - Browne, Byrom, Carr, L. Cluskey, Crabtree, Cummins, Cuthbertson, Dawson, Dodd, Dorgan, M. Dowd, Dutton, Fairclough, Lord Fearn, Friel, Gatherer, Hands, Hardy, Hartill, Hubbard, Jones, Keith, John Kelly, John Joseph Kelly, Kermode, Kerrigan, Killen, Lappin, Maguire, Maher, Mahon, McGinnity, McGuire, McIvor, McKinley, Moncur, Murphy, Page, Papworth, Preece, Rimmer, Roberts, Robertson, Robinson, Roche, Shaw, Sumner, Tweed, Veidman, Sir Ron Watson, Weavers, Webster and Welsh

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P. Dowd, Gustafson and Tonkiss.

7. DECLARATIONS OF INTEREST

No declarations of interest were made.

8. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council meeting held on 12 April 2012 be approved as a correct record.

9. MAYOR'S COMMUNICATIONS

Election of New Councillors

The Mayor congratulated all of the Councillors who were re-elected to office following the Local Government Elections held on 3 May 2012 and extended a warm welcome to the 12 new Councillors who had been elected to office, namely Councillors Veronica Bennett, Tony Dawson, Lynn Gatherer, Ted Hartill, John Joseph Kelly, Pat Keith, Stephen

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Kermode, Nina Killen, Paulette Lappin, Peter Maguire, Paula Murphy and Michael Roche.

The Mayor also expressed the gratitude of the Council to the six former Councillors who were not re-elected to office, for their dedicated service to the Borough of Sefton, namely:

- Alf Doran, who had served on Sefton Council for 16 years and was Mayor of Sefton in 2009/10;
- Robbie Fenton, who had served on Sefton Council for 15 years;
- Barry Griffiths, who had served on Sefton Council for 14 years;
- Clifford Mainey, who had served on Sefton Council for 18 years and was Mayor of Sefton in 2004/05;
- Paula Parry, who had served on Sefton Council for 25 years;
- David Pearson, who had served on Sefton Council for 21 years and was Mayor of Sefton in 2003/04.

Councillor Papworth paid tribute to the service given by Paula Parry and Barry Griffiths. Sir Ron Watson paid tribute to the service given by David Pearson. Councillor Robertson paid tribute to the service given by Robbie Fenton and Clifford Mainey and Councillor Cuthbertson paid tribute to the service given by Alf Doran.

PUBLIC SESSION

10. MATTERS RAISED BY THE PUBLIC

The Mayor reported that members of the public had not submitted any petitions or questions.

COUNCIL BUSINESS SESSION

11. ELECTION RESULTS - 3 MAY 2012

The Council considered the report of the Chief Executive and Returning Officer on the results of the Council Elections held on 3 May 2012.

It was moved by Councillor Webster, seconded by Councillor Moncur and

RESOLVED:

That the report be noted.

12. LEADER OF THE COUNCIL

It was moved by Councillor Webster, seconded by Councillor Moncur and

RESOLVED:

That it be noted that Councillor P. Dowd was appointed as the Leader of the Council by the Council on 17 May 2011 for a period of four years or until such time as his term of office expires.

13. CABINET AND DEPUTY LEADER OF THE COUNCIL

The Council considered the report of the Leader of the Council on the proposed membership of the Cabinet and their Portfolios, and the appointment of the Deputy Leader of the Council.

It was moved by Councillor Maher, seconded by Councillor Moncur and

RESOLVED: That

- (1) it be noted that Councillor Maher had been appointed as the Deputy Leader of the Council for a four year term of office or until such time as his term of office expires;
- (2) it be noted that the Cabinet, comprising the Members indicated below, had been appointed for a four year term of office or until such time as their term of office expires, they are removed by the Leader or for any of the reasons set out in (a) to (c) of section 7.03 of Part 2 of the Constitution:-

CABINET (7)

Portfolio	<u>Member</u>
Leader of the Council	Cllr. P. Dowd
Cabinet Member - Children, Schools, Families and Leisure	Cllr. Moncur
Cabinet Member – Communities and Environment	Cllr Hardy
Cabinet Member - Corporate Services and Performance	Cllr. Tweed
Cabinet Member – Older People and Health	Cllr. Cummins
Cabinet Member - Regeneration and Tourism	Cllr. Maher
Cabinet Member – Transportation	Cllr. Fairclough

- (3) the Portfolios set out in Part 3 of the Constitution be amended and agreed with the Leader of the Council and be lodged with the Head

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of Corporate Legal Services as set out in section 7.09 of Part 2 of the Constitution;

- (4) the Cabinet Urgent Business Committee be disbanded, and the Leader or Deputy Leader (or their nominee) be authorised to take any urgent action and report to the next meeting of the Cabinet on any action taken;
- (5) it be noted that no Cabinet Member Spokespersons and Committee Spokespersons have been appointed; and
- (6) the Cabinet Member for Corporate Services and Performance, in consultation with the Director of Corporate Commissioning, be authorised to make any consequential amendments to the Constitution arising from the matters set out above and all Members of the Council be notified of those changes in due course.

14. APPOINTMENT OF COMMITTEES AND WORKING GROUPS 2012/13

The Council considered the report of the Chief Executive on the allocation of Committee Places in accordance with the Political Balance Rules and a schedule of the proposed Membership of the Committees and Working Groups for 2012/13.

It was moved by Councillor Maher, seconded by Councillor Moncur:

That:

- (1) the allocation of Committee Places in accordance with the Political Balance Rules be noted; and
- (2) the Members, Chairs and Vice-Chairs for the Committees and Working Groups set out in the report be appointed for a period of twelve months until the Adjourned Annual Meeting to be held in May 2013.

An amendment was moved by Councillor Brodie-Browne, seconded by Councillor Robertson that the motion be amended as follows:

- (1) that the Council distributes the Chairs of Overview and Scrutiny Committees proportionally i.e.:

2 Labour; 1 Liberal Democrat; 1 Conservative;
- (2) that the Shadow Health and Wellbeing Board membership be distributed proportionately in line with other Committees and in line with best practice; and

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- (3) the Chair of the Audit and Governance Committee be held by an opposition Member in line with Sefton’s previous practice and in line with best practice.

On a show of hands, the Mayor declared that the amendment was lost by 33 votes to 29.

On a show of hands, the Mayor declared that the original motion was carried by 33 votes to 29 and it was

RESOLVED: That

- (1) the allocation of Committee places in accordance with the Political Balance Rules be noted; and
- (2) the Members, Chairs and Vice-Chairs for the Committees and Working Groups set out below be appointed for a period of twelve months until the Adjourned Annual Meeting to be held in May 2013.

(A) OVERVIEW AND SCRUTINY COMMITTEES

OVERVIEW AND SCRUTINY COMMITTEE (CHILDREN’S SERVICES)

(10)

Plus 4 Education Added Members

(Lab 6 /Lib Dem 3 /Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Brennan	Cllr. Veidman
2.	Vice-Chair: Cllr. Bradshaw	Cllr. L. Cluskey
3.	Cllr. Bennett	Cllr. Page
4.	Cllr. Dorgan	Cllr. Dutton
5.	Cllr. Hands	Cllr. Tonkiss
6	Cllr. Hubbard	Cllr. Booth
7.	Cllr. Keith	Cllr. Dodd
8.	Cllr. Killen	Cllr. Maguire
9.	Cllr. McKinley	Cllr. Byrom
10.	Cllr. Webster	Cllr. Carr

Education Added Members:- Canon R. Driver and Father D. Seddon (Church Diocesan Representatives); Mrs. S. Cain and 1 Vacancy. (Parent Governor Representatives)

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OVERVIEW AND SCRUTINY COMMITTEE (HEALTH & SOCIAL CARE) **(10)**

(Plus 1 Non-voting Co-opted Member)

(Lab 6 /Lib Dem 3 /Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Page	Cllr. L. Cluskey
2.	Vice-Chair: Cllr. Robinson	Cllr. Bradshaw
3.	Cllr. Dawson	Cllr. Keith
4.	Cllr. Gatherer	Cllr. Lappin
5.	Cllr. Hartill	Cllr. Jones
6.	Cllr. Hubbard	Cllr. Welsh
7.	Cllr. John Joseph Kelly	Cllr. Gustafson
8.	Cllr. Killen	Cllr. Webster
9.	Cllr. McGuire	Cllr. Dodd
10.	Cllr. Roberts	Cllr. Brennan

Non-Voting Co-opted Member

To be nominated from the
Sefton Local Involvement
Network

OVERVIEW AND SCRUTINY COMMITTEE (PERFORMANCE & CORPORATE SERVICES) (10)

(Lab 6 /Lib Dem 3 /Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. McGinnity	Cllr. McKinley
2.	Vice-Chair: Cllr. Byrom	Cllr. Veidman
3.	Cllr. Ashton	Cllr. Weavers
4.	Cllr. Dawson	Cllr. McGuire
5.	Cllr. Kermode	Cllr. Killen
6.	Cllr. Lappin	Cllr. Murphy
7.	Cllr. Maguire	Cllr. Roche
8.	Cllr. McIvor	Cllr. Hartill
9.	Cllr. Robertson	Cllr. Hubbard
10.	Cllr. Robinson	Cllr. Roberts

OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND ENVIRONMENTAL SERVICES) (10)

(Lab 6 /Lib Dem 3 /Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. McKinley	Cllr. Webster
2.	Vice-Chair: Cllr. John Kelly	Cllr. Bradshaw
3.	Cllr. Bennett	Cllr. Roche
4.	Cllr. Booth	Cllr. Robertson
5.	Cllr. Gatherer	Cllr. Robinson
6.	Cllr. Jones	Cllr. Dutton
7.	Cllr. Lappin	Cllr. Murphy
8.	Cllr. Maguire	Cllr. McGinnity
9.	Cllr. Weavers	Cllr. Dawson
10.	Cllr. Welsh	Cllr. Preece

(B) REGULATORY AND OTHER COMMITTEES

APPEALS COMMITTEE

All Members of the Council (other than Cabinet Members) to form a Panel from which 3 Members are selected to form a politically balanced Committee.

AUDIT AND GOVERNANCE COMMITTEE (10)

(Lab 5 /Lib Dem 3 /Con 2)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Carr	Cllr. Friel
2.	Vice-Chair: Cllr. McGinnity	Cllr. Byrom
3.	Cllr. Booth	Cllr. Tonkiss
4.	Cllr. Brennan	Cllr. Mahon
5.	Cllr. Lord Fearn	Cllr. Hands
6.	Cllr. John Joseph Kelly	Cllr. Kermode
7.	Cllr. Maher	Cllr. Moncur
8.	Cllr. McIvor	Cllr. Jones
9.	Cllr. Papworth	Cllr. Dutton
10.	Cllr. Shaw	Cllr. Ashton

ASSESSMENT SUB-COMMITTEE OF AUDIT & GOVERNANCE COMMITTEE

All Members of the Audit and Governance Committee will form a Panel from which 3 Members will be selected to form a Sub-Committee.

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HEARINGS SUB-COMMITTEE OF AUDIT & GOVERNANCE COMMITTEE

All Members of the Audit and Governance Committee will form a Panel from which 3 Members will be selected to form a Sub-Committee.

REVIEW SUB-COMMITTEE OF AUDIT & GOVERNANCE COMMITTEE

All Members of the Audit and Governance Committee to form a Panel from which 3 Members will be selected to form a Sub-Committee.

EMPLOYMENT PROCEDURE COMMITTEE

Members of the Council to form a panel from which a minimum of 3 Members are selected to form a politically balanced Committee (Lab 2 /Lib Dem 1 /Con 0). At least one member of the Cabinet to be included on the Committee.

LICENSING AND REGULATORY COMMITTEE (15)

(Lab 8 /Lib Dem 5 /Con 2)

	<u>Member</u>
1.	Chair: Cllr. Kerrigan
2.	Vice-Chair Cllr. Robinson
3.	Cllr. Ball
4.	Cllr. Blackburn
5.	Cllr. Bradshaw
6.	Cllr. Carr
7.	Cllr. Dorgan
8.	Cllr. Gustafson
9.	Cllr. Keith
10.	Cllr. Kermode
11.	Cllr. Mahon
12.	Cllr. Preece
13.	Cllr. Rimmer
14.	Cllr. Robertson
15.	Cllr. Roche

LICENSING AND REGULATORY (URGENT REFERRALS) COMMITTEE (3)

(Lab 2 /Lib Dem 1 /Con 0)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Kerrigan	Cllr. Bradshaw
2.	Cllr. Preece	Cllr. Rimmer
3.	Cllr. Robinson	Cllr. Kermode

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LICENSING SUB-COMMITTEES

All Members of the Licensing and Regulatory Committee to form a Panel from which 3 Members are selected to form a politically balanced Sub-Committee.

PAY AND GRADING COMMITTEE (6)

(Lab 3 /Lib Dem 2 /Con 1)

	<u>Member</u>
1.	Chair: Cllr. Tweed
2.	Vice-Chair: Cllr. Fairclough
3.	Cllr. Dorgan
4.	Cllr. Hands
5.	Cllr. Rimmer
6.	Cllr. Roberts

PLANNING COMMITTEE (15)

(Lab 8 /Lib Dem 5 /Con 2)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Veidman	Cllr. Lappin
2.	Vice-Chair: Cllr. John Kelly	Cllr. Brennan
3.	Cllr. Atkinson	Cllr. Page
4.	Cllr. Crabtree	Cllr. Hartill
5.	Cllr. L. Cluskey	Cllr. Kerrigan
6.	Cllr. Dodd	Cllr. Dawson
7.	Cllr. Dutton	Cllr. Ball
8.	Cllr. M. Fearn	Cllr. McGuire
9.	Cllr. Gustafson	Cllr. Webster
10.	Cllr. Hands	Cllr. Keith
11.	Cllr. Mahon	Cllr. Friel
12.	Cllr. Murphy	Cllr. John Joseph Kelly
13.	Cllr. Roche	Cllr. Killen
14.	Cllr. Sumner	Cllr. Shaw
15.	Cllr. Tonkiss	Cllr. Blackburn

PLANNING (URGENT REFERRALS) COMMITTEE (3)

(Lab 2 /Lib Dem 1 /Con 0)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Veidman	Cllr. Mahon
2.	Cllr. M. Fearn	Cllr. Sumner
3.	Cllr. John Kelly	Cllr. Atkinson

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PLANNING VISITING PANEL (15)

The Panel comprises of the Members of the Planning Committee.

STANDARDS COMMITTEE (6) (plus 3 Independent Members and 2 Parish Council Members) until 30 June 2012

(Lab 3 /Lib Dem 2 /Con 1) - including 1 Cabinet Member +

	<u>Member</u>	<u>Substitute</u>
1.	Cllr. Byrom	Cllr. McKinley
2.	Cllr. Fairclough +	Cllr. Moncur
3.	Cllr. Papworth	Cllr. Dutton
4.	Cllr. Rimmer	Cllr. Blackburn
5.	Cllr. Robertson	Cllr. M. Fearn
6	Cllr. Veidman	Cllr. Hardy

Independent Members:

Chair - Mr N. Edwards

Vice-Chair - Mr. E. Davies

Mr. J.R. Fraser

Parish/Town Council Members:

Town Councillor S. Kermode

Parish Councillor D. Warren

(C) LOCAL AREA COMMITTEES

The Members of the Wards included below in the Area of each Committee.

The Chair, Vice-Chair and Local Advisory Members to be appointed by the respective Area Committee.

CROSBY AREA COMMITTEE (12)

Ward	Member
Blundellsands	Cllr. Bennett
	Cllr. Dorgan
	Cllr. Papworth
Church	Cllr. Cummins
	Cllr. Veidman
	Cllr. Webster
Manor	Cllr. John Joseph Kelly
	Cllr. McGinnity
	Cllr. Roberts
Victoria	Cllr. Byrom
	Cllr. Roche
	Cllr. Tonkiss

FORMBY AREA COMMITTEE (6)

Ward	Member
Harington	Cllr. Cuthbertson
	Cllr. Dutton
	Cllr. Killen
Ravenmeols	Cllr. Maguire
	Cllr. McIvor
	Cllr. Page

LINACRE AND DERBY AREA COMMITTEE (6)

Ward	Member
Derby	Cllr. L. Cluskey
	Cllr. Gustafson
	Cllr. Robinson
Linacre	Cllr. Fairclough
	Cllr. Friel
	Cllr. Kerrigan

LITHERLAND AND FORD AREA COMMITTEE (5)

Ward	Member
Ford	*
	Cllr. Lappin
	Cllr. Moncur
Litherland	Cllr. Hardy
	Cllr. John Kelly
	Cllr. Tweed

*The Mayor, Councillor K. Cluskey (Ford Ward) will not be a Member of the Area Committee during his year of office.

