

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 30 DECEMBER 2010. MINUTE NOS. 162 AND 163 ARE NOT SUBJECT TO "CALL-IN"**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 16TH DECEMBER, 2010**

**PRESENT:** Councillor Robertson (in the Chair)  
Councillors Booth, Brodie - Browne, P. Dowd,  
Fairclough, Maher, Moncur, Parry, Porter and  
Tattersall

**ALSO PRESENT:** Councillors Barber and Dorgan

#### **159. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

#### **160. DECLARATIONS OF INTEREST**

The following declarations of interest were received:

<b>Member</b>	<b>Minute No.</b>	<b>Reason</b>	<b>Action</b>
Councillor Brodie-Browne	174 - and 176 - Sefton New Directions	Prejudicial - His employer may benefit from alternative commissioning arrangements	Left the room during the consideration of the item
Councillor Maher	162 - Transformation Programme and Further Options	Prejudicial - His wife is employed in the Council's Catering Service which is referred to in Options CM2 and CM13 in Appendix F of the report	Left the room during the consideration of the item
Councillor Moncur	164 - Schools Access Initiatives Additional Schemes	Personal - His children attend one of the schools referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Parry	174 and 176 - Sefton New Directions	Prejudicial - She is a Non-Executive Director of	Left the room during the consideration of the item

Councillor Robertson	166 - Playbuilder Capital Grant 2010/11	Sefton New Directions Personal - He is a member of Lydiate Parish Council and Maghull Town Council which will benefit from the schemes referred to in the report	Took part in the consideration of the item and voted thereon
Margaret Carney- Executive	Chief 174 and 176 - Sefton New Directions	Prejudicial - She is a Non- Executive Director of Sefton New Directions	Left the room during the consideration of the item

## **161. MINUTES**

### **RESOLVED:**

That the Minutes of the Cabinet Meeting held on 25 November 2010 be confirmed as a correct record, subject to the amendment of Minute No. 148 by the insertion of the following text:-

(7) Alternative mechanisms for the delivery of worker buyouts and social enterprises be explored as part of the transformation process.

## **162. TRANSFORMATION PROGRAMME AND FURTHER OPTIONS**

Further to Minute No. 148 of the meeting held on 25 November 2010, the Cabinet considered the report of the Chief Executive which provided an update on the Transformation Programme and set out recommendations on the relative priority of Council services in the light of the forecast savings required, following the Government's Comprehensive Spending Review. This prioritisation informed the identification of further budget options which will reduce the 2011/12 - 2013/14 budget gap.

The Chief Executive circulated a supplementary note which indicated that officers were currently analysing the impact of the Local Government Revenue Support Grant settlement received on 13 December 2010 and recommending that the dates of forthcoming Cabinet and Council meetings be reviewed to enable Members to have more time to consider the prioritisation of 'other services'.

Prior to the consideration of the savings options set out in Appendices D and E of the report, a vote was taken on the proposal that the consideration of the options be deferred until the Council meeting to be held later that day and the proposal was lost by 6 votes to 4.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the progress to date on the Transformation Programme be noted;
- (2) the assessment of critical, frontline and regulatory services, as defined in Appendices A, B and C of the report, be approved;
- (3) the Council be recommended to approve the savings options, as set out in Appendix D of the report;
- (4) the Council be recommended to approve the tactical savings options, as set out in Appendix E of the report subject to:
  - a) the deletion of savings option CM33 which is included in Appendix D item 23.
  - b) the following schemes be not recommended to Council at this stage:-

SCL 4 (a)	Parks and Open spaces
SCL 17	Leisure disabled access
CM3	Charges for bulky items collection service
CM5	Charges for clinical waste removal
CM10	Close all public conveniences
CM11	Charges for green waste collection
CE2 Option 1	Reduction in Mayoral Service
  - c) the savings option SCL7a (Libraries closure) been referred to Council for determination.
- (5) the Council be recommended to approve the proposed changes to the Medium Term Financial Plan, as set out in the report and, it be noted from the illustrative assumption that Corporate and Departmental Management and Admin can be reduced by 25%;
- (6) officers be authorised to commence a consultation process with employees and Trade Unions with a view to reaching an agreement on the Terms and Conditions issues outlined in paragraph 4.4 of the

report, including the issue of relevant statutory and contractual notifications, if appropriate to achieve change;

