

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY, 15 DECEMBER 2015. MINUTE NO. 78 IS NOT SUBJECT TO "CALL - IN."

CABINET

MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL, SOUTHPORT ON THURSDAY 3RD DECEMBER, 2015

PRESENT: Councillor Fairclough (in the Chair)
Councillors Atkinson, Cummins, Hardy,
John Joseph Kelly, Lappin, Moncur and Veidman

ALSO PRESENT: Councillors Dawson and Weavers

71. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Maher.

72. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

73. MINUTES OF PREVIOUS MEETING

Decision Made:

That the minutes of the Cabinet meeting held on 5 November 2015 be confirmed as a correct record.

74. SHALE GAS (FRACKING) WORKING GROUP - FINAL REPORT

The Cabinet considered the report of the Head of Regulation and Compliance which incorporated a copy of the report of the Working Group appointed by the Overview and Scrutiny Committee (Regeneration and Environmental Services) to consider the implications set out in Minute No. 30 of the Council meeting held on 24 July 2014 with regard to the licensing and regulatory framework for shale gas developments.

Councillor Weavers, the Lead Member of the Working Group outlined the recommendations set out in the report.

Decision Made: That:

- (1) the Head of Regeneration and Housing be requested to establish a Cross-Regulator Working Group, to include Elected Member representation, for all shale gas (and oil) development proposals at all stages;
- (2) the Head of Regeneration and Housing be requested to prepare a "Good Practice and Expectations Document" to provide

transparency to the industry and the public and that it is appropriately referred to in the explanatory text to Minerals Policy NH8 within Sefton's Local Plan;

- (3) the Head of Regeneration and Housing be requested to ensure that the local validation checklist is updated as appropriate to take account of the issues identified in the Scrutiny report;
- (4) the Head of Regeneration and Housing be requested to ensure that Sefton Council's Statement of Community Involvement is updated as appropriate to take account of the issues identified in the Scrutiny report with respect to matters of community engagement in relation to shale gas (and oil) development;
- (5) the Head of Regeneration and Housing be requested to ensure an Environmental Statement accompanies development that requires it when assessed against the EIA Regulations;
- (6) the Head of Regeneration and Housing be requested to ensure that Environmental Monitoring Plans are agreed at each stage of the shale gas (and oil) development cycle;
- (7) the Head of Regeneration and Housing be requested to ensure that in respect of the Habitat Regulations, any applicant should be advised to engage in early pre-application discussion to ensure that the baseline information provided enables Sefton Council to complete the assessment of likely significant effects of proposed projects; and
- (8) the Head of Regeneration and Housing in consultation with the Chief Finance Officer be requested to complete a regulatory capacity assessment of low, medium and high development scenarios in order to inform resource planning and budget allocation and inform liaison and negotiation with applicants include planning performance agreements of other such similar mechanisms.

Reasons for Decision:

The Working Group has made a number of recommendations that require approval by the Cabinet.

Alternative Options Considered and Rejected:

None.

75. PROCUREMENT PROPOSALS FOR WINTER SERVICE BUREAU AND FORECASTING SERVICES

The Cabinet considered the report of the Head of Locality Services - Commissioned which provided details of the proposed procurement process for Winter Service Bureau and Forecasting Services in association with Liverpool City Region Authorities.

Decision Made: That:

- (1) the procurement of the contract for Winter Service Bureau and Forecasting services be approved by the use of the tender process referred to in paragraph 2.1 of the report;
- (2) the tenders be evaluated using the criteria referred to in paragraph 2.2 of the report; and
- (3) the Head of Service – Locality Services Commissioned be authorised to award the contract to the highest scoring tenderer.

Reasons for Decision:

The recommendation is made in accordance with the Liverpool City Region Authorities constitutions

Alternative Options Considered and Rejected:

The contract could be tendered as a 'Sefton only' contract which would negate the need to follow OJEU requirements. However, this would increase costs considerably and the Council would no longer have the resilience of sharing information with the rest of the Liverpool City Region Authorities.

76. PROVISION OF LIQUID FUELS

The Cabinet considered the report of the Head of Commissioning Support and Business Intelligence which provided details of the proposed procurement of liquid fuels for the period from 1 January 2016 to 30 September 2017.

