

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 18 JANUARY 2024. MINUTES NOD. 105 (2), 107 (2), (3), (4), (5) AND (6) ARE NOT SUBJECT TO "CALL-IN".

CABINET

MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL, SOUTHPORT ON THURSDAY 4TH JANUARY, 2024

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

ALSO PRESENT: Councillor Sir Ron Watson CBE

99. APOLOGIES FOR ABSENCE

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

100. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declaration of personal interest was made and the Member concerned remained in the room during the consideration of the item, took part in the consideration of the item and voted thereon:

Member	Minute No.	Nature of Interest
Councillor Ian Maher	Minute No. 103 - Procurement Strategy for Maritime Corridor Scheme - Phase 1	He is a Trustee of Netherton Park Community Centre.

101. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 7 December 2023 be confirmed as a correct record.

102. PROCUREMENT STRATEGY FOR SOUTHPORT EASTERN ACCESS - PHASE 1

The Cabinet considered the report of the Assistant Director of Place (Highways and Public Protection) seeking approval to appoint Balfour

Beatty under the Scape Framework to provide Early Contract Involvement in the development of the works information for the first Phase of the Southport Eastern Access scheme with a view to a further appointment to deliver the works. The Southport Eastern Access scheme sought to deliver highway improvement measures at a series of junctions and links on the eastern approaches to Southport to improve access and safety for all road users to the town centre from the east. The Scape Framework allowed a contractor to be appointed during the scheme design and development; to provide a Feasibility report at no cost, followed by an Early Contractor involvement stage during which a Target Cost was established and other pre-construction activities undertaken, leading to a Contract to deliver the works.

The following appendix was attached to the report:

- Appendix A - General Arrangement Plans.

Decisions Made:

That

- (1) the appointment of Balfour Beatty under the Scape Framework to offer Feasibility Input into the development of the first Phase of the Southport Eastern Access Scheme, at no cost to the Council, be approved;
- (2) the Assistant Director of Place – (Highways and Public Protection), following consultation with the Cabinet Member – Locality Services, be authorised to award the Contract for Early Contractor Involvement (ECI) in the construction of Southport Eastern Access Phase 1 works, to Balfour Beatty, subject to the Feasibility Input, as set out in (1) above, and receipt of a Grant Funding Agreement from the Liverpool City Region Combined Authority;
- (3) the Chief Legal and Democratic Officer, following consultation with Cabinet Member – Locality Services, be authorised to sign the grant funding agreement for the necessary Development Funding to enable the ECI stage of the project to be undertaken;
- (4) the Assistant Director of Place (Highways and Public Protection), following consultation with the Cabinet Member – Locality Services, be authorised to award the Contract for the construction of Southport Eastern Access Phase 1 works to Balfour Beatty, subject to the Feasibility Input and ECI, as set out in (1), (2) and (3) above, and receipt of a Grant Funding Agreement;
- (5) the Chief Legal and Democratic Officer, following consultation with Cabinet Member – Locality Services, be authorised to sign the grant funding agreement for the necessary works funding to enable the construction stage of the project to be undertaken; and

- (6) a supplementary capital estimate of £450,000 for Development Funding secured from the Liverpool City Region Combined Authority into the Transport Capital Programme for 2023-24, be approved, pending receipt of a Grant Funding agreement.

Reasons for the Decisions:

The Liverpool City Region Combined Authority (LCRCA) had received a City Region Sustainable Transport Settlement allocation from the Department for Transport to deliver highway improvement and maintenance projects throughout the City Region by March 2027. Within the recently completed re-baselining exercise an allocation of funding for £16.8m had been identified to fund Southport Eastern Access projects. It was recognised that careful planning and co-ordination of all the elements of work would be critical to ensure the works were delivered within the window and that disruption was minimised as far as possible. Early Contractor Involvement, as offered by the Scape Framework, had the advantage of ensuring that the works were well programmed, buildability of the scheme was considered at an early stage and that the period between completing the design (and agreeing a contract cost) and the works commencing would be reduced. This should ensure that greater cost certainty was achieved, construction risks were reduced and the works were more likely to be delivered within the funding window.