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SEFTON EAST PARISHES AREA COMMITTEE (9)

Ward	Member
Molyneux	Cllr. Atkinson
	Cllr. Carr
	Cllr. Murphy
Park	Cllr. Blackburn
	Cllr. Kermode
	Cllr. Robertson
Sudell	Cllr. Gatherer
	Cllr. Hubbard
	Cllr. McKinley

SOUTHPORT AREA COMMITTEE (21)

Ward	Member
Ainsdale	Cllr. Hartill
	Cllr. Jones
	Cllr. Preece
Birkdale	Cllr. Brodie-Browne
	Cllr. Hands
	Cllr. Shaw
Cambridge	Cllr. Crabtree
	Cllr. Keith
	Cllr. McGuire
Dukes	Cllr. Ball
	Cllr. Dawson
	Cllr. Sir Ron Watson
Kew	Cllr. Booth
	Cllr. M. Fearn
	Cllr. Weavers
Meols	Cllr. Ashton
	Cllr. Dodd
	Cllr. Rimmer
Norwood	Cllr. Lord Fearn
	Cllr. Sumner
	Cllr. Welsh

ST. OSWALD AND NETHERTON AND ORRELL AREA COMMITTEE (6)

Ward	Member
Netherton and Orrell	Cllr. Bradshaw
	Cllr. Brennan
	Cllr. Maher
St. Oswald	Cllr. M. Dowd
	Cllr. P. Dowd
	Cllr. Mahon

(D) CONSULTATIVE BODIES

INDEPENDENT REMUNERATION PANEL (5 members)

Canon R. Driver		4 year term until May 2013
Mr. E. Davies	}	
Mr. S. Dickson	}	
Mr. J. Fraser	}	4 year term until May 2016
Mrs. S. Lowe	}	

(To advise and make recommendations to the Authority about the allowances to be paid to Elected Members).

JOINT CONSULTATIVE COMMITTEE FOR TEACHING STAFFS

(9 Council Members plus 9 Teacher representatives)

(Lab 5 /Lib Dem 3 /Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Cllr. Bennett	Cllr. Maguire
2.	Cllr. Booth	Cllr. Sumner
3.	Cllr. Brennan	Cllr. McKinley
4.	Cllr. P. Dowd	Cllr. Page
5.	Cllr. Dutton	Cllr. Hartill
6.	Cllr. M. Fearn	Cllr. Lord Fearn
7.	Cllr. Killen	Cllr. John Kelly
8.	Cllr. Moncur	Cllr. Tweed
9.	Cllr. Preece	Cllr. Weavers

LOCAL JOINT CONSULTATIVE COMMITTEE (12)

(12 Council Members plus 12 Trade Union Representatives)

(Lab 7 /Lib Dem 4/Con 1)

	<u>Member</u>	<u>Substitute</u>
1.	Cllr. Booth	Cllr. Ashton
2.	Cllr. Carr	Cllr. Kermode
3.	Cllr. P. Dowd	Cllr. Maher
4.	Cllr. Dutton	Cllr. Hartill
5.	Cllr. Fairclough	Cllr. Friel
6.	Cllr. Lord Fearn	Cllr. Rimmer
7.	Cllr. McGinnity	Cllr. Atkinson
8.	Cllr. Moncur	Cllr. Mahon
9.	Cllr. Murphy	Cllr. John Joseph Kelly
10.	Cllr. Tweed	Cllr. McKinley
11.	Cllr. Weavers	Cllr. Robertson
12.	Cllr. Welsh	Cllr. M. Fearn

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COUNCIL- TUESDAY 15TH MAY, 2012

PUBLIC ENGAGEMENT AND CONSULTATION PANEL (3)

(Lab 2 /Lib Dem 1 /Con 0)

	<u>Member</u>	<u>Substitute</u>
1.	Cabinet Member – Corporate Services and Performance – Cllr. Tweed	Cllr. Robinson
2.	Cllr. Ashton	Cllr. Robertson
3.	Cllr. Friel	Cllr. Byrom

(E) MAJOR SERVICE REVIEW GOVERNANCE BODIES

STRATEGIC SERVICE PARTNERSHIP BOARD

Leader of the Council (Councillor P. Dowd) and the representatives on the Finance and Information Services Operational Board and the Technical Services Operational Board (Councillors Tweed and Fairclough).

FINANCE AND INFORMATION SERVICES OPERATIONAL BOARD

Cabinet Member - Corporate Services and Performance (Councillor Tweed).

TECHNICAL SERVICES OPERATIONAL BOARD

Cabinet Member - Transportation (Councillor Fairclough).

(F) OTHER BODIES

SHADOW HEALTH AND WELLBEING BOARD FOR SEFTON (2)

(Lab 2 /Lib Dem 0 /Con 0)

	<u>Member</u>
1.	Cllr. Moncur
2.	Cllr. John Joseph Kelly

COUNCIL- TUESDAY 15TH MAY, 2012

15. TERMS OF REFERENCE FOR COMMITTEES AND WORKING GROUPS 2012/13

It was moved by Councillor Maher, seconded by Councillor Moncur and

RESOLVED:

That the terms of reference of the Committees and Working Groups as set out in Part 3 of the Council Constitution and amended by Minute 105 of the Council held on 1 March 2012 be approved.

16. APPOINTMENT OF REPRESENTATIVES ON MERSEYSIDE JOINT AUTHORITIES 2012/13

The Council considered a schedule of the proposed representation on the Merseyside Joint Authorities for 2012/13.

It was moved by Councillor Maher, seconded by Councillor Moncur and

RESOLVED: That

- (1) approval be given to the nomination of Councillors Kerrigan and Shaw as the Council's representatives on Merseyside Police Authority (nominations only - appointment will be made by the Merseyside Police Authority Appointments Committee for the period up to 22 November 2012);
- (2) consideration of the Council's representation on the following Joint Authorities for 2012/13 be deferred:
 - (i) Merseyside Fire and Rescue Authority
 - (ii) Merseyside Integrated Transport Authority
 - (iii) Merseyside Waste Disposal Authority; and
- (3) the decision making in respect of the representation on the above-mentioned Joint Authorities be delegated to the Cabinet on 24 May 2012, following clarification of issues relating to proportionality.

17. APPOINTMENT OF REPRESENTATIVES ON SEFTON BOROUGH PARTNERSHIP BODIES 2012/13

The Council considered a schedule of the proposed representation on the Thematic Partnerships/Groups and Area Partnerships of the Sefton Borough Partnership for 2012/13.

It was moved by Councillor Maher, seconded by Councillor Moncur and

RESOLVED:

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That the following Members be appointed to serve on the Thematic Partnerships of the Sefton Borough Partnership and Area Partnerships in 2012/13:

<u>Thematic Partnerships</u>	<u>Number of Representatives</u>	<u>Member</u>
Children's Trust Board	1	Cabinet Member - Children, Schools, Families and Leisure (Councillor Moncur)
Safer Communities Partnership	1	Cabinet Member - Communities and Environment (Councillor Hardy)

Related Groups/Partnerships

Sefton Partnership for Older Citizens	1	Cabinet Member – Children, Schools, Families and Leisure (Councillor Moncur)
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Area Partnerships

Crosby Area Partnership)	Appointments to be referred to the Cabinet for determination following a review of the Partnerships
Formby Area Partnership)	
Sefton East Area Partnership)	
South Sefton Area Partnership)	
Southport Area Partnership)	

18. DATES OF COUNCIL MEETINGS 2012/13

It was moved by Councillor Maher, seconded by Councillor Moncur and

RESOLVED:

That it be noted that the Council meetings scheduled to be held during the Municipal Year 2012/13 are as follows:

- 5 July 2012
- 6 September 2012
- 22 November 2012
- 7 February 2013
- 28 February 2013 (Budget meeting)
- 18 April 2013

Report to: Cabinet
Council

Date of Meeting: 21 June 2012
5 July 2012

Subject: Transformation, Medium Term Financial Plan and Revenue Budget Update

Report of: Head of Corporate Finance & ICT

Wards Affected: All

Is this a Key Decision? Yes

Is it included in the Forward Plan? Yes

Exempt/Confidential No

Purpose/Summary

1. To update Members on the latest assumptions contained in the Medium Term Financial Plan (MTFP) 2013/14 – 2014/15 and to highlight the potential budget gaps for this period.
2. To recommend to Cabinet the first stage of budget reductions to contribute to the balancing of the 2013/14 budget.
3. To recommend to Cabinet and Council approval of a change to the Treasury Management Policy to allow improvement of cash management

Recommendation(s)

That Cabinet:

- i) Recommend to Council the MTFP projected assumptions contained in this report;
- ii) Note the potential budget shortfalls within the MTFP as follows: -

	£m
2013/14	21.7
2014/15	22.0

- iii) Recommend to Council the initial budget proposals for 2013/14 and future years outlined in paragraph 7, and that officers to be delegated to take the necessary actions to achieve the impact outlined,
- iv) Recommend to Council the change to the Treasury Management Policy as outlined in paragraph 8.

That Council:

- i) Approve the MTFP projected assumptions contained in this report;

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- ii) Approve the initial budget proposals for 2013/14 and future years outlined in paragraph 7, and that officers to be delegated to take the necessary actions to achieve the impact outlined,
- iii) Approve the change to the Treasury Management Policy as outlined in paragraph 8.

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

Reasons for the Recommendation:

To ensure that the Cabinet is fully aware of the latest MTFP position so that early decisions can be made to enable the Council to agree a balanced budget for 2013/14 before the statutory date of 10 March 2013.

To allow the Council to invest in its own and other local authority owned companies to maximise cash management opportunities

What will it cost and how will it be financed?

(A) Revenue Costs

The revenue gaps for each of the years 2013/14 to 2014/15 are projected at £21.7m and £22.0m respectively. The figures are individual in-year savings targets, assuming the previous year's target is achieved. The Council needs to take action over the coming months in order for a balanced budget to be agreed for 2013/14. The first of these actions are detailed in the report.

(B) Capital Costs

None.

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Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal	Statutory Duty
Human Resources	None
Equality	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery:

To be determined; however it may be inevitable that in some cases service delivery will be adversely affected.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT (FD1612) and Head of Corporate Legal Services (LD946/12) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

None.

Implementation Date for the Decision

Immediately following the Committee Meeting.

Contact Officer: Margaret Rawding
Tel: 0151 934 4082
Email: Margaret.rawding@sefton.gov.uk

Background Papers:

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Key Messages

This report sets out the following key messages:

- The Council set its budget in March and at that time it was estimated that the Council would need to reduce its spending by around £25m over the next two years.
- Since this time Government has made a number of announcements which now means that it is now estimated that the budget deficit is much larger.
- Sefton now needs to reduce spending by £43 million over the next two years.
- This is a significant challenge and will mean a continuation of the in-depth reviews of all Council spending that have been undertaken since 2009.
- The budget deficit is directly related to a real term reduction of Government Grant of £33 million with the rest being the extra cost Adult Social Care services – given Sefton’s ageing population.
- At this stage it is assumed that Council Tax will not be increased in the next two years. This will need to be considered over the coming months before making a final decision. Any increase will need full consultation with the public.
- However due to Government rules the most that can be raised in extra Council Tax would be £2m.
- This challenge is made much greater by the fact that the Council’s spending has already reduced by £64 million in the last two years’ budgets.
- These forecasts are based on what it is estimated Government Grant will be. It is unlikely that the actual figures will be received until December 2012 and so plans need to be made based on these numbers.
- The Council will continue to develop the process that has been in place for a number of years.
 - All stakeholders must continue to look for any savings that can be made and ideas continue to be welcomed
 - Specific reviews have commenced of a number of major services including Social Care, Libraries and Leisure.
 - All services will continue to be reviewed and assessments made of the most appropriate level that must be provided and that the Council can afford
 - The Transformation Programme continues to look at the longer term way we deliver our services
- This report asks Cabinet to approve a small number of non controversial savings items. None of these will involve any staff reductions.
- Sefton will keep staff informed throughout this process through briefings, intranet and face to face. There will be lots of opportunities for staff to get information and ask questions and the Council promises to maintain our open approach to the budget.
- The Council intends to continue to consult and engage with all our communities and partners. This process will start in June and continue until final decisions are made by Council.

1. Background

1.1 At its meeting of 1 March 2012 the Council agreed the budget for 2012/13. As part of this budget consideration the Council also noted that there was a gap in the coming 2 years between available funding and spending plans of over £25m. This report provides an update to those forecasts and incorporates into them recent changes in national funding arrangements and also the financial implications of local demographic trends, particularly relating to care services.

1.2 Council approved the 2012/13 Revenue Budget on 1 March 2012.

Current Spending levels

The Council currently spends

	£m	£m	£m
Total net expenditure			<u>539</u>

In broad terms this is made up of :

Schools Related (DSG)		184
Housing Benefits		118
Debt repayment, Pension deficit and NNDR		22
Levies		39
Council Expenditure on all other functions	201	
Less unring-fenced grants	<u>- 25</u>	<u>176</u>
		<u>539</u>

1.3 The 2012/13 budget was the second year of significant reductions in budgets arising from the changes in national policies and resource allocations. Over the period 2011/12 to 2012/13 the Council will have delivered in excess of £64m budget savings to offset the cessation of £44m of grants and a further £20m to cover falling general funding and to redirect resources to support increasing demand on services.

The Chancellor's Autumn Statement confirmed that the national finances are less healthy than previous forecasts had assumed. He also indicated that further challenges in the levels of public expenditure would be inevitable.

The Medium Term Financial Plan (MTFP) has been prepared taking a reasonable but not pessimistic view of those areas which are known to be subject to change but for which the actual outcome is not yet known. The principal areas of government funding will not be known with certainty until December 2012. Decisions on how to address the budget shortfall need to be taken well before December 2012 to give time for proper consultation with the public, stakeholders, staff and other interested parties.

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The current assumptions included within the MTFP are summarised in Annex A. More detail on their impact on the forecast budget gaps are described below.

2. Levels of Government Funding

Summary impact on budget – Reductions in funding of £18.6m over 2 years
Assumptions/Risks - retain current Level of NNDR base
- no changes from falling population numbers
- current level of new homes built is sustained at 400 p.a.

The Government funding allocations are due to be announced in December 2012 and these are likely to only be for one year. Officer projections of the national funding position and the best estimate of the likely impact on Sefton in 2013/14 and 2014/15 have been incorporated into the forecasts. Given the level of uncertainty further estimates have not been made for 2015/16. Clearly, given the current pressures to make increasing reductions in public sector expenditure this prudent but not pessimistic forecast could be significantly amended. A 1% error in this figure equates to a £1.2m variance

2.1 Formula Grant

The Formula Grant assumed within the previously agreed MTFP for 2013/14 and 2014/15 are based upon a greater reduction than the national average reduction announced in the 2010 Spending Review. This is in line with the greater reductions received by Sefton in 2011/12 and 2012/13. The reductions assumed are **£3.1m** in 2013/14 and a further **£8.6m** in 2014/15.

2.2 Business Rates Localisation

From 2013/14 Formula Grant will cease and will be replaced by Business Rates localisation. The details of how the scheme will work have yet to be finalised so it is difficult to assess what impact that this will have on our funding in 2013/14. Factors that will have a potential impact on our funding include:

- The level at which the baseline is set for current funding
- The method for calculating the share of national business rates
- The level of national business rates top slice for existing grants
- Assumptions about business rates growth
- Levels of damping included in the system (the mechanism used by the Government to set a limit on the reduction in funding that can be made to an individual Council).

From 2014/15 our funding will be affected by:

- The level of growth achieved (compared to the growth assumed by the Government)
- The level of the safety net and the levy on excessive increases.

The Cabinet is also asked to note that the level of NNDR collection has been assumed constant. Any reduction in collection rates for NNDR is expected to

partly fall on the Council from April 2012/13 (a 1% reduction could equate to a £0.35m loss of income to the Council). Furthermore no increase in NNDR has been assumed. 50% of any increase in the NNDR tax base can be retained by the Council

Given the uncertainty around how the scheme will work it is not proposed to change the current assumptions on reductions in funding due to the impact of Business Rates localisation. The potential impact on Sefton will be assessed as more information is received on how the scheme will operate. However, there are other issues that may affect external funding which are discussed below.

2.3 Data Changes

The starting point for system of business rates localisation will be based the current formula grant distribution model updated for data changes in 2013/14 and possibly 2014/15. Sefton has seen its population (the main driver of the relative needs formula) decline over the last 10 years, whereas other parts of England have on average seen a population increase. If the model used to determine the baseline continues to use population projections then we can expect our funding baseline to be established by the damping floor. If population estimates based on Census 2011 data are used we may see a different outcome.

Given the uncertainty around how the scheme will work it is not proposed to change the current assumptions on reductions in funding due to potential Data Changes.

2.4 New Homes Bonus

The Government have stated that they intend to top-slice the total level of grant required to fund the New Homes Bonus in its steady state (i.e. funding required in year 6) from the baseline for business rates localisation. This will reduce the level of top-up Sefton receives at the start of the new funding regime.

