

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 8 JUNE 2017. MINUTE NOS 11 AND 12 ARE NOT SUBJECT TO "CALL – IN."

CABINET

MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE ON THURSDAY 25TH MAY, 2017

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

ALSO PRESENT: Councillor Shaw (Minute No 1 to 10 only)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Fairclough.

2. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

3. MINUTES OF PREVIOUS MEETING

Decision Made:

That the minutes of the Cabinet meeting held on 6 April 2017 be confirmed as a correct record.

4. PUBLIC HEALTH ANNUAL REPORT

The Cabinet considered the report of the Director of Public Health which incorporated his independent annual report on the health and wellbeing of the population of Sefton highlighting key issues. The annual report had been developed through collaborative working with a range of Council and external partners and it considered the root causes of health inequalities across Sefton, what actions are already being undertaken locally to address these issues, as well as recommendations for future actions on nine key areas, which are:

- The best start in life
- Healthy schools and pupils
- Helping people find good jobs and stay in work
- Active and safe travel
- Warmer and safer homes
- Access to green and open spaces and the role of leisure services
- Strong communities, wellbeing and resilience

- Public protection and regulatory services
- Health and spatial planning

Decision Made:

That the annual Public Health report be received and the Council recommended to approve the publication of the report.

Reasons for Decision:

The report is a statutory independent report of the Director of Public Health and identifies key issues affecting health in the Sefton population.

Alternative Options Considered and Rejected:

None

5. SEFTON'S INTEGRATION STRATEGY "MAKING IT HAPPEN" AND A NEW SECTION 75 AGREEMENT

The Cabinet considered the report of the Director of Social Care and Health which provided details of the Health and Wellbeing Board's strategy for integration "Making it Happen" and the proposals for the Council to enter into a new arrangement under Section 75 of the National Health Act 2006 with the Clinical Commissioning Groups of Southport and Formby and South Sefton covering the population of Sefton.

Councillors Cummins and John Joseph Kelly sought clarification on a number of items listed in Appendix B of the Strategy document (Pooled Budget – Sefton Council) and the Director of Social Care and Health indicated that he would send a response to each of them following the meeting.

Decision Made: That

- (1) the strategy for integration "Making it Happen" be approved;
- (2) the work to date on the new Section 75 Agreement be noted; and
- (3) the Director of Social Care and Health, Head of Regulation and Compliance and Head of Corporate Resources in consultation with the Cabinet Member – Adult Social Care and Cabinet Member - Health and Wellbeing, be granted delegated powers to complete and enter into a new Section 75 Agreement with Southport and Formby Clinical Commissioning Group and South Sefton Clinical Commissioning Group.

Reasons for Decision:

Sefton's Health and Wellbeing Board has the following statutory responsibilities:

- Duty to encourage integrated working.
- Duty to prepare and publish the Joint Strategic Needs Assessment.
- Duty to prepare and publish the Joint Health and Wellbeing Strategy.

Every year since 2014, Sefton has submitted a Better Care Fund Plan. This plan required each Health and Wellbeing Board to work towards a number of "National Conditions". Two "National Conditions" have been that

- The Health and Wellbeing Board agrees "The (BCF) Plan", and
- A Section 75 Agreement is in place.

In addition, The Care Act 2014 requires that funds allocated to local areas for the Better Care Fund must be put into pooled budgets established under Section 75 Partnership Agreements.

Alternative Options Considered and Rejected:

None.

6. REGIONALISATION OF ADOPTION IN MERSEYSIDE

The Cabinet considered the report of the Director of Social Care and Health which provided details of the supporting information behind the national drive to create Regional Adoption Agencies across England and the proposed model for the Merseyside Regional Adoption Agency across Knowsley, Wirral, Sefton and Liverpool.

Members of the Cabinet sought clarification that the proposals set out in the report were identical to those highlighted to them at a previous informal meeting. The Head of Children's Social Care advised that the appropriate Council staff would be seconded the Merseyside Regional Adoption Agency under the shadow arrangements and be based at Halewood but they would be expected to come back and work within the Sefton area and hold events within Sefton.

Decision Made: That

- (1) subject to the Director of Social Care and Health submitting a further report to the Cabinet meeting on 7 September 2017, clarifying the level of service provision within the Sefton, approval be given the proposed model for the Knowsley, Wirral, Sefton and Liverpool Regional Adoption Agency (RAA), including the recommendation that local authority staff are seconded into the RAA;

- (2) the intention for the new model to move into shadow arrangements during the third quarter of 2017 and go live in January 2018 be noted; and
- (3) approval be given to the proposal to use the name AIM (Adoption in Merseyside) as the brand for the RAA going forward.

