

MEETING: CABINET
DATE: Thursday 27th March, 2014
TIME: 10.00 am
VENUE: Town Hall, Bootle

Member

Councillor

Councillor P. Dowd (Chair)
Councillor Cummins
Councillor Fairclough
Councillor Hardy
Councillor Maher
Councillor Moncur
Councillor Tweed

COMMITTEE OFFICER: Steve Pearce
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The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an * on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

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A G E N D A

Items marked with an * involve key decisions

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>	
1.	Apologies for Absence		
2.	Declarations of Interest		
3.	Minutes of Previous Meeting Minutes of the meeting held on 27 February 2014		(Pages 5 - 18)
* 4.	Tender for “Highway Term Maintenance HM7” – Tri Partite Agreement for Unmetered Electricity Supply connections Report of the Director of Built Environment	All Wards	(Pages 19 - 22)
* 5.	Approval of the Council's Asset Disposal Policy Report of the Director of Built Environment	All Wards	(Pages 23 - 46)
* 6.	Parking Services Proposals and Tariffs 2014/15 Report of the Director of Built Environment	All Wards	(Pages 47 - 70)
* 7.	Twelve Month Contract Extension for the Merseycare Substance Misuse Contract Report of the Director of Public Health	All Wards	(Pages 71 - 74)
* 8.	Better Care Fund Plan - Next Steps Report of the Deputy Chief Executive	All Wards	(Pages 75 - 80)
9.	Litherland Moss Primary School Refurbishment and Gypsy and Traveller Site at Red Rose Park - Capital Scheme Revisions Report of the Head of Corporate Finance and ICT	All Wards	(Pages 81 - 86)
10.	Local Authority Mental Health Challenge - Appointment of Mental Health Champion Report of the Director of Public Health	All Wards	(Pages 87 - 92)

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| 11. | Appointment of Mayor and Deputy Chair 2014/15
Report of the Director of Corporate Services | All Wards | (Pages 93 - 96) |
| 12. | Appointment of Trust Governor - Southport and Ormskirk Hospital NHS Foundation Trust
Report of the Director of Corporate Services | All Wards | (Pages 97 - 102) |

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY 12 MARCH, 2014. MINUTE NO's 99, 100, 101, 102 AND 110(2) ARE NOT SUBJECT TO "CALL - IN".

CABINET

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 27TH FEBRUARY, 2014

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

ALSO PRESENT: Councillors Ball and Hands

95. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Tweed.

96. DECLARATIONS OF INTEREST

No declarations of interest were made.

97. MINUTES OF PREVIOUS MEETING

Decision Made:

That the minutes of the Cabinet meeting held on 16 January 2014 be confirmed as a correct record.

98. 2013/14 BUDGET UPDATE

The Cabinet considered the report of the Head of Finance and ICT which provided an update of the progress in the achievement of the approved savings for 2013 - 2015, and other risks within the 2013/14 budget; and a forecast of the collection rates for Council Tax and Business Rates in 2013/14.

Decision Made:

That:

- (1) the progress to date on the achievement of approved savings for 2013/2014 be noted;
- (2) the potential impact on the Council general balances in 2013/14 should other savings not be achieved elsewhere in the budget, to bridge the current budget gap be noted;
- (3) The wider budget pressures being experienced in the remainder of the Budget be noted; and

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- (4) The forecast position on the collection rates of Council Tax and Business Rates be noted;

Reasons for Decision:

To ensure Cabinet are informed of the latest position on the achievement of savings for the current financial year and to facilitate the achievement of the savings targets for 2014/15.

To identify wider budget pressures being experienced elsewhere in the Budget and to provide an update on the forecast outturn position on collection of Council Tax and Business Rates.

Alternative Options Considered and Rejected:

None:

99. REVENUE BUDGET 2014 /15

The Cabinet considered the report of the Head of Corporate Finance and ICT which identified required changes to the Medium Term Financial Plan, arising from the non-achievement of specific savings in 2013/2014, amendments to resources and anticipated expenditure variations for 2014/15; and requested Members to consider how the short fall of £4.781m would be met from a Council Tax increase, one-off resources and/or new sustainable options

The Head of Corporate Finance and ICT reported that the Overview & Scrutiny Committee (Performance and Corporate Services) at its meeting held on 18 February 2014 had considered and noted a report on the budget position.

The report also provided details of the level of fees and charges for 2014/2015 which had previously been considered by the appropriate Cabinet Member.

Decision Made:

That:

- (1) the updated Budget position for 2014/15 be noted;
- (2) the comments of the Overview & Scrutiny Committee (Performance and Corporate Services) be noted;
- (3) the level of fees and charges for 2014/15 be approved;
- (4) the Council at its meeting on 6 March 2014 be requested to identify the means of bridging the outstanding budget gap of £4.781m for 2014/15 and the level of the Council Tax increase for 2014/15.

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Reasons for Decision:

To enable the Cabinet to consider the Budget position prior to the Budget Council to be held on 6 March 2014.

Alternative Options Considered and Rejected:

No. The Council has a legal obligation to set a balanced and robust budget and to set the Council Tax for 2014/2015 before 10 March 2014.

100. TREASURY MANAGEMENT POLICY AND STRATEGY 2014/15

The Cabinet considered the report of the Head of Corporate Finance and ICT which provided details of the proposed procedures and strategy to be adopted in respect of the Council's Treasury Management Function in 2014/15.

Decision Made:

That the Council be recommended to give approval to:

- (1) the Treasury Management Policy Document for 2014/15 as set out in Annex A of the report;
- (2) the Treasury Management Strategy Document for 2014/15 as set out in Annex B of the report;
- (3) the amendment to the Banking arrangements contained within the Financial Procedure Rules of the Constitution, as referred to in paragraph 3 and Annex A of the report; and
- (4) the basis to be used in the calculation of the Minimum Revenue Provision for Debt Repayment in 2014/15.

Reasons for Decision:

To enable the Council to effectively manage its treasury activities.

Alternative Options considered and Rejected:

None

101. THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES - PRUDENTIAL INDICATORS 2014/15

The Cabinet considered the report of the Head of Corporate Finance and ICT on proposals to establish the Prudential Indicators required under the Prudential Code of Capital Finance in Local Authorities. This would enable the Council to effectively manage its Capital Finance Activities and comply with the Chartered Institute of Public Finance and Accountancy Prudential Code of Capital Finance in Local Authorities.

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Decision Made:

That the Council be recommended to:

- (1) approve the Prudential Indicators as detailed in the report, and summarised in Annex A of the report, be approved as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- (2) give approval to the relevant Prudential Indicators being amended, should any changes to unsupported borrowing be approved as part of the 2014/2015 Revenue Budget;
- (3) note that estimates of capital expenditure may change as grant allocations are received (paragraph 2.2); and
- (4) grant delegated authority to the Head of Corporate Finance & ICT to manage the Authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report.

Reasons for Decision:

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

Alternative Options Considered and Rejected:

None

102. CAPITAL PROGRAMME 2013/14 AND CAPITAL ALLOCATIONS 2014/15

The Cabinet considered the report of the Head of Corporate Finance and ICT which provided details of the 2014/2015 Capital Allocations received to date and to consider their use in the development of a new starts programme for 2014/2015.

Decision Made:

That:

- (1) the 2014/2015 capital allocations received to date as set out in paragraph 3.2 of the report be noted;
- (2) the capital schemes to be self financed as outlined in Appendix B of the report be included within the Capital Investment Plan;

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- (3) the Council be recommended to approve for inclusion within the Capital Investment Plan, the Capital schemes to be funded from the 2014/15 Single Capital Pot as outlined in Appendix A of the report;
- (4) the Council be recommended to approve for inclusion in within the Capital Investment Plan, the Property Intervention Fund 2014/2015 allocation of £500,000 to be funded from Capital Receipts as outlined in paragraph 5 of the report; and
- (5) approval be given to Sefton Council acting as the lead Authority for the Port Access Scheme included in Appendix B of the report.

Reasons for Decision

To update Members on the 2013/2014 Capital Investment Plan; inform Members of the 2014/15 Capital Allocations received to date; allow Members to consider how those allocations should be utilised and to seek approval for schemes that are self financed.

Alternative Options Considered and Rejected:

None.

103. BETTER CARE FUND

Further to Minute No. 57 of the meeting of the Health and Wellbeing Board meeting held on 19 February 2014, the Cabinet considered the report of the Deputy Chief Executive which provided details of background to the Better Care Fund (BCF) (formerly the Integration Transformation Fund) and outlined the approach being taken in developing Sefton's Better Care Plan. The first stage of which, is that a BCF template had to be submitted by 14 February 2014 to NHS England (North), which would then be assured by that organisation, with support from the Local Government Association, to assess whether Seftons BCF, is sufficiently robust to deliver the Governments vision for the integration of health and social care.

Decision Made:

That the first iteration of the Better Care Plan, as agreed by the Chair of the Health and Wellbeing Board, in consultation with the Cabinet Member - Older People and Health, which was submitted to the Government on the 14 February 2014 be approved.

Reasons for Decision:

The Government is pooling resources within the Better Care Fund, and had nominally proposed the amount for each local area, subject to jointly developing with its Clinical Commissioning Groups a joint plan. The first stage of the process is to submit a planning template, which would be assured, to assess whether the plan was likely to deliver the governments

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vision for integration of health and social care. The deadline for the template to be submitted was 14 February, 2014, and the Cabinet Member - Older People and Health, in consultation with the Cabinet Member - Children, Schools, Families and Leisure, as Chair of the Health and Wellbeing Board, agreed to submit the template by the deadline, but subject to the approval of the Cabinet on formal recommendation of the Health and Wellbeing Board. It is not known what the impact would be of none compliance with the process, but it is possible that the resources nominally allocated to Sefton would not be available. Therefore to ensure the resource is secured, the process has been complied with.

Alternative Options Considered and Rejected:

None

104. ADULT SOCIAL CARE CHANGE PROGRAMME

The Cabinet considered the report of the Director of Older People and the Head of Transformation which provided details of the Adult Social Care Change Programme which aimed to develop a model for Sefton Council's Adult Social Care (ASC) that was sustainable, modern and flexible, in the delivery of the four strategic priorities set out in the ASC Strategic plan 2013-20.

The strategic plan highlighted the Council's commitment to safeguarding; how the Council would focus resources on the most vulnerable; the need to work with our partners and the community; and the development of the market to deliver the required change.

Decision Made:

That:

- (1) it be noted that the changes associated with the Care Bill would be managed within the Adult Social Care Change Programme;
- (2) it be noted that £900,000, transferred from Health under Section 256 National Health Service Act 2006, would be invested to support the delivery of the new reablement pathway and increase the number of people being offered the benefit of reablement services;
- (3) officers be authorised to negotiate with New Directions the required variation in contract, subject to appropriate dialogue, so that the implementation of a payment by results arrangement for reablement activity would run in parallel to notice on the existing block contract arrangement;
- (4) the decision making process associated with respite be noted and officers be authorised to negotiate with New Directions the required variation in contract, subject to appropriate dialogue, so that when appropriate the new ways of working and associated

- commissioning would run in parallel to notice on the existing block contract arrangement;
- (5) the resource allocated to the delivery of the change programme be continued for a further 12 months from the Modernisation Fund;
 - (6) the financial and other risks to the Council be noted;
 - (7) the ongoing consultation be noted and where appropriate, approval be given to commencement of consultation and engagement processes with service users, the community, partners, providers, key stakeholders, employees and Trade Unions;
 - (8) officers be authorised to consult with care home providers on appropriate proposals for setting the Council's Usual Cost of Care, within the context and constraints of available resources, as set out in the Medium Term Financial Plan and as agreed with the Council's Section 151 Officer;
 - (9) the Cabinet Member - Older People and Health be granted delegated authority to set the Council's Usual Cost for 2013/14 and 2014/15 within the context and constraints of available resources, as set out in the Medium Term Financial Plan and as agreed with the Council's Section 151 Officer, following conclusion of the consultation process;
 - (10) approval be given to the virement of £1.056m from the Housing Related Support budget to the Community Care budget, with effect from April 2014;
 - (11) the Contracts Procedure Rules be waived and approval given to the extension of existing Housing Related Support Contracts, for between 3-9 months (dependent upon the particular service and where a service is within the scope of another Council review, the timeline for that review) to enable the development of new Housing Related Support Commissioning Plans and subsequent Commissioning activity within the remaining budget available.

Reasons for Decision:

The Council had significant existing responsibilities for Adult Social Care (ASC) and invests considerable resources (£91 million per annum) into this service. The Adult Social Care Change Programme's overall aim was to develop a model for Sefton Council's Adult Social Care that is sustainable, modern and flexible, delivering the four strategic priorities as set out in the ASC Strategic Plan 2013-20 as approved in November 2013, and the delivery of the changes associated with the Care Bill.

New requirements, duties and responsibilities associated with the Care Bill would be designed, developed and implemented from April 2015 with full implementation planned for April 2016. In the light of the timescale,

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breadth of changes and associated risks, it is important that the Council prepared for implementation despite of a lack of clarity about some of the key features.

Alternative Options Considered and Rejected:

Maintaining the status quo is not an option due to demographic and budgetary pressures and new legislation (Care Bill). The Council could wait for greater clarity in relation to the legislation before acting but this would pose significant risk that the Council would not be in a position to meet its statutory responsibilities when the Bill is enacted.

105. FUTURE ARRANGEMENTS FOR THE PROCUREMENT OF EDUCATION, DAY AND RESIDENTIAL PLACES AT INDEPENDENT AND NON- MAINTAINED SPECIAL SCHOOLS

The Cabinet considered the report of the Director of Young People and Families which provided details of the current position regarding the Authority's use of education, day and residential places at Independent and Non- Maintained Special Schools; and which sought approval to conduct a procurement process to establish a Framework Contract for the provision of Pre-16 education, day and residential places at independent and non- maintained special schools. The Contracts would take effect as from September 2014, with referrals for new placements being made from July 2014.

Decision Made:

That:

- (1) the developments regarding the authority's use of education, day and residential places at Independent and non-maintained special schools be noted;
- (2) the evaluation criteria for tenders to provide Pre-16 day and residential places at independent and non- maintained special schools from September 2014, as set out in paragraphs 6.1 and 7.1 of the report, be approved;
- (3) the Director of Young People and Families be authorised to accept the highest scoring tenders based on the evaluation criteria agreed; and
- (4) the contract be for 2 years with the option to extend for 1x2 year periods, subject to a satisfactory review.

Reasons for Decision:

To ensure that children and young people with the most severe and complex special educational needs are provided with high quality

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specialist provision, matched to their individual needs, in line with the principles of best value.

Alternative Options Considered and Rejected:

None

106. FUTURE ARRANGEMENTS FOR THE PROVISION OF OUTREACH SUPPORT FOR CHILDREN AND YOUNG PEOPLE WITH A DIAGNOSIS OF AN AUTISTIC SPECTRUM DISORDER

The Cabinet considered the report of the Director of Young People and Families which provided details of the current position regarding the provision of support for children and young people with a diagnosis of an autistic spectrum disorder; sought approval to extend the existing arrangements with the current provider until the end of July 2014; and sought approval to conduct a procurement process to establish a Framework Contract for the provision of Outreach Support Services for children and young people with a diagnosis of an autistic spectrum disorder. The Contract(s) would take effect as from July 2014.