In 2013/14 the Government will need to make an initial adjustment because the amount they assumed would be required for New Homes Bonus in the 2010 Spending Review was lower than the actual amounts paid out. This is estimated to reduce Sefton's external funding by **£0.9m**. **This has been built into the revised MTFP.**

In addition, our Council Tax Base needs to grow in line with the national average so that the amount of New Homes Bonus received equates to the amount top-sliced by the Government. If it doesn't our funding will decline from 2013/14 onwards. To remain neutral it is estimated that the number of eligible properties needs to increase by between 800 and 1,100 per year. Although a similar increase was achieved in 2011/12, it is not considered to be sustainable in future years. It is considered more realistic to assume that any increase will be in line with the average increase achieved between 2010/11 and 2011/12. This will result in a further reduction in funding of **£0.5m**. **This has been built into the revised MTFP.**

2.5 Pay Increases Assumption in Budget Announcement

The Chancellors Autumn Statement 2011 announced that as a result of limiting pay increases to 1% in 2013/14 and 2014/15, there would be a saving on the assumption in the 2010 Spending Review that 2% had been included in

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departmental budgets. This saving will be recouped by the Treasury by reducing departmental budgets by more than anticipated in the Spending Review. There is expected to be a reduction in the DCLG budget which could be passed on to local authorities in the Settlement for 2013/14 and 2014/15.

It is unknown what assumptions the Government make in relation to the funding of pay awards. A 1% pay award would cost the Council nearly **£0.9m**. **It is considered prudent to assume that external funding will reduce by this amount in 2013/14 and 2014/15.**

2.6 Academies Funding

As part of the 2011/12 and 2012/13 settlement an element of formula grant was top-sliced to fund schools converting to academies. The transfer was made pro-rata to the relative needs formula and did not relate to the actual number of pupils transferring to academies in the area. Sefton's Formula Grant was reduced by £1.171m in total over the two years. The Government is expected to correct any differences between the actual cost of providing support to academies and the amount of formula grant transferred as part of the 2013/14 funding calculations. Seven of the high schools with 7,848 pupils transferred to academy status during 2011 and a further two schools with 586 pupils are expected to combine into a single free school in 2012. If the Government uses the national average expenditure figure of £156 per secondary school pupil to calculate the required funding adjustment, then Sefton's external funding would be reduced by a further **£0.145m** in 2013/14. **This has been built into the revised MTFP.**

The Government have also indicated that they intend to transfer funding for some local authority central education functions out of formula grant in 2013/14 in order to be able to manage the costs of future academy transfers. This funding will then be redistributed by the DfE via a grant to local authorities and academies proportionate to the number of pupils for which they are responsible according to a national rate. Sefton currently supports 32,649 pupils aged 3 to 18 excluding those in academies and the proposed free school. If the Government top-slices the Council's funding inline with its actual expenditure and then provides a grant based on the national average expenditure, the Authority would stand to lose £0.346m for every £10 that it spends per pupil above the national average. Alternatively the Council could gain £0.346m for every £10 it spends per pupil below the national average. The DCLG and DfE are expected to consult later in 2012 on how this transfer can be achieved. **At present no change has been built into the amended MTFP in respect of this potential change.**

2.7 Council Tax Freeze Grant

The 2012/13 Council tax freeze was funded through a one year only grant (unlike 2011/12 freeze grant which was guaranteed until the end of 2014/15.) **The level of expenditure, £3.1m, which was supported by this grant, will now need to be met from a reduction in the budget in 2013/14 onwards.**

2.8 Adult Social Care Funding

Summary impact on budget – nil

Risks - £4m risk and further reductions required if not available

The government has funded additional Adult Social Care support, through the PCT for the last 2 years. These forecasts assume this will continue into future years at the rate of £4m. There is a risk that this will not be continued at the current level.

3. Council Tax

3.1 Council Tax Increases

Summary impact on budget – Nil

The MTFP presented to previous Cabinet meetings have assumed an inbuilt increase in the Council Tax levels of 3% in each of 2013/14 and 2014/15 and it was also noted that funding to cover a nil Council Tax increase in 2012/13 was for one year only. This report has changed this assumption to one where Council Tax is assumed to be retained at its existing levels. This allows the Council to determine the level of Council Tax at a later stage in the budget process when the Council is able to understand the balance between increasing income and reducing budgets more clearly

Cabinet should note however, that due to changes arising from the Localism Act, and the treatment of levies, the ability to raise Council Tax without going to a public referendum is limited to £2m. This figure could change further if the level of “excessive increase” is changed by Government from the current 3.5% level. There could also be an impact arising from the replacement of the Council Tax Benefit Scheme with a Council Tax Reduction Scheme, details of how this change will affect the calculations has still to be released by DCLG.

3.2 Council Tax Support Scheme

Summary impact on budget – Scheme impact assumed at this stage to be nil. However, considered prudent to assume additional doubtful debt provision required of £0.5m. Risks - impact on current benefit recipients - Collection rates for new payees not known,
--

The Council Tax Benefit for residents will cease on 31 March 2012. This will be replaced by a Council Tax reduction scheme that has to be determined by the Council. Funding for this replacement is estimated to be set at:

- i. 10% reduction on the existing figure (£3.7m)
- ii. No funding provision for forecasted additional claimants (£0.9m)
- iii. Provision for non payment of Council Tax from new payees (£0.4m)

The Council will need to consider how this gap will be met. If any of this reduction is to be found from the General Revenue Fund then further savings will need to be identified to match this redirection of resources.

The Council Tax Reduction Scheme will be the subject of a major report to the July Cabinet meeting. Officers are currently investigating the implications of the changes. This will include the design of a local scheme. **Given the uncertainty**

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surrounding the implications of the changes it is considered that the updated MTFP should not include any amendments relating to the scheme.

However, because any changes to the scheme are likely to result in Council Tax being collectable from those who will find it most difficult to pay it is considered that the collection rate will reduce as a result. Although there is uncertainty as to what this reduction will be, it is considered prudent to assume that an additional **£0.5m** will be uncollectable from Council Taxpayers. This has been built into the updated MTFP.

4. Expenditure

4.1 National Pay Settlement

Summary impact on budget – Increases in expenditure of £1.8m over 2years

No agreement has been reached regarding the national pay settlement for future years. The Council's forecasts assume a 1% increase in 2013/14 (£0.9m) and a further 1% in 2014/15.

4.2 Terms and Conditions

Summary impact on budget – Increased expenditure of £3.2m over 2 years

The Council has an agreement with the unions for changes in terms and conditions which has delivered savings of £2.5m in each of the 2 years relating to this agreement. This agreement will need to be renegotiated for 2013/14 and 2014/15 and the budget forecasts assume that the same level of savings can be maintained with the exception that the cost of increments, which have not been paid for 4 years will be reintroduced.

4.3 Social Care

Summary impact on budget – Increased expenditure of £7m over 2 years

The previously reported MTFPs have no provision for additional expenditure in 2013/14 and 2014/15 for social care as a result of demographic pressures. Officers have conducted an initial review of the potential additional costs as a result of these pressures. This indicates that costs for Adult Social Care are expected to increase by **£4m** in 2013/14 and a further **£3m** in 2014/15. Each year the numbers and costs of those vulnerable older people requiring our services increase. This is a national demographic and financial issue which all Councils face but it is an important and pressing issue for us here in Sefton given the greater proportion of older people in Sefton - particularly in terms of those over the age of 80. In spite of an increasing number of national reports calling for action and policy changes, Local Authorities await policy and resourcing policy from national Government. In the meantime this extra cost falls directly on the Council. We do not receive any extra money from Government to pay for this. No additional increases in children's social care are anticipated over the period to 2014/2015.

4.4 Inflation

Summary impact on budget – Increased expenditure of £9m over 2 years

Current price inflation varies considerably across the various elements contained within the Government's CPI figures, with many items having little relevance to the costs incurred within local government.

Recent publicity regarding utility / transport fuel costs has indicated that, due to world economic conditions, inflation is expected to increase year-on-year for the period of the MTFP. The 9% increase for these costs in each of the years of the plan is consistent with previous forecasts. **It is proposed to retain an inflation provision at this level.**

The MTFP currently provides for a 2% increase for Demand Pressure Services in each of the three years of the plan. **It is proposed to retain an inflation provision at this level.**

Cabinet needs to be mindful that also on the agenda is a report concerning the fees paid to residential care providers for 2011/12 and 2012/13. The decision in relation to those fees may impact on social care budgets.

Externally contracted services which have a specified inflation index within the contract are provided for within the MTFP. As the actual indexes will not be known until the relevant years, the MTFP provision is based upon existing contractual inflation figures.

The MTFP currently provides for a 2% increase for Other Services (excluding contracted services) in each of the three years of the plan. **It is proposed to retain an inflation provision at this level.**

Therefore, no additional adjustment to the MTFP for inflation is proposed at present

5. Savings Agreed during the 2012/13 Budget Process

Delivery of the approved savings for 2012/13 are being implemented. Whilst it has been assumed that these savings targets will be achieved, these matters will be kept under review and any variation that will continue into 2013/14 will be included in future updates of the MTFP.

In addition, a number of savings agreed during the 2012/13 budget process either:

1. Were to be implemented from 2013/14;
2. Were to be implemented part way through 2012/13 so the saving increases in 2013/14 to take account of the full year effect; or,
3. Were only for a set period of time so the saving has ceased in a future year.

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These items are all listed in Annex B. Any issues with regard to the achievement of these savings will be kept under review and any potential variations that will impact on future years will be included in future updates on the MTFP.

6. Summary Budget Gap Analysis 2013/14 – 2014/15

Compared with the current 2012/13 budget service levels, the following shortfalls have been projected: -

	Para Ref	2013/14 £m	2014/15 £m
<u>National policy changes:</u>			
Cash Reduction in Government Grant:			
Reduction based on 2010 Spending Review	2.1	3.1	8.6
New Homes Bonus – Initial Reduction	2.4	0.9	0.0
New Homes Bonus – Ongoing Reduction	2.4	0.5	0.5
Pay Increases Assumption	2.5	0.9	0.9
Academies Funding	2.6	0.1	0.0
Loss of Council Tax Freeze grant	2.7	3.1	0.0
		8.6	10.0
Council Tax reduction scheme	3.2	0.5	0.0
<u>Inflation:</u>			
Pay / Increments	4.1, 4.2	2.6	2.4
Prices	4.4	4.4	4.6
Pensions		0.9	0.0
		7.9	7.0
<u>Demographics – Demand Pressure Services growth:</u>			
– Adult Social Care	4.3	4.0	3.0
<u>Previous Cabinet / Council Decisions:</u>			
Cardboard / Plastics Recycling		1.0	0.0
Housing Benefit Subsidy		0.2	0.2
Southport Cultural Centre		0.5	0.0
Impact of previous year budget decisions		-1.0	1.8
Total Budget Gaps		21.7	22.0

7. Review of the 2012/13 Budget and Options for future savings

The Council considered 2012/13 budget options over several meetings from September 2011 to March 2012. During the implementation of these options and as part of an ongoing review and challenge of service budgets the following areas for possible budget reductions have been identified by officers. This first phase of budget changes does not have any requirement to consult with the public nor contain staffing redundancy implications. Members are asked to consider them and approve officers to be delegated to take the necessary actions to achieve the impact outlined.

Area for Change	2013/14	2014/15	<u>Action Required</u>
	£000	£000	
Increased Housing Benefit performance grant - low error rate	500		Budget to assume continuing level of performance to gain additional grant for 2012/13 plus 2 years
Reduction in External Audit fees	100		Renegotiated rates agreed with Audit Commission, Budget adjusted.
Recoverable VAT	400		On satisfying need to create Environment Warranty provision apply Additional OVH vat recovery to revenue account instead of reserves arising in part from increase in VAT from 17.5% to 20%
Learning and development	80		£220 One off from previous year grants, £80k recurrent achievable from increased e-learning
School Improvement team – premises, supplies and services	50		Greater levels of economies being made , adjust budget requirement
Education other than at School recurring under spend	118		Ongoing reassessment of required budget level – reduce budget accordingly
Catering service - additional income attributable to Council	100		
Recycling contract savings	400		
Updated staffing savings arising from People department restructures actioned in 2011/12 and 2012/13	148		
TOTAL	1,896	1,896	

The above savings have not been included in the MTFP outlined earlier in this report. If approved, the £1.9m saving in 2013/14 will contribute to the overall resource shortfall of £43m identified within this report.

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8 Investment Vehicles

- 8.1 The Treasury Management Policy provides delegated authority for the Head of Corporate Finance and ICT as follows:

All executive decisions on borrowing, investment or financing shall be delegated to the Head of Corporate Finance and ICT (or in his/her absence the Deputy Section 151 Officer) who shall be required to act in accordance with the Council's Treasury Policy, Treasury Management Practices and CIPFA's Standard of Professional Practice on Treasury Management.

- 8.2 The Treasury Management Strategy for 2012/13, presented to Cabinet on 1 March 2012, included potential investment vehicles that should be made available to the authority, and set a maximum duration for non-specified investments at 2 years (paragraph 2.9.7). This included the ability to invest in other local authorities.
- 8.3 This has been reviewed by the Head of Corporate Finance and ICT. It is proposed that the list of investment vehicles will now be extended to include other public bodies (including local authority owned companies) as well as other Local Authorities. The maximum duration for non-specified investments is to be extended to 3 years.
- 8.4 This change if approved by Council will allow the cash management budget targets set to be easy achievable. It will also allow the Council to invest in companies owned by the Council to ensure value for money by reducing cash flow costs to these organisations and at the same time giving a greater value for money back to the Council. This provision would enable future developments of such companies through loans to develop infrastructure and capitalised costs.
- 8.5 The Council are required to approve any changes to the Treasury management policy and Cabinet are asked to recommend the change for approval accordingly.

Current Assumptions within the MTFP 2013/14 – 2014/15

Income	2013/14	2014/15
Council Tax:		
Increase (%)	0%	0%
Increase (£m)	£0.0m	£0.0m
Formula Grant:		
General Decrease (%)	-2.7%	-7.6%
General Decrease (£m)	-£3.1m	-£8.6m
Further Specific Changes:		
– New Homes Bonus – Initial Recoupment	£0.9m	£0.0m
– New Homes Bonus – Net loss of external funding	£0.5m	£0.5m
– Pay Increases Assumption in Budget Announcement	£0.9m	£0.9m
– Top Slice for Academies Funding	£0.1m	0.000
– Business Rates Localisation	No impact assumed	
– Data Changes	No impact assumed	
Other non-ringfenced grants	2012/13 figure – continue until 2014/15 unless otherwise known	
Govt resources for Social Care (PCT)	£4.0m	£4.0m
Council Tax Base	Reduced for assumed impact of Council Tax Support Localisation	
Collection Fund Deficit / Surplus	2012/13 figure – continue until 2014/15	

	2013/14	2014/15
Expenditure:		
Inflation:		
Pay	1.0%	1.0%
	£0.9m	£0.9m
Increments	£1.7m	£1.5m

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Price Inflation:		
- Demand Pressured Services	2.0%	2.0%
- Adult Social Care	£2.0m	£2.0m
- Children's Social Care	£0.1m	£0.1m
- Other Services (excluding Contracted Services)	2.0%	2.0%
	£1.2m	£1.2m
- Contracted Services (based on assumed inflationary indices)	£0.6m	£0.8m
- Utility / Fuel costs	9.0%	9.0%
	£0.5m	£0.5m
- Pension Costs	8.1%	0.0%
	£0.9m	£0.0m
- Levying Bodies	0.0%	0.0%
	£0.0m	£0.0m
Contribution to General Balances	£0.0m	£0.0m
Growth:		
- Demand Pressured Services		
- Adult Social Care	£4.0m	£3.0m
- Children's Social Care	£0.0m	£0.0m
- Other Services		
- Cardboard / Plastics Recycling	£1.0m	£0.0m
- Housing / Council Tax Benefit Admin. Subsidy	£0.2m	£0.2m
- Southport Cultural Centre	£0.5m	£0.0m
- Debt Financing	£0.0m	£0.0m

Annex B

Savings Agreed During 2012/13 Budget Process - Implications from 2013/2014 onwards already included in Budget Gap:

	2012/13	2013/14	2014/15
	£m	£m	£m
Ongoing Savings:			
Children in Care - Reduce Care Package Costs	-0.396	-0.396	-0.396
Re- Commission Nursing and Residential Care	-1.500	-1.500	0.000
Supporting People	-2.000	-1.000	0.000
Supporting People Commissioning Functions	-0.043	-0.014	0.000
Area Finance / Finance Visiting Officers - Review	-0.100	-0.100	0.000
Parks, Greenspaces, Coast & Countryside Redesign	-0.250	-0.330	0.000
Car Parking – Increased Charges (Agreed 2011/12)	0.000	-0.200	0.000
Subscriptions (LGA / NWE0)	0.000	-0.076	0.000
Cease provision of Mobile Library Service	-0.039	-0.003	0.000
Recharge sports users and allotment holders the costs of provision of utilities and grounds maintenance	-0.065	-0.020	0.000
Connexions	-0.900	-0.136	0.000
Homelessness (Reduction in staff numbers by one in 2013/14)	0.000	-0.031	0.000
House Renovation Grants (Reduction in staff numbers by one in 2013/14)	0.000	-0.031	0.000
CSF – Demand Led Pressures Growth	-0.700	-0.700	0.000
'One-Off' Savings:			
Housing Benefits – Net Costs (Agreed 2011/12)	-0.160	0.160	0.000
Housing Benefits – Net Costs	-0.200	0.000	+0.200
Highways Maintenance (Agreed 2011/12)	-0.760	0.760	0.000
Highways Maintenance	-0.400	0.000	+0.400
Elections	0.000	-0.200	+0.200
Treasury Management	-1.300	-0.100	+1.400

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Agenda Item 8

Report to: Cabinet
Council

Date of Meeting: 24th May 2012
5th July 2012

Subject: Capital Programme and Capital Allocations 2012/13

Report of: Strategic Director – Place
Head of Corporate Finance and ICT

Wards Affected: All

Is this a Key Decision? No

Is it included in the Forward Plan? No

Exempt/Confidential

No

Purpose/Summary

This report is intended to provide an update on the development of a single capital pot bidding process and make recommendations for the acceptance of an interim Capital New Starts Programme for 2012/13.