- (7) officers be authorised to prepare for implementation of the above savings options immediately, pending final decisions of Council' and
- (8) it be noted that the proposals contained in the report will not meet the forecast deficit and that further proposals will be presented to the Cabinet in the near future.
- (9) the Cabinet meeting scheduled to take place on 13 January 2011 be postponed until 27 January 2011 in Southport Town Hall.
- (10) The Cabinet meeting scheduled to take place on 3 February 2011 be cancelled;
- (11) a workshop on prioritisation for Cabinet Members be held on 13 January 2011 at Bootle town Hall;
- (12) the provisional date of 17 February 2011 as a possible alternative date for a Cabinet meeting to be held in Bootle Town Hall, be noted; and
- (13) the Council be recommended to postpone the scheduled Council meeting on Thursday 13 January 2011 in Southport Town Hall, until Thursday 27 January 2011, to allow time for political groups to consider the prioritisation of 'other services'.

(In accordance with Rule 18.5 of the Council and Committee Procedure Rules, the following Councillors requested that their votes against resolutions (3) to (7) set out above be recorded, namely:

Councillors P. Dowd, Fairclough, Maher and Moncur)

### **163. SEFTON CITY LEARNING CENTRES - CAPITAL REDEVELOPMENT FUNDING**

Further to Minute No. 69 of the meeting of the Cabinet Member - Children's Services held on 7 December 2010, the Cabinet considered the report of the Strategic Director - Children, Schools and Families seeking approval to the implementation of a scheme in which a range of innovative ICT equipment would be purchased and used to support schools in transforming teaching and learning across all national curriculum stages, which would be funded from the Capital Redevelopment Grant Allocation for 2010/11.

RESOLVED:

That the Council be recommended to give approval to the inclusion of the scheme in the Children, Schools and Families Capital Programme 2010/11, to be funded entirely from specific resources.

**164. SCHOOLS ACCESS INITIATIVE - ADDITIONAL SCHEMES**

Further to Minute No. 67 of the meeting of the Cabinet Member - Children's Services held on 7 December 2010, the Cabinet considered the report of the Strategic Director - Children, Schools and Families seeking approval to the implementation of a scheme to be funded from the Schools Access Initiative Allocation for 2010/11.

RESOLVED:

That the scheme be included in the Children, Schools and Families Capital Programme 2010/11.

**165. SURE START EARLY YEARS AND CHILDCARE GRANT - QUALITY AND ACCESS 2010/11**

Further to Minute No. 68 of the meeting of the Cabinet Member - Children's Services held on 7 December 2010, the Cabinet considered the report of the Strategic Director - Children, Schools and Families seeking approval to the implementation of schemes to be funded from the Sure Start Early Years and Childcare Grant: Quality and Access 2010/11.

RESOLVED:

That the schemes be included in the Children, Schools and Families Capital Programme 2010/11.

**166. PLAYBUILDER CAPITAL GRANT 2010/11**

Further to Minute No. 58 of the meeting held on 8 July 2010, the Cabinet considered a report of the Strategic Director - Children, Schools and Families which indicated that the Department for Education had reduced the Playbuilder Capital Allocation for all Local Authorities in 2010/11 and removed the ring-fencing from the allocation to give more flexibility to manage local budgets providing that the funding is spent by 31 March 2011.

The report also set out the options available in respect of the capital allocation expenditure in the current financial year.

RESOLVED:

That officers progress the eight proposed Playbuilder Schemes but allocate a reduced budget of approximately £33,085 to each Scheme.

