

CABINET

**MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL,
SOUTHPORT
ON THURSDAY 5TH JANUARY, 2023**

PRESENT: Councillor Ian Maher (in the Chair)
Councillors Atkinson, Doyle, Fairclough, Hardy,
Lappin and Roscoe

ALSO PRESENT: Councillor Sir Ron Watson

97. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cummins, Moncur and Veidman.

98. DECLARATIONS OF INTEREST

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

99. MINUTES OF PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 1 December 2022 be confirmed as a correct record.

**100. BEDFORD PRIMARY SCHOOL AND MEOLS COP HIGH
SCHOOL - APPROVAL OF LEGAL DOCUMENTATION FOR
ACADEMY CONVERSIONS**

The Cabinet considered the report of the Assistant Director of Children's Services (Education) which provided details of the decision by the Governing Bodies of Bedford Primary School and Meols Cop High School to convert to the Southport Learning Trust in accordance with statutory requirements and sought authorisation for officers to sign the documentation required to by the academy conversion process. The Education and Skills Funding Agency has indicated that the date of conversion has still to be confirmed but the earliest this will be is 1 April 2023.

Decision Made: That

- 1) the statutory requirements regarding the (academy conversion be noted;

- 2) the financial implications to the Council of the academy conversion be noted;
- 3) the Executive Director of Corporate Resources and Customer Services and the Executive Director of Children's Services in consultation with the Cabinet Member (Children's Social Care) be authorised to complete the necessary agreements required as part of the academy conversion process as outlined in the report; and
- 4) 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 and Safeguarding) 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 both conversions are voluntary conversions and the schools have only confirmed the proposed conversion date in the last few weeks.

Reason for the Recommendations:

The Cabinet needs to authorise appropriate officers to enter into the agreements required as part of the academy conversion process.

Alternative Options Considered and Rejected:

None. The Secretary of State has the powers to direct that the academy conversion process can continue if the agreements are not signed.

101. SUPPORT AND MAINTENANCE FOR EDUCATION CASE MANAGEMENT SYSTEM

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which provided details of the support and maintenance contract for the existing Case Management System used to support Education functions within the Children's Services Directorate. The report also provided details the associated procurement route available to the authority to renew the support and maintenance as the contract novated from Arvarto had expired.

Decision Made: That

- (1) approval be given to the use of the KCS (Kent Commercial Services) Framework Y20023 to award a contract for the support and maintenance of the Capita One System used to support Education functions within the Children's Services Directorate; and
- (2) the Executive Director of Corporate Resources and Customers Services, in consultation with the Cabinet Member for Regulatory,

Compliance and Corporate Services be granted delegated authority to award the Contract under this framework, for an initial three years, with an option to extend for a further two years and to award any such extensions.

Reasons for the Decision:

To ensure that this critical system is still supported and maintained by the software supplier and that the Council continues to receive statutory changes and upgrades.

Alternative Options Considered and Rejected:

The option to explore an alternative product to support the Education functions was rejected. The current solution used by teams across the Council is a market leader in this space, and although it is recognised there are alternatives in the market the cost of change at this time in terms of resource and capital investment required would be prohibitive and would not represent best value to the authority and could potentially dilute the progress of the ongoing improvement plan across this Directorate.

102. COUNCIL TAX REDUCTION SCHEME, COUNCIL TAX BASE 2023/24

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which provided details of the review of the local Council Tax Reduction Scheme for the current year, 2022/23, and recommended that there was no change to the scheme for 2023/24 for working age claimants.

The report also proposed an increase in the Long-term Empty Homes Premium from 200% to 300% on dwellings that have been empty for 10 years or more from 1 April 2023 and provided an updated Council Tax Base for Sefton Council and each Parish area for 2023/24.