Recommendation(s)

Cabinet is recommended to:

- (i) Note the confirmation of Disabled Facilities Grant capital allocation for 2012/13;
- (ii) Recommend to Council
 - 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;
- (iii) Note that a further report will be presented later in the year, regarding Adult Social Care schemes to be included in the Capital Programme.

Council is recommended to approve:

- the utilisation of the full 2012/13 Transportation Capital allocation to meet existing capital new start proposals;
- the utilisation of the full 2012/13 Disabled Facilities Grant capital allocation to meet the cost of statutory disabled grant awards;
- 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.

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How does the decision contribute to the Council's Corporate Objectives?

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		X	
2	Jobs and Prosperity		X	
3	Environmental Sustainability		X	
4	Health and Well-Being		X	
5	Children and Young People		X	
6	Creating Safe Communities		X	
7	Creating Inclusive Communities		X	
8	Improving the Quality of Council Services and Strengthening Local Democracy		X	

Reasons for the Recommendation:

To inform Members of the 2012/13 Capital Allocations received to date and to allow Members to consider how these allocations may be utilised.

What will it cost and how will it be financed?

(A) Revenue Costs

For any additional capital expenditure a full evaluation of the revenue implications will need to be undertaken.

(B) Capital Costs

All allocations included in this report are capital grants

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal	None
Human Resources	None
Equality	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

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Impact on Service Delivery:

The implications of all projects will be considered and addressed during the individual scheme development process and there will therefore be no significant impact upon service delivery.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD1478) and Head of Corporate Legal Services (LD 832/12) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

The options available to Members for the use of non ring-fenced capital grant allocations are included in the body of the report.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Member Meeting

Contact Officer: David Kay
Tel: 0151 934 4527
Email: david.kay@sefton.gov.uk

Background Papers:

The following papers are available for inspection by contacting the above officer(s).

www.education.gov.uk/schools/adminandfinance/schoolscapital

Letter from Department for Transport: Local Transport Settlement (2011/12 – 2012/13) – 13 December 2010.

Letter from Department for Health: Adults’ Personal Social Services: Specific Revenue Grants and Capital Grant Allocations for 2012/13 – 8 December 2011.

Email from Merseytravel 10 January 2012.

www.communities.gov.uk/statements/corporate/2068667

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1. INTRODUCTION / BACKGROUND

- 1.1 Cabinet, at its meeting on 16th February 2012, considered the report of the Head of Corporate Finance and ICT which provided details of the Government Capital Allocations received for 2012/13
- 1.2 Cabinet was requested to consider the use of non ring-fenced resource allocations in the development of a new starts programme for 2012/13.
- 1.3 The non ring-fenced allocations are summarised below. Please note that the allocation for Disabled Facilities Grants has now been confirmed at £1,576,000, the same allocation as that received in 2011/12.

Description of Allocation	Allocation £'000
Children's Services – Basic Need	781
Children's Services – Capital Maintenance	2,417
Total Children's Services	3,198
Disabled Facilities Grant	1,576
Total Housing	1,576
Department of Health Capital Grant	811
Total Social Services	811
Highways Maintenance	2536
Integrated Transport Block (indicative)	1003
Total Transportation	3,539
Total non Ring-fenced Allocations	9,124

- 1.4 In respect of the non ring-fenced resources Cabinet resolved:

...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

... that further to the 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 the Cabinet.

- 1.5 This report is intended to provide an update on the development of a single capital pot bidding process and make recommendations for the acceptance of an interim Capital New Starts Programme for 2012/13.

2.0 Single Capital Pot / Bidding Proposals

- 2.1 The single capital pot bidding process will provide a mechanism by which the benefits of funding for each proposed project, and the implications of not funding each, can be fully and fairly evaluated and the proposals ranked in relation to the Councils agreed priorities.
- 2.2 The mechanism for appraisal of “bids” to the single capital pot has to be robust and comprehensive to allow the evaluation and comparison of proposals which may differ significantly from each other in terms of scope and the impact on Council priorities.
- 2.3 In order to develop an effective appraisal methodology significant efforts are currently being made to identify systems already employed successfully by other local authorities, and the advantages and disadvantages of these systems. By undertaking this research it is hoped that future capital programme allocations in Sefton will be able to clearly demonstrate their value and links to corporate priorities.
- 2.4 A further report detailing the outcome of this research and outlining a suggested appraisal methodology is currently scheduled to be presented to Cabinet in June with the objective of having the appraisal methodology fully embedded for the 2013/14 financial year.

3.0 Capital Programme New Starts Programme 2012/13

- 3.1 In the meanwhile however, as this process is developed, it is necessary to consider the immediate funding requirements which will ensure that ongoing work requirements are met and delivery timescales achieved.
- 3.1 Although it has not been possible to follow a formal single capital pot bidding process it is apparent that certain capital allocations should be confirmed for utilisation by the appropriate service receiving the allocation. It is also clear that because other works are urgent, and / or have been planned for, other allocations should be similarly confirmed; at least in part.

Transportation

- 3.4 In the case of Transportation allocations, these are controlled by the local Integrated Transport Authority (ITA) i.e. Merseytravel and the implication is that if allocations are not used for transport related schemes the ITA would withhold grant. This would place the Council at risk of having a shortfall of capital resources.
- 3.5 It is therefore proposed that the allocation of £3,539,000 be confirmed as being available in full for the implementation of existing Transportation work proposals.

Disabled Facilities Grant

- 3.6 The Disabled Facilities Grant has now been confirmed in the sum of £1,576,000. The Council has a statutory obligation to consider all applications for grants

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submitted and, if appropriate, approve the grant award within 6 months of the grant application.

- 3.7 The level of grant applications made in 2012/13 is assessed as likely to be in the region of £2,600,000. It is therefore apparent that there will be no benefit gained by utilising the Disabled Facilities Grant for any other purpose, indeed consideration will ultimately have to be given to how the apparent funding shortfall may be funded.

Children's Services

- 3.8 Children's Services have identified a programme of works costing £5,600,000 which they would ideally look to undertake in 2012/13.
- 3.9 The works have been prioritised to identify what works should be undertaken in the event that the £3,198,000 non ring-fenced allocation was confirmed for utilisation on Children's Services projects. A schedule of identified Children's Services projects is attached as Annexe A to this report.
- 3.10 Notwithstanding the prioritisation of the works it is also necessary to consider their timing, as works must be programmed in order to take advantage of school holiday periods and in order to ensure that new term start completion dates are achieved.
- 3.11 Those projects requiring immediate approval in order to meet an urgent requirement and/or inflexible timing requirements are identified within the schedule in annexe A. The total cost of these projects is £2,661,750.
- 3.12 Members are requested to give consideration to approving funding totalling £2,661,750. as an interim allocation for Children's Services Capital New Starts Programme 2012/13.

Adult Social Care

- 3.13 In 2012-13 the DoH has provided additional investment to Local Authorities to support Personal Social Care Services and the continued support of the on-going personalisation agenda for Adult Social Care. This funding will enable continued investment to support delivery of adult social care services and for developing community capacity. The priority areas for investment are:

- Innovative alternatives to residential care - supported housing and living and Extra Care Housing
 - More coordinated 'hub and spoke' approaches to deliver care into communities
 - Better design to support people with dementia
 - Services or housing remodelled / refurbished
- Alternatives to residential care via community based services investment
 - Provision of equipment and minor adaptations
 - Full use of Telecare in a continued support package
 - Preventing people's needs from escalating - delaying need for intensive care packages
 - Supporting timely discharge from hospitals

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- Enabling people to remain in their own homes for as long as possible, efficiently and demonstrating choice and independence
- Service redesign to the care infrastructure
 - Support the planning, commissioning and delivery of personalised care services, with a stronger emphasis on the integration of services across health, social care and beyond
 - Expectation that people should have access to information to help them make lifestyle choices as well as service choices
 - Greater collaboration with local partners - in support of identifying those most at risk of requiring greater care and support for targeted early intervention

3.14 The continued increase in the elderly population in Sefton has placed extra demands and commitments on Adult Social Care Services. The Directorate is already engaged in a strategic review of current Social Care Commitments and exploring alternative methods of providing adult social care services to clients. This will also support the redesign of services required to help support the Council's Budget exercise over the next two years.

3.15 A further report will be provided later in the year seeking approval to spend the £0.811m investment from the DoH to the Local Authority to support Personal Social Care Services and the continued support of the on-going personalisation agenda for Adult Social Care.

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Capital Programme and Capital allocations 2012/13

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Birkdale Primary	Additional accomodation to meet increase in form entry. Issues of suitability in areas rectified.	Must Proceed for September 2013 delivery	1,400,000		1,400,000
Crosby High school	Phase 1, additional accomodation	Must Proceed for September 2012 delivery	398,000	1,798,000	398,000
Schools access initiative	Various minor works to address specific pupil needs	Stutory Requirement	50,000	1,848,000	50,000
Meols Cop High school	Nurture Base	Must Proceed for September 2012 delivery	148,000	1,996,000	148,000
Jigsaw PRU	adaptations to form Key Stage One provision	Must Proceed for September 2012 delivery	45,000	2,041,000	45,000
Hillside feasibility study	Fees to produce schetch scheme and costings for Hillside Hide, Drama wing and classrooms	Essential for development of 2013/14 priority project	30,000	2,071,000	30,000
Primary Accommodation Feasibility Study	Feasibility studies into building cost associated with school reorganisations	Essential for development of 2013/14 priority project	20,000	2,091,000	20,000
Emergency retention	Capital schemes which are emergency repairs or capital projects which occur due to being not predicted.	For unforeseen - urgent items	200,000	2,291,000	200,000
Lydiate Primary	Mechanical service Installation	Urgent. Must be done in Summer period	57,000	2,348,000	57,000
Linacre Primary	Roof replacement / renewal	Urgent, Health and Safety.	17,204	2,365,204	17,204
Farnborough Road Infant	Floor replacement / renewal	Urgent. Must be done in Summer period	55,000	2,420,204	55,000
Hudson Primary	Hazardous Material removal	Urgent. Must be done in Summer period	35,000	2,455,204	35,000
Daleacre Campus	Mechanical service Installation	Urgent. Must be done in Summer period	13,283	2,468,487	13,283

Capital Programme and Capital allocations 2012/13

Annex A

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Forefield Junior	Mechanical service Installation	Multi boiler set up - possibility for partial deferment is being explored.	98,670	2,567,157	
Freshfield Primary	Mechanical service Installation		48,070	2,615,227	
Green Park Primary	Mechanical service Installation	Urgent. Must be done in Summer period	64,780	2,680,007	64,780
Hillside High	Mechanical service Installation	Urgent. Must be done in Summer period	15,180	2,695,187	15,180
Hudson Primary	Mechanical service Installation	Urgent. Must be done in Summer period	15,180	2,710,367	15,180
Larkfield Primary	Mechanical service Installation	Urgent. Must be done in Summer period	13,915	2,724,282	13,915
Meols Cop High	External walls windows and doors	Urgent, Health and Safety.	37,950	2,762,232	37,950
Meols Cop High	Mechanical service Installation	Urgent. Must be done in Summer period	11,259	2,773,490	11,259
Crosby High	External walls windows and doors	Urgent but no fixed timing requirements.	23,909	2,797,399	
Forefield Infant	External walls windows and doors	Urgent but no fixed timing requirements.	21,632	2,819,030	
Stanley High	External walls windows and doors	Urgent but no fixed timing requirements.	25,616	2,844,646	
Grange Primary	Roof replacement / renewal	Urgent but no fixed timing requirements.	40,000	2,884,646	
Green Park Primary	Mechanical service Installation	Urgent but no fixed timing requirements.	13,915	2,898,561	

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Merefield	Kitchen replacement / renewal	Urgent - holding up completion of 2011/12 scheme.	35,000	2,933,561	35,000
Hudson Primary	External walls windows and doors	Urgent but no fixed timing requirements.	54,648	2,988,209	
Linacre Primary	Roof replacement / renewal	Health and safety concern if not done quickly although a survey / remedial repair could allow expend to be deferred	18,026	3,006,236	
Waterloo Primary	Roof replacement / renewal		131,350	3,137,586	
Christ Church CE Primary	External walls windows and doors	Urgent but no fixed timing requirements.	20,493	3,158,079	
Redgate Primary	Roof replacement / renewal	Urgent but no fixed timing requirements.	39,879	3,197,958	
2012/13 Funding Allocation Cut off Point				3,197,958	2,661,750
Shoreside Primary	Roof replacement / renewal		35,000	3,232,958	
St. John's CE Primary (Crossens)	External walls windows and doors		30,740	3,263,697	
St. Luke's CE Primary (Formby)	External walls windows and doors		13,662	3,277,359	
Stanley High	External walls windows and doors		40,986	3,318,345	
Valewood Primary	Roof replacement / renewal		11,385	3,329,730	
Waterloo Primary	Mechanical service Installation		70,840	3,400,570	

Capital Programme and Capital allocations 2012/13

Annex A

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Waterloo Primary	Electrical services		12,650	3,413,220	
Litherland Moss Primary	External walls windows and doors		12,650	3,425,870	
Litherland Moss Primary	Roof replacement / renewal		11,512	3,437,382	
Litherland Moss Primary	Internal walls and doors		11,385	3,448,767	
Christ Church CE Primary	External areas - renewal, replacement, refurbishment		37,950	3,486,717	
Churchtown Primary	External areas - renewal, replacement, refurbishment		12,903	3,499,620	
Crosby High	External areas - renewal, replacement, refurbishment		18,975	3,518,595	
Crosby High	Floors and stairs		13,738	3,532,333	
Farnborough Road Junior	Roof replacement / renewal		12,650	3,544,983	
Forefield Junior	External areas - renewal, replacement, refurbishment		25,300	3,570,283	
Hillside High	External areas - renewal, replacement, refurbishment		28,463	3,598,745	
Hillside High	Roof replacement / renewal		25,047	3,623,792	
Larkfield Primary	Floors and stairs		11,309	3,635,101	
Linacre Primary	Roof replacement / renewal		22,770	3,657,871	

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Linacre Primary	External areas - renewal, replacement, refurbishment		16,850	3,674,721	
Linacre Primary	External walls windows and doors		12,650	3,687,371	
Linacre Primary	Roof replacement / renewal		12,144	3,699,515	
Linaker Primary	Roof replacement / renewal		12,650	3,712,165	
Lydiate Primary	Mechanical service Installation		83,000	3,795,165	
Lydiate Primary	External areas - renewal, replacement, refurbishment		63,756	3,858,921	
Lydiate Primary	External areas - renewal, replacement, refurbishment		52,902	3,911,823	
Lydiate Primary	External areas - renewal, replacement, refurbishment		15,180	3,927,003	
Lydiate Primary	External walls windows and doors		12,524	3,939,527	
Lydiate Primary	Floors and stairs		12,296	3,951,823	
Lydiate Primary	Floors and stairs		11,891	3,963,714	
Lydiate Primary	External areas - renewal, replacement, refurbishment		10,120	3,973,834	
Marshside Primary	External areas - renewal, replacement, refurbishment		18,975	3,992,809	
Melling Primary	External areas - renewal, replacement, refurbishment		30,360	4,023,169	

Capital Programme and Capital allocations 2012/13

Annex A

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Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Meols Cop High	External areas - renewal, replacement, refurbishment		18,975	4,042,144	
Meols Cop High	External walls windows and doors		18,975	4,061,119	
Meols Cop High	Roof replacement / renewal		12,650	4,073,769	
Meols Cop High	Roof replacement / renewal		12,650	4,086,419	
Meols Cop High	Roof replacement / renewal		10,120	4,096,539	
Meols Cop Youth Centre	Roof replacement / renewal		18,975	4,115,514	
Netherton Moss Primary	External areas - renewal, replacement, refurbishment		32,890	4,148,404	
Netherton Moss Primary	External walls windows and doors		18,975	4,167,379	
Netherton Moss Primary	Ceiling replacement / renewal		18,975	4,186,354	
Netherton Moss Primary	Sanitary services		10,120	4,196,474	
Netherton Moss Primary	Sanitary services		10,120	4,206,594	
Northway Primary	Mechanical service Installation		82,225	4,288,819	
Northway Primary	Ceiling replacement / renewal		10,753	4,299,571	
Sand Dunes Nursery	Mechanical service Installation		40,480	4,340,051	