Decision Made:

That approval be given to the continuation of the procurement of liquid fuels through the Crown Commercial Services (CCS) Liquid Fuels Supply Framework for the period 1 January 2016 to 30 September 2017.

Reasons for Decision:

Sefton Council needs to procure substantial quantities of liquid fuels in order to operate its daily business and the level of expenditure (approximately £0.76m- £1.12m per annum) required Cabinet approval. It was considered

that the Council would be best assured of value for money in terms of price and security of supply by continued procurement through the CCS Framework.

Alternative Options Considered and Rejected:

The Council could decide not to continue procuring Liquid Fuels through the CCS Liquid Fuels Framework and instead undertake its own procurement process. This process would need to be an EU compliant procurement process and would take approximately 6 months to complete. The main risk and the reason this option had not been recommended is it was considered that the separate procurement of lower volumes of fuel (i.e. Sefton procuring fuel alone) was likely to result in a higher price, potentially greater fluctuation in price and potentially less reliable supply. If the Council was to undertake its own procurement process, it was still recommended that procurement continues through the CCS Framework whilst that procurement is undertaken, for the reasons stated above.

77. REVENUE BUDGET 2015/16 UPDATE

The Cabinet considered the report of the Head of Corporate Support which provided details of the Comprehensive Spending Review 2015 announced on 25 November 2015, and the subsequent financial settlement for 2016/17 and its impact on the two-year financial plan; the progress in the achievement of the approved savings for 2015/16 (and any residual savings carried forward from previous years); other financial risks elsewhere in the budget; the current forecast on Council Tax and Business Rates collection; the proposed purchase of two Ultra Low Emission vehicles for inclusion in the Capital Programme; new car parking charges at specific locations and the progression of a Traffic Regulation Order to set the charges on the specified car parks; and the proposed acceptance of grant funding from the Department of Energy and Climate Change for vulnerable occupiers (across the Liverpool City Region) of properties that do not currently have gas central heating.

Decision Made: That:

- (1) the details of the Comprehensive Spending Review, announced on 25 November 2015, and the impact of the subsequent financial settlement for 2016/17 on the two-year financial plan be noted;
- (2) the progress to date on the achievement of approved savings for 2015/16 and residual savings carried forward from previous years be noted;
- (3) the wider financial pressures being experienced in the remainder of the Budget be noted;
- (4) the forecast position on the collection of Council Tax and Business Rates be noted;

- (5) approval be given to the provision of two Ultra Low Emission pool vehicles, as outlined in paragraph 7 of the report, and the inclusion of £10,712 in the Capital Programme;
- (6) approval be given to the recommendations of the Cabinet Member – Regulatory, Compliance and Corporate Services for the introduction of car parking charges at Crosby Lakeside Adventure Centre and Blucher Street, Waterloo; Burbo Bank, Blundellsands and Sumner Road, Formby as set out in paragraph 8 of the report; and the progression of a Traffic Regulation Order to set the charges on the above car parks; and
- (7) approval be given to the acceptance of the offer of grant funding from the Department of Energy and Climate Change for vulnerable occupiers (across the Liverpool City Region) for properties that do not currently have gas central heating; and to the inclusion of the scheme in the Capital Programme and the Council's role of Accountable Body for the scheme.

Reasons for Decision:

To ensure Cabinet are informed of the latest position on the achievement of savings for the current financial year and to identify wider budget pressures being experienced elsewhere in the budget. To provide an update on the forecast outturn position on the collection of Council Tax and Business Rates. To enable the leasing of two low emission vehicles to be used as pool cars and to approve new car park charges at specific locations as set out in the report. To approve the inclusion of a gas central heating project for vulnerable residents of the Liverpool City Region in the Capital Programme and the Council's role of Accountable Body for the scheme.

Alternative Options Considered and Rejected:

None.

78. SEFTON LOCAL PLAN - FURTHER POST-SUBMISSION CHANGES

The Cabinet considered the report of the Chief Executive which provided details of the urgent decision taken by the Leader of the Council on 13 November 2015 to approve a list of post submission changes to the Local Plan for consideration by the Planning Inspector at the Local Plan examination.

Decision Made:

That the report be noted.

Reasons for Decision:

CABINET- THURSDAY 3RD DECEMBER, 2015

To note the decision taken by the Leader of the Council

Alternative Options Considered and Rejected:

None.