Decision Made:

That:

- (1) the developments regarding the support for children and young people with a diagnosis of an autistic spectrum disorder be noted;
- (2) approval be given to a notice been issued to the current provider to terminate the existing agreement with effect from July 2014.and to the extension of the current arrangements from 1 April 2014 to July 2014 while the tender process is conducted to select the appropriate provider;
- (3) the evaluation criteria for tenders to provide the outreach support service for children and young people with autistic spectrum disorder from 1 September 2014 be approved;
- (4) the Director of Young People and Families be authorised to accept the highest scoring tenders based on the evaluation criteria agreed; and
- (5) the contract be for 1 year with the option to extend for 1 year subject to a satisfactory review.

Reasons for Decision:

To ensure that children and young people with autistic spectrum disorder are provided with high quality outreach support, matched to their individual special educational needs, in line with the principles of best value.

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Alternative Options Considered and Rejected:

None.

107. EUROPEAN STRUCTURAL AND INVESTMENT FUNDS STRATEGY 2014 -2020

The Cabinet considered the report of the Director of Built Environment which provided details of the final version of the European Structural and Investment Funds Strategy 2014-20 for the Liverpool City Region, and sought approval to the next steps with regard to the commissioning, investment and delivery of the Strategy.

Cabinet Members referred to the action being taken by Rotherham Borough Council (on behalf of Sheffield and Liverpool city regions) in taking the Secretary of State for Business, Innovation and Skills to Judicial Review on the grounds that he misallocated the UK's EU funding to former Objective 1 regions. The allocation to Liverpool City Region is 40% below what was received in 2007-13, well below expectations. The Chief Executive reported that the hearing was concluded in late January 2014 and Members would be advised of the outcome as soon as it is made available and the implications per head of population in Sefton if the allocation remains the same.

Decision Made:

That:

- (1) the European Structural and Investment Funds Strategy 2014-20 for the Liverpool City Region be endorsed; and
- (2) the Director of Built Environment be requested to assess Sefton's readiness to deliver the new programme, and identify appropriate projects for consideration under the EU programme.

Reasons for Decision:

To inform the Cabinet of the funding opportunities presented by the £190 million spending programme for Liverpool City Region.

Alternative Options Considered and Rejected:

None.

108. FOULING OF LAND BY DOGS - DOG CONTROL ORDER

The Cabinet considered the report of the Director of Built Environment which provided details of the outcome of the consultation relating to the intention to create a new Dog Control Order under section 55 of the Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties Etc) Regulations 2006, the effect of

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which would be to make it an offence to fail to remove dog faeces, forthwith, from land to which the Order relates.

Decision Made:

That approval be given to the making of a Dog Control Order under Section 55 of the Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties Etc) Regulations 2006; to be known as the Fouling of Land by Dogs (Metropolitan Borough of Sefton) Order 2014.

Reasons for Decision:

To allow the Council to proceed with a new order relating to the fouling of land by dogs.

Alternative Options Considered and Rejected:

None.

109. PROCUREMENT OF GREEN (GARDEN) WASTE COMPOSTING OUTLET

The Cabinet considered the report of the Director of Street Scene which provided details of an EU-compliant tender exercise to be conducted, in collaboration with other Merseyside Councils for the provision of a green (garden) waste composting outlet.

Decision Made:

That:

- (1) the Director of Street Scene be authorised to conduct an OJEU Open Procedure tender exercise, in collaboration with other Merseyside Councils and with Sefton being the lead authority for the tender exercise, for a new contract to run for a period of two years from 1 November 2014, with the option of three one-year extensions;
- (2) approval be given to the basis of evaluation of tenders as set out in paragraph 2.2 of the report; and
- (3) the Director of Street Scene be authorised to approve the contract award to the highest scoring tenderer in accordance with the approved basis of evaluation and to report on the outcome to the Cabinet Member for Communities and Environment.

Reasons for Decision:

The current contract held by White Moss Horticulture expires on 31 October 2014. The undertaking of a collaborative tender exercise with

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other Merseyside Councils for the new contract would realise benefits and economies of scale by combining the different requirements under the one contract and it would be required to follow an OJEU Open Procedure in collaboration with the Merseyside Councils.

Alternative Options Considered and Rejected:

If the collaborative tendering process was not undertaken, Sefton Council would be required to undertake such an exercise on its own in order to have a contracted disposal outlet in place by November 2014. It is likely that the disposal cost per tonne would increase if the Council were to undertake the exercise alone.

110. PROGRAMME OF MEETINGS 2014/15

The Cabinet considered the report of the Director of Corporate Services which provided details of the proposed Programme of Meetings for the 2014/15 Municipal Year.

The Director reported that the dates of meetings for the Health and Wellbeing Board in 2014/15 were subject to further review and indicated that the revised dates would be incorporated into the report to be submitted to Council on 24 April 2014.

Decision Made:

That:

- (1) the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Sefton Borough Partnership Operations Board, and Sefton Safer Communities Partnership for 2014/15 as set out in Annexes A and E of the report be approved; and
- (2) the Council be recommended to approve the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; Overview and Scrutiny Committees, Area Committees and the Health and Wellbeing Board for 2014/15 as set out in Annexes B, C, D and E of the report.

Reason for Decision:

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

Alternative Options Considered and Rejected:

None.

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111. MERSEY FOREST STEERING GROUP - CHANGE IN COUNCIL'S APPOINTED REPRESENTATIVE

The Cabinet considered the report of the Director of Corporate Services seeking approval to a proposed change in the Council's representation on the Mersey Forest Steering Group for the remainder of the 2013/14 Municipal Year.

Decision Made:

That Councillor Lappin be appointed as the Council's representative on the Mersey Forest Steering Group for the remainder of the 2013/14 Municipal Year in place of Councillor Hardy.

Reasons for Decision:

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

Alternative Options Considered and Rejected:

None

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Agenda Item 4

Report to:	Cabinet	Date of Meeting:	27 th March 2014
Subject:	Tender for “Highway Term Maintenance HM7” – Tri Partite Agreement for Unmetered Electricity Supply connections	Wards Affected:	All
Report of:	Director of Built Environment		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No		

Purpose/Summary

To seek approval from Members to invite tenders through the appropriate procurement route for the delivery of the Term Maintenance Contract HM7 for a period of three years with the option to extend for up to a further two years.

Recommendation(s)

1. To give approval to invite Tenders for the Contract on the basis of an 80% Cost / 20 % Quality ratio.
2. To authorise the Director of Built Environment to award the Contract for a period of three years (with the option to extend for up to a further two years) to the highest scoring Tenderer subject to the appropriate Cost and Quality evaluations being completed on tender return.

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	*		

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Reasons for the Recommendation:

The existing Term Maintenance Contract HM7 is due to expire on the 31st October 2014. The works delivered through this Contract form part of essential services the Council need to continue to deliver to ensure that electrical connections and disconnections for highway street furniture can be undertaken.

Alternative Options Considered and Rejected:

The services required cannot be delivered by the Councils in house street lighting team as they do not carry the required training and accreditation to undertake such works.

What will it cost and how will it be financed?

(A) Revenue Costs

Costs of works instructed under this contract will be contained within the available street lighting maintenance budgets. There is no commitment within the contract that a certain value of work will be instructed.

(B) Capital Costs

Capital works instructed under this contract will be primarily funded through LTP monies and will be contained within available budgets.

Implications:

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

Financial - The total estimated cost of the capital and revenue works covered by these contracts is £250,000 per annum	
Legal – The appropriate procurement route will be followed when tendering the Contract, following which the mandatory standstill periods will be followed before Contract award.	
Human Resources - None	
Equality	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact of the Proposals on Service Delivery:

None, unless a decision is made 'not' to grant approval to renew the Contract.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT (FD2863/14.) has been consulted and notes the report indicates work awarded under the new contract will not exceed the financial value of the current budgets held and LTP funding awarded.

The Head of Corporate Legal Services (LD2168/14.) has been consulted and any comments have been incorporated into the report.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting

Contact Officer: Andrew Sawyer
Tel: 0151 934 3314
Email: andrew.sawyer@sefton.gov.uk

Background Papers:

The following papers are available for inspection on the Council website via this link:

<http://modgov.sefton.gov.uk/moderngov/ieDecisionDetails.aspx?ID=9105>

Agenda Item 4

1.0 Introduction/Background

- 1.1 The Authority's existing Term Maintenance Contract (HM7) for 'Tri Partite Agreement for Unmetered Electricity Supply Connections' has been in place and in operation for the last three years and is due to expire on the 31st October 2014.
- 1.2 Due to its forthcoming expiry, it will be necessary to invite Tenders from suitably qualified Contractors so that the Contract can be renewed later this year.
- 1.3 The primary services delivered under this contract is the disconnection, transfer and provision of new electrical connections for highway street furniture directly from the Scottish Power mains networks.
- 1.4 To be able to make such connections onto live mains you must carry the necessary training and accreditation to do so. This is not something the Councils own in house street lighting team have, hence the need to procure the services from a 3rd Party.

2.0 Procurement Process

- 2.1 It is proposed to follow a two-stage process to procure a new term maintenance Contractor which will be in accordance with the statutory OJEU process that governs maintenance contracts of this value. During the first stage, expressions of interest from potential Contractors will be invited via an advert in 'OJEU' (Official Journal of the European Union) and via the Chest portal. Contractors will be required to submit a PQQ (Pre-qualification Questionnaire) following which a tender shortlist will be formulated.
- 2.2 A number of assessment criteria will be developed in order to determine Contractors' ability to deliver a contract of this nature. These will include Contractors' experience, project management capabilities and health and safety records.
- 2.5 Tenders will subsequently be invited and assessed using a 'cost : quality' methodology. The ratio of cost shall be 80% and quality 20%. Each tenderer will be required to submit a Quality Submission and Financial Submission and will be assessed against specific criteria and awarded a score.
- 2.6 As there is no defined volume of work with this being a demand led contract, the financial assessment will be completed using a 'model', based on possible anticipated activity within a year of the contract.

Agenda Item 5

Report to:	Cabinet	Date of Meeting:	27 th March 2014
Subject:	Property Asset Disposal Policy	Wards Affected:	All
Report of:	Director of Built Environment		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No		

Purpose/Summary: To seek approval to the adoption of a formal Property Asset Disposal Policy

Recommendation:

That Cabinet :

- i. Approve the adoption the draft Property Asset Disposal Policy annexed in Appendix A.
- ii. Note that a further report will be presented in relation to a formal Community Asset Transfer Policy.

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	√		

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Reasons for the Recommendation:

To agree to the adoption of the formal Property Asset Disposal Policy and note that a formal Community asset Transfer Policy will be produced for adoption in due course.

Alternative Options Considered and Rejected:

The council could continue to operate using established custom and practice without a formal policy in place.

What will it cost and how will it be financed?

(A) Revenue Costs

There are no additional costs arising out of the recommendations of this report

(B) Capital Costs

There are no additional costs arising out of the recommendations of this report. Members are reminded that the sale of assets generate capital receipts which, in summary, may only be used for capital works and assets or the repayment of debt. Capital receipts may not be used to fund revenue expenditure.

Implications:

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

Financial None
Legal None
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 of the Proposals on Service Delivery:

There are no direct impacts

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT (FD.2862/14) has been consulted and notes that the report indicates no direct financial implications for the Council
Head of Corporate Legal Services have been consulted and has no comments on the report (LD2167/14)

Implementation Date for the Decision

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

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Background Papers:

None

1.0 Introduction/Background

1.1 Cabinet at its meeting on 7th November 2013 considered the report of the Director – Built Environment and agreed the adoption of a new Strategic Asset Management Plan.

1.2 Cabinet noted that a further report would be presented relating to a formal Property Asset Disposal Policy.

1.3 The asset management plan has been developed to facilitate a cohesive approach to the Council’s asset management and to reflect the various changes in policy, legislation and governance over recent years.

1.4 The key elements of the asset management plan are;

- A definition of the role property assets play in the conduct of the Council’s business.
- A consideration of national policy and governance matters that influence decision-making in respect of the property portfolio
- How the level of backlog maintenance will be addressed
- Property reviews utilising gap analysis techniques
- A review of potential funding options to support investment and project delivery
- The proposed formal governance arrangements.
- Setting the context for more detailed policy development to govern key activity such as asset disposal.

2.0 The Property Asset Disposal Policy

2.1 The Property Asset Disposal Policy contains the detailed exposition in terms of how assets will be chosen for disposal and which method of disposal will be selected. It should be noted that it is intended that Members (Cabinet or individual Cabinet Members) will decide which operational and non-operational assets are released for disposal and ultimately continue to make the decision to sell on the reported terms in accordance with the Council’s Constitution.

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- 2.2 When a decision has been made to dispose, the Council will adopt the most appropriate method to dispose of a particular asset or portfolio of similar assets.
- 2.3 The intention will be to secure best value for the Council by way of financial return or other valuable outputs compatible with the Council's established priorities and operational objectives. This may include utilising sites as a Council contribution to a partnership approach such as an asset backed vehicle.
- 2.4 Where appropriate the Council will seek to secure a planning brief or outline planning consent prior to marketing and then seek to ensure that the chosen disposal method enables a sufficient degree of control to be retained in the case of disposals of buildings in need of refurbishment or sites to be redeveloped.
- 2.5 The policy will be reviewed periodically to ensure that it reflects best practice and any relevant change in Statute and Policy guidance.
- 3.0 **Community Asset Transfer Policy**
- 3.1 The advent of Community Right to Bid under the Localism Act 2011 has raised interest in how the Council might deal with a desire to acquire Council owned buildings in this context.
- 3.2 Although the Property Asset Disposal Policy provides some general indication of practice and process it would be beneficial to have a more detailed exposition tailored to property assets of interest to VCF organisations and the wider community.
- 3.3 It is intended that a formal Community Asset Transfer Policy will be drafted and brought forward for consideration by Elected Members in due course.

SEFTON MBC

ASSET DISPOSAL POLICY

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1 Introduction

Purpose

Access to a supply of development opportunities is a vital ingredient in successful economic growth. A key role for the Council is to work with government, other public bodies, the private sector and the VCF sector to unlock and accelerate the release of surplus public land and assets for the creation of new homes and employment opportunities. As part of this agenda we have been considering how we can best use the Council's own landholdings and property assets.

The Council's property assets can play a significant role in helping our communities achieve their ambitions, generate economic growth and realise a contribution to the Council's financial needs. To provide some clarity on the processes to deliver these ends, now is the right time for the Council to publish a formal policy setting out how we want to take forward the identification and disposal of our surplus land and property assets.

The government has set out its objective to achieve strong, sustainable and balanced economic growth. It has stressed the importance of land and housing supply and included a commitment to accelerate the release of public sector land to encourage new homes and jobs. Government Departments that hold land have been instructed to publish their release programmes and be held to account for delivery of new homes and jobs created as a result. The Council will seek to play its part and aims to lead by example including through the publication of this disposal strategy.

This is Sefton Council's first formal asset disposal strategy. It is intended that this will become an active publication that will be refreshed on an annual basis. It aims to:

- set out our broad objectives in relation to how we use our property assets;
- summarise the Council's property asset base;
- set out the principles we use when making disposal decisions; and
- identify an initial list of sites and other property assets that are available for disposal.

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Objectives

Recognising that land and property is a key enabler to promote economic, housing and communities activities in Sefton, the Council has three key objectives in relation to our property and landholdings:

1. being transparent about our property assets and our disposal principles and selling them in a way that creates a level playing field for potential end users to access sites when they are brought to market;
 - not holding land or buildings longer than necessary – making sure they are disposed of to support local growth,
 - that they are transferred to end users as quickly as possible,
 - carrying out disposals on terms that promote development, economic activity and growth.
2. In disposing of assets, the Council will be guided by its obligation to secure value for money. Disposals are expected to be at market value predicated on the nature of the asset and any agreed mix of uses, however disposal at less than best consideration may be considered in exceptional circumstances.
3. We expect to use our land and property assets effectively and in particular to support the delivery of affordable housing to meet local needs. Such opportunities will be determined on a case by case basis taking account of the nature and location of the site.