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Shoreside Primary	Electrical services		151,800	4,491,851	
Shoreside Primary	External areas - renewal, replacement, refurbishment		12,000	4,503,851	
St. Luke's CE Primary (Formby)	External areas - renewal, replacement, refurbishment		15,180	4,519,031	
Stanley High	Fixed furniture and fittings		44,275	4,563,306	
Stanley High	Mechanical service Installation		32,890	4,596,196	
Stanley High	External areas - renewal, replacement, refurbishment		18,975	4,615,171	
Stanley High	Mechanical service Installation		15,180	4,630,351	
Stanley High	External walls windows and doors		11,233	4,641,584	
Stanley High	Floors and stairs		11,006	4,652,590	
Waterloo Primary	External walls windows and doors		18,975	4,671,565	
Waterloo Primary	Roof replacement / renewal		10,278	4,681,843	
St. John's CE Primary (Crossens)	Mechanical service Installation		75,900	4,757,743	
Farnborough Road Infant	Mechanical service Installation		18,975	4,776,718	
Forefield Junior	Roof replacement / renewal		12,650	4,789,368	

Capital Programme and Capital allocations 2012/13

Annex A

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Grange Primary	Mechanical service Installation		60,720	4,850,088	
Hillside High	External walls windows and doors		26,565	4,876,653	
Hudson Primary	External walls windows and doors		25,300	4,901,953	
Hudson Primary	External walls windows and doors		23,909	4,925,861	
Hudson Primary	External walls windows and doors		22,770	4,948,631	
Hudson Primary	External walls windows and doors		17,078	4,965,709	
Hudson Primary	External walls windows and doors		13,662	4,979,371	
Meols Cop High	Roof replacement / renewal		126,500	5,105,871	
Meols Cop High	Roof replacement / renewal		63,250	5,169,121	
Merefield	Mechanical service Installation		30,000	5,199,121	
Netherton Moss Primary	Roof replacement / renewal		92,813	5,291,934	
Netherton Moss Primary	Roof replacement / renewal		52,826	5,344,760	
Merefield	Roof replacement / renewal		12,650	5,357,410	
Redgate Primary	Mechanical service Installation		50,000	5,407,410	

Site	Element	Urgency / Priority	Cost Estimate	Running Total	Initial Approval Sought
Lydiate Primary	External walls windows and doors		22,770	5,430,180	
Lydiate Primary	Roof replacement / renewal		16,445	5,446,625	
Lydiate Primary	Roof replacement / renewal		12,334	5,458,959	
Daleacre Campus	Ceiling replacement / renewal		10,816	5,469,775	
Litherland Moss Primary	Mechanical service Installation		39,000	5,508,775	
Stanley High	External walls windows and doors		12,524	5,521,298	
Stanley High	External walls windows and doors		11,954	5,533,253	
Stanley High	External walls windows and doors		10,626	5,543,879	
Hillside High	Roof replacement / renewal		22,011	5,565,890	
Hillside High	Roof replacement / renewal		40,480	5,606,370	
			5,606,370		
			5,606,370		

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COUNCIL – 5 JULY 2012

DUNES SPLASHWORLD – FITNESS EQUIPMENT RECOMMENDATION FROM THE CABINET

CABINET MEETING – 24 MAY 2012

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.**

(Note - The report submitted to the Cabinet contained exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972)

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Report to: Standards Committee
Audit and Governance
Council

Date of Meeting: 19 June 2012
27 June 2012
5 July 2012

Subject: Standards Regime at Sefton Council

Report of: Head of Corporate Legal Services

Wards Affected: No

Is this a Key Decision? No

Is it included in the Forward Plan?
No

Exempt/Confidential No

Purpose/Summary

To provide a further update on the impact of the Localism Act 2011 and the standards regime.

Recommendation(s)

Standards Committee – 19 June 2012

To note the contents of the report.

Audit & Governance Committee – 27 June 2012

1. To note the contents of the report
2. To also note the need for a further review and research to be undertaken of the Standards Regime within the current municipal year
3. To recommend for approval the additional draft Terms of Reference (Appendix D) to Council on 5 July 2012.

Council – 5 July 2012

1. To agree to adopt the Code of Conduct as set out in Appendix C
2. To agree that a working party be drawn from the Audit & Governance Committee as opposed to the Standards Committee as set out in Resolution 6 of the Council meeting held on 12 April 2012. (Paragraph 1(6) refers)
3. To agree to the appointment of the Independent Persons in accordance with the transitory regulations for the period ending no later than 30 June 2013. Details will be provided to Members prior to the meeting of full Council.
4. To agree to the additional Terms of Reference for Audit and Governance Committee as shown at Appendix D

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How does the decision contribute to the Council's Corporate Objectives?

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		X	
2	Jobs and Prosperity		X	
3	Environmental Sustainability		X	
4	Health and Well-Being		X	
5	Children and Young People		X	
6	Creating Safe Communities		X	
7	Creating Inclusive Communities		X	
8	Improving the Quality of Council Services and Strengthening Local Democracy		X	

Reasons for the Recommendation:

To ensure that the Council is compliant with the requirements of the Localism Act 2011.

What will it cost and how will it be financed?

(A) Revenue Costs

Nil

(B) Capital Costs

Nil

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal: Legal implications are contained within the report.	
Human Resources	
Equality	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery:

None expected

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT Strategy (FD1609/12) has been consulted and has no comments to make on this report as there are no direct financial implications as a result of it.

Are there any other options available for consideration?

The introduction of the Localism Act 2011 means that changes have to be made to the current standards regime at the Council to ensure that the Council is compliant. Options as to how the Council becomes compliant with the legislation were considered in the last report to Council – 12 April 2012 and there is a further opportunity for review later in the municipal year.

Implementation Date for the Decision

Immediately following the decision at full Council on 5 July 2012

Contact Officer: Jill Coule, Head of Corporate Legal services and Monitoring Officer

Tel: 0151 934 2031

Email: jill.coule@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

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1. Introduction

1.1 At the Council meeting on 12 April 2012 a number of issued were resolved. The table below shows how each of those actions where appropriate have been acted upon to ensure compliance with the Localism Act 2011 with respect to the provisions on Standards in Local Government.

	Council Resolved	Current Postion/Action Taken
1.	The Standards Committee cease to exist with effect from 30 June 2012;	The last meeting of the Standards Committee took place on 19 June 2012
2.	The work of the current Standards Committee be merged with that of the Audit and Governance Committee with effect from 1 July 2012, and that the case-work of the current Standards Sub Committees continue and be overseen by the Audit and Governance Committee;	The Terms of Reference attached in Appendix D will ensure that that transition takes place.
3.	The draft Code of Conduct set out in Appendix A (12 April 2012) of the report as prepared by the Association of County Secretaries and Solicitors (ACSeS) be adopted by the Council with effect from 1 July 2012, subject to resolutions (9) and (10) below;	The ACSeS Code of Conduct has been amended to include the most recent regulations regarding disclosure of pecuniary interests and is attached for approval at full Council on 5 July 212 at Appendix C
4.	The Monitoring Officer and/or Deputies be given delegated authority in consultation with the Independent Member to deal with certain prescribed matters, in writing without the need to convene meetings, as set out in paragraph 6 of the report;	Amendments will be made to the Monitoring Officer's roles and responsibilities when further work is undertaken to update the Council's constitution and is due for consideration at Council in September 2012
5.	Authority be delegated to the Hearings Sub Committee to impose the range of sanctions identified in paragraph 7 of the report (to Council on 12 April 2012) on a Councillor should he/she have been found to be in breach of the Code of Conduct;	See proposed Terms of Reference included in Appendix D
6.	The Monitoring Officer be granted delegated authority to make arrangements for the advertisement, recruitment of an Independent Member (IP) and for standby IP's in consultation with a working group of members (maximum of 5 members)	Given the handover arrangements between the current independent members of the Standards Committee and the new Independent Person posts being recruited

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	drawn from the current Standards Committee	to as facilitated in the transitory arrangements, this will be conducted during the current municipal year and the working group will be drawn from the Audit & Governance Committee members. See recommendation 3 to Council.
7.	The Monitoring Officer prepare the new register of interests in conjunction with the Head of Governance and Civic Services to comply with the new Code of Conduct and the Act and ensure that the register is available for inspection;	Details of the register will be sent to members before the end of June 2012
8.	The Monitoring Officer ensure that Members of the Council and Parish Councils are made aware of their new obligations under the Act in due course;	A presentation was made to some representatives of the Parish and Town Councils on 22 May 2012, a further presentation/discussion will take place on 26 June and 10 July 2012.
9.	In addition to the draft Code of Conduct prepared by ACSeS, a provision be included in the Code to ensure that members update their register of interests within 2 months of the date that a change occurs;	See Appendix C
10.	A further addition be made to the ACSeS draft Code of Conduct that where a member discloses a Discloseable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation;	As above
11.	The necessary changes be made to the terms of reference of the Audit and Governance Committee and that the Council's Constitution be amended accordingly; and	See Appendix D
12.	A further review of the administration of Standards in Sefton be undertaken within six months of their introduction and be reconsidered by the Council	See paragraph 1.4 below

1.2 In the days immediately before the Council meeting on 12 April 2012 and since, a number of documents were or have been circulated by the LGA and DCLG:

- On 10 April 2012 the LGA circulated to Leaders and Chief Executives a template Code and Guidance note on Conduct. A copy of which is attached

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at **Appendix A**. The purpose of providing this to Council's was to 'assist authorities in thinking about how their new Code of Conduct should look and it remains the LGA's view that it is for each Council's locally elected members to decide what the right Code will look like in its area.'

- On 11 April 2012 the DCLG made available an illustrative text for a Code of Conduct for Members and Co-opted Members of Councils. This was unexpected and provides an example of what a Code of Conduct might look like. A copy of this is attached at **Appendix B**
- On 6 June 2012, the DCLG issued the final form of the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 No 1464 which specify what a pecuniary interest is. These are explained, in more detail, later in the report.
- The DCLG has also issued the Localism Act 2011 Commencement No 6 (Transition, Savings and Transitory Provisions) Order 2012 No 1463

1.3 The purpose of including appendices A & B at this time is to simply ensure that Members are aware that there are other examples of Codes of Conduct being promulgated.

1.3.1 Members will appreciate that when the review is carried out in accordance with the resolution above, further research will be undertaken to consider the best practice from other local authorities within Merseyside and elsewhere and to see if there are any reported cases, articles etc which could be incorporated in Sefton's final Code of Conduct. Any review will naturally include consultation work with the Parish and Town Council's within Sefton. At this stage, Sefton has not adopted a definition for non-pecuniary interests.

The new Regulations – Disclosing Pecuniary Interests

1.4 The new Regulations take effect on 1 July 2012. Given that this information will not be considered by Members of Council until 5 July 2012, officers will write to all Councillors before the end of June 2012. The communication will advise them of the legislative changes and for the opportunity to be trained in both the new Code and disclosure of interests immediately prior to the Council meeting on 5 July 2012.

1.5 Section 30 of the Localism Act 2011 provides that a member or co-opted member must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the authority, notify the authority's monitoring officer of any disclosable pecuniary interests which the person has at the time when notification is given.

1.6 The Act states that an interest is a disclosable pecuniary interest if it is of a description as described above and either

- It is an interest of the member, or
- It is an interest of:
 - The member's spouse or civil partner
 - A person with whom the member is living as husband and wife, or
 - A person with whom the member is living as if they were civil partners,

And the member is aware that that other person has the interest.

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1.7 The pecuniary interests which are specified below, is the information contained in the prescribed description as follows:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a Member of a relevant authority in carrying out duties as a Member, or towards the election expenses of a/the Member of the relevant authority.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest*) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p> <p><i>*this means a firm in which the relevant person is a partner or a body coporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest</i></p>
Land	<p>Any beneficial interest in land which is within the area of the relevant authority*.</p> <p><i>*land excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income.</i></p>
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the relevant Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p>

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(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities* of a body where—

(a) that body (to the relevant Member's knowledge) has a place of business or land in the area of the relevant authority; and

(b) either—

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**securities means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

Appointment of Independent Persons

1.8 In relation to the appointment to the post of Independent Person (IP) the Act is very specific about who is eligible to apply for the post and the following people are **not** entitled to apply for the position:

- A member, co-opted member or officer of Sefton MBC
- A member, co-opted member or officer of a parish council that lies within the geographical boundary of Sefton MBC
- A relative or close friend of a member, co-opted member or officer of Sefton MBC
- A relative or close friend of a member, co-opted member or officer of a parish council that lies within the geographical boundary of Sefton MBC
- You have been within the last 5 years a member, co-opted member or officer of Sefton MBC
- You have been within the last 5 years a member, co-opted member or officer of a parish council that lies within the geographical boundary of Sefton MBC.

1.9 However, recently published Transition Regulations provide that notwithstanding the above provisions a person **may** be appointed as an independent person if that person:

- is not a member or co-opted member of the standards committee of the authority on 1 July 2012; but
- has held such a post at any time during 5 years ending on 30 June 2012.

This transition provision only applies in relation to appointments made before 1 July 2013. In other words the authority can appoint one of the former Independent Members of the Standards Committee for a maximum period of 12 months pending the appointment of an Independent Person who will meet all the criteria as set out in paragraph 1.9 above.

Arrangements for Implementation

- 1.9.1 The Council's Monitoring Officer met with representatives of the Parish and Town Council's at Maghull Town Hall on 22 May 2012 to give a presentation on the new standards regime and it was agreed that a similar presentation would be given to all the clerks on 26 June and a further presentation to the representatives from the 10 parishes council meetings on 10 July 2012.
- 1.10 As part of the new members' induction programme new members will receive training on the current and new standards regime on 18 June 2012.
- 1.11 All members will receive a letter to outline the changes before the end of June and will have the opportunity to be trained on 5 July 2012 immediately before the Council meeting.

List of Appendices

Appendix A	Local Government Association proposed Code of Conduct
Appendix B	Department of Communities and Local Government illustrative text
Appendix C	Sefton Metropolitan Borough Council's revised Code of Conduct
Appendix D	Proposed Terms of Reference for the Audit and Governance Committee

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Appendix A Local Government Association proposed Code of Conduct

Template Code of Conduct

As a member or co-opted member of *[X authority]* I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

The Act further provides for registration and disclosure of interests and in *[X authority]* this will be done as follows: *[to be completed by individual authorities]*

As a Member of *[X authority]*, my conduct will in particular address the statutory principles of the code of conduct by:

Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.

Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the *[county][borough][Authority's area]* or the good governance of the authority in a proper manner.

Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.

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Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.

Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it

Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.

Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

Always treating people with respect, including the organisations and public I engage with and those I work alongside.

Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

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Appendix B Department of Communities and Local Government illustrative text

Illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity

You are a member or co-opted member of the [name] council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

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In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

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Appendix C

Sefton Metropolitan Borough Council's revised Code of Conduct

CODE OF CONDUCT

Introduction

This Code applies to you as a member of this Authority when you act in your role as a member and it is your responsibility to comply with the provisions of this Code.

You are a representative of this Authority and the public will view you as such and therefore your actions impact on how the Authority as a whole is viewed and your actions can have both positive and negative impacts on the Authority.

This Code is based upon the "Nolan Principles - the seven principles of public life" which are set out at Appendix 1 of this Code.

Interpretation

In this Code:-

"Meeting" means any meeting of:

- (a) the Authority;
- (b) the executive of the Authority;
- (c) any of the Authority's or its executive's committees, sub-committees, joint committees or area committees;

whether or not the press and public are excluded from the meeting in question by virtue of a resolution of members.

"Member" includes a co-opted member and an appointed member.

General Obligations

1. When acting in your role as a member of the Authority:

1.1 **DO** treat others with respect;

1.2 **DO NOT** conduct yourself in a manner which is contrary to the Authority's duty to promote and maintain high standards of conduct of members;

1.3 **DO NOT** disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-

- (i) you have the consent of a person authorised to give it;
- (ii) you are required by law to do so;
- (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice, provided that the third party agrees not to disclose the information to any other person; or
- (iv) the disclosure is:-

- (a) reasonable and in the public interest; and
- (b) made in good faith and in compliance with the reasonable requirements of the Authority; and
- (c) you have consulted the Monitoring Officer prior to its release;

1.4 **DO NOT** prevent another person from gaining access to information to which that person is entitled by law.

2. When using or authorising the use by others of the resources of the Authority:

2.1 **DO** act in accordance with the Authority's reasonable requirements, including the requirements of the Authority's ICT policy and the policies (attached to or included in the Authority's Constitution), copies of which have been provided to you and which you are deemed to have read;

2.2 **DO** make sure that such resources are not used improperly for political purposes (including party political purposes); and

2.3 **DO** have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

Interests

3. As a public figure, your public role may, at times, overlap with your personal and/or professional life and interests. However, when performing your public role as a member, **DO** act solely in terms of the public interest and **DO NOT** act in a manner to gain financial or other material benefits for yourself, your family, your friends, your employer or in relation to your business interests. The definition of pecuniary interests is now set out in Appendix C of the Code of Conduct.