Reasons for Decision:

In June 2015, the Department for Education (DfE) published a White Paper that proposed local authorities should create Regional Agencies by 2020 (Regionalising Adoption- June 2015). The White Paper set out an expectation that local authorities should form firm proposals, in partnership with their voluntary partners, to align adoption services into a Regional Adoption Agency (RAA). The Government commitment to this approach was developed further in the Education and Adoption Act 2016 which give the government the power to direct a local authority to enter into a RAA if it has not done so by the end of 2017

Clarification was sought on the level of service provision to be provided under the shadow arrangements for the RRA.

Alternative Options Considered and Rejected:

None.

7. SOUTH SEFTON COLLEGE - PROPOSED MERGER WITH HUGH BAIRD COLLEGE

Further to Minute No. 89 of the meeting held on 16 February 2017, the Cabinet considered the report of the Head of Schools and Families which provided details of the outcome of the consultation on the proposed merger of South Sefton College and Hugh Baird College and proposals to publish a Statutory Notice relating to this proposal.

Members of the Cabinet commended the proposals set out in the report which had been produced as a result of the inclusion of South Sefton College in the Liverpool City Region Area Review.

Decision Made: That

- (1) the responses to the statutory consultation process be noted;
- (2) approval be given to the merger between Hugh Baird College and South Sefton College as the option which is in the best interests of students and staff;
- (3) the estimated financial implications associated with the two options presented within the report be noted:

- (4) approval be given to the funding of the potential merger as set out in the report, including the use of the Closed Schools Earmarked Reserve (£1.481m) and the Transforming Sefton Reserve (£0.645m);
- (5) officers be authorised to progress the merger negotiations with Hugh Baird and South Sefton College; and
- (6) approval be given to the publication of the Statutory Notice on the discontinuance of South Sefton College in order to enable the merger with Hugh Baird College to take place.

Reasons for Decision:

The Local Authority has the statutory power to close a maintained school following the statutory process detailed in the report.

Alternative Options Considered and Rejected:

None.

8. LAND AT FORMBY

The Cabinet considered the report of the Executive Director which provided details of proposals to transfer land at Formby to the National Trust

Decision Made: That

- (1) the outcome of the consultation on the proposed disposal of the land at Ravenmeols and Lifeboat Road, Formby be noted;
- (2) subject to resolution (3) below, that the Head of Corporate Support together with the Head of Regulation and Compliance be authorised to negotiate the terms of disposal and the Head of Regulation and Compliance be authorised to execute the necessary legal documentation to transfer the land to the National Trust, in consultation with the Cabinet Member - Regulatory, Compliance and Corporate Services.
- (3) it be noted note that an independent valuation of the land is expected shortly and the outcome will be reported to the Cabinet Member – Regulatory, Compliance and Corporate Services who has authority to refer the matter back to Cabinet for further consideration should the valuation materially affect the transfer.

Reasons for Decision:

The land at Formby was identified as one of number of coastal 'Destination Gateways' whose purpose is to strengthen the visitor

economy by providing access to local communities and visitors, high quality amenities and preservation of the ecology of the natural environment in favourable condition. The Council had negotiated an opportunity with National Trust that would see a very significant financial investment in visitor infrastructure at Formby by National Trust that would create a direct benefit to the visitor economy and to make a tangible contribution to of the outcomes of Vision 2030.

The Cabinet Member for Locality Services has declared the land at Formby as surplus to operational requirements and the asset is included in the Asset Disposal Programme.

Alternative Options Considered and Rejected:

The alternative options include:

- Land remains in Council ownership – it is unlikely that that the Council would ever be able to match the scale of investment proposed by National Trust and in addition would also struggle to maintain and augment the current facilities at Formby Lifeboat Road and Ravenmeolls, whereas National Trust would develop sympathetically and appropriately.
- Council leases the land to National Trust – National Trust would not make this scale of investment unless the land was in the ownership of the Trust.
- Council and National Trust enter into a joint Special Purpose Vehicle – National Trust would not accept this proposal as experience of partnerships elsewhere has led to a number of compromises that have denuded the brand value of the Trust and created operational challenges.
- Disposal on the open market for best consideration – the land is graded as low grade agricultural land in the green belt. It was considered that no other party had the financial resource to make the same scale of investment, nor owned land adjacent to the land owned by the Council, to create a whole site of scale, that warranted investment in visitor amenities and could be promoted nationally. In addition no other organisation could declare the land inalienable, to the extent that in the Trust's ownership, it could not be sold and would be protected in perpetuity for generations to come. In addition, the core purpose of the Trust - access, conservation and community engagement aligns very strongly with the core purpose of the Council and Vision 2030 –By transferring the land from the Council there will be considerably greater opportunities for the future improvement and management of Formby Point by the National Trust.