Community Right to Bid

Under the Localism Act 2011 the Council is one of the public bodies covered by the Community Right to Bid (CRTB) under which any properly defined and recognised organisation can ask the Council to list a specified land or property asset (in public or private ownership) as an Asset of Community Value and should that asset then be sold on the open market there is the opportunity for the qualifying community group to bid for it within a prescribed timeframe and set of regulations.

The Council currently maintains and publishes two lists; a list scheduling assets that have been successfully nominated as Assets of Community Value and one showing unsuccessful nomination. Each request to nominate will be considered on its own

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merit in accordance with the regulations established by the Act. We hope that the disposal principles and information about how we identify and dispose of assets contained within this document will help to provide context for any CRTB applicants relating to Council owned assets.

Scope of this Document

Although the Council has always worked in line with industry and professional best practise, this document represents the first attempt to formally document the relevant process and practice. It is intended to monitor the effects of the policy and procedures with a view to carrying out an annual review which takes account of any material changes in law, best practice and significant changes in the property market.

This policy focuses on disposal to end users (those who would carry out the development or long term management/ownership of the asset). This policy does not consider how any capital receipts will be used as this area is governed by the Council's Capital Strategy.

Other Development Initiatives

It is clear that all public landowners have been asked to accelerate land release to support economic activity and housing growth. The Council is effectively seeking to accelerate its efforts to this end with the publication of this policy and is also working with public and private sector partners to explore the synergies available from the combining of adjacent land sites to create viable development opportunities.

Document Structure

The remainder of this document is set out as follows:

- Information about Council's landholdings;
- Core principles in disposal and development;
- Key development sites;
- Other land and assets – surplus operational assets and non-development assets; and
- Indicative schedule of sites available for disposal.

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2 The Council's Property Asset Base

Background

The Council's property portfolio covers a wide range of assets and liabilities. The original reason for the Council (or its predecessors) to own the land will have arisen from; accumulation following the merger of the composite authorities that now comprise the Council; because the Council (and its predecessors) were considered best placed to manage the risks associated with these buildings and landholdings; or to holistically plan and manage development opportunities, such as infrastructure and expansion of settlements to enable economic growth.

There is a concentration of assets in the main urban centres, but that aside there is no consistent pattern in terms of land distribution or type of site since the Council's inherited land and asset holdings are a reflection of the history of the Council and its predecessor bodies. The main categories of assets and in some cases liabilities are:

- The Council's operational property portfolio, including the Town Halls and other administrative buildings, schools, parks & green spaces and other specialist facilities;
- Various land and property interests in Bootle Town Centre including the freehold of the Strand Shopping Centre;
- Various land and property interests in Southport including the Southport Theatre & Convention Centre complex and sites along the Marine Road including the former Pleasureland site;
- The residue of the commercial ground rent portfolio (after disposal of the Industrial ground rents in 2007/2008);
- The residential ground rent portfolio (Including Chief Rents).

The breakdown of the portfolio between operational and non-operational properties as at the time of the publication of the policy document is as follows;

Operational	400 Assets
Non-operational	589 Assets
Residential Ground & Chief Rents	3001 Assets

The portfolio is a dynamic entity and these numbers will change over time as assets are acquired or more likely disposed

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Definitions

In the remainder of this document we define the asset and landholdings as follows:

- **Key Development Sites:** sites suitable for development and identified as being of strategic priority. These may have either a positive or negative value in isolation so consideration will be given to packaging to create viable proposals to bring forward development.
- **Market Sale Assets:** other assets with a positive value which are not expected to play a strategically important role going forward (this includes smaller land sites, surplus operational properties and elements of the non-operational portfolio including the residential ground and chief rents).

More information

A list of the Council's property assets is published on our website:

[Propose to publish a list of assets that features basic information such as: address, use, {e.g. shop, office} & tenure]

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3 Asset Disposal & Development Principles

This section of the strategy sets out the key principles the Council will use when considering disposals and development across all the categories of land referred to in the previous section. Their application needs to be considered on an asset by asset basis and will reflect local market conditions and any specific proposals for the use of the site.

Value for Money

As a rule, the Council will seek to achieve a best consideration outcome given any agreed mix of uses. In exceptional circumstance the Council may agree to dispose at less than best consideration however this is unlikely to occur when the proposed transaction is set in a purely commercial context.

Where the Council is one of a number of landowners participating in a development scheme, we will work with them where possible, including to optimise the mix of uses and to get the best deal for the public sector as a whole.

Working with Local Plans

The Council's approach to the maximisation of outcomes from the development and disposal of land will be determined by local planning policies. Where sites have a planning allocation, we will work within that, unless it is agreed that a revised approach is appropriate. Where there is uncertainty, the Council will work with its partners to consider options for use taking account of wider policies and objectives and site viability.

Supporting Economic Development and Regeneration

The Council does not intend to hold assets longer than necessary. In considering the timing and nature of the disposal the Council will seek to ensure that its asset disposals complement the objectives for the economic development and regeneration of an area.

Factors that could influence the timing of disposal include:

- strategic objectives for the area – for example if a major regeneration scheme is planned, the Council would not release its assets to market in advance of the wider scheme without appropriate contractual conditions;
- local market and competing supply – the Council would not want to 'flood the market' if other land is already in the market and undeveloped; and
- market appetite – where appropriate, the Council will carry out de-risking activities to improve the attractiveness of a site to potential purchasers and speed up its development once sold.

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Promoting Development and Avoiding Residual Liabilities

In disposing of sites in areas where market conditions are difficult, the Council will explore the use of flexible payment terms (e.g. Build Now - Pay Later) and contract structures that will incentivise development. We will do that on our own land and encourage our partners to do the same.

When disposing of sites the Council will aim to achieve a clear, sustainable exit having secured the desired uses and achieved financial close. The Council will seek to avoid residual liabilities. The only situation where the Council would anticipate an ongoing role post development and financial completion is through longer term joint ventures or Local Asset Backed Vehicles.

Partner Selection

When disposing of developable land, the Council will seek to ensure that the purpose for which it is being developed meets the needs of the Council and the local community (using the planning system as the primary means to achieve this objective). The partner selection process should be transparent and identify the best placed organisation to develop the agreed use based on value for money and deliverability of proposals – both the construction phase and long term management.

Given the inherent variability of each asset, each disposal is unique and whilst we set out below some of the core principles influencing the choice of disposal route, the Council will consider each case on its merits.

Disposals can be progressed by two broad methods:

- Competitively – there is a general presumption that such competitive disposals will be openly advertised and can include tender and auction; and
- Non-competitively – sales by private treaty or negotiated disposals.

The guidance for Local Government bodies is that a competitive process should be the norm and that disposal by private treaty is the exception. To go down the negotiated disposal route there is a requirement to demonstrate that a non-competitive disposal will result in a better overall outcome for the public sector. This could include compelling practical reasons relating to the nature of the site and/or the identified party's status as a special or unique purchaser capable of extracting the full development potential (in terms of value, quality or outputs as appropriate).

There are two options in respect of competitive disposals:

- Single Stage Disposal - For simple sales or sales requiring a quick process then a single stage process is possible with interested parties

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- Multi Stage Disposal – For larger, more complex propositions, the alternative is to adopt a multi-stage process with the first stage being a quick and efficient process to enable short-listing of the interested parties.

The Council will continue to adopt a case by case assessment relating to whether disposal opportunities have characteristics which raise the potential for the opportunity to be considered as a Procurement of Works. This technical assessment in conjunction with the view of local stakeholders and consideration of challenge risk will inform the case by case assessment. The incorporation of the EU Procurement Directive into English Law establishes that property transactions are outside the scope of the Regulations. However this position becomes less clear when a simple sale is not adopted and where there is potential for the disposal objective to fall within the Works and Services requirements.

Community Led Approaches

The factors and principles will be set out in detail in the Council's proposed **Community Asset Transfer Policy** and this document should be consulted by interested parties when available.

Self-build

Where plots have been identified as suitable for self-build, the approach to disposal will depend on the nature of the site. Individual plots may be sold directly to market, e.g. auction or through local advertisement. These plots are likely to be single infill plots rather than allocations within larger sites.

Disposal Process

The main stages in the disposal process are as follows;

- Operational property closed, declared surplus to operational requirements and available for disposal by relevant Cabinet Member
- Non-operational property declared available for disposal by Cabinet Member Corporate Services and Performance
- Preliminary consideration of the case for disposal of all surplus assets and approval to proceed by the Strategic Capital Investment Group (SCIG).
- Pre-disposal actions and activity (planning briefs or outline planning consent, disposal terms, method of disposal, etc) agreed in the Asset Management Group and implemented.

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- The disposal will usually be handled by the Council's property team unless it is of a specialist nature that requires external expertise or resource
- In the case of open market disposals, the asset will be fully marketed using the Intranet and more traditional advertising methods.
- The disposal process will take into account any moratorium periods under Community Right to Bid
- All offers will be considered for compliance with tender conditions and undergo a value for money assessment, initially by the relevant Council officials, before being reported as follows;
 - Value: [$<$ £100,001] – Decision delegated to Director Built Environment.
 - Value: [£100,001 to £500,001] – Decision made by Cabinet Member Corporate Services & Performance.
 - Value: [$>$ £500,001] – Decision made by Cabinet.
- After publication of the decision and progression through the call-in process (if instigated) the decision will be implemented and Legal Services instructed to deal with the requisite legal documentation and conveyance.
- Progress of disposal activity monitored by the Asset Management Group and SCIG

Disposals for Less Than Best Consideration

Local Authorities were given power under the Local Government Act 1972 Section 123 to dispose of land in any manner they wished, the only constraint being that, except in the case of leases for less than seven years, the sale had to be for the best consideration reasonably obtainable. Any other disposal at less than best consideration requires the approval of the Secretary of State.

Section 123 applies to land held for most local authority functions, but notable exceptions are disposals of land held for housing purposes within the HRA or otherwise let on secure tenancies (governed by the Housing Acts), and for planning purposes (governed by planning legislation). Until recently the 1998 General Disposal Consents enabled disposals at an under value in certain limited circumstances, e.g. disposals to a named charity.

It is Government policy that Local Authorities should dispose of surplus land wherever possible. Generally it is expected that land should be sold for the best consideration reasonably obtainable. However, the Government recognises that there may be circumstances where an Authority considers it appropriate to dispose of land at an

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under value. However, when disposing of land at an under value, Authorities must remain aware of the need to fulfil their fiduciary duty in a way which is accountable to local people. Other specific consents/processes may be required for disposal of land held for particular purposes (e.g. charitable land, schools, allotment land or open spaces).

The General Disposal Consent (England) 2003 provides a general consent removing the requirement for Local Authorities to seek specific approval from the Secretary of State for a wide range of disposals at less than best consideration. Authorities are granted consent in circumstances where the undervalue does not exceed £2 million and where the disposing Authority considers the disposal is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the whole or any part of its area or all or any persons resident or present in its area. It will be for the Council to decide whether any particular disposal meets these criteria or continues to require specific consent under the 1972 Act.

All disposals need to comply with the European Commission's State aid rules. When disposing of land at less than best consideration, Authorities are providing a subsidy to the owner, developer and/or occupier of the land. Where this occurs, Authorities must ensure that the nature and amount of the subsidy complies with the State aid rules. Failure to do so would render the aid unlawful.

In Sefton, sales of land or property at an under value have only taken place on an exceptional basis and it is not envisaged that this approach will alter.

4 Key Development Sites

Options for Use and Planning

Key sites will be identified through the proposed asset review. Thereafter, the Council may choose to agree a planning brief with the Planning Department (or in some circumstances seeking an outline consent if that process would resolve significant uncertainty about the use). Having achieved sufficient certainty, the Council would seek to dispose of the site and transfer the majority of the planning process to the developer, to allow them to bring their scheme through the local planning process.

Where assets are not yet allocated the Council will work with the Planning Department through the statutory planning process so that appropriate sites can be brought forward in due course with suitable infrastructure. The Council's planning policies will set out the requirements for sustainability and other elements of design and build quality on each site. If the Planning Department propose specific standards which relate solely to the Council's land holdings, we would seek further discussions around project viability.

Sites will be disposed of on a best consideration basis unless the provision of affordable housing has been prioritised in excess of the proportion required by current planning policies, subject to viability. Development briefs will be used to set out Council's specific requirements.

Investment Prior to Disposal

The Council may invest to de-risk the site prior to disposal. As a principle, the Council proposes to undertake the minimum necessary pre-disposal work. Often for key development sites there will be some complexity relating to planning, title, site conditions or environmental status. As many as possible of the investigations relating to such matters should be transferred to the purchaser but usually a small amount of upfront investigation and work with the Planning Department can clarify the position and de-risk the site. Generally such investment would be recoverable when sites are sold and such investment would be made where it is good value for money and affordable.

In order to promote development and reflect market risk, larger sites may need to be sub-divided into manageable development parcels and disposed in phases. If some primary infrastructure is required to achieve that division into phases, the Council will need to consider how it can be funded, given local government expenditure constraints. Wherever possible, the Council will look to development partners to provide this infrastructure and use land value and adaptable payment terms to support this, (e.g. an open book approach with the provision of infrastructure reflected in the land value paid).

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Disposal Routes

Key development sites will generally tend to be disposed of through a multi-stage disposal or through OJEU compliant procurement. We will generally dispose of strategic land on a single site basis. Smaller development sites may be best disposed of as a package of more than one site. In some cases, the best value for money route may be through a joint venture or Local Asset Backed Vehicle.

Joint ventures would only be considered in the case of substantial sites (with an expected construction phase of over four years) and an options appraisal would be carried out prior to selecting the preferred route. If local partners have developed or are developing a joint venture vehicle, the case for linking to or investing the Council's assets in that vehicle would be considered on a case by case basis and be subject to state aid and tax considerations.

Disposal Terms

The disposal terms used can make a significant difference to delivery where market conditions are difficult. Reviewing the timing of payments (so that they might be at completion rather than upfront) can significantly improve developer's cash flows: reducing financing costs and allowing limited capital to be targeted on other upfront (e.g. infrastructure) costs. Use of deferred payment can unlock viability on marginal sites and can help the developer to manage its risk and reduce the amount of capital tied up in the project prior to homes being sold.

The terms of disposal will be considered on a case by case basis and reflect the development economics of a particular site and the risks associated with its development. In deciding which of the following broad sets of terms to use, the Council will seek to maximise the rate of development on a site (given the local market) whilst ensuring value for money. The decision on terms will focus on the optimal risk transfer to balance those objectives.

In some situations the terms will be set before the disposal process starts, in other cases the disposal process will be used to test different terms to assess which offers the best value for money for that site. For smaller, self-contained sites where infrastructure costs are low and / or sites where demand is strong, an upfront payment may be appropriate as the sole basis of going to market.

For other sites, we would typically ask bidders to respond on one or more of three principal bases:

- upfront payment with overage;
- payment on milestones, for example at agreement of building lease, start on site, completion of phase (with overage), subject to a longstop date; and

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- percentage share of sale values as units are sold, subject to a longstop date with a specified payment sum at that date.

Generally we would look to dispose of sites or phases at a scale where the repayment period would be no more than five years. Where payment is in the form of a percentage of receipts (the third option above), the longstop date will always be within a five-year period.