The use of the Scape Framework had been welcomed by the LCRCA as they recognised the benefits, particularly in allowing greater certainty of delivering the scheme within the timeframe.

Alternative Options Considered and Rejected:

The works could be delivered using a tendering process. This would introduce some further competition into the procurement process. However, the project planning would not have the benefit of contractor input until following the award of the contract for the works, thus increasing the risk of delay and claims. There was also the risk that contractors might choose not to tender due to current workloads. The tender appraisal process would also shorten the time available for construction and therefore increase the risk of the funds not being expended by the deadline.

103. PROCUREMENT STRATEGY FOR MARITIME CORRIDOR SCHEME - PHASE 1

The Cabinet considered the report of the Assistant Director of Place (Highways and Public Protection) seeking approval to appoint Balfour Beatty under the Scape Framework to provide Early Contract Involvement in the development of the works information for the first Phase of the Maritime Corridor scheme, with a view to a further appointment to deliver the works. The Maritime Corridor scheme sought to deliver measures in the south of the Borough to improve access for all highway users to employment sites. The Scape Framework allowed a contractor to be

appointed during the scheme design and development; to provide a Feasibility report at no costs, followed by an Early Contractor Involvement stage during which a Target Cost was established and other pre-construction activities undertaken leading to a Contract to deliver the works.

The following appendix was attached to the report:

- Appendix A - General Arrangement Plans.

Decisions Made:

That

- (1) the appointment of Balfour Beatty under the Scape Framework to offer Feasibility input into the development of the first Phase of the Maritime Corridor Scheme, at no cost to the Council, be approved;
- (2) the Assistant Director of Place (Highways and Public Protection), following consultation with the Cabinet Member – Locality Services, be authorised to award the Contract for Early Contractor Involvement (ECI) in the construction of Maritime Corridor Phase 1 works to Balfour Beatty, subject to the Feasibility Input, as set out in (1) above, and receipt of a Grant Funding Agreement or similar confirmation of funding from the Liverpool City Region Combined Authority;
- (3) the Chief Legal and Democratic Officer, following consultation with the Cabinet Member – Locality Services, be authorised to sign the grant funding agreement for the necessary Development Funding to enable the ECI stage of the Maritime Corridor Phase 1 project to be undertaken;
- (4) the Assistant Director of Place (Highways and Public Protection), following consultation with the Cabinet Member – Locality Services, be authorised to award the Contract for the construction of Maritime Corridor Phase 1 works to Balfour Beatty, subject to the Feasibility Input and EIC, as set out in (1) and (2) above, and receipt of a Grant Funding Agreement;
- (5) the Chief Legal and Democratic Officer, following consultation with the Cabinet Member – Locality Services, be authorised to sign the grant funding agreement for the necessary Funding to enable the Construction stage of the Maritime Corridor Phase 1 project to be undertaken; and
- (6) a supplementary capital estimate of £500,000 for Development Funding secured from the Liverpool City Region Combined Authority into the Transport Capital Programme for 2023-24, be approved.

Reasons for the Decisions:

The Liverpool City Region Combined Authority (LCRCA) had received funding from the Levelling Up Fund (LUF) to deliver a number of linked transport projects throughout the City Region including elements of the Maritime Corridor Phase 1. This funding was conditional on all the funds being expended by March 2025. Early Contractor Involvement had the advantage of ensuring that the works were well programmed, buildability of the scheme was considered at an early stage and that the period between completing the design (and agreeing a contract cost) and the works commencing would be reduced. This should ensure that greater cost certainty was achieved, construction risks were reduced and the works were more likely to be delivered within the funding window.

The use of the Scape Framework had been welcomed by the LCRCA as they recognised the benefits, particularly in offering greater certainty of delivering the scheme in the timeframe.