4. You are required to register "pecuniary and other interests". Failure to declare or register a pecuniary interest will be a criminal offence if this is done without a reasonable excuse. If you knowingly or recklessly provide false or misleading information about a pecuniary interest, this will also be a criminal offence.

5. There will be no requirement for you to declare or register any gifts and hospitality, but **DO NOT** accept any gifts in excess of £50 (fifty pounds).

Disclosure and participation

6. At a meeting where such issues arise, **DO** declare any interests relating to your public duties and **DO** take steps to resolve any conflicts arising in a way that protects the public interest.

7. Certain types of decisions, including those relating to a permission, licence, consent or registration for yourself, your friends, your family members, your employer or your business interests, may be so closely tied to your personal and/or professional life that your ability to contribute to a decision in an impartial manner in your role as a member may be called into question and in turn raise issues about the validity of the decision of the Authority. **DO NOT** become

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involved in these decisions any more than a member of the public in the same personal and/or professional position as yourself is able to and **DO NOT** vote in relation to such matters. (See also Appendix 2.) In addition,

- members must update their register of interests within 28 days of the date that a change occurs;
- where a member discloses a Discloseable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation

8. **DO NOT** improperly use knowledge gained solely as a result of your role as a member for the advancement of yourself, your friends, your family members, your employer or your business interests.

Pre-determination or bias

9. Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life, you should not be prohibited from participating in a decision in your political role as a member. However, **DO NOT** place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
10. When making a decision, **DO** consider the matter with an open mind and on the facts made available to you in order for the decision to be taken.

Interests arising in relation to overview and scrutiny committees

11. In relation to any business before an overview and scrutiny committee of the Authority (or of a sub-committee of such a committee) where:
 - 11.1 that business relates to a decision made (whether implemented or not), or action taken by your Authority's executive or another of your Authority's committees, sub-committees, joint committees or joint sub-committees; and
 - 11.2 at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph 11.1 and you were present when that decision was made or action was taken; or
 - 11.3 that business relates to a decision made (whether implemented or not), or action taken by you (whether by virtue of the Authority's Constitution or under delegated authority from the Leader):

you may attend a meeting of the overview and scrutiny committee of your Authority or of a sub-committee of such a committee, but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purposes, whether under a statutory right or otherwise.

APPENDIX 1

THE SEVEN PRINCIPLES OF PUBLIC LIFE

SELFLESSNESS

Holders of the public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

INTEGRITY

Holders of the public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.

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APPENDIX 2

Where the decision referred to in Clause 7 of the Code relates to one of the functions of the Authority set out below, and the condition which follows that function does not apply to you when making that decision, you may participate in the decision:

- (i) housing, where you are a tenant of your Authority *unless* the decision relates particularly to your tenancy or lease;
- (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or a parent governor of a school *unless* the decision relates particularly to the school concerned;
- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay;
- (iv) an allowance, payment or indemnity given to members;
- (v) any ceremonial honour given to members; and
- (vi) setting Council Tax or a precept under the Local Government Finance Act 1992.

APPENDIX 3

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a Member of a relevant authority in carrying out duties as a Member, or towards the election expenses of a/the Member of the relevant authority. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest*) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. <i>*this means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest</i>
Land	Any beneficial interest in land which is within the area of the relevant authority*. <i>*land excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income.</i>
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the relevant Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.

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Securities

Any beneficial interest in securities* of a body where—

(a) that body (to the relevant Member's knowledge) has a place of business or land in the area of the relevant authority; and

(b) either—

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**securities means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

Appendix D

Proposed Terms of Reference for the Audit & Governance Committee

That the following terms of reference be added to the Audit & Governance Committee's terms of reference:

Audit & Governance Committee

1. To make recommendations to the Council on the adoption, implementation and maintenance and review of a local Code of Conduct for Members – co-opted Members and officers of the Council
2. To determine effective training of Councillors and Co-opted Members in matters of conduct and advice to individuals on issues relating to the treatment of interests and on the propriety of conduct generally.
3. To deal with the arrangements for Councillors to receive dispensations to speak on, or participate in, matters in which they have an interest.
4. To determine the appropriate action on matters referred to the Committee by the Monitoring Officer including disciplinary matters relating to the conduct of individual and/or groups of Councillors
5. To ensure compliance throughout the Council with all appropriate Codes of Conduct and procedures from time to time determined by the Committee
6. To deal with appropriate matters referred to it from other Committees
7. To determine any applications for the grant and supervision of exemptions from political restrictions in accordance with Section 3A of the Local Government and Housing Act 1989.

Initial Assessment Sub Committee

To receive and determine whether to refer for investigation or other appropriate action any written complaints regarding alleged misconduct on the part of the Code of Conduct of any Borough or Parish or Town Councillor or Co-opted Member

Review Sub-Committee

To further review and re-consider the decision of the Initial Assessment Sub-Committee in relation to any decision not to refer an allegation for investigation or any other action which was considered by the Sub-Committee and to determine that matter.

Hearing Sub-Committee

To hear and determine any complaints which have been referred for investigation. To impose sanctions where a Councillor is found to have breached the Code of Conduct including the following:

1. Report the findings of the hearing to the Council for information
2. Recommend to the Councillors' Group Leader that the Councillor be removed from any or all Committees, Sub-Committees of the Council. Where Councillors do not belong to such a Group such recommendation could be made to full Council.
3. Recommend to the Leader of the Council that Councillor be removed from Cabinet or removed from particular portfolio responsibilities
4. Arrange training for a Member

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5. Recommend to Cabinet to remove a Councillor from an outside body appointment to which the Councillor has been appointed or nominated to by the Council
6. Dependent upon the nature of the breach, one of the following might be appropriate:
 - a. Withdrawal of facilities such as use of Council email, equipment etc
 - b. Exclusion of a Councillor from Council offices except to attend meetings

Report to: Council **Date of Meeting:** 5 July 2012

Subject: Scheme of Members' Allowances

Report of: Director of Corporate Commissioning **Wards Affected:** All

Is this a Key Decision? No **Is it included in the Forward Plan?**
Yes

Exempt/Confidential No

Purpose/Summary

This supplementary report sets out the recommendations of the Cabinet on the proposals put forward by the Independent Remuneration Panel for new Scheme of Members' Allowances.

Recommendation(s)

That the Council consider the recommendations of the Cabinet set out in Paragraph 1.2 below and determine the new Scheme of Members' Allowances.

How does the decision contribute to the Council's Corporate Objectives?

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy	√		

Agenda Item 11

1. Introduction/Background

1.1 The Cabinet at its meeting held on 21 June 2012 considered the attached report which sets out the proposals put forward by the Independent Remuneration Panel for a new Scheme of Members' Allowances.

1.2 The Cabinet resolved under Minute 21:

That the following recommendations be submitted to the Council for consideration on 5 July 2012:-

- (1) the recommendations made by the Independent Remuneration Panel set out in paragraph 2.1 of the report be noted;
- (2) the Cabinet's view that Members' Allowances be frozen at the current level be forwarded to the Council, subject to the need to comply with the Department for Communities and Local Government Guidance referred to in the report;
- (3) the publicity required as set out in Section 3 of the report be undertaken;
and
- (4) the Council's Constitution be amended to insert the revised Scheme.

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Reasons for the Recommendation:

To fulfil the requirements of The Local Authorities (Members' Allowances) (England) 2003 which require the Council to establish a scheme of Members' Allowances in accordance with these regulations, to agree and publicise its Members' Allowance Scheme and have an independent review at least every 4 years.

What will it cost and how will it be financed?

(A) Revenue Costs

The proposals contained within the report would generate an on-going saving of £76,680 unless there are changes to the governance arrangements of the Council.

(B) Capital Costs

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal The Local Authorities [Members Allowances] [England] Regulations 2003 require authorities to make a scheme for the payment of allowances for members and before it makes or amends a scheme, to have regard to the recommendations of an independent remuneration panel.
Human Resources
Equality
1. No Equality Implication <input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated <input type="checkbox"/>
3. Equality Implication identified and risk remains <input type="checkbox"/>

Impact on Service Delivery:

There is no impact on service delivery.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD1597/12) and Head of Corporate Legal Services (LD934) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

There are no other options available for consideration.

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer: Andrea Grant

Tel: 0151 934 2030

Email: andrea.grant@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Independent Remuneration Panel has met on 6 occasions to review the Scheme of Members Allowances as required by The Local Authorities (Members' Allowances) (England) 2003.
- 1.2 In preparation for the review, the Panel has received presentations on the budget of the Council, has heard representations from the three Party Leaders on two occasions and sought the views of all Members of the Council. The Panel has also considered information on the roles and responsibilities of Councillors and statistical information drawn from the Local Government Association's National Councillor census.
- 1.3 In this instance, it is timely to review the Scheme of Members' Allowances at this point as the existing Scheme does not allow for payment for Party Leaders that are not Cabinet Members and therefore does not comply with the Guidance issued by the Department for Communities and Local Government (referred to in recommendation 1(c) below).
- 1.3 The Panel were keen to ensure that a revised Scheme of Members Allowances would be easy for members of the public to understand. Their proposal aims to simplify the Members' Allowance Scheme by introducing only 3 "bands" of Special Responsibility Allowance (SRA) based on a multiplier of the Basic Allowance. The Panel noted that the introduction of the Scheme as proposed would achieve a £76,680 saving on the current scheme.

2. Recommendations of the Panel

- 2.1 The Independent Remuneration Panel has recommended as follows:

(1) (a) the Council be recommended to adopt the following Members' Allowance Scheme:

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Band	Position	How allowance is calculated	Level of Payment	Number of Councillors holding this position	Total Cost
4	Leader of the Council	Basic allowance x 3	£25,560	1	£25,560
3	Cabinet Members (excluding the Leader of the Council)	Basic allowance x 2	£17,040	6	£102,240
2	Senior Councillor	Basic allowance x 1.5	£12,780	9	£115,202
1	Councillor	Basic allowance	£8,520	66	£562,320

- (b) a Senior Councillor as referred to in Band 2 be defined as a Chair of a Committee or a Party Group Leader;
- (c) it be noted that Party Group Leaders have been selected to receive a Special Responsibility Allowance as this is specifically referred to in the "Guidance on Members' Allowances for Local Authorities in England" published by the Department for Communities and Local Government. This guidance stipulates that:
- "16. Where one political group is in control, and where an Authority has decided to pay special responsibility allowances, the Authority must make provision for the payment of a special responsibility allowance to at least one member of a minority group"; and
- (d) the payment of allowances in accordance with the above scheme be backdated to 15 May 2012;
- (2) it be noted that the Panel at its next meeting to be held in October 2012 will consider the principle of linking increases in the Basic Allowance to APT and C pay rises or the Retail or Consumer Price Index;
- (3) the travelling and subsistence allowance be set at the same rate as for Council officers;
- (4) (i) a dependant's carers' allowance be payable at the national minimum wage up to £60 per week (National minimum wage is £6.08 per hour for over 21's and this equates to nearly 10 hours per week); and
- (ii) the uptake of the allowance be monitored and reported to the Panel meeting in October;
- (5) the payment to the Chair of the Merseyside Waste Disposal Authority be ended for 2012/13 but be reviewed in subsequent years;

- (6) although the Mayoral Allowance does not fall within the scope of the Members' Allowance Scheme, it be recommended that the Mayoral Allowance be linked to Band 2 (Senior Councillor); and
- (7) it be noted that any Councillor, regardless of level of payment, is able to renounce the receipt of all or any part of their allowance if they choose to do so; and that Members are only entitled to receive one Special Responsibility Allowance even if they hold more than one eligible position.

3.0 Publicity for the Panel's recommendations

- 3.1 As soon as practicable after receiving the Panel's recommendations, the Council is required to ensure that copies of that report are available for inspection by members of the public. The minutes of the Panel are available on the Council's website for inspection. In addition the Council is required to publish in one or more newspapers circulating in its area, a notice which—
 - (i) states that it has received recommendations from an independent remuneration panel in respect of its scheme;
 - (ii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority;
 - (iii) states that copies of the panel's report are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and
 - (iv) specifies the address of the principal office of the authority at which such copies are made available.
- 3.2 Once the Council has considered the recommendations, a further notice must be published which must include any differences between the adopted Scheme and the recommendations of the Independent Remuneration Panel.

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Appendix A

MEMBERS' ALLOWANCE SCHEME

1.0 INTRODUCTION

The following scheme is made under powers conferred by – Section 174 of the Local Government Act 1972 – Local Authorities (Members' Allowances) (England) Regulations 2003.

1.1. The scheme shall be cited as the Sefton Council Members' Allowances Scheme and have effect from 15th May 2012.

1.2 In this Scheme, "Councillor" means a Member of Sefton Council who is a Councillor.

2.0 BASIC ALLOWANCE

2.1 The Basic Allowance is a flat rate sum paid to all Members. It recognises the time devoted and expenses incurred by Members in carrying out their duties.

2.2 Subject to paragraph 4 the amount allocated per annum is £8520.

3.0 SPECIAL RESPONSIBILITY ALLOWANCE

3.1 In order to recognise additional time and expenses incurred by Councillors who have significant additional responsibilities in carrying out their duties for Sefton Council, subject to paragraph 4, the following Special Responsibility Allowances shall be paid:

Band	Position	How allowance is calculated	Level of Payment	Number of Councillors holding this position	Total Cost
4	Leader of the Council	Basic allowance x 3	£25,560	1	£25,560
3	Cabinet Members (excluding the Leader of the Council)	Basic allowance x 2	£17,040	6	£102,240
2	Senior Councillor*	Basic allowance x 1.5	£12,780	9	£115,202
1	Councillor	Basic allowance	£8,520	66	£562,320

*A Senior Councillor as referred to in Band 2 be defined as a Chair of a Committee or a Party Group Leader.

4.0 PART YEAR PAYMENTS

If in the course of a year, the scheme is amended or a Councillor becomes, or ceases to be a Councillor, then all allowances shall be adjusted on a pro-rata basis.

5.0 RENUNCIATION

A Councillor may by notice in writing given to the Director of Corporate Commissioning elect to forgo any part of their entitlements to an allowance under the Scheme.

6.0 MAYORAL ALLOWANCES

The allowances paid to the Mayor are linked to the Scheme of Members Allowances and for the Municipal year 2012/13 the following shall be paid:

Mayor	£12,780 (Band 2)
-------	------------------

7.0 TRAVEL AND SUBSISTENCE

Travel and Subsistence Allowances will be paid for travel to meetings etc outside of the borough which are authorised by the Council (at the same rate payable to Council Officers)

e.g. -

- meetings and annual conferences of Outside Bodies to which Sefton has made appointments or nominations.
- meetings and annual conferences of Local Authority Associations of which Sefton is a member.
- meetings, conferences and other duties which have been authorised in advance by the Council, Cabinet or by a Cabinet Member.

8.0 DEPENDENTS' CARERS' ALLOWANCE

Members who incur additional expenses in order to arrange care for dependents may claim these expenses. This rate is based on the National Minimum Wage up to a maximum of £60 per week.

9.0 CLAIMS AND PAYMENTS

Payments shall be made in respect of Basic and Special Responsibility Allowances in monthly installments on the 15th day of each month by bank transfer. All claims for additional expenses must be accompanied by receipts and will therefore be paid in arrears directly into Members Bank Accounts.

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APPENDIX A

OUTSIDE BODIES APPROVED BY THE CABINET

Local Government Association – General Assembly
Local Government Association – Urban Commission
Local Government Association – Coastal Issues Special Interest Group

Joint Authorities:

Merseyside Fire and Rescue Authority
Merseyside Integrated Transport Authority
Merseyside Police Authority
Merseyside Waste Disposal Authority

Aintree University Hospitals NHS Foundation Trust
Ashton Memorial Fund, Formby
British Destinations
Clarence High School, Freshfield – Governing Body
Community Foundation for Merseyside
Consolidated Charities of Thomas Brown & Marsh Dole
Formby Pool Trust – Board
Frank Hornby Trust
Halsall Educational Foundation
Hugh Baird College, Bootle – Governing Body
John Gooses Charity, Lydiate
Joint Health and Wellbeing Scrutiny Committee
Joint Overview and Scrutiny – Cheshire and Merseyside Vascular Service Review
Liverpool City Region Cabinet
Liverpool City Region Child Poverty and Life Chances Commission
Liverpool City Region Employment and Skills Board
Liverpool City Region Local Enterprise Partnership Board
Liverpool John Lennon Airport Consultative Committee
Local Solutions
Mersey Forest Steering Group
Mersey Port Health Committee
Merseyside Pensions Fund Pensions Committee
Merseyside Playing Fields Association
Merseyside Police Authority Appointments Committee
Merseyside Strategic Transportation Committee
Merseyside Third Sector Technology Centre (3TC)
North West Reserve Forces and Cadets Association
North Western Inshore Fisheries and Conservation Authority
North Western Local Authorities Employers' Organisation
One Vision Housing Board
PATROL Adjudication Joint Committee (Parking and Traffic Regulations Outside London)
Peterhouse School, Southport – Governing Body
REECH Steering Group (Renewable Energy and Energy Efficiency in Housing)
Sefton Chamber of Commerce & Industry
Sefton Coast Partnership Board

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Sefton Council for Voluntary Service
Sefton Cycling Forum
Sefton Education/Business Partnership
Sefton Equality Standing Group
Sefton New Directions Limited Board
Sefton Sports Council
Southport Pier– Board of Trustees
St Mary's College, Crosby – Governing Body
Standing Advisory Committee for Religious Education (SACRE)
Transpennine Trail Members' Steering Group
University of Liverpool Court

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Overview & Scrutiny



SEFTON COUNCIL OVERVIEW AND SCRUTINY ANNUAL REPORT 2011/12



Overview & Scrutiny

**‘Valuing
Improvement’**

www.sefton.gov.uk
scrutiny@sefton.gov.uk

Overview & Scrutiny Management Board 2011/12



Councillor Steve McGinnity
Chair of the Overview and Scrutiny Management Board

Three meetings of the Overview & Scrutiny Management Board took place during 2011/12. The Board was consulted on issues such as the Localism Bill, Police Reform and Social Responsibility Act 2011 and the election of a Police and Crime Commissioner for each Area.

