

CABINET

**MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE
ON THURSDAY 5TH DECEMBER, 2019**

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

75. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Fairclough.

76. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

77. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the minutes of the Meeting held on 7 November 2019 be approved as a correct record.

78. PROGRAMME OF MEETINGS – 2020/21 MUNICIPAL YEAR

The Cabinet considered the report of the Chief Legal and Democratic Officer in relation to the proposed Programme of Meetings for the 2020/21 Municipal Year.

Decision Made:

That the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Sefton Safer Communities Partnership and the Health and Wellbeing Board for 2020/21 as set out in Annexes A and D of the report be approved.

Reasons for the Decision:

To enable the business of the Council and its various Committees/bodies to be conducted during the 2020/21 Municipal Year.

Alternative Options Considered and Rejected:

None. The Council is required to produce a programme of meetings.

79. HIRED PASSENGER TRANSPORT FRAMEWORK AGREEMENT 2020/21

The Cabinet considered the report of the Head of Communities seeking authority to grant the two one-year extensions (2020 & 2021) to the existing Framework Agreement for Hired Passenger Transport service, which had previously been tendered in accordance with OJEU regulations and the Council's procurement regulations as described in the Cabinet report of 6th April 2017, Minute No 111 refers.

Decision Made:

That the Cabinet delegate authority to the Head of Communities to extend the existing 2018/20 Framework Agreement for two further one-year extensions.

Reasons for the Decision:

The current framework agreement is made up of 15 hired passenger transport companies, in 4 lots, divided up into vehicle seating capacity. The core period will expire on 31st December 2019.

Alternative Options Considered and Rejected:

None. Based upon the level of requests from commissioning departments there is currently an ongoing need for the Council to provide transport to some service users. As such, this procurement exercise and the subsequent establishment of a Framework Agreement provides the Council with the opportunity to procure services at the most economically advantageous rates, whilst also meeting the stringent Health and Safety and Safeguarding issues associated with transporting vulnerable adults and children.

80. EXTENSION OF HOUSING RELATED SUPPORT CONTRACTS

The Cabinet considered the report of the Head of Economic Growth and Housing that sought approval from Cabinet to utilise the option to extend the commissioned Housing Related Support (homelessness) Services contracts by two years.

The Cabinet Member for Communities paid tribute to the excellent partnership working in relation to the Housing related Support (homelessness) Services contracts and referred to the reduction in homelessness throughout the Borough in recent months which reflected the excellent work being undertaken.

Decision Made: That the Cabinet:

- (1) delegated authority to the Head of Economic Growth and Housing to extend the commissioned Housing Related Support (homelessness) Services contracts by two years.
- (2) approved the contract price variation for 2-years, following the core period ending, to be funded from the Flexible Homelessness Support Grant

Reasons for the Decision:

Sefton's current commissioned Housing Related Support Services commenced on 1st July 2015 for a period of 5 years, with the option to extend for two x one year periods.

Alternative Options Considered and Rejected:

The Council could decide not to extend, which would mean that the contracts would end on 30th June 2020.

81. SENIOR MANAGEMENT ARRANGEMENTS

The Cabinet considered the Joint report of the Chief Executive and the Chief Personnel Officer in relation to a proposal to facilitate a new Senior Management Structure at a key strategic level given the recent recruitment of the Chief Executive and the continuing need for the Authority to meet existing and future challenges. The report highlighted that changes were deemed necessary to facilitate the increased demands facing the council, increasing challenges in key services, most notably Children's Services and Adult Social Care, creating stronger reporting lines, with an appropriate number of direct reports, and to allow the Chief Executive to adopt an appropriate concentration on strategic issues.

Decision Made: That the Cabinet approved:

- (1) that the post of Director of Social Care and Health which was formerly held by the Chief Executive prior to his recruitment be deleted;
- (2) that the posts of Executive Director of Adult Social Care and Health and Executive Director of Children's Social Care and Education be formed at salary level at HAY 1 (such salary level subject to the Pay Policy), which both have recommended level of remuneration over £100,000 (the salary over £100,000 to be approved by Full Council in accordance with the constitution). Recruitment of these posts will be a matter of open recruitment by the Employment Procedure Committee;

- (3) the amendment of two permanent Executive Director posts, one to form the post of Executive Director Place and the other Executive Director People. Such salary levels will remain unchanged at HAY 1. Amendment of these posts is subject to consultation with the individuals involved in accordance with normal Council HR processes. These are not new posts but reflect a refocus of responsibilities. Cross and without portfolio working will still be required as necessary.
- (4) the formation of a new post of Executive Director of Corporate Resources and Customer Services at HAY 1 and the deletion of the post of Head of Corporate Resources (such remuneration level over £100,000 and subject to approval by Full Council in accordance with the constitution). This post will be subject to an assimilation.
- (5) the current temporary arrangement of the Executive Director (Without Portfolio) will continue on a temporary basis to February 2021 as the Council has secured additional funding from the Combined Authority to support additional projects which require capacity. The post will be re-titled Executive Director (Without Portfolio).
- (6) the alignment of services and posts below Executive Director level to be in accordance with Annex 1, to the report. The Chief Executive, in consultation with the Leader, be authorised to make any necessary changes in alignment of services and posts below Executive Director level, however, it is not anticipated that immediate changes in established posts below will be necessary to existing Head of Service posts.

Reasons for the Decision:

To provide for a Strategic Management Structure which will enable the delivery of the Core Purpose and Council objectives at both an operational and strategic level.

Alternative Options Considered and Rejected:

As would be expected the demands and challenges faced by local government and Sefton MBC continue to increase and evolve, therefore it is essential that the senior management structure reflects this. These proposals coincide with the recruitment of the new Chief Executive.