Bids will be compared on consistent basis which may include a discounted cash flow analysis.

Overage

Overage is usually defined as a method to capture, “an element of improved development value where there is a general uplift in the market or where the market value of the end development is not known at the time”. The Council will seek to use overage alongside the base payment to capture value increases that were unexpected or uncertain at the time of disposal. This includes the situation where the market value at the end of the development exceeds that anticipated at the time of the disposal which may be as a result of increased house prices, and/or improved planning permission, amongst other things. Overage will be applied to all sites with an expected value of over [£0.25m] and other sites where it is considered appropriate (e.g. large, low value sites in an uncertain market or sites where a change in planning is possible).

Contracts will also include provision for claw back, including in the circumstances where the scheme is in material breach and forfeiture provisions are triggered requiring the claw back of the undeveloped land.

Form of Contract

In most circumstances where development outputs are expected, the Council's preferred disposal approach will be by way of Building Lease (or Licence). They will provide the Council with the ongoing legal interest in the land through to development completion thereby providing adequate protection in respect of any imposed conditions or any deferred payment arrangements.

Building Leases provide the following benefits;

- Building Leases are registrable legal interests and as such are preferred by the funders of developers. They are capable of being charged thus providing security to the funding process.
- Building Leases also afford funders adequate step in rights should a developer default.
- The Council will seek to adopt a fairly standardised format which will provide a consistency of approach to the market and should ensure disposal and

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transactional costs are kept to a minimum.

- The freehold may transfer to the developer or end purchasers after development completion/financial close, e.g. to a purchaser of an individual plot from a developer on completion of the sale.

5 Other Land and Property Assets

Market Sale Assets

Market sale assets are those which have not been identified as making a strategic contribution to the Council's business and social objectives. These assets will generally be much smaller or less valuable than the strategic sites and / or their end use may already be clearly defined (e.g. agricultural land with little chance of achieving planning permission for development to enhance value).

The nature of these assets and the Council's requirement to reduce its financial commitment to the asset base means that we will move to disengage from these sites in as straightforward a manner as possible.

The Council will continue to engage positively to requests from existing tenants wishing to acquire the freehold of their property particularly where the transfer will support further investment and job creation. The principal considerations are as follows;

- For market sale assets a development brief would not usually be required. Subject to case by case consideration, the transaction is more likely to be a straight disposal than procurement.
- Freehold transfer would normally be used with the purchaser expected to invest or build out in accordance with planning and building regulations. Market sale assets will usually be disposed of using an upfront payment at freehold transfer.
- The Council will not hold these market sale assets longer than necessary. The prioritisation of selection of assets for disposal will be influenced by holding costs and income generated. The Council will seek to disengage early from assets with highest holding costs but may need to consider the timing of disposal of certain assets if their receipt or income is needed to balance the costs of other sites.
- Claw back provisions may be included for change of use from a prescribed purpose.
- For surplus parts of highways, grass verges, etc, we would generally seek to dispose on a freehold basis with a claw back condition in case of change of use. Disposal to private owners of adjacent properties may be considered if there is a clear indication that the transfer will not be contentious in the locality.
- For open space there may be a range of potential recipients including the local Registered Provider and / or an associated community and not for profit organisations. In such cases, the Council would seek to transfer the land to

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such a body (preferably in perpetuity) with a clear specification of the level of ongoing management required, which will be tested for value for money and affordability. Such disposal would have due consideration to the relevant procurement rules.

Such transfers will have the benefit to the Council of reducing holding and management costs as well as ensuring that assets are managed sustainably in the future.

6 Disposal Programme

The programme (in Appendix 1) will provide an indication of the sites that the Council expects to bring forward for disposal over the next two years. These will be subject to review and due diligence and in practice it is likely that there will be additions and substitutions, but the purpose of publishing this information is to provide a preliminary indication of potential disposals.

It will eventually include a number of sites where disposal is being pursued on the basis of a review of Council assets based on the following criteria:

- identification of strategic holdings;
- development synergies;
- demand from tenants or third party interests;
- reduction of holding costs

The listed sites are expected to be disposed over the next 24 months in accordance with the principles set out in this document with the aim of the realisation of £1m per annum in capital receipts.

As set out in this document, sites will be disposed of or developers procured as appropriate. Opportunities will be advertised in due course as individual assets and sites are put forward in line with the agreed disposal programme.

7 Policy Review

This policy will be reviewed on a periodic basis to ensure that it takes account of any changes in professional and industry best practice and provides the Council with a fit for purpose means to review and rationalise the property asset base.

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APPENDIX 1

Disposal Programme - Indicative Asset List 2014/15 - 2015/16 – To be developed

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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		√	
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 set the tariffs for parking charges for 2014/15. The Council has the power to vary parking charges by notice under Sections 35C and 46A of the Road Traffic Regulation Act, 1984. Authorisation to set charges falls under the remit of the cabinet.

What will it cost and how will it be financed?

(A) Revenue Costs – -The proposed increases in parking charges are estimated to result in additional annual income of £103,000 (comprising £53,000 for Off Street Car Parks and £50,000 for On Street parking). The income budget for the car parks referred to in this report is currently £2,436,250.

In addition to the effect that increasing charges is expected to have on income levels, the projection of additional income also recognises a possible reduction in car park usage immediately after the implementation of the new charges and the impact of recent downward trends in parking numbers (as evidence by figures referred to in the report).

Failure to achieve this forecast income, or the achievement of income in excess of this forecast, is dependent on levels of future car park usage which cannot be precisely identified. The figure of £103,000 is, however, considered to be a prudent and achievable target based on current usage levels.

Following the approval of the 2014/15 budget at the Council meeting on March 6th, the originally approved savings for the Strategic Parking Review for 2014/15 were reduced from £300,000 to £100,000. The proposals

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contained in this report will contribute towards the achievement of this saving requirement.

(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	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"/>

Impact on Service Delivery: None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT (FD2885) has been consulted and notes the potential for additional income generation as a result of increasing most of the existing car park charges and also the need to monitor income levels throughout 2014/15 to assess the extent to which increased income generation targets are being achieved.

Head of Corporate Legal Services (LD2190/14) has 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: Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

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Background Papers: None

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1.0 Introduction

- 1.1 Members will recall that an increase in parking charges was considered as part of the budget setting process for 2013-2014. However, Members did not adopt the proposed changes to charges but instead, resolved that a strategic review of parking services be undertaken to consider all aspects of the service including charging policy.
- 1.2 Cabinet requested a review of the operation of parking services to consider how any such changes to charging could also instigate and/or align with other potential improvements to the parking services operation in delivering the parking product on the street. In addition it was also considered appropriate for proposed changes to be the subject of consultation to ensure the views of the public and traders were considered within the review.
- 1.3 Consequently, in January 2013 Cabinet made the decision to review parking services across the Borough in order to examine effectiveness and efficiency of the service and the current fees and charging regime, in order to inform decision making in relation to potential changes to charging and on and off street parking.
- 1.4 In addition to the operational services it was considered important to examine the role and impact of Parking in its widest context, particularly on future infrastructure and development across the Borough. The parking review is on-going but in order to move forward with improvements to the service and the introductions of new tariffs for 2014/15 this report is being brought to Members.
- 1.5 It is important to note that Members were particularly concerned to ensure that consultation with the retail / hospitality / wider private sector take place in order to hear and accommodate the views of such groups. This was to ensure that changes to parking tariffs did not undermine the local economy and to ensure the provision of a high quality and modern parking service that sought to increase footfall in key centres and maximise the potential for passing trade. As a result of feedback, the proposed increase in income initially proposed as £300,000 was reduced to £100,000.

2.0 Background

- 2.1 Sefton Council has always had responsibility for the management of its off-street car parks, this responsibility was extended to include the enforcement of the on-street pay and display spaces in 1995.
- 2.2 On the 1st February 2000 the Council took on the powers available to it under the Road Traffic Act 1991 to take over from the Police Traffic Warden Service in enforcing all on-street parking restrictions. The Legislation allowing Councils to enforce parking restrictions has subsequently been amended and the Council now operates Civil Parking Enforcement (CPE) under the Traffic Management Act (TMA) 2004.
- 2.3 Since 2000 a number of reports have been made to various meetings and Committees of the Council regarding the operation of the service. The most recent of these was a review of parking which was reported to the then Cabinet Member – Technical Services and the Cabinet in November 2008. As a result members approved a five year plan as the framework for the delivery and development of the Councils Parking service through to 2013/14. Members also approved increases to parking charges to be introduced in April 2009 and April 2011. These increases have

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subsequently been introduced and the current charges for parking are detailed elsewhere in the report.

- 2.4 The report went on to identify all items of increased expenditure over the coming 5 years and what impact these would have on the net surplus. Included in these costs was the extension of the park and ride service to allow the Kew site to operate for 7 days per week, recognising that the service would operate at a loss and be subsidised by the rest of the parking budget. RPI price rises were also included for the various contracts and purchases made by parking services.

Most significant amongst these were the increase to the parking enforcement contract (valued at £1,087,500 at the time of the report) and the park and ride bus contract (valued at £547,500 at the time of the report). It was estimated that RPI increases to these contracts during the life of the plan would add a further £363,000 to the costs of the service and so increases in revenue were built in to meet these costs.

- 2.5 Also built into the plan were the following developments which were to be progressed over the five years of the plan:

- Increased level of enforcement to Residents Privileged Parking Schemes particularly during evenings, weekends etc.
- Enable more customer/trader focused management of town centre off-street car parks. This to permit pay on exit systems to be introduced removing the 'threat' of penalty charge notices being issued and hence providing a more relaxed shopping environment. Due to longstanding requests for such action, it was proposed that initial attention will be given to the Crosby Town Centre off-street car parks, with future year attention to Southport.
- A replacement programme for Pay and Display (P&D) machines to maintain the integrity of the service and offer opportunity to consider 'smarter' machines e.g. that offer payment by credit card etc.
- Improvements to safety, security and facilities at car parks.
- Promotion of the service and the opportunity to support wider transportation programmes.
- Creation and promotion of a positive image with stakeholders to benefit visitors and businesses.
- Resources to review existing restrictions and consider need and options to better manage capacity e.g. potential through dual use of spaces.

- 2.6 The decision on the plan was made shortly before the downturn in the economy and it soon became apparent that parking income was not rising as quickly as anticipated and not only could the developments mentioned in 3.5 above not be delivered but that savings would have to be made in the existing service to maintain the budget surplus.

- 2.7 As a result of the above a number of savings have been delivered the most significant of which are:

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- Abandoning the operation of the Kew Park & Ride and retendering of the bus service - The service was cancelled in late 2010 and delivered a saving of in excess of £200,000. The service has since recommenced operating on Summer weekends and throughout the main school holidays and funded through the Local Sustainable Transport Fund
 - Reduction in staffing numbers in the parking back office - Over the last three years staffing levels in the parking back office have reduced from 13.5 FTE to 10.5 FTE.
 - Retendering of the Parking Enforcement Contract - The retendering of the Parking Enforcement Contract in April 2012 delivered a saving of £100,000 in the annual budget.
- 2.8 In addition to the above other minor changes have been made to the operation of the service to deliver savings and the parking expenditure budget is always managed in a way that controls spending to ensure that the budget surplus is met.
- 2.9 Members are reminded that under Section 55 of the Road Traffic Regulation Act 1984, any surplus in the parking account must be used for the purposes set out in section 55 [4] ie.meeting the cost of providing off street parking / public passenger transport services/highway improvements/ environmental improvements. This applies only to income generated from on-street charges and not from off-street charges. Income from off-street charges can be used as the Local Authority sees fit.

3.0 The Councils Enforcement Policy

- 3.1 Parking Services, together with its Enforcement Contractor (NSL), enforce on and off street parking restrictions under Part 6 of the Traffic Management Act 2004 and other enabling legislation. NSL manage the Civil Enforcement Officers (parking) who operate on-street and on Council car parks and issue Penalty Charge Notices to any vehicle found parked in contravention of any restriction that applies.
- 3.2 The Department for Transport issues guidance to Local Authorities on parking enforcement and the most recent guidance entitled “Operational Guidance to Local Authorities: Parking Policy and Enforcement” is used to inform the way that enforcement operations are carried out in the Borough.
- 3.3 Motorists are required to abide by the parking restrictions, which are shown by the signs and lines on and off street. Any vehicles parked in contravention of a waiting restriction may be issued with a Penalty Charge Notice (PCN).

The current charging rates are:

Higher - £70 (£35 if paid within 14 days)

Lower - £50 (£25 if paid within 14 days)

These charges were introduced on the 31st March 2008 when differential parking penalties were introduced as part of the implementation of Part 6 of the Traffic Management Act 2004. Local Authorities outside London have a choice of adopting

one of two scales of penalty charge. These are either Band 1 - high level £60, low level £40 or Band 2 - high level £70, low level £50. Sefton adopted the Band 2 charges which replaced the single penalty charge rate (then £60 and reduced to £30 if paid within 14 days)

Which charge applies depends on the seriousness of the contravention. In general a PCN issued to a vehicle in a place where parking is permitted but the motorist has failed to pay and display or has stayed beyond the permitted time will be issued with a penalty charge notice at the lower rate. Vehicles parked in a place where parking is prohibited – such as a double yellow line, on a loading ban or in a place intended for a particular user (taxi rank, bus stop, disabled bay, loading bay, etc) will be issued a PCN at the higher rate.

- 3.4 The Council's parking services staff and its enforcement contractor aim to enforce parking regulations fairly and equitably. The Council believes that effective parking enforcement benefits public transport users, pedestrians, cyclists and responsible drivers.

Illegal or dangerous parking can cause serious problems for all road users, including pedestrians, and by enforcing parking regulations the Council aims to:

- Promote the safe free flow of traffic.
- Promote pedestrian safety.
- Influence travel demand.
- Promote an increase in the use of public transport, cycling and walking.
- Improve access to town centres.

- 3.5 To achieve those aims the following methodology is adopted:

To promote the free flow of traffic and pedestrian safety, on-street parking is restricted by the use of prohibition of waiting orders and loading bans that either operate 24 hours per day or are time specific.

To influence travel demand, promote increased use of town centres and improve access, parking is controlled in both on and off street locations. A variety of methods are used including loading and unloading prohibitions, waiting restrictions, free parking with time limits, parking where charges apply and resident's parking schemes.

A charging strategy has been adopted that encourages short stay parking in town and local shopping centres with commuters and other long-stay users encouraged to use park and ride or public transport.

- 3.6 The Civil Enforcement Officers are the public face of the Council's Civil Parking Enforcement and the way they perform their duties is crucial to the success and public perception of our enforcement operation. The Officers are trained to be professional and efficient at all times, sometimes in difficult circumstances. It is the Council's aim for them to be regarded in this way by the public. As well as undertaking enforcement duties, our Civil Enforcement Officers should and do

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provide assistance, when asked, to motorists requiring information about the availability of parking spaces and the cost of parking.

- 3.7 A recipient of a Penalty Charge Notice will be able to make an initial informal challenge followed by a formal representation if he/she is not satisfied with the initial response. A final appeal to the independent Traffic Penalty Tribunal is the next course of action if the response is not satisfactory.
- 3.8 Appeals against the issue of a Penalty Charge Notice are not considered as part of the Councils Corporate Complaints Procedure.