9. APPOINTMENTS TO OUTSIDE BODIES 2017/18

The Cabinet considered the report of the Head of Regulation and Compliance which sought the appointment of Council representatives to serve on Outside Bodies set out in the report for 2017/18, or for periods longer than one year. Details of the proposed representation on Outside Bodies were set out in the report.

Decision Made: That:

- (1) the following Members be appointed to serve on the undermentioned Outside Bodies for 2017/18:

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
British Destinations	1	Cabinet Member - Regeneration and Skills (Cllr Atkinson) or nominee
Committee in Common – Healthy Living Programme	1	Cabinet Member – Health and Wellbeing (Cllr Moncur)
Formby Pool Trust - Board	2	Cllr Page and Head of Locality Services – Provision (Andrew Walker)
Joint Health Scrutiny Committee (where 3 or less local authorities request the scrutiny of a substantial variation to a service)	3	Chair (Cllr Page) and Vice Chair (Cllr Dams) of the O & S Committee (Adult Social Care and Health) and one Lib Dem Member (Cllr Dawson) (Lab 2 / Lib Dem1 / Con 0 / Ind 0)
Joint Health Scrutiny Committee (where 4 or more local authorities request the scrutiny of a substantial variation to a service)	2	Chair (Cllr Page) and Vice Chair (Cllr Dams) of the O & S Committee (Adult Social Care and Health)

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Liverpool City Region Child Poverty and Life Chances Commission	1	Cabinet Member – Children, Schools and Safeguarding (Cllr John Joseph Kelly)	
Liverpool City Region Employment and Skills Board	1	Cabinet Member - Regeneration and Skills (Cllr Atkinson)	
Liverpool City Region Housing and Spatial Planning Board	1	Cabinet Member – Communities and Housing (Cllr Hardy) (Substitute: Cabinet Member – Planning and Building Control – Cllr Veidman)	
Liverpool City Region Local Enterprise Partnership Board	1	Leader of the Council (Cllr Maher)	
Liverpool John Lennon Airport Consultative Committee	1	Cllr Roche (Substitute: Cllr Dams)	
Local Government Association General Assembly	1	Leader of the Council Cllr Maher (5 votes)	
Local Solutions	1	Cllr Roche	
Mersey Forest Steering Group	1	Cllr Roche	
Mersey Port Health Committee	6	<u>Member</u> Cllr Burns	<u>Substitute</u> Cllr Linda Cluskey
		Cllr John Kelly	Cllr Brenda O'Brien

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		Cllr Page	Cllr Anne Thompson
		Cllr Roche	Cllr Tweed
		Cllr Weavers	Cllr Jo Barton
		Cllr Bill Welsh	Cllr Lynne Thompson
		(Lab 4 / Lib Dem 2 / Con 0/ Ind 0)	
Merseyside Community Safety Partnership	2	Cabinet Member - Communities and Housing (Cllr Hardy) and the Head of Communities (Andrea Watts)	
Merseyside Pension Fund Pensions Committee	1	Cabinet Member – Regulatory, Compliance and Corporate Services (Cllr Lappin) or nominee	
Merseyside Playing Fields Association	1	Cllr Cummins (Substitute: Cllr Moncur)	
North West Older Peoples Network	1	Cabinet Member – Adult Social Care (Councillor Cummins)	
North Western Local Authorities' Employers' Organisation	1	Cabinet Member – Regulatory, Compliance and Corporate Services (Cllr Lappin) (Substitute: Cllr Moncur)	
PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee	1	Cabinet Member – Locality Services (Councillor Fairclough) (Substitute: Councillor Veidman)	