Alternative Options Considered and Rejected:

The works could be delivered using a tendering process. This would introduce some further competition into the procurement process. However, the project planning would not have the benefit of contractor input until following the award of the contract for the works, thus increasing the risk of delay and claims. There was also the risk that contractors might choose not to tender due to current workloads. The tender appraisal process would also shorten the time available for construction and therefore increase the risk of the funds not being expended by the deadline. The SCAPE Framework was developed following a fully compliant OJEU Procurement process.

104. SOUTHPORT BUSINESS IMPROVEMENT DISTRICT

The Cabinet considered the report of the Executive Director – Place that considered the Southport Business Improvement District (BID) Business Plan for the period 2024 - 2029 and sought agreement for the next steps by the Council as part of the BID ballot process.

Decisions Made:

That

- (1) the proposals for the Southport Business Improvement District (BID) be approved;
- (2) the Executive Director - Place be authorised to submit a positive vote on behalf of the Council;
- (3) the Chief Executive, in consultation with the Leader of the Council and Section 151 Officer, be authorised to sign a future BID Baseline Agreement on behalf of the Council;

- (4) the Executive Director of Corporate Resources and Customer Services be authorised to complete the necessary formal agreements required for the collection of the BID Levy if a Yes vote is achieved; and
- (5) as the relevant ballot holder, Civica be authorised to hold the BID ballot.

Reasons for the Decision(s):

To allow the BID ballot to commence and then thereafter for the BID company to deliver a new 5-year term.

Alternative Options Considered and Rejected:

There were no other alternative options for BID delivery, or a similar model that would secure the level of private sector investment into Southport. If the Council were to refuse a new BID ballot the existing BID would cease at the end of October 2024, and this would result in a loss of £2.4m invested over the next 5 years.

105. PROGRAMME OF MEETINGS – 2024/25 MUNICIPAL YEAR

The Cabinet considered the report of the Chief Legal and Democratic Officer seeking approval of a Programme of Meetings for the 2024/25 Municipal Year.

The following Appendices were attached to the report:

- Annex A - Programme of Meetings for the Cabinet in 2024/25
- Annex B - Programme of Meetings for the Council, Members' Briefing Sessions and Regulatory Committees in 2024/25
- Annex C - Programme of Meetings for the Overview and Scrutiny Committees in 2024/25
- Annex D - Programme of Meetings for the Public Engagement and Consultation Panel, Sefton Safer Communities Partnership and the Health and Wellbeing Board in 2024/25
- Calendar of meetings 2024/25

Decisions Made:

That

- (1) the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, and Safer Sefton Together for 2024/25, as set out in Annexes A and D of the report, be approved; and

Council

- (2) the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; Overview and Scrutiny Committees and the Health and Wellbeing Board for 2024/25, as set out in Annexes B, C of the report be noted; and submitted to the Council for approval.

Reasons for the Decision(s):

To enable the business of the Council and its various Committees/bodies to be conducted during the 2024/25 Municipal Year.

Alternative Options Considered and Rejected:

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

106. ANNUAL HEALTH AND SAFETY REPORT

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services that provided assurance on the progress made to implement the Council's Health and Safety policy during 2022/23.

The following appendix was attached to the report:

- Annual Health and Safety report.

Decision Made:

That the progress on implementing the Council's Corporate Health and Safety Policy during 2022/23 be noted.

Reasons for the Decisions:

The annual report provided assurance to the Cabinet, which had strategic responsibility for employee health and safety, that there was continued progress to implement and enhance an effective health and safety system across the Council.

Alternative Options Considered and Rejected:

None.

107. COUNCIL TAX REDUCTION SCHEME AND COUNCIL TAX BASE FOR 2024/25 AND REVIEW OF COUNCIL TAX PREMIUMS FOR LONG-TERM EMPTY PROPERTIES

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services providing details of the review of the local Council Tax Reduction Scheme for the current year 2023/24, and proposing that there was a change made to the scheme with effect from 1

April 2024 for working-age households, in employment, in receipt of Universal Credit.

The report also proposed the introduction of new discretionary council tax premiums on 'dwellings left empty for 1 year or more' from 1 April 2024 and on 'dwellings occupied periodically' (second homes) from 1 April 2025.