4.0 Pay & Display (P&D) Machines

- 4.1 Sefton MBC Parking Services Department currently own and operate 187 P&D machines. 139 machines are located on-street, 48 machines are located in off-street car parks.
- 4.2 In addition to the above, SMBC Parking Services also provide enforcement at two other car parks, Central 12 and Formby Pool. The seven machines at C12 and two machines at Formby Pool are maintained by their owners although our enforcement contractor replenishes ticket rolls and deals with very minor faults. The Councils enforcement contractor is responsible for cash collection from all P&D machines.
- 4.3 There are two different types of machine in use and both have been sourced from the same manufactures (Parkeon, formerly known as Schlumberger). 133 (71% of the total) are Schlumberger DGS4's, these machines are no longer in production but spare parts (at the moment) are still available. Our stock of DGS4 is now almost 20 years old with the majority having been installed when P&D parking was introduced in Southport in the early 1990's. They are now well beyond their operational life span. However, it should be noted that the DGS4 is an extremely robust machine and having lasted well beyond their expected service life they have served the Council very well. Nevertheless, failures are becoming increasingly frequent and it is only a matter of time before some of these machines fail irreparably. This could have an impact on revenue generation

The remaining 54 machines (29% of the total) are Parkeon Strada Rapide's. Whilst these are newer machines with the youngest having been in place for some six years they are a far less robust machine than the older DGS4. Consequently, they too are reaching the end of their economic life.

Notwithstanding the above, failures of machines are becoming increasingly frequent and it is only a matter of time before some of these machines fail irreparably. This would have an impact on revenue generation

- 4.4 A long standing agreement exists for the repair and maintenance of P&D machines in house. However, this agreement only applies to the older DSG4's as the engineers concerns are not trained to maintain the newer Strada machines. One of the enforcement contractors maintenance officers has been trained to deal with faults on the Strada machines. However, if he is unable to deal with the problem then the manufacturer attends and effects the repair.
- 4.5 In terms of fault reporting it is fair to say that the majority of the pay and display machines in Sefton receive quite intensive use, this in turn contributes to the excessive wear and tear. In the last twelve months a total of 625 separate faults were

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logged. 391 faults were recorded against the DGS4's and 234 faults against the Strada Rapides.

- 4.6 An analysis of faults reported shows a total of 80 machines which need immediate action to replace. These are 58 DSG4's and 22 Stradas. However, all machines need to be replaced as a matter of urgency.
- 4.7 The cost of machine maintenance during the 2012/13 financial year amounted to £100,000 (this includes all staff time, parts and manufacturer call outs)
- 4.8 Members are also reminded that the current stock of P&D machines are not capable of taking the newly minted 5p and 10p coin. Whilst the machines could be converted to accept the new coins the cost to the Authority would be approx £46,000. In view of the age of the machines and the need for replacement this expenditure would not provide good value for money for the Council.
- 4.9 Later in this report the issue of introduction of pay by phone technology is considered. If such a system were to be introduced then it would reduce the number of transactions made through the P&D machines and if consideration is to be given to the replacement of the machines it would lead to an opportunity to consider not replacing some units. For example the number of machines on Lord Street could be significantly reduced if pay by phone parking were introduced.
- 4.10 The P&D machines currently in use are only able to take cash payments (and not all coinage can be accepted). The latest models of P&D machines on the market are capable of taking card payments and contactless (wave and pay) payments and also through GPRS modems can be linked to a central point. This allows instant fault reporting, downloading of audit data and simplifies the process for introducing tariff changes.
- 4.11 To replace all P&D machines with those that would accept coins only would be in the region of £600,000. The addition of options such as contactless payment, GPRS modems, etc would increase this to closer to £900,000. However, if pay by phone were introduced the number of machines could be reduced to lower this cost.
- 4.12 A proposal for funding for the replacement of machines has been accepted by Members and is now included in the capital programme for 2014/15 and 2015/16.

5.0 New Technologies – Pay by Phone

- 5.1 Pay by phone for parking is established in a number of Local Authority areas. There is now a choice of established providers for this service in the market place and competition for business is very keen. Most of the big companies provide a very similar service so costs are very competitive.
- 5.2 Most of the Pay by Phone companies provides a bespoke product tailored to the client's specific needs. There are benefits to both the Council and the motorist. The Council benefits in the following ways.
 - Reduction of cash collection demands
 - Direct transfer of funds.
 - Less reliance on pay and display machines.

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- Reduced maintenance on machines.
- Opportunity to reduce the number of machines with the obvious benefit in savings.
- Opportunity to save money and make better machine investment decisions.

The motorist also benefits.

- Can make choices in payment method (machine, phone, text, email, iphone & internet).
- More convenient.
- Safer.
- Remote top up if required.

- 5.3 Clear and prominently displayed information/instruction signage is placed on existing machines and tariff boards to inform motorists of the system. A marketing campaign would be carried out by the provider through leaflets, local advertising, press releases, etc.

On first using the system a motorist makes an initial call to register their vehicle and card details on the system. On each subsequent visit parking could be paid for by contacting the provider and giving a zone or car park number, these would be clearly shown on signs and pay and display machines and would ensure that the correct parking charge is paid. Immediately the transaction is completed the vehicle details would be downloaded onto the system and be available to CEO's through their handheld terminals

- 5.4 There are two main options for customers to buy time these are:

- To buy a predetermined amount of time as you would if you were using a P&D machine.
- Start /Stop approach where customers call once to start parking and call again to stop it and only pay for the time they need – can be compared to a barrier system.

- 5.5 Most companies will set up a system at zero cost to the Council. Their income is then derived from the transaction fee (normally 20p per transaction) paid by the customer. The differences between the various operators will be in the detail of the product, the quality of the product and the deductions made to the Council in processing costs for handling credit and debit card transactions.

- 5.6 In view of the above it is suggested that officers proceed with the introduction of pay by phone with a report being made to Cabinet Member – Transportation recommending the preferred supplier and method of operation.

6.0 Existing Car Parks

- 6.1 Parking Services operates and maintains 25 car parks throughout the Borough. This equates to 5768 spaces + a 55 space Coach Park. Thirteen car parks are subject to

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P&D regulations with two Park and Ride sites operating a pay on entry system via a static on-site attendant. Our third Park & Ride site at Foul Lane (Kew) operates as a pay and display park and ride car park. Vehicles displaying a valid disabled persons badge may park free of charge in any of our car parks with the exception of the park and ride sites. The coach park is based at the Esplanade Park and Ride site in Southport. Parking Services are also responsible for a small car park situated off Tulketh Street, Southport which is for permit holders only. Permit holders are either residents of Tulketh Street / Bridge Street or a limited number of SMBC staff who pay for parking. There are 9 further car parks that are free to use and uncontrolled

- 6.2 In addition to the 25 sites Parking Services is responsible for the enforcement only, of a further two locations, namely Central 12 in Southport on behalf of the landowner and Formby Pools Trust car park in Formby Village.

Car Parks Managed

Car Park	Location	Operation	Spaces
New Strand Multi	Bootle	Pay & Display	432
Bootle Leisure	Bootle	Pay & Display	174
Allengate	Crosby Village	Pay & Display	163
Cooks Land	Crosby Village	Pay & Display	60
The Green	Crosby Village	Pay & Display	126
Hougoumont Ave	Waterloo	Pay & Display	115
Crosby Civic Hall	Waterloo	Pay & Display	96
Tulketh St West	Southport	Pay & Display	106
Tulketh St East	Southport	Pay & Display	72
Marine Drive	Southport	Pay & Display	790
Floral Hall	Southport	Pay & Display	190
Dunes Leisure	Southport	Pay & Display	174
Splash World	Southport	Pay & Display	114
Burbo Bank	Blundellsand	Free	185
Seaforth Vale	Seaforth	Free	24
Netherton Town	Netherton	Free	50
Easedale Drive	Ainsdale	Free	12
Duke Street	Southport	Free	10
Birkdale Station	Southport	Free	120
Sumner Road	Formby	Free	90
Mariners Road	Blundellsands	Free	50
Tulketh St Permit	Southport	Permits Only	25
Esplanade P & R	Southport	Pay on Entry	1200
Fairway P & R	Southport	Pay on Entry	850
Kew P & R	Southport	Pay & Display	540
Central 12	Southport	Pay & Display	640
Formby Pool	Formby	Pay & Display	60

- 6.3 Parking Services are responsible for the operation of the above car parks sometimes directly and in other cases as part of management agreements. Agreements apply to the following car parks mentioned above:

- Bootle Leisure / Dunes Leisure / Splashworld / Floral Hall on behalf of Leisure / Tourism

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- Central 12 on behalf of the landowner with an income split between the Council and the landowner
- Formby Pool on behalf of the Formby Pool Trust

6.4 Other Departments of the Council are responsible for the following car parks which operate with a charge:

- Ainsdale / Southport Beach
- Lifeboat Road, Formby
- Rear Stanley Road, Bootle (Contracts only)

6.5 Other Departments of the Council are responsible for the following car parks which operate without a charge:

- Crosby Lakeside Adventure Centre
- Blutcher Street, Waterloo
- Botanic Gardens / Verulam Road, Southport

6.6 There are a number of car parks, particularly in Bootle which are used for staff parking. Staff who use these car parks are charged an annual contract rate which is deducted from their salaries through salary sacrifice.

6.7 The Councils enforcement contractor (NSL Services Group Ltd) supplies three maintenance officers within the contract. Two officers are engaged on general car park maintenance and one exclusively on litter picking duties covering 32 hours per week. Whilst these officers will carry out general maintenance, specialist works such as resurfacing, signage and lighting and specialised pay and display machine maintenance are sourced through approved Council Contractors.

6.8 The majority of the car parks within the management of Parking Services require varying degrees of refurbishment. However, reduced resources and the need to limit expenditure to ensure a balanced parking budget makes it difficult if not impossible to do the type of work necessary to improve the sites. All sites are maintained in a safe and usable condition.

6.9 Current on-street and off-street parking charges are detailed in appendices 1 and 2.

7.0 Parking User Numbers / Income Trends

7.1 Audit information is available which shows the number of users at each tariff and the income generated by these users for the on-street parking zones and the off-street car parks in the Borough.

7.2 User Numbers

Between 2009/10 and 2011/12 the number of users in total on the car parks increased by 4.7% from 2.71m users to 2.84m users before falling back by 2.1% in 2012/13 to 2.78m users. However, there were variations between the different car parks in the Borough with usage on Tulketh Street and Central 12 increasing overall whilst usage at the Bootle Multi Storey car park fell significantly. There was an increase in the overall usage of the Crosby car parks over the three year period but if the free half hour period is discounted then less people paid to park.

The largest fall in usage has been in the Southport Park & Ride service where over the three year period user numbers have dropped by 30% from 196,200 to 137,100.

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On-Street in Southport there was an initial increase in usage between 2009/10 and 2010/11 of 1% from 927,800 users to 936,400 users, but over the following two years there has been a decline in usage of 8% between 2010/11 and 2011/12 and 6.9% between 2011/12 and 2012/13 to 801,400 users.

On Street in Bootle the numbers parking are far lower than in Southport as the supply of on-street parking spaces is much lower. User number rose between 2009/10 and 2010/11 by 7.3% from 17,900 to 19,200. In the following two years as in Southport the usage fell by 13.8% between 2010/11 and 2011/12 and 5.1% between 2011/12 and 2012/13 to 15,700 users.

7.3 Parking Income

In line with the review which was reported to Cabinet in late 2008, increases in parking charges were introduced in April 2009 and April 2011. Despite these increases income has fallen from the areas / car parks indicated in 5.0 above by 3.93% from £2.67m to £2.57m per annum.

7.4 Penalty Charge Notice Numbers / Income.

The number of penalty charge notices issued has also declined over recent years with 33,896 being issued last year compared with 41,934 in 2009/10. However, PCN issue numbers this year are significantly higher than they were in 2012/13.

Nevertheless, the decline in issue numbers resulted in a decline in income from PCN's by 28% from £988,900 in 2009/10 to £711,500 in 2012/13.

8.0 The Purpose, Sustainability and Charging Regime of Parking Areas

8.1 Southport

8.1.1 As stated in 3.5 above the charging strategy adopted by the Council is aimed at encouraging short stay parking in town and local shopping centres with commuters and other long-stay users encouraged to use park and ride or public transport.

8.1.2 Consequently, in Southport the charge for parking in excess of 4 hours on-street and on the main Council controlled town centre car park (Tulketh Street) is £6, with the aim that people parking for longer periods will be encouraged to use the park and ride service at only £1.50 per car per day.

8.1.3 Similarly, also in Southport in the most popular on-street parking areas around Lord Street parking is limited to 2 hours, again to encourage a turnover of spaces, with longer term parking being available on surrounding streets and on the park and ride.

8.1.4 Analysis of usage numbers for on street parking in Southport shows that of the 801,000 users in 2012/13, 25% park for half an hour or less, 42% park for between half an hour and an hour, 28% park for between one and two hours, 4% park for between two hours and 4 hours and 1% park for more than 4 hours. The above indicates that the main demand is for parking of less than 2 hours with only 5% of users parking for longer. This supports the current restriction on parking in the central zone to 2 hours maximum and consequently, it is suggested that this restriction should not be changed.

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- 8.1.5 The Tulketh Street Car Parks are the Council's main town centre car parks with a total of 178 spaces. The Council also manages the Central 12 car park (640 spaces) on behalf of the landowners and there is an income split agreement in place for this site which dates back to the time that it was developed in the early 2000's. However, it should be remembered that the Council only controls a minority of the total number of off-street car parking in the Town Centre with other principle suppliers being NCP – London Street, Eurocarparks – Tulketh Street, B&M's – Kingsway, Broadbents – West Street, Morrisons – Kingsway, Mecca Bingo – Kingsway.

On Tulketh Street 78% of users park for two hours or less and less than 1% park for in excess of 4 hours. This suggested that consideration could be given to restricting the maximum length of stay on this car park to 4 hours.

Central 12 is restricted to a maximum stay of three hours and any proposed changes to the restrictions and charges would have to be agreed with the landowners. Again the majority of users park for two hours or less but 7% do park for between 2 and 3 hours. Consequently it is suggested that the lengths of stay on this car park should remain as at present.

- 8.1.6 Usage on the Floral Hall Car Park has remained reasonably stable over the past few years with usage spread over the various tariff bands. It is hoped that usage on this car park will increase in future years as the development and occupancy of the area around the Floral Hall continues
- 8.1.7 The Marine Drive / Seawall car park has seen a steady decline in usage of some 30% over the last three years. Usage of this car park is heavily dependent on visitors to the seafront and also on the weather which for the past few summers has been relatively poor.
- 8.1.8 Of most concern is the decline in usage of the park and ride service from 212,000 in 2010/11 to 173,000 in 2011/12 and 137,000 in 2012/13 an overall fall of 35%. There is a concern that any increase in the charge on the park and ride will have a disproportionate impact on the usage levels

8.2 Crosby / Waterloo

- 8.2.1 Usage on the three car parks in Crosby (Allengate, Cooksland and The Green) which have a total capacity of 349 spaces increased to 2011/12 but then declined by 4% in 2012/13. The charging regime on this car park is unusual in that the first half hour is free and has been for a number of years.
- 8.2.2 The car parks at Crosby Civic Hall and Hougoumont Avenue only commenced operation in November 2011 and it is too early to identify any trends in usage. However, income is broadly in line with that forecast

8.3 Bootle

- 8.3.1 Bootle New Strand car park has seen a decline in parking numbers from 55,700 in 2009/10 to 51,100 (-8.2%) in 2010/11 and 39,800 (-22.1%) before an increase in 2012/13 to 44,700 (+12.3%). Usage for 2013/14 are currently matching 2012/13 numbers. This reduction in usage could be attributed to the reduction in employment in the office quarter in Bootle. However, suggestion have also been made that the steady increase in the charge for all day parking (currently £3.80 per day) has led to commuters parking on lower cost car parks in the area such as the surface level car

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park at the site of the former St Johns office building where the charge is £3.50 per day.