Decision Made: That

- (1) the content of the review of the Council Tax Reduction Scheme for the current financial year, 2022/23 be noted;
- (2) the Council be recommended to make no changes to the existing Scheme for 2023/24 for working age claimants;
- (3) the Equality Impact Assessment in respect of the Council Tax Reduction Scheme at Annex C of the report be noted;
- (4) the Council be recommended to approve an increase in the Long-term Empty Homes Premium on dwellings that have been left empty for 10 years or more, from 200% to 300%, from 1 April 2023; and

- (5) the Council be recommended to approve the relevant Council Tax Base for Sefton Council and each Parish Area for 2023/24 as set out in Annex A of the report.

Reasons for the Decision:

Council Tax Reduction Scheme

Each financial year, the Council must consider whether to revise or replace its local Council Tax Reduction Scheme. The Council must approve and adopt the 2023/24 Council Tax Reduction Scheme by 11 March 2023, as set out in the Council Tax Reduction Scheme (Amendment) (England) Regulations 2017.

The report provides an update on key aspects of the local Council Tax Reduction Scheme. An Equalities Impact Assessment has also been produced that details how the Council meets both its equalities duties and the Council's principles set out for the scheme. After consideration of the factors outlined in the report, and in the Equalities Impact Assessment, it was proposed that the local Council Tax Reduction Scheme for 2023/24 remains unchanged for working age claimants.

Increasing Premium on dwellings left empty for 10 years or more

Increasing the long-term empty homes premium on dwellings left empty for 10 years or more is intended to encourage owners of these homes to bring them back into use. Any additional income raised from the premium will help support the provision of Council services.

Council Tax Base

In accordance with Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as amended, the Council is required to set a tax base for both Sefton Council and for each Parish Area for 2023/24 before 31st January 2023.

Alternative Options Considered and Rejected:

Council Tax Reduction Scheme

The Council Tax Reduction Scheme was last revised in 2018/19 following a public consultation process. The Scheme continues to be monitored and reviewed on an annual basis to ensure that it remains fit for purpose by addressing the Council's priorities to meet its equalities duties, minimise the impact on vulnerable residents whilst striking a balance with Council financial priorities. For these reasons, no alternative options have been considered for 2023/24.

Increasing Premium on dwellings left empty for 10 years or more

The Council could choose not to increase the long-term empty homes premium; however, this would not provide any additional incentive for owners of long-term empty homes to bring them back into use or any additional income to help meet budget pressures in 2023/24.

Council Tax Base

None.

103. RECRUITMENT AND RETENTION INITIATIVES FOR COUNCIL STAFF

Further to Minute No. 4 of the meeting of the Pay and Grading Committee held on 28 November 2022, the Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which sought approval of three elements in respect of payments to employees of the Council. Two of these elements are applicable to all Council employees and relate to staff travel, whilst one is applicable only to staff employed within Children's Social Care and relates to retention payments.

Decision Made: That

- (1) approval be given to the removal of the 50% reduction in the Out of Borough car mileage rate;
- (2) approval be given to the introduction of Essential Car Mileage which attracts a lump sum payment and to it only being applied to posts that meet the criteria as set out in the report.
- (3) approval be given to the increase in the annual retention payment for social workers within the Children's Social Care Locality Teams from £2,000 to £5,000 in accordance with the criteria detailed within the report; and
- (4) for any services impacted by the changes contained within the report, the costs must be fully funded and vired from existing budgets in accordance with the Council's Financial Procedure Rules before any offer or change is proposed to employees.

Reasons for the Decision:

The measures will support the recruitment and retention of staff within the Council and also reflect the additional cost of running a vehicle for use on council business at this time.