A summary was provided of the feedback received on recent consultations undertaken on changes to the Council Tax Reduction Scheme and on the proposals to introduce new discretionary council tax premiums along with the associated equality impact assessments.

The report also provided an updated Council Tax Base for Sefton Council and each Parish area for 2024/25.

The following Annexes were attached to the report:

- Annex A: Council Tax Base Report 2024/25.
- Annex B: Proposed changes to the Council Tax Reduction Scheme for 2024/25, including consultation summary and equalities impact assessment.
- Annex C: Proposed introduction of new council tax premiums on 'dwellings left empty for 1 year or more' and on 'dwellings occupied periodically', including consultation summary and equalities impact assessment.

Decisions Made:

That

- (1) the content of the review of the Council Tax Reduction Scheme for the current year, 2023/24, be noted;

Council

- (2) the Council be recommended to note the content of the review of the Council Tax Reduction Scheme for the current year, 2023/24;
- (3) the Council be recommended to note the outcome of a public consultation exercise and approve a change to the Council Tax Reduction Scheme for working-age households, in employment and in receipt of Universal Credit with effect from 1 April 2024;
- (4) the Council be recommended to approve the introduction of a 100% council tax premium on dwellings left empty for 1 year or more from 1 April 2024;

- (5) the Council be recommended to approve the introduction of a 100% council tax premium on dwellings occupied periodically from 1 April 2025; and
- (6) the Council be recommended to approve the relevant Council Tax Base for Sefton Council and each Parish Area for 2024/25, as set out in Annex A of the report.

Reasons for the Decisions:

Council Tax Reduction Scheme

Each financial year, the Council had to consider whether to revise or replace its local Council Tax Reduction Scheme. The Council was required to approve and adopt the 2024/25 Council Tax Reduction Scheme by 11 March 2024, as set out in the Council Tax Reduction Scheme (Amendment) (England) Regulations 2017.

The report provided an update on key aspects of the local Council Tax Reduction Scheme for the current year, and also provided details of a public consultation exercise that had recently been undertaken to seek views on making a change to the scheme affecting working-age households, in employment, and also in receipt of Universal Credit. After consideration of the factors outlined later in the report, it was proposed that the local Council Tax Reduction Scheme for 2024/25 was changed for working-age households, in employment, in receipt of Universal Credit.

Council Tax Base

In accordance with Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as amended, the Council was required to set a tax base for both Sefton Council and for each Parish Area for 2024/25 before 31 January 2024.

Introducing a premium on dwellings left empty for 1 year or more

The Council already applied a 100% premium on properties left empty for 2 years or more. Extending this premium to dwellings left empty for 1 year or more would encourage owners of these homes to bring them back into use. Any additional income raised from the premium would help support the provision of Council services.

Introducing a premium on dwellings that are occupied periodically

Introducing a premium on dwellings that were occupied periodically (second homes) would encourage owners of these homes to make these available for sale or rent which would increase the amount of housing available to local residents. Any additional income raised from the premium would help support the provision of Council services.

Alternative Options Considered and Rejected:

Council Tax Reduction Scheme

The Council might decide to leave the Council Tax Reduction Scheme unchanged for 2024/25. Without a change to the scheme, households in employment moving from legacy state-benefits to Universal Credit were likely to face frequent changes to their entitlement, with the knock-on effect being frequently changing Council Tax bills and payment-plans, as well as an expected additional administrative burden for the Council.

Introducing a premium on dwellings left empty for 1 year or more

The Council could choose not to introduce the premium. However, this would not provide any additional incentive for owners of these long-term empty homes to bring them back into use. Alternatively, the Council could choose to introduce a lower premium percentage (25%, 50%, or 75%). However, this would provide a lower level of incentive and reduce the amount of additional council tax income available to support local services.

Introducing a premium on dwellings that are occupied periodically

The Council could choose not to introduce the premium. However, this would not provide any additional incentive for owners of these properties to make them available for occupation by local residents. Alternatively, the Council could choose to introduce a lower premium percentage (25%, 50%, or 75%). However, this would provide a lower level of incentive and reduce the amount of additional council tax income available to support local services.