9.0 Impact of Increased Car Parking Charges on Town Centres

- 9.1 Attempts have been made to identify any evidence, statistical, empirical or anecdotal, which may assist in identifying the impact that parking charges have on the decision making process when visiting a shopping area.
- 9.2 The main limitation of the research is that it is extremely difficult to isolate with any level of confidence, the impact of car parking charges on footfall and retail figures in town centres. A number of factors come into play, including comparative charges in neighbouring areas, general economic conditions and the 'offer' available within the Town centre in terms of retail and service provision.
- 9.3 Evidence indicates that in other parts of the country, the question of whether increased parking charges or the economic downturn are responsible for reduced footfall, has not been answered satisfactorily with only subjective and anecdotal views available. Unfortunately, the issues raised and the impacts felt could be very localised issues and therefore, difficult to rely upon. Suffice to say that other large towns / cities have failed to establish a clear link between parking charges and footfall in Town centres.
- 9.4 Elsewhere in this reports parking trends in Sefton over time have been considered. In this part of the report Officers have attempted to set out how implementation of parking fees (or increases in fees) has impacted in previous years. An attempt has also been made to compare and contrast the Councils parking provision with other providers and also, a comparison of parking charges in adjacent and proximate Local Authority Districts has been undertaken in order to assess how competitive Sexton's charging policy is.
- 9.5 Detailed information is available for the number of users of parking services in Southport and for this section of the report we have concentrated on:

Southport on Street Parking
Park & Ride
Central12
Tulketh St (Both East and West)

Information is available on a weekly basis for 2010-11, 2011-12 and 2012-13. While there are variations, there is undoubtedly a trend for numbers to decline. For instance, during weeks 1 (April), 10 (June) and 25 (Sept), the trend is as follows;

Year	Week1	Week 10	Week 25
2010-11	44,246	45,976	43,321
2011-12	44,513	45,083	41,914
2012-13	39,912	44,326	40,106

While the trend is downwards, there is doubt as to whether car parking charges have influenced the figures or that they are attributable to economic circumstances or a decline in the quality and diversity of retail provision within Southport and how much is due to reduced Tourism as a result of the national economic situation.

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Looking at Park and Ride specifically, we are able to identify trends which reflect the response when parking charges were increased.

Year	Users	Tariff
2001-2	228,868	£0.50
2002-3	217,300	£0.50
2003-4	218,472	£1.00 (50p Oct-Dec)
2004-5	210,102	£1.00
2005-6	209,060	£1.00
2006-7	218,807	£1.00
2007-8	219,590	£1.00
2008-9	219,449	£1.00
2009-10	224,608	£1.00
2010-11	212,301	£1.00
2011-12	176,996	£1.50
2012-13	137,080	£1.50

There is evidence here to suggest that usage declines immediately following increases in charges but that figures recover over time. Interestingly, there was nothing to indicate that the economic decline commencing during 2007-08 particularly affected numbers of users. However, during 2011-12, and 2012/13 numbers have declined significantly. It is unclear whether the decline in the Chapel Street retail offer caused by ongoing closures and particularly by Arcadia Group to close five stores, open two outlets in BHS and move three flagship stores to Central 12 were responsible for this decline.

Interestingly, figures for usage in Central 12 year by year are as follows;

Year	Usage
2007-8	910,259
2008-9	889,091
2009-10	889,282
2010-11	876,784
2011-12	927,248
2012-13	927,313

Central 12 is managed by the Council on behalf of the landowner and is relatively cheap. However, it is clear that since the decision of Arcadia Group to move to Central 12, users have increased significantly.

Footfall figures for the town centre and in particular Chapel Street and Lord Street can be compared using the data supplied to the Council by Springboard. Comparisons can be made on a daily, monthly or quarterly basis and allow comparisons to be made with previous years. The system went live in late 2010 so data for 2011 – 2013 has been compared. This shows that taking the first quarter of each year footfall fell 3.8% between 2011 and 2012 but then rose by 6% in 2013. Taking July as an isolated month footfall rose by 9.5% between 2010 and 2011 and by a further 10.7% between 2011 and 2012.

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9.6 Comparative Parking Charges with Other Providers

Car Park	Up to 1 hour	Up to 2 hours	Up to 4 hours	Up to 12 hours
SMBC Tulketh Street	70p	£1.20	£2.40	£6.00
Mecca Bingo, Kingsway, Southport	£1.00	£2.00	£4.00	£5.00
B&M Bargains, Kingsway, Southport	50p	£1.00	£2.00	N/A
Ibbotsons, Promenade, Southport	£2.20	£2.20	£3.20	£4.50
Broadbents, West Street, Southport	£1.60	£2.40	£3.60	£7.50
NCP, London Street, Southport *	£4.50	£4.50	£5.90	£6.50
Eurocarparks, Tulketh Street, Southport *	£2.90	£2.90	£3.90	£5.50
SMBC Bootle Multi-Storey	90p	£1.40	£2.50	£3.80
Bootle New Strand Shoppers	£1.50	£1.50	£2.00	£7.50
Bootle St Johns House, Trinity Road	£3.50	£3.50	£3.50	£3.50

Both the NCP London Street and Eurocarparks, Tulketh Street offer an “early bird discount” of £2 per day for arrival before 10am.

It can be seen that the charges on the Councils main off-street car park in Southport are lower than all but one of the main commercial car parks in the town and that the charges on the Bootle multi storey car park are comparable with the commercial car parks in the town.

9.7 Comparative Parking Charges in other Local Authority Districts

The question as to whether parking charges influences decision as to where people shop has been considered above. However, one issue that has arisen recently relates to comparative parking charges. This follows decisions by Liverpool City Council to reduce parking charges and calls for Sefton to follow this example.

The following table identifies the comparative cost of adjacent Local Authorities who may be considered similar to Sefton or whose retail centres might be deemed to be in competition with Sefton.

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Comparative Parking Charges (per hour unless stated)

Authority	On Street Pay and Display				Off Street Car Parks			
	Short Stay		Long Stay		Short Stay		Long Stay	
	1 hour	Max Stay	1 hour	Max stay	1 hour	Max Stay	1 hour	Max stay
Southport	£1.20	2 hrs	£1.20	4hrs+ (£6)	£0.70	4hrs (£6)	£0.70	4hrs (£6)
Crosby	N/a	N/a	N/a	N/a	£0.80	4hrs (£3.00)	£0.80	4hrs (£3.00)
Bootle	£0.70	30 mins	£0.70	2hrs (£2.80)	£0.90	4hrs (£3.80)	£0.90	4hrs (£3.80)
Liverpool	£2.20	2 hrs	£2.20	No limit @ £2.20 p/h	£1.80	No limit @ £1.80 p/h	£1.10	4hrs+ £5.00
Wirral	£1.00	No limit	£1.00	3hrs+ (£3.60)	£1.05	3hrs (£7.60)	£1.05	1hr+ (£4.10)
Knowsley	N/a	N/a	N/a	N/a	£0.50	2hrs	£0.50	2hrs+ (£2.00)
St Helens	£0.80	2 hrs	£0.80	N/a	£0.80	5hrs (£6.50)	£0.80	5hrs+ (£5.00)
West Lancs	N/a	N/a	N/a	N/a	£0.70	2hrs	£0.70	3hrs+ (£3.00)
Preston	£1.20	1 hr	N/a	N/a	£2.50	4hrs (£9.00)	£1.30	4hrs+ (£4.00)

Based on the parking usage figures that are available and which have been discussed previously, it is reasonable to assume that the vast majority of users normally park for no more than 2 hours. Consequently, the following comparison for 2 hours parking charges has been made;

Authority	Cost for 2 hours Parking On Street	Cost for 2 hours Parking Off - Street
Southport	£2.40	£1.20
Crosby	N/A	£0.80
Bootle	£1.40	£1.40
Liverpool	£4.40	£3.60
Wirral	£2.00	£1.65
Knowsley	N/A	£1.00
St Helens	£1.60	£1.20
West Lancs	N/A	£1.10
Preston	£5.00	£2.00

On this basis, it can be seen that Sefton compares favourably with the majority of the surrounding districts.

10.0 Possibilities for Income Generation to meet Increased Costs – Parking Charges

10.1 The last occasion upon which parking charges in Sefton were increased was in April 2011. Since this time the costs incurred by the Council for providing the parking service have increased significantly. CPI will have increased significantly since 2011 and by the time any new tariffs are introduced in April 2014.

10.2 Members are reminded that under Section 55 of the Road Traffic Regulation Act 1984, any surplus in the parking account must be used for the purposes set out in section 55 [4] i.e. meeting the cost of providing off street parking / public passenger transport services/highway improvements/ environmental improvements. This applies

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only to income generated from on-street charges and not from off-street charges. Income from off-street charges can be used as the Local Authority sees fit.

10.3 In estimating the possible income that could be generated by these increases, officers have taken an approach based on past experience which indicates that where increases in charges have been made then usage levels will fall, this is normally for a short period of time before motorists return to their normal parking patterns. However, consideration has also been given to the on-going reduction in parking numbers when estimating possible income levels:

10.4 Officers have considered options for tariff changes and the proposals are detailed in appendices 1 and 2 and are summarised below

10.5 Summary of Income Possibilities

On-Street	£50,000
Off Street	£53,000
Total Option	£103,000

Appendix 1 – Current and Proposed Charges for Off-Street Car Parks

Off-Street. There are no proposals to change the days / hours of operation of any of the off-street car parks.

Southport

Tulketh Street	Current Charge	Proposed Charge
Up to 1 hour	70p	80p
Up to 2 hours	£1.20	£1.40
Up to 4 hours	£2.40	£2.80
Over 4 hours	£6.00	N/A

Central 12	Current Charge	Proposed Charge
Up to 30 Mins	30p	40p
Up to 1 hours	60p	70p
Up to 2 hours	£1.20	£1.40
Over 3 hours	£1.80	£2.00

NB These increases would be subject to agreement with the landowner. The Council manages the car park on the landowners behalf and benefits from a share of the income.

Floral Hall	Current Charge	Proposed Charge
Up to 1 hour	70p	80p
Up to 2 hours	£1.20	£1.40
Up to 4 hours	£2.00	£2.50
Over 4 hours	£3.00	£4.00

Seawall / Marine Drive	Current Charge	Proposed Charge
Up to 1 hour	80p	£1.00
Over 1 hour	£2.50	£4.00

Dunes Leisure / Splashworld	Current Charge	Proposed Charge
Up to 1 hour	50p	60p
Up to 2 hours	£1.00	£1.20
Up to 4 hours	£2.50	£3.00
Over 4 hours	£3.50	£4.00

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Park & Ride	Current Charge	Proposed Charge
Per Visit	£1.50	£1.50

NB! As indicated in the main body of the report the decline of park and ride usage has far exceeded any of the other parking areas / car parks. Whilst there is no definitive information to explain this, it is felt that part of the reason concerns the relative cost of this form of parking to town centre charges and also the increased availability of town centre parking due to the fall in parking usage. If the cost of this facility increases, there could be a further significant fall in its usage. Consequently, it is proposed that the charge remain at £1.50.

Esplanade Cars Sundays	Current Charge	Proposed Charge
Per Visit	£4.00	£5.00

Esplanade Coach Park	Current Charge	Proposed Charge
Per Visit	£5.00	£10.00

Bootle

Multi-Storey	Current Charge	Proposed Charge
Up to 30 mins	70	80p
Up to 1 hour	90p	£1.00
Up to 2 hours	£1.40	£1.600
Up to 4 hours	£2.50	£2.90
Over 4 hours	£3.80	£4.20

This car park is aimed primarily at long stay commuter parking at it therefore suggested that a season ticket be offered on this car park which gives a discount on the daily rate. In order to give a discount of approx 30% this could be set at:

	Current Charge	Proposed Charge
Annual Contract	£595	£655

Bootle Leisure	Current Charge	Proposed Charge
Up to 1 hour	40p	50p
Up to 2 hours	80p	£1.00
Up to 4 hours	£1.50	£1.80
Over 4 hours	£3.50	£4.00

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Waterloo – Hougoumont Avenue / Civic Hall

	Current Charge	Proposed Charge
Up to 30 mins	20p	20p
Up to 2 hours	80p	90p
Up to 4 hours	£1.50	£1.70
Over 4 hours	£3.00	£3.40

Crosby - Allengate, The Green & Cooksland

	Current Charge	Proposed Charge
Up to 30 mins	Free	Free
Up to 2 hours	80p	90p
Up to 4 hours	£1.50	£1.70
Over 4 hours	£3.00	£3.40
Annual Contract	£475.00	£535.00

In estimating the possible income that could be generated by these increases officers have taken an approach based on past experience which indicates that where increases in charges have been made then usage levels will fall, this is normally for a short period of time before motorists return to their normal parking patterns. However, consideration has also been given to the on-going reduction in parking numbers when estimating possible income levels. Consequently it is estimated that the Options indicated above would generate £53,000 (net of VAT).

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Appendix 2 – Current and Proposed Charges for On-Street Parking

Southport	Current Charge	Proposed Charge
Up to 30 minutes	60p	70p
Up to 1 hour	£1-20	£1.40
Up to 2 hours	£2-40	£2.80
Up to 4 hours	£4-00	£4.50
Over 4 hours	£6-00	£6.00

There are four “zones” in the Southport Pay and Display area. The principal differences are:

Red (Central) Zone - Maximum stay is two hours Mon – Sat 8am – 6pm, Sun 11am – 6pm.

Blue (Leisure) Zone – No maximum stay. Mon – Sat 8am – 6pm, Sun 11am – 6pm

Yellow (Other) Zone A - No maximum stay. Mon – Sat 8am – 6pm, Sun Free

Yellow (Other) Zone B - No maximum stay. Mon – Sat 9am – 5pm, Sun Free

Bootle Stanley Road (outside Salvation Army Citadel) Mon – Sat 8am – 6pm

	Current Charge	Proposed Charge
Up to 30 minutes	70p	80p

Bootle (Trinity Road/University Road/Pembroke Road) Mon – Sat 8am – 6pm

	Current Charge	Proposed Charge
Up to 1 hour	70p	80p
Up to 2 hours	£1.40	£1.60
Up to 4 hours	£2.80	£3.20

In estimating the possible income that could be generated by these increases officers have taken an approach based on past experience which indicates that where increases in charges have been made then usage levels will fall, this is normally for a short period of time before motorists return to their normal parking patterns. However, consideration has also been given to the on-going reduction in parking numbers when estimating possible income levels:

Consequently it is estimated that the Options indicated above would generate £50,000

Report to:	Cabinet	Date of Meeting:	27 th March 2014
Subject:	Twelve Month Extension for Merseycare Contract	Wards Affected:	All
Report of:	Director of Public Health		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No		

Purpose/Summary

That Cabinet agrees to waive Contracts Procedure Rules and authorises a twelve month contract extension of the existing contract with Merseycare for delivery of the residential clinical detox and rehabilitation substance misuse service. This would be an extension from the 1st April 2014 until 31st March 2015 to the current contract with the same terms and conditions.

Currently there are several contracts for substance misuse services which are within the remit for the Substance Misuse review. Establishment Control Panel has recently approved the procurement of external Independent Support for the Substance Misuse Review. The review is essential to fully understand what services would be required and commissioned for Sefton's population. This service is required to provide tier 4 residential clinical detox and rehabilitation services.