During 2011/12, the Board received regular update briefings on developments regarding the Strategic Budget Review and the Transformation agenda. Members were particularly pleased that the relevant trade unions had continued to work with the Council in order to achieve the considerable savings required. This work will continue to be an integral part of the Management Board's remit.

The Board agreed to submit an application for 2 days expert adviser support from the Centre for Public Scrutiny, on the challenges presented by an ageing society. Sefton was successful in its application and an adviser delivered the training during January 2012. Some Members found the session informative and I personally found the session useful as it complemented the work we had done last year on Health Inequalities throughout the Borough.

Health Inequalities became a major issue of concern for the Board last year and Members recognised the link between health and general well-being, with other areas of strategic importance, such as employment, education, housing and environment. This has been, and will continue to remain on the Management Board's radar.

Communication has always been a key consideration for the Management Board and some time ago the Board agreed that Cabinet Member reports would be submitted, if the Chair of the Committee deemed it necessary, to the relevant O&S Committee in order to contribute towards the relationship between the Executive and Overview & Scrutiny Members. This process will remain in place despite Cabinet Member decisions being managed electronically.

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The main issue for all Overview and Scrutiny Committees was the proposal to adopt an alternative approach to business. The Management Board has offered support and guidance where necessary, in the promotion of mini reviews/single item meetings with a view to being more productive and adding value with reduced resources. This has been welcomed and embraced by all Committees and we hope to build on the successes from the previous year to ensure we continually improve.

It is worth highlighting that Committees have now moved away from receiving reports “for information”.

I would like to thank the Overview and Scrutiny Team for all their hard work during the year and I look forward to working with the team again this year.

I think the forthcoming year will be extremely busy for Overview and Scrutiny in coordinating our prioritisation of Council services, ensuring we continue to deliver services that meet the needs and expectation of our residents/partners and clients, within the set budget available.

Councillor Steve McGinnity
May 2012



Performance and Corporate Services



Councillor Steve McGinnity
Chair of the Overview and Scrutiny Committee
(Performance and Corporate Services)

On behalf of the Members of the Overview & Scrutiny Committee (Performance & Corporate Services) it gives me great pleasure to introduce the 2011/12 Annual Report.

During the year, the Committee has met 7 times and considered issues such as the Transformation Programme, Member ICT, The Core Strategy, Public Engagement and Consultation Plan, Procurement, a review of the Voluntary, Community and Faith Sector and emerging legislation such as the Localism Act 2011, the Police Reform and Social Responsibility Act 2011 and the Health and Social Care Act 2012. The Committee also took its meeting into the Community and met at the Merseyside Fire and Rescue Service, Training and Development Academy, Storrington Avenue, Croxteth.

Transformation Programme

This year the Committee continued to receive regular updates on the progress of the Transformation Programme. The Transformation Programme is about:-

- Putting the customer at the heart of what we do;
- Delivering value for money services; and
- Maximising the potential of all staff.

A lot of the transformation work has focused on saving money which gave us a real opportunity to examine and change, where required, the way in which we deliver services. The Transformation Programme will continue to examine the way Sefton delivers its services, making improvements to benefit our communities. The Overview and Scrutiny Committee (Performance and Corporate Services) will play a key role in scrutinising proposals and in reviewing the targets and timetable of the Programme.

Budget 2012/13

The Overview and Scrutiny Committee (Performance and Corporate Services) was also responsible for scrutinising the proposed budget for 2012/13. The budget represents a second year of significant reduction in spend. In scrutinising the proposed budget, Committee Members were required to consider the following documents:-



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- Transformation Programme 2011-2014;
- Local Government Act 2003 – Chief Financial Officer’s Requirements;
- Framework Budget Recommendation 2012/13; and
- Minutes from previous meetings of Cabinet relating to the Budget.

The Committee agreed that the Council was setting a revenue budget that reflected the Council’s previously agreed priorities. Those priorities were established through use of the following categories namely, critical, frontline and regulatory.

The Committee also agreed that both Members and residents had been well informed in respect of the potential impact, risks and mitigating actions associated with the budget options.

The Committee accepted that the Council had been proactive in the consultation and engagement process on the budget and had sought a wide range of views and comments but it was recommended that the Council continues to improve the consultation and engagement process in future years.

The Committee suggested the following areas to be explored, with a view to developing options that may contribute to the 2013/14 budget:-

- ring-fenced funding to support services;
- review of high carbon buildings; and
- debt collection.

Merseyside Fire and Rescue Service – Tour

The Committee was invited to tour the buildings and examine the equipment and fleet of vehicles used at the Training and Development Academy, Merseyside Fire and Rescue Service in Croxteth. The Committee held its meeting after the tour which included a presentation from the Group Manager. Members were interested in learning how the team responded to emergency calls and about the different vehicles available in the fleet.

Ageing Well/A Good Place To Grow Older

The Council was successful in an application to receive some training from the Centre for Public Scrutiny in relation to our ageing society. The purpose of the development sessions was to explore the impact of the ageing society and develop Overview and Scrutiny Members’ awareness of the impending challenges with regards to the ageing population. Members found the session informative and agreed the, 10 questions to ask if you were scrutinising local preparation for the ageing society, would be useful.

Public Health Annual Report

Each year the Director of Public Health has a responsibility to produce a report highlighting the health of the local population. The Committee welcomed the opportunity to receive a presentation on the 2011 Annual Report “Solid Foundations: Building for the Future; Sefton’s Health 2011”. Members were particularly interested in the life expectancy statistics by ward and the future proposals for addressing the health inequalities across the Borough.



Cabinet Member Reports

In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committee Chairs for them to determine what items should be reported to Committee. For 2011/12 the Terms of Reference of the Overview and Scrutiny Committee (Performance and Corporate Services) fell under the portfolios of three Cabinet Members:-

- Cabinet Member – Corporate Services;
- Cabinet Member – Performance, Governance and Commissioning; and
- Cabinet Member – Safer Communities and Neighbourhoods.

Port Master Plan Working Group

At its meeting on 30th August 2011, the Overview and Scrutiny Management Board proposed the establishment of a cross-cutting working group on the Port Master Plan.

The issues to be included were:-

- Inclusion of the Port Access study (Department of Transport Document)
- Peel Holdings (at docks)
- Access could be affected
- Economic benefits
- Rimrose Valley could be impacted.

Working Group Members met and scoped the review. Members of the Working Group were invited to attend a briefing session on the outcome of the Port Access Study on 7 December 2011.

Members were keen to invite various key witnesses to give evidence with regards to concerns about transportation of containers through the city on large vehicles and the consequences this could have in relation to pollution and health. Members are keen to understand reasons why rail is not being used for such transportation to Garston, as was promised some years ago.

Members of the Group have interviewed representatives from Mersey Maritime and a representative from Liverpool Vision. The Head of Economic Development and Tourism has recently updated Members on the masterplan and investment programme, which included an update on the negotiations with Peel Ports. Members have requested a site visit to the Port.

A position statement was submitted to the Overview and Scrutiny Management Board, seeking agreement to continue the Working Group into the Municipal Year 2012/13. It is envisaged that the Working Group will finish its work in early July 2012 with a Final Report being ready soon after.

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The Year Ahead

The Committee will continue to make progress on the following priorities over the coming year:

- Monitoring the impact of the Transformation Programme upon the delivery of services to the people of Sefton, and those who work for Sefton;
- Input, and monitoring of budget saving exercises in this financial year;

I envisage the forthcoming year to be extremely busy and challenging for the Committee, given the difficult times that are currently being experienced by local government.

On behalf of the Committee I would like to thank everyone who has contributed to our work over the past year, and I would personally like to thank all Members of the Committee for their support to me over the past year.

Councillor Steve McGinnity
May 2012



Children's Services



Councillor Robert Brennan
Chair of the Overview and Scrutiny Committee
(Children's Services)

It gives me great pleasure to introduce Sefton Council's Overview and Scrutiny Committees (Children's Services) Annual Report 2011/12 to the Council.

This year, the Committee has continued to fulfil all of its functions in scrutinising and reviewing the Council's activities in relation to the following five positive outcomes for Children and Young People: That Children and Young People in Sefton:-

- Are healthy
- Are safe
- Enjoy their learning opportunities
- Reach their goals
- Make a positive contribution

During the course of the year the Committee has considered numerous reports and monitored recommendations from previous Working Groups.

The Monitoring of Previous Reviews

- **Fostering Service**

The Fostering Service Working Group was agreed and formed by this Committee as a result of a poor Ofsted Inspection Report which deemed the service to be inadequate back in 2008.

The Working Group conducted a thorough investigation of the issues and worked with the Council's Fostering Service to suggest improvements which resulted in 18 recommendations being made. The Committee has continued to monitor the progress of implementation in relation to those recommendations and was pleased to learn that significant improvements had taken place since 2008. More specifically, the Committee welcomed the news that the Ofsted inspection back in 2011 confirmed an overall judgement of "good with outstanding features".

- **Corporate Parenting**

The above Working Group was set up in July 2009 and resulted in 19 recommendations. I am pleased to report that those 19 recommendations have been addressed and absorbed within the Corporate Parenting Strategy.



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- **Children and Adolescent Mental Health Working Group**

The above Working Group set about scoping its review in Autumn 2010.

The Review took nine months to complete and resulted in 14 recommendations. One of the recommendations was in relation to the Committee examining in more detail the service specification that Sefton PCT (now NHS Merseyside) had with Alder Hey Children's Foundation NHS Trust in providing a Children and Adolescent Mental Health Service (CAMHS) for the Borough. We welcomed representatives from Alder Hey who presented details of the consultation in relation to the organisational change, the new service model and organisational structure which would support delivery of CAMHS services in the future. The Committee has requested that Alder Hey report back to them regarding a timetable for proposed improvements. The Committee has and will continue to monitor progress on the recommendations through regular update reports from the Strategic Director for People.

Academy Status – Consultation and Conversion Agreements

The Committee pre-scrutinised the consultation processes followed by the various schools in connection with the consideration of applications for obtaining conversion to academy status. The Committee also pre-scrutinised the academy conversion agreement.

The pre-scrutiny process allows Overview and Scrutiny to investigate issues before a decision is taken and therefore assists Cabinet to make effective decisions. The Overview and Scrutiny Committee can refer any comments, concerns and suggestions to Cabinet in order that they are highlighted before a decision is taken, encouraging depth to the debate at Cabinet.

The Committee found the pre-scrutiny process useful in that Members were able to gain background knowledge in relation to the statutory consultation requirements of schools seeking to convert to academy status; the consultation process adopted by the Council; and an analysis of the consultation process followed by those schools seeking academy conversion.

The Committee pre-scrutinised all aspects of the process in relation to obtaining conversion to academy status.

The following topics were identified for review by Members and were the subject of reports to the Committee:

- Children & Adolescent Mental Health Services (CAMHS);
- Inspection of Sefton Safeguarding and Looked After Children Services 2011 – Post Inspection Activities;
- Public Health Annual Report;
- Cyber Safety – Keeping Children Safe in Sefton
- Children's Centres Review and Consultation
- Youth Service Redesign
- Consultation on Reconfiguring Sefton's Children's Centres
- The Targeted Mental Health in Schools Programme



Public Health Annual Report

The Committee was also delighted to receive the Director of Public Health's Annual Report. Each year the Director of Public Health has a responsibility to produce a report highlighting the health of the local population. The Committee welcomed the opportunity to receive a presentation on the 2011 Annual Report "Solid Foundations: Building for the Future; Sefton's Health 2011". Members raised concerns and requested further information in relation to mental disorders and suicides amongst young people. The Committee also requested that the Strategic Director for People raise the matter of the production/availability of healthy food at the Healthy Schools Forum.

Port Master Plan Working Group

At its meeting on 30th August 2011, the Overview and Scrutiny Management Board proposed the establishment of a cross-cutting working group on the Port Master Plan. This Committee nominated former Councillor Mainey to sit on the Working Group, I would like to thank former Councillor Mainey for all his hard work during his time on the Working Group. I am pleased to report that the Committee have now nominated Councillor Dorgan to continue this work and I wish him well in that respect.

Pre-Scrutiny – The Key Decision Forward Plan

The Overview and Scrutiny Committee has also been given the opportunity to pre-scrutinise items from the Council's Key Decision Forward Plan. The Forward plan is submitted to the Overview and Scrutiny Committee as part of the Work Programme update. The pre-scrutiny process assists the Cabinet and Cabinet Members to make effective decisions by examining issues beforehand and making recommendations prior to a determination being made.

Cabinet Member Reports

In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committee Chairs for them to determine what items should be reported to Committee.

The Year Ahead

I look forward to the new Municipal Year. We look forward to working as critical friend to our Cabinet Member and partners. The Committee will be examining Key Priorities for the Council and examining areas for us to investigate in order that the services we provide are continually improved to benefit all who live and work in Sefton.

As Chair I would like to thank the Officers who have contributed to this Committee specifically for their assistance and support.

I would also like to take this opportunity to thank Committee Members for their hard work throughout the year.

Councillor Robert Brennan
May 2012



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Health and Social Care



Councillor Anthony Hill
Chair of the Overview & Scrutiny Committee
(Health and Social Care)

Once again, it is my pleasure to introduce the 2010/11 Annual Report of the Overview and Scrutiny Committee (Health and Social Care).

The Committee met on six occasions and this Report is presented to the Council and a wider audience beyond in the hope that the information it contains will contribute to the debate and discussion about the provision of health and adult social care services for Sefton residents and their development, improvement and access.

The Committee received regular update reports from our health partners NHS Sefton, Southport and Ormskirk NHS Trust, Aintree University Hospital NHS Trust and Mersey Care NHS Trust.

These enabled the Committee to be briefed on current issues and developments and to raise matters of concern. The issues raised ranged from the transport of mental health patients, major ward refurbishment at Aintree University Hospital and winter pressures at Southport Hospital to flu vaccination take-up, alcohol awareness and GP Practices.

We would like to thank our partners for their openness and their response to our requests and suggestions.

The Committee received reports and heard presentations on a wide range of other issues affecting Sefton residents including Sefton's Affordable Warmth Strategy, the Sefton Public Health Annual Report and the Centre for Public Scrutiny's presentation on "Ageing Well / A Good Place to Grow Older", following which the Committee agreed that the Sefton Partnership for Older Citizens should consider proposals for action.

Members also considered the performance of the above Trusts and North West Ambulance Services NHS Trust, Royal Liverpool and Broadgreen University Hospitals NHS Trust and the Walton Centre for Neurology and Neurosurgery NHS Foundation Trust, on receipt of their draft Quality Accounts.

The provision of Adult Social Care was covered by the attendance of officers from the Council's Social Care and Well-Being Department.



Their reports and presentations included the Inspection and Regulation of Care Homes in Sefton, Sefton Dementia Strategy, Sefton Strategy for Older Citizens and the establishment of Health Watch.

A Working Group on Phlebotomy examined this service in some detail and its recommendations were accepted by the Cabinet. I would like to thank the Members, and particularly the Lead Member, Councillor Roberts, for all their hard work.

Members also served on the cross-cutting Port Master Plan Working Group and represented Sefton on the Joint Overview and Scrutiny Committee (Sefton and Knowsley) in considering the Cheshire and Merseyside Vascular Services review.

Members visited Aintree University Hospital, the Walton Centre for Neurology and Neurosurgery and the Children's Hub, Southport Centre for Health and Wellbeing. These provided the opportunity to see health services in action and to learn about the development of health services and their development in Sefton and beyond.

The Committee was conscious of the impact of the Health and Social Care Act and received regular presentations and updates.

