

CABINET

**MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL,
SOUTHPORT
ON THURSDAY 7TH SEPTEMBER, 2017**

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

48. APOLOGIES FOR ABSENCE

An apology for absence was received from the Leader of the Council, Councillor Maher.

49. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

50. MINUTES OF PREVIOUS MEETING

Decision Made:

That the minutes of the Cabinet meeting held on 27 July 2017 be confirmed as a correct record.

51. REVENUE AND CAPITAL BUDGET UPDATE 2017/18

The Cabinet considered the report of the Head of Corporate Resources in relation to the Revenue and Capital Budget 2017/18 and more specifically informed Cabinet of; the current forecast revenue outturn position for the Council for 2017/18 as at the end of July. This forecast will be informed by the latest analysis of expenditure and income due to the Council, in addition to the progress in delivering approved savings; the current forecast on Council Tax and Business Rates collection for 2017/18; the current position of the Capital Programme and to request a section 106 scheme is added; and the fact that under the Better Care Fund planning process, the Council has the ability to invest some of the Disabled Facilities Grant funding on wider social care capital projects.

Decision Made: That the Cabinet:

- (1) note the forecast deficit outturn position of £0.686m as at the end of July 2017;
- (2) note the progress to date on the achievement of approved Public Sector Reform savings for 2017/18;

- (3) note the forecast position on the collection of Council Tax and Business Rates for 2017/18;
- (4) note the current progress in the delivery of the 2017/18 Capital Programme;
- (5) approve the additional capital allocation, outlined in section 5.9, to the 2017/18 Capital Programme;
- (6) approve the use of up to £1.4m of the existing DFG adaptations programme for wider use within Better Care Fund plans; and
- (7) extend its appreciation to all Officers involved in delivering the Revenue and Capital Budget ensuring that saving proposals are on target and delivered.

Reasons for the Decision:

To ensure Cabinet are informed of the forecast outturn position for the 2017/18 revenue and capital budgets as at the end of July 2017 and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates. To seek approval for additional schemes financed from section 106 monies, to be included within the Capital Programme.

Alternative Options Considered and Rejected:

None.

52. TENDER FOR THE PROCUREMENT OF A SUPPORTED LIVING SERVICE FOR CLIENTS WITH LEARNING DISABILITIES AND AUTISM

The Cabinet considered the report of the Director Social Care and Health that sought approval to commence a procurement exercise for the provision of a Supported Living Care provider service.

Decision Made: That Cabinet approve the:

- (1) commencement of a procurement exercise to select a Supported Living Care provider to provide services for five adults with a learning disability; and
- (2) delegation of decisions to award a contract, following the procurement exercise, to the Director of Health & Social Care, in consultation with the Cabinet Member- Adult Social Care.

Reason for the Decision:

A cohort of younger clients with learning disabilities and/or autism, have been assessed by Adult Social Care under the Care Act 2014, as requiring a Supported Living service.

There is currently no suitable alternative provision available for these five individuals in existing services. There is a need to achieve compatibility reflecting the age range of the young adults, and complexity of needs, and current availability does not offer this due to the difference in age ranges in provision. In addition, there is a need to ensure that the complexity of behaviours displayed by the group, are met.

Council members agreed a new model for supported living on 4th February 2016, which included exploring larger models of accommodation. This option would enable a service to be developed which meets this model of service delivery and provides the resources required in the Borough to meet ongoing needs via an established housing provider with affordable rent levels.

Alternative Options Considered and Rejected:

- Placing service users in vacancies within existing services - this has been deemed unsuitable by Adult Social care due to the age range of the five individuals and complexity of their needs.
- To maintain the current arrangements – whilst the funding responsibility transferred to Adult Social when the young person reached 18yrs old, they are currently still in Children’s Services placements and could stay there until more suitable vacancies in current Adult Social Care provision becomes available. This option is not felt to be suitable by Adult Social Care as these existing services reflect outcomes for Children’s provision, whereas the opportunity to establish a new provision within the model agreed for adults will provide a more sustainable outcome for the young people and offers a more cost effective option. Opportunity will be taken to utilise assistive technology and implement an outcome based approach to support which will enhance life skills and develop independence and resilience.

Adult Social Care has undertaken this analysis on both options but have rejected them as being unsuitable.