108. FINANCIAL MANAGEMENT 2023/24 TO 2026/27 - REVENUE AND CAPITAL BUDGET UPDATE 2023/24 – JANUARY UPDATE

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services informing the Cabinet of:

- 1) The current position relating to the 2023/24 revenue budget.
- 2) The current forecast on Council Tax and Business Rates collection for 2023/24.
- 3) The monitoring position of the Council's capital programme to the end of November 2023:
 - 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.

The following appendix was attached to the report:

- Appendix A - Capital Programme 2023/24 to 2025/26.

Decision Made:

That

Revenue Budget

- (1) the current position relating to the 2023/24 revenue budget be noted;
- (2) the actions being taken to refine forecasts and identify mitigating efficiencies to ensure each service achieves a balanced position be noted;
- (3) the financial risks associated with the delivery of the 2023/24 revenue budget be recognised and the fact 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, be acknowledged;

Capital Programme

- (4) the spending profiles across financial years for the approved capital programme, as set out at paragraph 7.1 of the report, be noted;
- (5) the latest capital expenditure position as at 30 November 2023 of £21.514m, as set out at paragraph 7.5 of the report; and the latest full year forecast is £55.117m, as set out at paragraph 7.6 of the report be noted;
- (6) a supplementary capital estimate of £0.534m for the Childcare Expansion Capital Grant provided by the Department of Education, as set out at paragraph 7.4. of the report, be approved; and
- (7) it be noted that capital resources will be managed by the Executive Director of 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, as set out at paragraphs 7.9-7.11 of the report.

Reasons for the Decision:

To ensure the Cabinet was informed of the current position in relation to the 2023/24 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 2023/24 and agreed allocations for future years.

To progress any changes that were 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:

Not applicable.

109. 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 matter 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 item 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.

110. SEFTON NEW DIRECTIONS - EXEMPT APPENDIX

The Cabinet considered exempt information provided by the Executive Director of Adult Social Care and Health in relation to Sefton New Directions (Minute No. 112 below refers).

Decision Made:

That the exempt information be considered as part of the report in relation to Sefton New Directions (Minute No. 112 below refers).

Reasons for the Decision:

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

Alternative Options Considered and Rejected:

None.

111. RE-ADMITTANCE OF THE PUBLIC

Decision Made:

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

112. SEFTON NEW DIRECTIONS

The Cabinet considered the report of the Executive Director of Adult Social Care and Health on the initial outcome of the services review of Sefton New Directions which was a wholly owned Council company.

The following appendix was attached to the report:

- Appendix A - Executive summary of the review.

Decisions Made:

That

- (1) it be noted that the Sefton New Directions services review has been completed within a shorter time period than originally agreed and planned, in order to meet the Council budget setting time framework and as a result actions and proposals being recommended from the services review will need to be delivered during a future twelve-month change and that the review programme will commence in January 2024;
- (2) it be noted that in order for Sefton New Directions services to be affordable, viable, sustainable and provide quality services, a significant transformation programme of work will be required across both health and social care partners, with a stronger focus on the role of community partners within the review of services, which will be delivered in the design of 18 new service specifications;
- (3) that decisions on the transformation programme and any associated recommendations and decisions arising from the outcome of the programme be delegated to the Executive Director of Adult Social Care and Health, in consultation with the Cabinet Member – Adult Social Care; and
- (4) it be noted that further reports will be submitted to the Cabinet to provide updates on the transformation work and implemented decisions.

Reasons for the Decisions:

To report on the initial outcome of the review of Sefton New Directions and to outline the next steps relating to the required transformation work.

Alternative Options Considered and Rejected:

There were no alternative options to be considered, given that it was previously agreed that the findings of the review would be reported back to the Cabinet and that the outcomes of the review resulted in recommendations for consideration by the Cabinet.

113. LEADER OF THE COUNCIL - RESIGNATION

Councillor Ian Maher announced his intention to step down as the Leader of the Council and expressed his thanks to Cabinet Members and officers who had supported him throughout his tenure as Leader.