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Sefton Coast Partnership Board	3	Cabinet Member – Locality Services (Cllr Fairclough) and Councillors Booth and Dutton
Sefton Council for Voluntary Service	3	Cllrs Grace, Pullin and Moncur
Sefton Cycling Forum	2	Cllrs John Joseph Kelly and Weavers
Sefton Education Business Partnership	3	Cabinet Member - Children, Schools and Safeguarding (Cllr John Joseph Kelly) and Cllrs Keith and Moncur
Sefton New Directions Limited Board	3	Cllrs Brennan and John Joseph Kelly and Chief Executive (Margaret Carney)
Sefton Sports Council	3	Cabinet Member – Health and Wellbeing (Cllr Moncur), and Cllrs Cummins and Weavers
Southport Pier Trust	3	Cllrs Ball, Byrom and Hands
Standing Advisory Committee for Religious Education (SACRE)	3	Cllrs Grace, Keith and Pitt
The John Goore Charity, Lydiate	1	Cllr Sayers
Trans Pennine Trail Members Steering Group	2	Cabinet Member – Locality Services (Cllr Fairclough) and Cabinet Member - Planning and Building Control (Cllr Veidman) or their nominees

OFFICER APPOINTMENTS

One Vision Housing Shareholders Meetings	1	Chief Executive (Margaret Carney)
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Southport Business Improvement District Board 1 Chief Executive (Margaret Carney)

(2) in relation to those appointments for a longer period than one year, the following persons be appointed to serve on the Outside Bodies indicated:

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>	<u>TERM OF OFFICE EXPIRES</u>
Canal and River Trust – North West Waterway Partnership	1	Councillor Lappin	15.3.2019 (3 year appointment)
Merseyside Strategic Flood and Coastal Risk Management Partnership	1	Councillor McKinley (Deputy representative – Councillor Atkinson)	31.5.2021 (4 year appointment)
North West Reserve Forces and Cadets Association	1	Councillor Byrom	31.5.2020 (3 year appointment)
North Western Inshore Fisheries and Conservation Authority	2	Cllr Owens or nominee and Principal Officer - Coast and Countryside Services (Rachel Northover)	31.5.2020 (4 year appointment)
South Sefton Development Trust (Regenerus)	1	Councillor Fairclough	30.5.2018 (3 year appointment)

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CHARITIES:

Ashton Memorial Fund, Formby	1	Councillor Page	31.5.2019 (4 year appointment)
Consolidated Charities of Thomas Brown and Marsh Dole	2	Councillor Webster Councillor Pitt	26.6.2018 26.6.2020 (4 year appointment)
Halsall Educational Foundation	1	Cllr Grace	31.5.2018 (2 year appointment)

NHS
FOUNDATION
TRUST
GOVERNING
BODIES

Aintree University Hospital NHS Foundation Trust Council of Governors	1	Councillor Cummins	31.5.2018 (3 year appointment)
Liverpool Women's NHS Foundation Trust - Council of Governors	1	Councillor Linda Cluskey	30.9.2020 (3 year appointment)
Mersey Care NHS Foundation – Council of Governors	1	Councillor Webster	1.5.2019 (3 year appointment)
North West Boroughs Healthcare NHS Foundation	1	Councillor John Joseph Kelly	30.9.2020 (3 year appointment)

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Trust – Council
of Governors

Southport and Ormskirk Hospital NHS Trust – Shadow Council of Governors	1	Councillor John Joseph Kelly	30.9.2020 (3 year appointment)
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SCHOOL GOVERNING BODIES

Clarence High School, Formby	1	Councillor Thomas	31.5.2019 (3 year appointment)
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Peterhouse School, Southport	1	Cllr Hands	31.7.2019 (3 year appointment)
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Reasons for Decision:

The Cabinet has delegated powers set out in Paragraph 41 of Chapter 5 in the Council Constitution to appoint the Council's representatives on Outside Bodies.

Alternative Options Considered and Rejected:

None.

10. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012, the press and public be excluded from the meeting for the following items on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.

11. EXEMPT MINUTES OF PREVIOUS MEETING

Decision Made:

That the restricted minutes of the Cabinet meeting held on 6 April 2017 be confirmed as a correct record.

12. COMMERCIAL ACQUISITION - UPDATE

Further to Minute No. 119 of the meeting held on 6 April 2017, the Cabinet considered the report of the Executive Director which provided an update on the negotiations undertaken with regard to the acquisition of the Strand Shopping Centre, Bootle and the final terms of the transaction, which had resulted in the Council becoming the sole owner of the Shopping Centre.

Decision Made:

That the recommendations set out in the report be approved.

Reasons for Decision:

The reasons for the decision are detailed in the report.

Alternative Options Considered and Rejected:

The details are set out in the report.