**167. BEDFORD AND QUEENS ROAD, BOOTLE - PROGRAMME FOR DEMOLITION AND CLEARANCE PHASE II - PROPOSED EXTENSION OF EXISTING CONTRACT**

The Cabinet considered the report of the Strategic Director - Communities seeking approval to a 12 month extension of the existing contract in respect of the Bedford/Queens Road, Bootle Demolition and Clearance Programme II and to additional expenditure being incurred for the contract with the incumbent contractor.

RESOLVED: That

- (1) approval be given to a further 12 months extension of the existing contract and additional expenditure in the sum of £350,000.00 with the incumbent contractor for the Bedford/Queens Road, Bootle Programme of Demolition and Clearance II; and
- (2) the Acting Head of Corporate Legal Services be requested to agree an extension of the existing contract with the incumbent contractor.

**168. ROK BUILDING LTD (IN ADMINISTRATION)**

The Cabinet considered the report of the Environmental and Technical Services Director on the position relating to the contractors, ROK Building Limited based in Rochdale, who had been placed in administration and the options available for the completion of the works at Southport Indoor Market, Lander Road Primary School and Kew Woods Primary School and the outstanding works at St. Peter's House.

RESOLVED: That

- (1) the situation arising through ROK Building Limited entering into administration and the potential implications for the Authority be noted; and
- (2) the Director of Environmental and Technical Services and the Acting Head of Corporate Legal Services be authorised to investigate the options available for the recommencement and completion of the contracts and report back to the Cabinet on the most advantageous proposals in due course.

**169. BEDFORD PRIMARY SCHOOL, BOOTLE - PROVISION OF NEW FAMILY ROOM EXTENSION**

The Cabinet considered the report of the Environmental and Technical Services Director on the tenders received for the provision of a new Family Room Extension at Bedford Primary School, Bootle.

RESOLVED: That

- (1) approval be given to an increase of £32,495,00 in the Capital Programme provision for the New Family Room Extension funded from school reserves and Planning Maintenance.
- (2) the lowest tender submitted with reductions by J. Armor of Liverpool in the sum of £268,799.00 be accepted; and
- (3) the Acting Head of Corporate Legal Services be requested to enter into a formal contract with the successful tenderer.

**170. THORNTON SWITCH ISLAND LINK - BEST AND FINAL FUNDING BID**

Further to Minute No. 40 of the meeting held on 10 June 2010 and Minute No. 120 of the meeting of the Cabinet Member - Technical Services held on 15 December 2010, the Cabinet considered the report of the Planning and Economic Development Director which indicated that in October 2010, the Department for Transport (DfT) advised the Council that the Thornton Switch Island Link, that had previously been granted Programme Entry within the Department's Major Scheme Funding Programme, had further to the Comprehensive Spending Review, been prioritised in the Supported Pool of schemes; that the Supported Pool status meant that the DfT were prepared to find funding support for the scheme subject to agreeing a 'best and final funding bid'; and that the purpose of the report was to seek approval to the Council's 'best and final funding bid' prior to submission to the DfT by the deadline of 4 January 2011.

The report concluded that the funding package set out in the report and the required DfT form was considered deliverable within the current allocation in the Council's Capital Programme, with an allowance for additional units that were the scheme promoter's responsibility.

RESOLVED: That

- (1) the report on the Thornton Switch Island Link be noted;
- (2) the funding proposals included in the report, including the Council's contribution for submission to the Department for Transport as the Council's 'best and final funding bid' for apportioning funding commitment for the scheme be approved; and
- (3) it be noted that the proposal was a Key Decision but, unfortunately, had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) had been consulted under Rule 15 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 to do so would result in a failure to meet the required deadline for action.