Other issues considered included the establishment of a draft protocol with Sefton LINK which will allow the co-option of a non-voting member in 2012/13; applications for Foundation Trust status from Southport and Ormskirk Hospital NHS Trust and Liverpool Community Health Trust; Cheshire and Merseyside Cancer Centre Service proposals; Merseyside Breast Screening Services; and the contribution of Pharmacies to Sefton residents' health and wellbeing.

The regular attendance of representatives of organisations and partners including senior officers and members of Hospital and Primary Care Trusts and Sefton LINK, as well as members of the public, has been much appreciated, as has the advice and support of Dr. Janet Atherton, Sefton's Director of Public Health.

The regular attendance of the Cabinet Member - Health and Social Care has been particularly useful when Cabinet Member reports have been considered and the presence of senior officers from that Department has been very useful as has the attendance of officers from other departments, as appropriate.

This is my final Annual Report after 8 years as Chair. I believe that the Committee has developed good working relationships with all our health partners. The trust that has been built up has meant that we are recognised as a "critical friend" and that we are listened to and have been able to have a positive influence on the development of health services in Sefton.

I would like to express my gratitude to all the members of the Committee for their support and for the enthusiastic way that they have contributed to our work. My special appreciation goes to all the Scrutiny Support officers for their commitment, advice and support and particularly to the current officer, Debbie Campbell, for her enthusiasm and hard work.



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I would like to wish the Committee well for the future. It will face fresh challenges with the implementation of the Health and Social Care Act and the continuing financial pressures on health and social care services. I am sure that it will go from strength to strength under its new Chair, Councillor Catie Page.

Councillor Anthony Hill
May 2012



Regeneration and Environmental Services



Councillor Peter Papworth
Chair of the Overview and Scrutiny Committee
(Regeneration and Environmental Services)

It gives me great pleasure to introduce Sefton Council's Overview and Scrutiny Committees (Regeneration & Environmental Services) Annual Report 2011/12.

It has been a pleasure and privilege to chair this Committee again during the year.

We have continued to make a good deal of progress in our procedure, with verbal reports and one-session investigations mostly replacing wads of tired paper and repetitive meetings.

The Committee is actively monitoring the progress of the 29 recommendations from the Watercourse Maintenance and Flooding Working Group. The Floods and Water Management Act 2010 has placed a number of duties on Local Authorities, in particular those that are Lead Local Flooding Authorities (LLFA). The Committee has received updates from the Environment Agency in relation to the progress of Flood Risk Management. It is fair to highlight that this Committee has been instrumental in ensuring that the Council complies with the sentiments of the Act by working with Cabinet to ensure that the Council are fulfilling its duty as a LLFA. The Committee will continue to monitor compliance with that Act.

As Chair, I have continued to keep abreast of developments and to build relationships with the four Cabinet Members whose portfolios are within our Terms of Reference. As part of that process we have welcomed the introduction of "reports from Cabinet Members" into our agenda. This ensures that the Committee are briefed upon current Cabinet Member issues. It also allows Committee to make judgements and offer assistance to Cabinet Member where they agree it's required. Cabinet Members have regularly attended the Committee Meetings and Members have appreciated the opportunity to ask questions and seek clarifications on certain aspects of their work.

Meetings

The Committee met six times during the year, and we were grateful to a substantial number of people who came to answer our questions. Besides various Council officers, we had senior representatives from (among others):



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- **The Environment Agency and Chair of the Regional Flood and Coastal Committee**

The Committee welcomed representatives from the Environment Agency, Mr Ian Rowlands and Mr Graham Shephard and also Mr Brian O'Hare, Chair of the Regional Flood and Coastal Committee who presented the Agency's Consultation Document in relation to the Lower Alt with Crossens Draft Flood Risk Management Strategic Plan. I, as Chair of the Committee, took the opportunity to invite the Chair of Hightown Parish Council and Formby Parish Council to attend the meeting for this particular item.

- **Capita Symonds**

The Committee received a detailed presentation from Mr Phillip Raynor, Flood Risk and Water Management in relation to a Surface Management Plan for Sefton. Members of the Committee have found consultation on such plans useful as it ensures that any concerns are highlighted and resolved before finalisation of such documents.

- **NHS Sefton**

Each year the Director of Public Health has a responsibility to produce a report highlighting the health of the local population. The Committee welcomed the opportunity to receive a presentation on the 2011 Annual Report "Solid Foundations: Building for the Future; Sefton's Health 2011". Members were particularly interested in the breakdown of figures for births on a ward by ward basis.

- **Crosby Village Regeneration**

The Committee welcomed Mr Jamie Scott, representative from "ABetterCrosby" who had been invited to attend the meeting in order that Members and Officers would be briefed upon the concerns raised by the group "ABetterCrosby" regarding the declining state of Crosby Village. Mr Jamie Scott highlighted that the group had set up public consultation events and had responded to the Core Strategy document. Members found the briefing regarding the objectives of "ABetterCrosby" informative. This now means that the Committee are in a stronger position to put forward the views of the Group as and when reports are received.

Port Master Plan Working Group

At its meeting on 30th August 2011, the Overview and Scrutiny Management Board proposed the establishment of a cross-cutting working group on the Port Master Plan.

The following issues to be included were:-

- Inclusion of the Port Access study (Department of Transport Document)
- Peel Holdings (at docks)
- Access could be affected
- Economic benefits
- Rimrose Valley could be impacted.



Working Group Members met and scoped the review. Members of the Working Group were invited to attend a briefing session on the outcome of the Port Access Study in December 2011.

Members are keen to invite various key witnesses to give evidence with regards to concerns about transportation of containers through the city on large vehicles and the consequences this could have in relation to pollution and health. Members are keen to understand reasons why rail is not being used for such transportation to Garston, as was promised some years ago.

Members of the Group have interviewed representatives from Mersey Maritime and a representative from Liverpool Vision. The Head of Economic Development and Tourism has recently updated Members on the masterplan and investment programme, which included an update on the negotiations with Peel Ports. Members have requested a site visit to the Port.

A position statement was submitted to the Overview and Scrutiny Management Board, seeking agreement to continue the Working Group into the Municipal Year 2012/13. It is envisaged that the Working Group will finish its work in early July 2012 with a Final Report being ready soon after.

The Atkinson

In September 2011, Members of the Committee undertook a site inspection of The Atkinson to view the progress on the project development. Members of the Committee found the site visit beneficial in terms of visualising how the Centre will look and feel. It is proposed that The Atkinson will create an original, high quality cultural offer of regional significance that would aid visitor attraction to Southport as a “Classical Resort”. I am looking forward to the opening of The Atkinson. I am advised that:-

- The Library, Café/Bar and Tourist Information Centre are scheduled to open January 2013;
- The Cambridge Theatre, Studio Concert Hall and Atkinson Art Gallery are scheduled to open April 2013; and
- The Atkinson Museum is scheduled to open in September 2013.

Topics

Among the issues we have considered are these:

- Floods and Water Management Act – Actions Update
- Environment Agency’s ‘Lower Alt with Crossens Draft Flood Risk Management Strategic Plan: Consultation Document’ – Overview
- Draft Surface Water Management Plan (SWMP)
- The Preliminary Flood Risk Assessment for Sefton (PFRA)
- Core Strategy Consultation Process
- Crosby Village Regeneration
- Outcome of the Trial Licensing Act Notification Scheme
- Sefton Local Economic Assessment
- Southport Arts and Cultural Centre Update
- Public Health Annual Report



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- Parking Services – Enforcement Contract Tendering
- Incidents of Fly Tipping in the Borough
- Flood and Coastal Erosion Risk Management – Forward Plan for 2011-12
- Joint Merseyside Waste Development Plan Document: Review of Progress and Next Stages
- Joint Merseyside and Halton Waste Development Plan Document: Council Approval of publication Waste DPD
- Joint Recycling and Municipal Waste Management Strategy for Merseyside
- Review of Winter Service Policy
- Zoned Waste Collection Service Update
- Draft Economic Strategy for Sefton
- Operation of the Blue Badge Scheme in Sefton
- Declaration of Air Quality Management Areas
- Carbon Management Plan 2011-16 and Sefton Sustainable Energy Action Plan
- Beach Vegetation – Southport.

The Year Ahead

No doubt the Committee will continue to pursue the various matters listed above, and I very much hope that Committee Members – particularly the several who are newly elected as Councillors – will seize the opportunity to examine other aspects of Council policy and performance. There is no shortage of potential challenges!

I would like to take this opportunity to thank Committee Members and Officers for their hard work and support throughout the year.

Councillor Peter Papworth
May 2012



During 2011/12, the following Members served on the Committees indicated:-

Overview & Scrutiny Management Board

Councillor McGinnity (Chair)
Councillor Bradshaw
Councillor Brennan
Councillor Byrom
Councillor Hill
Councillor Hubbard
Councillor Jones
Councillor Papworth

Overview & Scrutiny Committee (Children's Services)

Councillor Brennan (Chair)
Councillor Atkinson
Councillor Bradshaw
Councillor Cuthbertson
Councillor Hands
Councillor Howe
Councillor Hubbard
Councillor Jones
Councillor Mainey
Councillor McKinley
Councillor Page
Mrs S. Cain - Parent Governor Representative
Canon R. Driver – Church Diocesan Representative
Father D. Seddon - Church Diocesan Representative

Overview & Scrutiny Committee (Health & Social Care)

Councillor Hill (Chair)
Councillor Ball
Councillor L. Cluskey
Councillor Griffiths
Councillor Hubbard
Councillor McGuire
Councillor Page
Councillor Roberts
Councillor Webster
Councillor Welsh



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Overview & Scrutiny Committee (Performance & Corporate Services)

Councillor McGinnity (Chair)
Councillor Byrom
Councillor Carr
Councillor Dorgan
Councillor Gibson
Councillor Kelly
Councillor Mainey
Councillor Preece
Councillor Roberts
Councillor Robinson
Councillor Weavers

Overview & Scrutiny Committee (Regeneration & Environmental Services)

Councillor Papworth (Chair)
Councillor Ashton
Councillor K. Cluskey
Councillor Fenton
Councillor Hardy
Councillor Jones
Councillor McKinley
Councillor Robinson
Councillor Weavers
Councillor Welsh





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COUNCIL – 5 JULY 2012

REPORT OF THE LEADER OF THE COUNCIL – MATTERS DEALT WITH IN ACCORDANCE WITH RULE 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY)

I wish to report that the Chairs of the relevant Overview and Scrutiny Committees gave their consent, under Rule 17 of the Scrutiny Procedure Rules, to the following issues being dealt with, on the basis that the decisions could not be reasonably deferred and therefore not subject to call-in.

CABINET – 24 MAY 2012

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:

Authority	Seats	Lab	Lib Dem	Con
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:

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

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- (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.

DECISION BY LEADER OF THE COUNCIL – 30 MAY 2012

Further to Minute No. 5 of the Cabinet meeting held on 24 May 2012, the Leader of the Council considered the report of the Director of Young People and Families relating to the closure date for St. George of England High School following confirmation that the Secretary of State has entered into a Funding Agreement for the Hawthorne’s Free School.

The Council on 15 May 2012 gave authority for the Leader of the Council to take any urgent action.

RESOLVED: That

- (1) following confirmation that the Secretary of State has entered into a Funding Agreement for the Hawthorne’s Free School, the request from the Free School Trust and the Governing Body to bring forward the closure date for the St. George of England High School from 31 August 2013 to 31 August 2012 be approved; and
- (2) it be noted that the Chair of Overview and Scrutiny (Children’s Services) had given his consent, under Rule 17 of the Overview and Scrutiny Procedure Rules, for this decision to be treated as urgent and not subject to “call in” on the basis that this decision cannot be reasonably deferred because the decommissioning of the school cannot be delayed.

Councillor P. Dowd
Leader of the Council

Festubert - a briefing document

In 1908, the British Army was reformed. The old Militia and Yeomanry were swept away and the Territorial Force (nowadays the TA) was formed, for home defence. Men were encouraged to join by being paid, and also by the two weeks of annual training. The latter was often their only holiday from their tedious jobs. The 7th battalion, King's Liverpool Regiment (KLR) recruited in Bootle, Crosby, Formby and Southport. When the Great War broke out, they were at their annual camp.

The British Expeditionary Force (BEF) went to France 120,000 strong - to meet an advancing German force numbering over a million men. First contact came at Mons, in Belgium, a town which twinned with Bootle (and hence with Sefton MBC) in 1964 on the 50th anniversary of the battle. A retreat followed, with a further holding action at Le Cateau, down to the River Marne, where the British and French turned and forced the Germans to retreat. They went back to the River Aisne and dug in. The following up BEF and the French were forced to dig in too. The following six weeks saw both sides trying to outflank the other - the Race to the Sea - until 475 miles of parallel trenches stretched from Nieuport on the North Sea coast down to the Swiss border.

During the winter of 1914-15, plans were made to drive the Germans out of France and Belgium. The French planned an attack on Vimy Ridge. In a war of trenches, possession of high ground was paramount. They called upon the British, the junior partner in the coalition until 1917, to mount an attack further north to tie down German troops and draw off their reserves.

British plans were drawn up to attack at Neuve Chapelle, Aubers Ridge and at Festubert. The trench lines were within half a mile of the latter - a very ordinary French village. The houses and barns were used to billet British troops when out of the line and the Church tower used as an observation post. This was known to the Germans, who regularly shelled the village, taking off roofs, smashing down walls and destroying the Church.

The French attack at Vimy failed. Evidence can be seen at the cemetery at Notre Dame de Lorette where there are 44,000 French headstones, and a further 23,000 unknown French dead in seven ossuaries. The British attack fared little better, although the remains of Neuve Chapelle were captured and from May 15th to 25th 1915 the lines were pushed nearly half a mile away from what remained of Festubert. The latter cost nearly 16,000 casualties.

The 7th KLR arrived in France in February 1915 and first saw action at Festubert. A number of them are still there - in the three cemeteries in and around the village.

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The Roll of Honour at the entrance to Bootle Town Hall is different from most in that it is in three pieces - top centre, bottom centre, and the two side panels. A glance at the top central section, dedicated by the then Mayor in 1916, includes those men who fell in 1914 and 1916. That glance would reveal over 70 men of the 7th KLR. A similar study of the Southport War memorial shows roughly similar numbers. If one adds on those who subsequently died of their wounds, then over 150 men of Sefton died at Festubert.

The village remained behind Allied lines until 1918. In the spring of that year the Germans gambled that by using those freed from the Eastern Front following Russia's withdrawal from the war, they could win the war before the Americans arrived in sufficient numbers to tip the balance. They attacked towards Festubert, smashing walls and buildings with artillery and swept west. The British line bent, but never broke. The Germans ran out of steam and on August 8th 1918 the British, French and Belgians attacked all along the lines, pushing the Germans back everywhere. This time it was British shells that fell on Festubert.

By the time of the Armistice on November 11th, 1918 most of the homes in Festubert were just smears of brick dust. Where the Church had stood was grey stone dust. It was to such a scene of total devastation that the people of Festubert returned in the next few months after the cessation of hostilities.

In 1920, the British League for Help summoned representatives of local authorities to a meeting at the Mansion House in London. Subsequently, a large number of British towns and cities "adopted" (such was the word then used) a place in France. Birmingham adopted Albert on the Somme. Liverpool adopted Givenchy - the village not the perfume - where many of its men fought so gallantly in 1918.

Southport adopted Festubert.

Money was raised in Southport - sufficient for the building of a sports hall in the village. The original has been replaced by a more modern structure, but the foyer of the salle des fetes bears the original plaque naming it the Southport Memorial Hall.

Between 1922 and 1939 (when German visitors returned) parties of Southport schoolchildren went on an annual cultural visit to Festubert. These visits were not restarted after World War Two. Veterans of the battle of Festubert in 1915 met up every year in Southport on its anniversary until the 1990's, when there were but five elderly men remaining. The last official visit of any kind (which this author can trace) was in 2000 when the Southport Branch of the Dunkirk Veterans Association diverted to the village to lay a wreath at the village war memorial. The latter is a rarity, for it not only lists the men, and women, of the village killed in the Great War, but also "Les heros Britannique mort pour la France."

Festubert is thus part of the heritage of Sefton. Over 150 men from what is now Sefton fought and died there. Twice as many must have been wounded in body or in spirit. The people of Southport cared enough to raise money to assist the village in its rebuilding, and links continued for 20 years.

2015 marks the centenary of the Battle of Festubert, a small French village "adopted" by Southport. To ignore the links is to ignore part of our borough's heritage. How nice it would be to re-establish those links in advance of the centenary!

Bruce Hubbard

Sources:

R E B Coombes	Before Endeavours Fade
T & V Holt	Guide to the Western Front, North
A Kearsley	1915 Campaigns in France
V Bannister	Southport's Valiant Hearts
E Whyrall	History of the KLR in the Great War (volume 1)
E Hancock	Aubers Ridge
J H Johnson	Stalemate!
J O Coop	The Story of the 55 th (West Lancs) Division
The Great War Forum	
The Commonwealth war Graves Commission	
The Western Front Association	

Et al.

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