53. USE OF THE SOCIAL CARE GRANT / IMPROVED BETTER CARE FUND

The Cabinet considered the report of the Director of Social Care and Health in relation to the additional Social Care Funding /Improved Better Care Fund (iBCF) that had been made available to Sefton under the Better Care Fund programme and sought approval of the recommendations for its utilisation.

Decision Made: That Cabinet:

- (1) note the objectives and conditions for the usage of the iBCF grant;
- (2) approve the proposals for the utilisation of the grant as set out in Paragraph 6.5 of this report;
- (3) with respect to the usage of the grant for care sector fees, approve the following:
 - a. Allocation of £2.1m from the Adult Social Care Grant to provide additional funding for fee increases.
 - b. The proposed Domiciliary Care fee for 2017/18.
 - c. Reaffirm the delegated authority to make any decisions regarding the setting of the remaining fees and of all ASC fees in future years to the Cabinet Member – Adult Social Care, in conjunction with the Head of Adult Social Care and the Head of Corporate Resources, with the proviso that such decisions are made within the resources available in the MTFP (including any additional allocation made by Cabinet as a result of this report) pending the outcome of consultation with Providers.
 - d. Authorise officers to conduct further work on potential mitigations which could reduce the overall budgetary impact of fee increases and to report back to Cabinet on any proposed changes;
- 4) note that further work will need to be done to make timely plans for when the grant ends for elements where funding requirements remain; and
- 5) authorise officers to commence a procurement exercise to seek a suitable partner to deliver the Quality Assurance Service and delegate the decision to award the contract, following the procurement exercise, to the Cabinet Member - Adult Social Care.

Reason for the Decision:

To ensure that the usage of the grant complies with the grant conditions and objectives, and to enable the Council to set fees payable for Adult Social Care services in accordance with the requirements of legislation and statutory guidance.

Alternative Options Considered and Rejected:

None

54. PROCUREMENT OF TRANSPORT TECHNICAL SUPPORT SERVICES

The Cabinet considered the report of the Head of Locality Services Commissioned in relation to approval to invite tenders through the appropriate procurement route for the provision of transport technical support services to assist in the preparation of business cases, funding bids and the development of transport investment projects.

Decision Made:

That the Cabinet:

- (1) approves the tender process to procure the provision of transport technical support services, to be published on The Chest using an OJEU Open Tender process, as outlined in the report;
- (2) authorises the contract period of 3 years from 1st November 2017 to 31st October 2020; and
- (3) grants delegated authority to the Head of Locality Services (Commissioned) to award the Contract resulting from the procurement, subject to consultation with Cabinet Member Locality Services.

Reasons for the Decision:

The Council has an ongoing programme of strategic transport investment. Development of these proposals, including the preparation of business cases and funding bids, requires a range of technical capabilities and a requirement to respond at short notice to bidding opportunities. The Council does not have the capability or capacity to undertake all the elements of work involved in developing and delivering this programme. It is proposed to procure a contract where the specialist services the Council needs to be able to develop and deliver the programme of strategic investment can be provided at short notice.

Alternative Options Considered and Rejected:

The provision of all the specialist skills and capabilities through an in-house team would require substantial additional recruitment which is not practicable within current budget constraints and controls on recruitment.

Individual schemes could continue to be procured individually and independently through separate procurement processes. This would require officer time and resources for each procurement. In some situations, the timescales imposed for submitting proposals and funding bids mean that a stand-alone procurement process is either not feasible or would substantially detract from the time available for completing the submission. This approach would also mean that there is much less potential to develop strong working relationships with an individual service provider and for them to develop local knowledge.

55. ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENTS

The Cabinet considered the report of the Head of Regeneration and Housing in relation to the consultation process that had taken place between March and May 2017 on a number of draft Supplementary Planning Documents (SPDs) and Information Notes.

Decision Made: That Cabinet approve the following recommendations:

- (1) that the following Supplementary Planning Documents and Information Notes be adopted by the Council:
 - (a) Land east of Maghull SPD (including the SEA Report).
 - (b) Crosby Centre SPD
 - (c) Nature Conservation SPD
 - (d) Open Space SPD
 - (e) Control of hot food takeaways and betting shops SPD
 - (f) Developer contributions towards education provision Information Note
 - (g) Mineral Safeguarding Information Note; and
2. that from the date of this decision, the two SPD and SPG that will no longer apply be revoked, due to further policy development, as detailed in paragraph 1.4 to the report.