Alternative Options Considered and Rejected:

No alternative options have been considered

104. FINANCIAL MANAGEMENT 2022/23 TO 2024/25 AND FRAMEWORK FOR CHANGE 2020 - REVENUE AND CAPITAL BUDGET UPDATE 2022/23 – JANUARY UPDATE

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services which provided details of:

1. The current position relating to the 2022/23 revenue budget;
2. The current forecast on Council Tax and Business Rates collection for 2022/23; and
3. The monitoring position of the Council's capital programme to the end of November 2022:
 - 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:

Revenue Budget

- (1) the current position relating to the 2022/23 revenue budget be noted;
- (2) the actions being taken to offset the budget pressures being faced in 2022/23 be noted;
- (3) the financial risks associated with the delivery of the 2022/23 revenue budget be recognised and it be acknowledged that the forecast outturn position will continue to be reviewed, and remedial actions put in place, to ensure a balanced forecast outturn position and financial sustainability can be achieved;
- (4) the current position relating to the High Needs budget be noted and that officers are currently reviewing all options available to the Council to mitigate the additional pressure and to make the overall High Needs budget financially sustainable;

Additional Adult Social Care Grant Funding

- (5) the Council be recommended to give approval to a supplementary revenue estimate of £1.2m to be fully funded by the Better Care Fund Discharge Grant;
- (6) it be noted that of the three grants received for Improving Technology in Care Settings totalling £2.171m, Sefton has been initially allocated £0.222m (Digitisation of Social Care Records £0.147m and SITT (Supporting Independence Through Technology) £0.075m);

- (7) the Council be recommended to approve that Sefton Council passports grants for Improving Technology in Care Settings to partner agencies in line with agreed allocations;
- (8) the Council be recommended to approve a supplementary revenue estimate of £2.171m to be fully funded by the grants outlined within the report;

Capital Programme

- (9) the spending profiles across financial years for the approved capital programme (paragraph 8.1) be noted;
- (10) the latest capital expenditure position as at 30 November 2022 of £22.639m (paragraph 8.16); and the latest full year forecast of £47.141m (paragraph 8.17) be noted;
- (11) approval be given to a supplementary capital estimate of £0.779m for additional devolved formula grant funding for schools to improve energy efficiency in 2022-23 (paragraph 8.5);
- (12) the Council be recommended to approve a supplementary capital estimate of £0.540m for the Ainsdale Coastal Gateway funded by £0.490m of capital receipts and £0.050m of external grant funding (paragraph 8.12);
- (13) approval be given to a supplementary capital estimate of £0.861m for the Sustainable Warmth Programme funded by grant from the Liverpool City Region Combined Authority (paragraph 8.15); and
- (14) it be noted that capital resources will be managed by the Executive Director Corporate Resources and Customer Services to ensure the capital programme remains fully funded and that capital funding arrangements secure the maximum financial benefit to the Council (paragraphs 8.20-8.22).

Reasons for the Decision:

To ensure Cabinet are informed of the current position in relation to the 2022/23 revenue budget.

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 2022/23 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.

Alternative Options Considered and Rejected:

None.

105. UK SHARED PROSPERITY FUND

The Cabinet considered the report of the Executive Director (People) which provided details of the Government's approval of the Investment Plan for the UK Shared Prosperity Fund (SPF) allocations to the Liverpool City Region; outlined the allocations of funding to Sefton Council for local authority led elements of that Investment Plan; and sought approval for the acceptance of the grant funding identified herein, and the delegation of the finalisation of delivery plans to the appropriate Cabinet Members and Executive Officers.

Decision Made: That

- (1) the Chief Executive and the Executive Director of Corporate Resources and Customer Services, in consultation with the Cabinet Member for Communities and Housing, Cabinet Member for Health and Wellbeing, Cabinet Member for Regeneration and Skills, and the Cabinet Member for Regulatory, Compliance and Corporate Services be granted delegated authority to approve the Grant Funding Agreements for the allocations herein totalling £1,195,770
- (2) it be noted that any variations to these allocations will be approved in accordance with the Financial Procedure Rules; and
- (3) the Executive Director (People) and Executive Director (Place), according to the funding strands identified, in consultation with the Cabinet Member for Communities and Housing, Cabinet Member for Health and Wellbeing and the Cabinet Member for Regeneration and Skills be granted delegated authority to approve and submit the associated delivery plans to meet the UK Shared Prosperity Fund submission requirements. All schemes will be approved in accordance with the Financial Procedure Rules.
- (4) the Council be recommended to approve a supplementary revenue estimate of £1,195,770 which will be fully funded by the UK Shared Prosperity Fund as outlined in the report.