At this time it would be unlikely that this specialist service could be ceased and unavailable to Sefton residents during the review and re commissioning. There are no alternative local providers for clinical detoxification; and the nearest in Manchester is even more expensive. If there were no contract in place there would be a requirement to spot purchase this service which would be more expensive.

During the extension period the providers will be requested to work with the council to identify further cost efficiencies wherever possible.

The service review will inform the future needs relating to this service. Due to the annual contract value of £510,522 per annum, the review will also identify a Procurement Pathway to secure future service provision. Current provision is provided at two clinics, the Kevin White Unit and Winsor Clinics.

Recommendation(s)

That Cabinet agrees to waive Contracts Procedure Rules and authorises a twelve month contract extension for the existing Merseycare Substance Misuse contract for the delivery of residential detox and rehabilitation

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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	√		
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:

This is due to:

- The current contracts are due to expire on the 31st March 2014.
- The contracts are part of the Substance Misuse Review
- 12 months contract extension would allow for the review to be completed, the services revised and or re commissioned and mobilisation successfully accomplished.

Alternative Options Considered and Rejected:

This service is required to provide tier 4 residential clinical detox and rehabilitation services. At this time it would be unlikely that this specialist service could be ceased and unavailable to Sefton residents during the review and re commissioning. There are no alternative local providers for clinical detoxification; and the nearest in Manchester is even more expensive.

It is hoped that following the review and another 12 months of performance monitoring we would be in a position to understand the full cost and outputs for the service and commission them for a reasonable length contract.

What will it cost and how will it be financed?

(A) Revenue Costs

The cost of the new contracts will be met from within the Public Health budget allocated for this purpose. The current annual contract value is £510,522. The cost of the MerseyCare contract extension would be £510,522 and this would be contained within the existing budget allocated for Substance Misuse.

(B) Capital Costs

During the extension period the Provider will be requested to make cost efficiencies ,as appropriate, following review outcomes.

Implications:

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

Financial	
Legal Possible risk of challenge form aggrieved provider who has not been given an opportunity to deliver this service comprising the extension	
Human Resources	
Equality	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact of the Proposals on Service Delivery:

There would be minimal impact on service delivery for the contract extension.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT has been consulted and her comments have been incorporated in the report (FD.2820/14.) and Head of Corporate Legal Services (LD2126/14) have been consulted and any comments have been incorporated into the report.

Implementation Date for the Decision

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

Contact Officer: Sarah Austin
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Email: sarah.austin@sefton.gov.uk
Background Papers:

None

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1. Introduction/Background

- 1.1 As part of the review of substance misuse services it has been identified that the capacity to undertake this review internally is lacking and therefore funding has been set aside to enable an external independent agency to take this work on. The procurement of external Independent Support for the Substance Misuse Review has been approved by the establishment control panel. The aim of this procurement is to secure a person/persons with a good understanding of drugs and alcohol services along with knowledge of the frameworks governing substance misuse to advise the Council on an evidence based model that would meet the needs of Sefton's population best and would also give us assurance that it provides good value.
- 1.2 The aim of the review is to provide the strategic leads within the council with a comprehensive report including robust assurance of the following:
 - The service model we have in place is evidence-based and able to meet the changing needs of our population
 - The model has a focus on prevention of substance misuse and a reduction of drug related harm
 - The model will provide value for money
 - The service is underpinned by good governance and accountability
 - Frameworks for risk management are in place and risks are reported and managed effectively
- 1.3 The review is essential to fully understanding what services would be required and commissioned for Sefton's population. It is aimed that the review will be completed by the end of May 2014 and the commissioners would be in a position to reconfigure or re commission the Merseycare contract.
- 1.4 Merseycare currently delivers residential detox and rehabilitation for both alcohol and drugs. The contract is due to expire March 2014. Currently there are 1-2 patients at any one time in the Kevin White Unit (KWU) and Winsor Clinics. Patients tend to stay on average 4-6 weeks in the KWU and 2-4 weeks in the Winsor.
- 1.5 During the extension period the providers will be requested to work with the council to identify further cost efficiencies wherever possible.

Report to:	Cabinet	Date of Meeting:	27 March 2014
Subject:	Better Care Fund Plan – Next Steps	Wards Affected:	Wards
Report of:	Deputy Chief Executive, Sefton MBC		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No		

Purpose/Summary

Cabinet at its meeting on 27th February, 2014, agreed the submission of the first iteration of the Better Care Fund (BCF) Plan for Sefton. This report provides an update for the Cabinet on progress in developing the next iteration of the BCF Plan following receipt of supplementary guidance; providing an update on the assurance process; and seeking delegated powers to continue to develop this work over coming months.

Recommendation(s)

That the Cabinet ;

- a. consider and endorse the approach recommended by the Health and Wellbeing Board from its meeting of the 19th March 2014 as set out in this report;
- b. agree to give delegated authority to the Deputy Chief Executive, in consultation with the Chair of the Health and Wellbeing Board and Cabinet Member for Older People and Health, to agree and submit further iterations of the Better Care Plan(BCF) for Sefton, as outlined in the report and note that this will need to be in consultation with the Chief Officer for Southport and Formby CCG and South Sefton CCG and their respective Governing Bodies Chairs, in order to comply with the guidance on the BCF;
- c. agree that the BCF submission to be made on 4th April, should be a short paper responding, where possible, to the several sets of guidance, and the assurance feedback, once received;
- d. note the role of the Health and Wellbeing Board relating to encouraging integration, and the intention to progress further work on integration beyond that expressed in the BCF Plan through the Board, under the guidance of the Chair of the Board and Cabinet Member for Children, Schools, Families and Leisure and Cabinet Member for Older People and Health;
- e. note that the Cabinet Member for Older People and Health will be responsible for overseeing the development of and then approval of a Section 75 agreement for the pooled fund; and
- f. agree that final approval of the BCF Budget, and risk assessment be brought back to Cabinet for approval.

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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:

Better Care Fund Guidance seeks a second submission on local Better Care Fund Plan by 4th April 2014.

What will it cost and how will it be financed?

The Cabinet report of 27th February 2014, advised members of the creation, by the government, of the Better Care Fund, and Cabinet was asked to note that the fund was being created from existing resources in the health and wellbeing system. There is no new money currently being made available and the BCF Plan guidance provided that local areas had to develop a plan as to how and on what the resources made available locally through the Fund would be spent on. Final approval of the Better Care Fund Budget (£24.040m) will be brought back to Cabinet as part of the development of the budget for 2015/16.

Implications:

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

Financial	
Legal	
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 of the Proposals on Service Delivery:

The BCF Plan for Sefton will impact on service delivery as services are transformed.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT has been consulted and any comments have been incorporated in the report (FD2884/14)

Head of Corporate Legal Services (LD 2189/14) have been consulted and any comments have been incorporated in the report.

Are there any other options available for consideration?

No alternative options have been considered

Implementation Date for the Decision

Following call-in

Contact Officer: Sam Tunney

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Email: Samantha.Tunney@sefton.gov.uk

Background Papers:

Report and Minutes of the Cabinet from its meeting on 27th February 2014.

Background

1. The first 'iteration' of the Better Care Fund Plan for Sefton was submitted to NHS England, and other contacts, by the deadline of 14th February 2014. Formally the plan was signed off by the Health and Wellbeing Board at its meeting of 19th February, receiving Cabinet approval on 27th February 2014. The two CCG Governing Bodies gave delegated authority to the Chief Officer, and the two Chairs to sign off the Plan on their behalf.
2. Government Guidance on the BCF suggests that a revised plan should be submitted by 4th April, which builds on what has already been submitted, takes into account a RAG rating as part of the assurance process and details within Supplementary Guidance from NHS England, received under cover of letter from Sir David Nicholson on 24th February.
3. The Health and Wellbeing Board is charged, through government guidance, with overseeing the development of the BCF Plan. Any proposals need to be duly agreed by the respective governing bodies – in Sefton this is the Council's Cabinet, and it is the South Sefton and Southport and Formby CCG Governing Bodies, which have to be satisfied with the Plan.
4. The role of the Health and Wellbeing Board is as follows:

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- encourage integrated working between commissioners of health services, public health and social care services;
 - encourage those who provide services related to wider affects of health, such as housing, to work closely with the Health and Wellbeing Board;
 - lead on the Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS);
 - be involved throughout the process as Clinical Commissioning Groups develop their commissioning plans and ensure that they take proper account of the Joint Health and Wellbeing Strategy when developing these plans;
 - have a duty to involve users and the public in the development of the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS).
5. With regards to the first point, the Board is progressing work on integration beyond that expressed in the BCF Plan. The three Councillors on the Board, two of whom are Cabinet Members, are helping to shape the vision for integration in Sefton.

Progressing the Plan

6. Work has been progressing through the sub structure of the Health and Wellbeing Board, in further developing the Better Care Plan for Sefton. This work is influenced by the original guidance on the BCF which was issued in December 2013. More detailed guidance was issued on the 13th February 2014, the eve of when the first iteration of the Better Care Plan had to be submitted to the Government. On 24th February, Sir David Nicolson (NHS England) issued further Supplementary Guidance on the assurance process for the Better Care Fund, outlining what needed to be considered in developing the second iteration of the BCF plan. These include:
- a. a stronger role for local scrutiny (through Area Teams and local government peer reviewers) and greater focus on local geographic, demographic and service challenges;
 - b. the need to include detailed metrics and financial plans, subject to “...*on-going refinement through 2014/15...*”
 - c. evidence of alignment of provider activity, capacity and workforce requirements by use of the BCF Plan;
 - d. articulation of how the funds identified for Care Bill costs, and how this is proportionate for £135m nationally allocated; and
 - e. demonstration of a person-centric approach to care, the impact of it on dementia sufferers and how GPs will be supported in being accountable for co-ordinating patient centred care for older people.
7. A self assessment against the 13th February 2014 guidance, and the latest guidance from Sir David Nicolson (NHS England), has been undertaken. The outcomes from which were considered by the Health and Wellbeing Board Programme Group at its meeting on 3rd March 2014.

8. At the time of writing this report, formal feedback through the assurance process on the first iteration of the Plan has still not been received so it is not known whether there is anything more fundamental that is needed for the next iteration of the plan. The timetable for the development of the next iteration of the BCF Plan is extremely tight with a formal submission deadline of the 4th April 2014. In order to meet this testing timetable the Cabinet would have to consider and agree the next iteration of the plan at its meeting of the 27th March 2014, and the CCG Governing Bodies at their meetings on the 27th and 28th March 2014 respectively.

Proposed approach

9. Given that the latest guidance suggests that after the 4th April submission, the BCF is expected to continue to be an iterative process, with further proposals being submitted as 'schemes' are worked up, it is proposed that this provides an opportunity to address those issues which can be addressed as a submission on the 4th, and that a short paper, rather than a revised plan be submitted. As work progresses over the coming months and schemes are worked up, more details around the finances and the metrics can be developed and submitted. The two Cabinet Members on the Board will, with their portfolios, have a key role in overseeing the development of further iterations of the Plan and indeed the work on integration.
10. The Cabinet is asked to agree to delegate responsibility to the Deputy Chief Executive, in consultation with the Chair and Cabinet Member for Children, Schools, Families and Leisure, and Cabinet Member for Older People and Health, to progress the work on the BCF Plan and integration. Final approval of the Better Care Fund Budget, including the risk assessment, will be brought back to Cabinet as part of the development of the budget for 2015/16. However, it is anticipated, as the Fund is a joint fund with the CCGs, that there will be a Section 75 agreement, similar to the one in place for the current pooled resource, which will need to be put in place. This will be developed and approved by the Cabinet Member for Older People and Health, as this falls within his portfolio of responsibility.
11. The Health and Wellbeing Board at its meeting on 19th March was asked to consider proposals to progress the development of the BCF, and considered how the detail required in the latest guidance, and earlier guidance could be met. Given that the assurance process feedback is still awaited, the Board was asked to agree that a short paper should be submitted on 4th April, responding where it can to the guidance, and assurance feedback, and setting out the proposals to meet this guidance over coming months. The Board was also asked to agree to seek a delegation through the Council's Cabinet, and noted the intention for the CCG Chief Officer and Chairs of the Governing Bodies, to similarly seek delegated powers, to enable a submission to be made by the 4th April deadline. The CCGs have to submit their strategic plans on this date, and the BCF has to be capable of being read as a subset of these, but also as a stand alone document.

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12. The Board was also asked to approve changes to its sub structure to provide suitable governance to the BCF Plan, which would allow it to meet the BCF guidance.
13. This report has been included in the Forward Plan as a key decision, as the BCF budget is £24.040 M in 2015/16 and affects all residents in the Borough. However, as guidance on the development of the Plan is being constantly revised, and as the authorisation process feedback has not been received, and there remain several matters which need to be worked up, at the time of writing this report it is not possible to be more definitive on the impact of the Plan. As indicated above, agreement as to the actual spend, will be brought later in the year as part of the budget development for 2015/16, but the actual spend will be subject to a Section 75 agreement, which will be developed and signed off by the Cabinet Member for Older People and Health.

Report to: Cabinet

Date of Meeting: 27 March 2014

Subject: Litherland Moss Primary Refurbishment and Gypsy & Traveller Site at Red Rose Park Capital Scheme Revisions

Report of: Director of Built Environment and Head of Corporate Finance & ICT

Wards Affected: All

Is this a Key Decision? Yes

Is it included in the Forward Plan? No

Exempt/Confidential No

Purpose/Summary

To advise Members of revisions to the above schemes and to obtain approval for their increased scope, changes in cost and method of funding

Recommendation(s)

Cabinet is recommended to:

- i) Increase the scope of the Litherland Moss refurbishment scheme, within the Capital Investment Plan to include the relocation of the children's centre, with the increase of £100,000 being funded from unallocated 2 Year Old Offer Capital Grant,
- ii) Increase the programme budget of the Red Rose Traveller and Gypsy Site scheme, within the Capital Investment Plan, to £431,182 with the increase of £108,162 being funded from an increased Homes and Communities Agency (HCA) grant of £57,000 and £51,162 funded from the 2013/14 forecast underspend on the revenue budget; and
- iii) It be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Children's Services) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by the Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because of, in the case of Litherland Moss, the requirement to provide urgent alternative accommodation due to the Council's current landlord serving notice to quit upon the Council. In the case of Red Rose Traveller site, the matter is an urgent health and safety issue and delay until publication of the next forward plan is not practicable.

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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		√	
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 advise Members of the increased scope and project costs of these 2 previously approved capital schemes and the proposed method of funding the shortfall.

What will it cost and how will it be financed?

(A) Revenue Costs

There is an underspend in the 2013/14 revenue budget which would meet the costs of the unfunded component of the Traveller and Gypsy site repairs.

(B) Capital Costs

Capital costs are increasing by a total of £208,162 which will be funded by £100,000 of unallocated 2 year old offer grant, £57,000 of increased grant contribution from the HCA.

Implications:

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

Legal	Cabinet has delegated authority in respect of the implementation and monitoring of budget changes	
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"/>

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Impact on Service Delivery:

The new schemes to be approved will enable more cost effective services to be provided.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT is the author of the report (FD 2906/14)

Head of Corporate Legal Services (LD 2211/14) 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 are to not approve these increased costs which would lead to the revised schemes not being carried out.

Implementation Date for the Decision

After call in following Cabinet.

Contact Officer: Jeff Kenah

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Background Papers:

None.

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1. Introduction/Background

- 1.1 This report informs Members of increased capital scheme scope and costs of 2 previously approved schemes at Litherland Moss Primary School and the Gypsy and Traveller Site at Red Rose Park and the proposed method of funding those increased costs which have been recommended by the Strategic Capital Investment Group.