Reason for the Decision:

It is necessary for the Council to adopt the Supplementary Planning Documents (SPDs) and Information Notes in order to provide clear and consistent guidance for developers and others about how the requirements of policies in the Sefton Local Plan will be interpreted and implemented. Similarly, as it is no longer necessary to refer to the Archaeology SPG and the Green Space, Trees and Development SPD, these need to be revoked so that people do not refer to out of date guidance.

Alternative Options Considered and Rejected:

The alternative would be not to adopt the SPDs and Information Notes. However, this is contrary to the requirements of the Sefton Local Plan, and would result in similar information being provided in relation to all relevant planning applications. In addition, if there were no adopted SPDs or Information Notes, the guidance would not be able to be given the same weight in the decision-making process as with the SPDs in place. This would also result in the inefficient use of resources.

Conversely, if the Archaeology SPG and the Green Space, Trees and Development SPD are not revoked, people will refer to out of date guidance, which could involve them and Council Officers in wasted time and expense.

56. COMMUNITY INFRASTRUCTURE LEVY - PUBLICATION OF DRAFT CHARGING SCHEDULE

RESOLVED:

That consideration of the report in relation to the Community Infrastructure Levy – Publication of Draft Charging Schedule be deferred.

57. HOUSING SELECTIVE AND ADDITIONAL (HMO) LICENSING SCHEME PROPOSALS

The Cabinet considered the report of the Head of Regeneration and Housing in relation to the findings of the formal public consultation on the proposal to introduce selective and additional housing licensing schemes, as previously approved by Cabinet in December 2016, Minute No. 63 refers.

The report sought approval to implement both a Selective licensing scheme and two Additional HMO housing licensing schemes in designated areas of the borough, together with associated matters.

Decision Made: That the Cabinet:

- (1) approve the introduction of a selective licensing scheme in the defined area of Bootle and two additional HMO licensing schemes in the defined areas of central Southport and areas of Waterloo/Seaforth;
- (2) approve the proposed fee structure along with the recommended fee reductions and exemptions;
- (3) approve a commencement date for the schemes of 1st March 2018;
- (4) approve the proposed licence conditions, as set out in Background Papers 8 & 10;
- (5) authorise the preparation and publication of a Public Notice of designation under sections 80 and 83 of the Housing Act 2004. This Notice shall allow for the designation of the chosen areas for the introduction of a Selective Licensing and two Additional (HMO) licensing schemes; and
- (6) authorise the Head of Regeneration and Housing, in consultation with the Cabinet Member for Communities and Housing to:
 - (i) procure, in accordance with the Council's Contract Procedure Rules, an IT software package for the processing of housing licensing schemes.

- (ii) agree any minor/technical changes to the schemes (non-fundamental changes).
- (iii) authorise the procurement of a partner agency to manage any properties where the Council successfully obtains an Interim Management Order.

Reasons for the Decision:

To improve the private rented sector and to ensure safe homes for our residents and landlords as set out in our housing strategy.

Cabinet authority is required for the introduction of a selective housing licensing scheme across the designated area, and two additional (HMO) licensing schemes within the Borough.

Alternative Options Considered and Rejected:

Alternative options were considered and rejected as detailed in Cabinet report of 1 December 2016.

58. ADOPTION OF THE SEFTON COAST PLAN

The Cabinet considered the report of the Executive Director in relation to approval to adopt the Sefton Coast Plan.

Decision Made:

That Cabinet be requested to refer and recommend that the Council adopt the Sefton Coast Plan.

Reasons for the Decision:

The development of the Sefton Coast Plan is a requirement of the Local Plan and will also make a direct contribution to the outcomes of Sefton Vision 2030.

Alternative Options Considered and Rejected:

It would be possible to proceed with some of the actions identified within the Plan, such as the Nature Conservation Strategy and Visitor Management Strategy, without adopting the plan. However this approach would significantly undermine the Partnership working required to deliver these strategies as it signals a lack of commitment from the Council.

59. 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 and 5 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.

60. EXEMPT MINUTES OF PREVIOUS MEETING

Decision Made:

That the restricted minutes of the Cabinet meeting held on 27 July 2017 be confirmed as a correct record.

61. COMMERCIAL ACQUISITION

The Cabinet considered the report of the Head of Commissioning Support and Business Intelligence in relation to a Commercial Acquisition.

Decision Made:

That the Cabinet considered the report in relation to a Commercial Acquisition.

Reason for the Decision:

To determine the merits of a potential commercial acquisition within the Borough.

Alternative Options Considered and Rejected:

A detailed options appraisal was undertaken.