82. ANTI-FRAUD, CORRUPTION AND BRIBERY POLICY

The Cabinet considered the report of the Head of Corporate Resources in relation to the revised Sefton Council Anti-Fraud, Bribery and Corruption Policy for adoption by the Council.

The report highlighted that the existing Policy had been reviewed and revised in order to strengthen and improve the Council's overall arrangements for the prevention, detection and investigation of fraud, bribery and corruption. The revised Policy provides guidance on how any individual can report, in confidence, any suspected fraudulent or corrupt activity.

Decision Made: That the Cabinet:

- (1) noted the contents of the report; and
- (2) approved the revised Sefton Council Anti-Fraud, Bribery and Corruption Policy for adoption by the Council.

Reasons for the Decision:

Sefton Council is required by law to protect the public funds it administers and to raise awareness in relation to any potential threats that may affect the financial and/or reputational position of the Council. The revised Sefton Council Anti-Fraud, Bribery and Corruption Policy will support the Council's commitment to creating an environment in which fraud, bribery and corruption is minimised and complements a number of other Council policies which support internal controls and expected standards of behaviour.

Alternative Options Considered and Rejected:

If the Council fails to put in place proper policies regarding fraud, bribery and corruption, it will be unable to demonstrate adherence to proper practices in relation to the prevention and detection of fraud and its actions or decisions could be challenged.

The Council also faces financial and reputational risk in that: -

- standards of public service that the Council is attempting to achieve are undermined.
- financial resources available to pay for vital services are reduced.
- public confidence in the Council is affected.

83. REVENUE AND CAPITAL BUDGET UPDATE - TREASURY MANAGEMENT POSITION TO OCTOBER 2019

The Cabinet considered the report of the Head of Corporate Resources that detailed a review of the Treasury Management activities undertaken to 31st October 2019. It was highlighted that the report was the second report of the ongoing quarterly monitoring provided to Audit & Governance Committee and the mid-year report to Cabinet and Council, whose role it is to carry out scrutiny of treasury management policies and practices.

Decision Made:

That the Cabinet noted the Treasury Management update to 31st October 2019, reviewed the effects of decisions taken in pursuit of the Treasury Management Strategy and considered the implications of changes resulting from regulatory, economic and market factors affecting the Council's treasury management activities.

Reasons for the Decision:

To ensure that Members are fully appraised of the treasury activity undertaken to 31st October 2019 and to meet the reporting requirements set out in Sefton's Treasury Management Practices and those recommended by the CIPFA code.

Alternative Options Considered and Rejected:

None.

84. REVENUE AND CAPITAL BUDGET UPDATE 2019/20

The Cabinet considered the report of the Head of Corporate Resources in relation to:

1. the current forecast revenue outturn position for the Council for 2019/20;
2. the current forecast on Council Tax and Business Rates collection for 2019/20; and,
3. the monitoring position of the Council's capital programme to the end of October 2019, the forecast expenditure to year end, variations against the approved budgets and an explanation of those variations for consideration by Members. Updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects are also presented for approval.

Decision Made: That the Cabinet:

- (1) note and approve the following in relation to the Revenue Budget;
 - (a) note the current forecast revenue outturn position for 2019/20 and the current position relating to delivery of savings included in the 2019/20 revenue budget;
 - (b) note the mitigating measures being used to ensure a balanced forecast outturn position, as detailed in paragraph 2.2 to the report, excluding a forecast for deficit on Housing Benefits which will be considered at the end of the financial year should it materialise;

- (c) approve the implementation of the mitigating actions identified in paragraph 2.10 to ensure a balanced forecast outturn position;
 - (d) note the outcome of the review of earmarked reserves and the transfers to new reserves to fund the schemes outlined in section 6.5 to the report
- (2) note, review and approve the following in relation to the Capital Programme;
- (a) review updates to spending profiles across financial years as detailed in paragraph 5.1.1 to the report;
 - (b) review the new scheme added to the Capital Programme under delegated authority for 2019/20 as detailed in paragraph 5.1.3 to the report;
 - (c) the latest capital expenditure position as at 31 October 2019 to date of £8.702m (paragraph 5.2.2) with the latest full year forecast being £25.214m (paragraph 5.3.1);
 - (d) the explanations of variances to project budgets as detailed in paragraph 5.3.2 to the report; and
 - (e) note that capital resources will be managed by the Head of Corporate Resources to ensure the capital programme remains fully funded and that capital funding arrangements secure the maximum financial benefit to the Council, as detailed in paragraph 5.5 to the report.

Reasons for the Decision:

To ensure Cabinet are informed of the forecast outturn position for the 2019/2020 Revenue Budget as at the end of October 2019, including delivery of agreed savings, and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

To keep members informed of the progress of the Capital Programme against the profiled budget for 2019/20 and agreed allocations for future years.

To progress any changes that are required in order to maintain a relevant and accurate budget profile necessary for effective monitoring of the Capital Programme.

To approve any updates to funding resources so that they can be applied to capital schemes in the delivery of the Council's overall capital strategy.

In March 2017 Council approved a three-year budget plan to March 2020. The final year of this plan was revised in February 2019 as part of the process of setting the 2019/20 budget. The Council is in the final year of the budget plan and remains confident its strategic approach to budget planning alongside good financial management and extensive community engagement means that the plan continues to develop on solid foundations; it remains flexible and will secure the future sustainability to 2020 and beyond. However, in year demand for social care services is currently resulting in the costs for these services significantly exceeding the budget. If further budget pressures are identified between now and the end of the year additional remedial action will be required to bring the overall budget into balance.

Alternative Options Considered and Rejected:

None.