2. Litherland Moss Primary School

- 2.1 Cabinet on 27th February and Council on 6 March 2014 approved a scheme for £800,000 for the refurbishment of the administration and kitchen block at Litherland Moss Primary School to be funded from the Council's Single Capital Pot.
- 2.2 Cabinet on 25th April and Council on 14th May 2013 approved £427,970 to be spent on works to increase the capacity of 2 year old education childcare places to be funded from un-ring fenced capital grant provided from the Department for Education. To date £117,970 of this is still to be allocated to specific schemes.
- 2.3 The current location of the Litherland Moss Children's Centre is remote to the school in rented accommodation and the landlord has served notice to vacate the premises, therefore relocating this service is now urgent. The rental charge was excessive and moving the Children's Centre into a new block linked to the school would promote more efficient results whilst saving on the running costs.
- 2.4 The new block would be able to provide additional 24 full time 2 year old places. The Council has a statutory duty to ensure there is sufficient provision for vulnerable 2 year olds to take up early learning / childcare for 15 hours per week. The number of places to be provided in Sefton by September 2014 is 1400, significantly higher than previous targets. There is a risk to the Council that if sufficient places are not provided and a high percentage of children do not attend, funding for future years will not be forthcoming. This additional area for the 2 year old offer is supported by funding already received by the Council and has already been approved by Members.
- 2.5 It is therefore proposed that the existing scheme at Litherland Moss Primary School be increased to provide accommodation for the Children's Centre by creating a new building which will be linked to the school. The cost of providing this new accommodation will be £100,000 and can be funded from the unallocated proportion of the 2 Year Old Offer grant previously approved by Members.

3. Gypsy & Traveller Site at Red Rose Park

- 3.1 The Capital Investment Plan currently includes a scheme for the redevelopment of the Gypsy and Traveller Site at Red Rose Park at a cost of £323,020 funded from a £ 308,020 capital contribution from the HCA and £15,000 from the Gypsy & Traveller revenue budget. The scheme was to refurbish the existing toilet and washroom blocks supplying the existing 16 pitches and also to create 4 brand new pitches with toilet and washroom facilities.

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- 3.2 It has since become apparent that these original estimates of scheme costs are inadequate as unforeseen problems such as water ingress and damp have been found when flooring and wall coverings were removed. The construction of the 4 new pitches has now been tendered and the lowest tender, including fees, was in excess of the original estimate. A rigorous of value engineering has been undertaken, however the scheme still requires additional funding of £108,162.
- 3.3 The HCA, being that main funder of the scheme, has been approached and has agreed to provide an additional £57,000 of grant, leaving £51,162 of funding still to be found.
- 3.4 The Council has over achieved the savings target in 2013/14 as reported to Council on 6 March 2014. The underspend in 2013/14 is anticipated to be in the range of £2-4m. The Cabinet are requested to fund the remaining shortfall from the one-off resources arising from this revenue underspend.

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Agenda Item 10

Report to: Cabinet **Date of Meeting:** 27 March 2014

Subject: Local Authority Mental Health Challenge - Appointment of Mental Health Champion

Report of: Director of Public Health **Wards Affected:** All

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

Exempt/Confidential No

Purpose/Summary

To obtain approval from the Cabinet to the appointment of a Mental Health Champion, as described in the LA Mental Health Challenge below. The LA Mental Health Challenge was approved by Council on 21 November 2013

Recommendation

That the Cabinet Member – Older People and Health (Councillor Cummins) be appointed as Council's Mental Health Champion.

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		

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Reasons for the Recommendation:

The LA Mental Health Challenge is an objective of the national mental health strategy 'No Health Without Mental Health' and is being adopted by local authorities across Cheshire and Merseyside. The roles and activities are detailed in section 1.5 of the report.

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

None

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"/>

Impact on Service Delivery:

No impacts on service delivery

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT has no comments on this report because the contents of the report have no direct financial implications for the Council (FD2887/13) and Head of Corporate Legal Services (LD2192/14) has been consulted and has no comments on the report

Are there any other options available for consideration?

No .

Implementation Date for the Decision

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

Contact Officer: Dr Janet Atherton

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Background Papers:

There are no background papers available for inspection.

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1. The Local Authority Mental Health Challenge

- 1.1 Improving mental health and community wellbeing and resilience are priorities for Sefton as identified in Sefton's Health and wellbeing Strategy 2013-2018. The national strategy 'No Health Without Mental Health' calls on local authorities to appoint a mental health champion.
- 1.2 Councils and individual councillors have a key role in helping to implement the national mental health strategy, and an opportunity to promote mental wellbeing through strategic roles in the council as well as supporting individuals and communities.
- 1.3 This national initiative is co-ordinated by leading mental health organisations (the Centre for Mental Health, the Mental Health Foundation, Mind, Rethink Mental Illness, the Royal College of Psychiatrists and YoungMinds). Andy Bell from the Centre for Mental Health visited Merseyside and Cheshire on December 17th 2013 to encourage local councillors to sign up to this initiative.
- 1.4 Councillor Paul Cummins, Sefton Council's Cabinet Member for Older People and Health, chaired this meeting that was hosted by Champs (Cheshire and Merseyside public health collaborative service). The event provided an opportunity to inform the audience of current good practice and to encourage further uptake of the challenge. This has resulted in the majority of Cheshire and Merseyside local authorities signing up to the challenge.

1.5 The Challenges states:

This Council notes:

- 1 in 6 people will experience a mental health problem in any given year.
- The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- Mental ill health costs some £105 billion each year in England alone.
- People with a severe mental illness die up to 20 years younger than their peers in the UK.
- There is often a circular relationship between mental health and issues such as housing, employment, family problems or debt.

This Council believes:

- As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.

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- Mental health should be a priority across all the local authority's functions, from public health, adult social care and children's services to housing, planning and public realm.
- All councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis.

This Council resolves:

- To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, Mind, Rethink Mental Illness, Royal College of Psychiatrists and YoungMinds.

We commit to:

1. Appoint an elected member as 'mental health champion' across the Council
 2. Identify a 'lead officer' for mental health to link in with colleagues across the Council
 3. Follow the implementation framework for the mental health strategy where it is relevant to the Council's work and local needs
 4. Work to reduce inequalities in mental health in our community
 5. Work with the NHS to integrate health and social care support
 6. Promote wellbeing and initiate and support action on public mental health
 7. Tackle discrimination on the grounds of mental health in our community
 8. Encourage positive mental health in our schools, colleges and workplaces
 9. Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health
 10. Sign up to the Time to Change pledge.
- 1.6 The Council at its meeting held on 21 November 2013 considered the Sefton Public Health Annual Report, produced by the Director of Public Health and during the debate on the report an amendment was moved by Councillor Brodie-Browne, seconded by Councillor Brennan, that the Motion be amended by the addition of the following text:

"approval be given for the Council to sign up to the Local Authorities' Mental Health Challenge run by the Centre for Mental Health, the Mental Health Foundation, Mind, Rethink Mental Illness, the Royal College of Psychiatrists and YoungMinds."

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Following debate thereon, the Council resolved unanimously that:

- The report be received and approval be given to its publication
- Approval be given for the Council to sign up to the Local Authorities' Mental Health Challenge run by the Centre for Mental Health, the Mental Health Foundation, Mind, Rethink Mental Illness, the Royal College of Psychiatrists and YoungMinds.

2. Member Mental Health Champion

2.1 As indicated above, one of the requirements of the Mental Health Challenge is to appoint a Member Health Champion and the role of the Member Champion will be to oversee the implementation of the commitment points as set out in 1.5.

Key activities might include:

- Raising awareness of mental health issues in the development of council policies and strategies, and in public forums;
- Ensuring the overview and scrutiny committee have a view to mental health in their workplans;
- Leading discussions on mental health issues with NHS organisations in the local area;
- Speaking with schools, businesses and community groups about mental health;
- Linking with mental health service users and voluntary groups locally to understand their needs and concerns;
- Tackling myths and misperceptions about mental health in the local community.

2.2 It is considered that Cabinet Member – Older People and Health (Councillor Cummins) should be appointed as Council's Mental Health Champion

Agenda Item 11

Report to: Cabinet **Date of Meeting:** 27th March 2014

Subject: Selection of the Mayor and Deputy Chair for 2014/15

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

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

Exempt/Confidential No

Purpose/Summary

To consider the selection of a Mayor and Deputy Chair for the Municipal Year 2014/15.

Recommendation(s)

The Cabinet is invited to consider the nomination of Mayor and Deputy Chair for 2014/15 and to select the Members to be nominated to that Office at the Annual Council Meeting on 29 May 2014.

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:

It is a statutory requirement for the Council to appoint a Mayor and Deputy. Part 1, s3 (1) of the Local Government Act 1972 requires each principal Council to appoint a Mayor. Under Part 1, s5 (1) each principal Council is required to also appoint a Deputy.

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What will it cost and how will it be financed?

(A) Revenue Costs

The allowances payable to the Mayor can be contained within existing budgets. Allowances are not payable for the Deputy Chair position.

(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 Sections 3-5 of the Local Government Act 1972 (as amended) refer.	
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:

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD2900/14) has been consulted and her comments have been incorporated into the report.

The Head of Corporate Legal Services (LD2205/14) has been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration? There are no further options for consideration.

Implementation Date for the Decision

Immediately following the Annual Council Meeting on 29th May 2014.

Contact Officer: Andrea Watts

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Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

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- 1.1. The Cabinet needs to consider the nominations of a Mayor and Deputy Chair to serve in the 2014/15 Municipal Year, in order to offer advance notice to the Members likely to be elected and to enable the necessary personal arrangements to be put in hand. The formal election can only take place at the Annual Meeting.
- 1.2 An early nomination is not, of course, a guarantee of election in May as it is possible for alternative nominations to be made at any time up to and including the date of the Annual Meeting.
- 1.3 In practice, however, this would be outside the arrangements agreed by the Council with regards the Selection and Nomination Procedure.
- 1.4 The only role of the Deputy Chair is to Chair any meeting of the Council when the Mayor is unable to attend.

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Agenda Item 12

Report to: Cabinet **Date of Meeting:** 27 March 2014

Subject: Appointment of Trust Governor – Southport and Ormskirk Hospital NHS Foundation Trust **Wards Affected:** All

Report of: Director of Corporate Services

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

Exempt/Confidential No

Purpose/Summary

To consider a request from the Trust Secretary of the Southport and Ormskirk Hospital NHS Foundation for a Member of the Council to be appointed on to the Council of Governors for the Foundation Trust.

Recommendation(s)

The Cabinet is request to appoint one member to represent the Council on the Council of Governors for the Southport and Ormskirk Hospital NHS Foundation Trust for a term of office expiring in September 2017.

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	✓		

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Reasons for the Recommendation:

The Cabinet has delegated authority to make appointments to outside bodies as appropriate.

Alternative Options Considered and Rejected:

None

What will it cost and how will it be financed?

(A) **Revenue Costs**
None

(B) **Capital Costs**
None

Implications:

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

Financial	
Legal	
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 of the Proposals on Service Delivery:

The appointment of a Council representative on to the Council of Governors will ensure that the interests of residents of Sefton are taken into account by the Southport and Ormskirk Hospital NHS Foundation Trust.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT (FD2886/14) has been consulted and notes the report does not indicate any direct financial implications

Head of Corporate Legal Services (LD 2191/14) have been consulted and any comments have been incorporated into the report.

Implementation Date for the Decision

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

Contact Officer: Steve Pearce
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Background Papers:

There are no background papers available for inspection

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1. Introduction/Background

- 1.1 The Trust Secretary of the Southport and Ormskirk Hospital NHS Foundation has submitted a request for a Member of Sefton Council to be appointed on to the Council of Governors for the Foundation Trust for a term of office of 3 years expiring in September 2017 with a maximum term of 6 years.
- 1.2 Governors represent the views of our stakeholders, including patients, members of the public, staff and key stakeholder organisations such as Sefton Council, and Lancashire County Council ensuring that their opinions on the future delivery and development of services influence the Board of Director's decisions.
- 1.3 The responsibilities of the Council of Governors in Foundation Trusts are set out in law; however the law does not recognise the role of Governors in non-Foundation Trusts so until the Trust achieves Foundation Trust status, the Council of Governors will operate in shadow form. This will allow the new Governors time to complete their induction and be prepared
- 1.4 The statutory duties of Governors are to:
 - Appoint, and if appropriate, remove the Chair and other Non- Executive Directors;
 - Decide the remuneration and other terms and conditions of office of the Chair and other Non- Executive Directors (NEDs);
 - Approve the appointment of the Chief Executive;
 - Appoint, and if appropriate remove, the Trust's auditor;
 - Receive the Trust's annual accounts and annual report;
 - Represent members' views to the Board of Directors on the Trust's forward plans;
 - Hold the NEDs, individually and collectively, to account for the performance of the Board of Directors;
 - Taking decisions on significant transactions, mergers, acquisitions, separations and dissolutions;
 - Decide whether any private work the Trust may undertake will significantly interfere with the Trust's principal purpose of providing NHS services; and
 - Approve any proposed increased in non-NHS income of 5% or more in any financial year.
- 1.5 The Council of Governors meet formally in public four times a year and prior to each of these meetings there is an informal meeting of the Governors in private and with the Chair and Chief Executive which is optional for Governors to attend. There will be several Governor-led Committees such as the Membership Committee which meets four times a year and the Nominations Committee which will meet on an ad hoc basis; Governors may choose to be members of these Committees.
- 1.6 A person **may not** become a Governor of the Foundation Trust, and if already holding such office will immediately cease to do so, if:
 - they are under sixteen years of age at the date they are nominated for election or appointment;
 - they are a Director of the Foundation Trust;

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- they are the spouse, partner, parent or child of a member of the Board of Directors of the Foundation Trust;
- **they are a member of a Local Authority's Committee which scrutinises health matters**
- being a member of one of the public constituencies, they refuse to sign a declaration in the form specified by the Secretary of particulars of their qualification to vote as a member of the Foundation Trust, and that they are not prevented from being a governor;
- if they are subject to a sex offender order ;
- they have been adjudged bankrupt or their estate has been sequestrated and in either case they have not been discharged;
- they have made a composition or arrangement with, or granted a trust deed for, their creditors and have not been discharged in respect of it;
- they have within the preceding five years been convicted in the British Islands of any offence:
 - against a woman or child; or
 - any other offence for which a sentence of imprisonment (whether suspended or not) for a period of three months or more (without the option of a fine) was imposed;
- being a member of the staff constituency, they are subject to a live disciplinary sanction including verbal warning;
- they have within the preceding two years been dismissed, otherwise than by reason of redundancy, from any paid employment with a health service body;
- they are a person whose tenure of office as the Chair or as a member or director of a health service body has been terminated on the grounds that their appointment is not in the interests of the health service, for non-attendance at meetings, or for non-disclosure of a pecuniary interest.

1.7 Further to the exclusion highlighted above relating to Members of the Overview and Scrutiny Committee (Health and Social Care), the Cabinet is requested to note that Councillor Cummins is currently a Governor on the Aintree Hospital Foundation Trust and Councillor Killen is a Governor of the Liverpool Women's NHS Trust; and both of those Trusts have an 'exclusivity' clause in their constitutions which would exclude them from been a Governor of another Foundation Trust.

1.8 Following the appointment of the Council representative, the Southport and Ormskirk Hospital NHS Foundation Trust will be added to the list of approved duties in the Members Allowances Scheme.

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