**171. MERSEYSIDE ENGINEERS LABORATORY SERVICE (MELS)**

Further to Minute No. 122 of the meeting of the Cabinet Member - Technical Services held on 15 December 2010, the Cabinet considered the report of the Planning and Economic Development Director advising of the current situation with regard to the support and funding for the Merseyside Engineers Laboratory Service (MELS) for which Sefton Council was the lead Authority and accountable body on behalf of the five Merseyside Districts; and highlighting the current and future budget situation that impacted on the viability of the Business Unit and hence staff resources.

RESOLVED: That

- (1) the Merseyside Districts Authorities' view that sufficient funding and hence commissions will not be available in the foreseeable future to maintain the Merseyside Engineers Laboratory Services as a viable Business Unit, be noted;
- (2) in accordance with the Service Agreement with the Merseyside Districts Authorities, the withdrawal of Sefton Council's consent to act as Designated Council and the termination of the MELS Agreement be approved;
- (3) it be noted that this will involve a reduction in staff, to be achieved through the Council's normal personnel procedures and if necessary compulsory redundancies. Under the terms of the Agreement, all the Merseyside District Authorities will be responsible for considering redeployment opportunities and to share any costs; and
- (4) officers continue to seek the full co-operation of the partner District Authorities to seek redeployment of the staff and to explore opportunities for the potential future utilisation of these specialist skills and equipment, including by private sector interests.

**172. PROPOSALS FOR THE CREATION OF A SINGLE REGISTRATION SERVICE FOR BIRTHS, DEATHS AND MARRIAGES FOR SEFTON**

Further to Minute No. 46 of the meeting of the Cabinet Member - Leisure and Tourism held on 1 December 2010, the Cabinet considered the report of the Leisure and Tourism Director that sought approval for the introduction of a single registration service for births, deaths and marriages.

RESOLVED: That

- (1) approval, in principle, be given to the introduction of a single registration service for Sefton;



- (2) approval, in principle, be given to the adoption of 'New Governance' a General Register Office initiative in order to facilitate the single registration district and reduce regulation;
- (3) it be noted that due to Government regulation, the introduction of a single registration district and adoption of 'New Governance' are subject to final approval by the Registrar General; and
- (4) the Cabinet Member - Leisure and Tourism and Sefton's Proper Officer for the Registration Service be authorised to progress matters with the General Register Office in order to bring the proposals into effect.

**173. SOUTHPORT MARKET GATEWAY FEATURES (PUBLIC ART) - REFERRAL FROM SOUTHPORT AREA COMMITTEE**

The Cabinet considered Minute No. 90 of the meeting of the Southport Area Committee held on 17 November 2010 relating to the proposals submitted by the Leisure and Tourism Director for new Gateway Features to be placed at the corners of King Street/Eastbank Street and Market Street/Lord Street as part of the improvements to the public realm within the immediate vicinity of the Southport Market.

At the meeting, the Area Committee had resolved "that this Area Committee cannot, in all conscience, support the spending in the current financial climate, of £112,000 of public money in the way suggested and the Cabinet be advised accordingly".

RESOLVED: That

- (1) the minute of the Southport Area Committee be noted; and
- (2) the provision of the new Gateway Features be considered as part of the Transformation Programme process, to be reported back to the Cabinet.

**174. SEFTON NEW DIRECTIONS**

The Cabinet considered an abridged version of the report of the Acting Head of Corporate Legal Services which provided an update on the current position of Sefton New Directions.

RESOLVED:

That the report be noted.

**175. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That

- (1) under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public; and
- (2) the representatives of the Trade Unions and other members of staff be permitted to remain in the meeting during consideration of Minute No. 176.

**176. SEFTON NEW DIRECTIONS**

Further to Minute No. 174 above, the Cabinet considered the report of the Acting Head of Corporate Legal Services which provided an update on the current position of Sefton New Directions, including details of the Company's current financial position.

Mr. G. Williams, Branch Secretary of Unison addressed the Cabinet on the trade union perspective with regard to the present and future position of Sefton New Directions.

RESOLVED:

That the report be noted and further update reports be submitted to the Cabinet when proposals for the future of Sefton New Directions have been formulated.