Reasons for the Decision:

Sefton Council has worked with other local authorities in the Liverpool City Region (LCR), as well as the Combined Authority and a range of external stakeholders, to develop and submit the Investment Plan for use of the UK Shared Prosperity Fund allocation to the LCR. While some aspects of the delivery plan are to be delivered at a regional level, there will also be elements of the plan to be delivered by each individual local authority, and this report and its recommendations relate to these funding allocations to Sefton Council, and the delivery plans to be developed and submitted by the Council.

Alternative Options Considered and Rejected:

The alternative of not accepting the UK Shared Prosperity Fund was not considered.

106. NOT IN EDUCATION, EMPLOYMENT OR TRAINING (NEET) REDUCTION AND EARLY INTERVENTION SERVICE RE-CONTRACTING

The Cabinet considered the report of the Assistant Director of Place (Economic Growth and Housing) which sought approval to undertake an open procurement exercise to secure suitable provision to discharge the Council's duties for the tracking and participation of young people, together with a range of other measures designed to reduce the number of young people who are Not in Education, Employment or Training (NEET) and Not Knowns (NK) in the borough.

Decision Made: That

- (1) approval be given to a procurement exercise being undertaken, subject to a satisfactory and compliant tender process, to enable a contract to be entered into for three years plus one duration with effect from June 2023 with a qualified and suitable provider to deliver a range of services for young people to secure their participation in education, training or employment; and
- (2) the Assistant Director of Place (Economic Growth and Housing) in consultation with the Cabinet Member for Regeneration and Skills be granted delegated authority to award the contract to the winning applicant following completion of a satisfactory and compliant tender process and any extension.

Reasons for the Decision:

The current arrangements for the delivery of the NEET Reduction and Early Intervention Service in Sefton are due to come to an end in June 2023. There is a need therefore to procure a new contract to ensure there is continuity of provision and there is sufficient time to conduct an open and transparent process, ensuring that the new arrangements are

commenced seamlessly so as not to disadvantage any young people receiving support in the handover period.

The Council has accepted that investment in this service aims to create resilience and independence for young people to enable them to enter the adult world of work and maximise their potential. Access to such provision reduces the likelihood of young people becoming permanently disengaged, reduces the impact of social and economic exclusion and minimises the risk of requiring more intensive public sector assistance later in life.

Alternative Options Considered and Rejected:

Option 1

The service could be ceased with effect from June 2023. This would mean that the Council would need to rapidly identify other means for ensuring its statutory duty in relation to the tracking of NEET young people aged 16 and 17 and for ensuring the Participation Duty up to the age of 19 are met. Given the complexity of these requirements and the fact there are no staff resources within the Council with the necessary skills and expertise to undertake this work and the Council has no track record of designing and implementing suitable destination tracking systems, this option is likely to deliver lower quality outcomes and yield less favourable value for money for Sefton. In terms of quality, there would be a severely deleterious impact upon service delivery for young people. For these reasons this option has been rejected.

Option 2

A Service could be run in conjunction with three of the neighbouring Councils within the Liverpool City Region as part of a joint outsourcing arrangement. Four of the local authorities (LAs) within the Liverpool City Region (LCR) work together to procure suitable contractors to undertake some similar work to that carried out in Sefton. However, since Sefton has pursued a standalone option over many years, it is not synchronised with this joint contracting cycle. If Sefton were to join this model, it would still need to source alternative provision for an interim period and enter an agreement with the other LAs in line with their timescales, risking further costs and disruption to services. Furthermore, Sefton has developed a localised methodology for reducing NEETs since 2019 that is not in use across the LCR, so there would be impacts on degrees of control, quality and discretion currently held if joint agreements to cover this wider area were entered into, to the potential detriment of Sefton residents. For these reasons, this option has been rejected.

107. EXCLUSION OF PRESS AND PUBLIC

To comply with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, notice had been published regarding the intention to consider the following matters in private for the reason set out below.

Decision Made:

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.

108. BOOTLE STRAND SHOPPING CENTRE BUSINESS PLAN 2022/23 TO 2024/25 - EXEMPT APPENDICES

The Cabinet considered exempt information provided by the Executive Director (Place) in relation to the Bootle Strand Shopping Centre Business Case. (Minute No. 110 below refers).

Decision Made:

That the exempt information be considered as part of the report in relation to the Bootle Strand Shopping Centre Business Plan. (Minute No. 110 below refers).

Reasons for the Decision:

The exempt information is required to be considered with the information in the public domain in order that an informed decision may be made.

Alternative Options Considered and Rejected:

None.

109. PUBLIC SESSION

Decision Made:

That the press and public be re-admitted to the meeting.

110. BOOTLE STRAND SHOPPING CENTRE - BUSINESS PLAN 2022/23 TO 2024/25

Further to Minute No. 108 above, the Cabinet considered the report of the Executive Director (Place) which provided details of the three-year Business Plan for the fiscal years 2022/23 to 2024/25 for the Strand

Shopping Centre, Bootle. Given the current economic climate, the Business Plan included an overview of impacts on the retail sector and the challenging environment in which the centre is operating. However, the acquisition of the Strand was for regeneration purposes, and these external factors (which have a greater impact in an area such as Bootle, for reasons outlined within the report) reinforce the importance of delivering the vision for the future of Bootle town centre and the Strand.

The report therefore included a recommendation to agree to the early surrender of the lease on a unit that has been vacant for several years, to enable progression of this vision in a manner that delivers best value to both the Council and the town centre. Nevertheless, some uncertainty remains to the Business Plan at the time of writing, not only given the pressures of inflation and the cost-of-living crisis, but also the absence of feedback on the Council's bid submission for Levelling Up funding, which will be vital to progression of the next steps.

Decision Made: That

- (1) approval be given to the three-year Business Plan for the Strand Shopping Centre, noting the uncertainties of the current economic climate and the availability of Levelling Up funds;
- (2) any material variations to the financial forecast be presented back to Cabinet for further decision;
- (3) approval be given to the early surrender of the current lease of units 28-34, 259-273 The Esplanade and 283-289 Stanley Road, for a surrender premium with delegation of the final surrender agreement and associated premium being granted to the Cabinet Members for Regeneration and Skills and Regulatory, Compliance and Corporate Services and subject to them receiving the opinion of the Council's External Auditor on the appropriateness and Value for Money of the transaction to support their decision; and
- (4) an updated Business Plan for the three years from the financial year 2024-25 be brought to the Cabinet for approval in advance of the start of that financial year.

Reasons for the Decision:

The Council's objectives for the acquisition of The Strand in 2017 were to ensure that it was supported to continue its role in the local community, as a key asset at the heart of Bootle critical to the town's physical, economic and social regeneration. This remains the Council's priority in relation to the centre.

Despite continued uncertainties given the current economic climate and its impacts on the retail sector and on Bootle, as well as given the absence of feedback on the Council's Levelling Up funding bid submission, this report and Business Plan provide updated forecasts for the coming years,

recognising the impact that the absence of progression of the repurposing vision will have on that Business Plan. However, operational decision-making must be made within the context of an approved Business Plan.

The proposed accounting treatment of the receipt for the lease surrender, detailed in Appendix 3 to the report, has been agreed with the Council's External Auditor. The Executive Director (Place) will lead an annual review with the External Auditor of the Value for Money case for the lease surrender, as part of the annual audit.

Alternative Options Considered and Rejected:

No alternatives to the publication of an updated three-year Business Plan were considered.