

**CABINET**

**MEETING HELD AT THE TOWN HALL, SOUTHPORT  
ON THURSDAY 26TH MAY, 2011**

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

**1. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**2. WELCOME TO COUNCILLOR SHAW**

The Chair welcomed Councillor Shaw to his first Cabinet meeting following his appointment to the post of Cabinet Member - Environmental.

**3. RETIREMENT OF STRATEGIC DIRECTOR - HEALTH AND WELLBEING**

The Chair reported that this would be the last Cabinet Meeting, the Strategic Director - Health and Wellbeing, Charlie Barker, would be attending prior to his retirement on 31 May 2011.

The Chair paid tribute to the sterling work undertaken by Charlie for the Council and Borough of Sefton during the last thirteen years.

**RESOLVED:**

That the thanks and appreciation of the Council be extended to the Strategic Director - Health and Wellbeing, Charlie Barker for the work he had undertaken for the Council and Borough of Sefton during the last thirteen years and best wishes be extended to him for a happy and healthy retirement.

**4. DECLARATIONS OF INTEREST`**

The following declarations of interest were received:

Member	Minute No.	Reason	Action
Councillor Robertson	6 - Transformation Programme 2011-2014	Personal - His friend works in a Sure Start Centre	Stayed in the room during the consideration of the item

Councillor Shaw	6 - Transformation Programme 2011-2014	Personal - His son is employed by Sefton Library Service and his daughter is employed in a Sure Start Centre	Stayed in the room during the consideration of the item
-----------------	---	---	--

## **5. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the Minutes of the Cabinet Meeting held on 14 April 2011 be confirmed as a correct record.

## **6. TRANSFORMATION PROGRAMME 2011-2014**

Further to Minute No. 255 of the meeting held on 14 April 2011, the Cabinet considered the report of the Chief Executive which provided an update on the progress made under the Transformation Programme and the implementation of the savings proposals previously approved by the Council.

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; and
- (2) Officers be mandated in respect of funding and service changes, to commence/continue consultation processes with partners, employees and Trade Unions with a view to implementing the required changes identified, including the issue of relevant statutory and contractual notifications.

## **7. MEDIUM TERM FINANCIAL PLAN 2012/13 - 2014/15 UPDATE**

The Cabinet considered the report of the Head of Corporate Finance and ICT which provided an update on the latest assumptions contained in the Medium Term Financial Plan 2012/13 to 2014/15 and highlighted the potential budget gaps for that period.

RESOLVED: That

- (1) the projected assumptions in the Medium Term Financial Plan be approved; and

- (2) it be noted that the potential budget shortfalls within the Medium Term Financial Plan are as follows:-

	£m
2012/13	20.05
2013/14	27.65
2014/15	38.55

## **8. HIGHWAY AND DRAINAGE MAINTENANCE CONTRACTS RENEWAL**

Further to Minute No. 268 of the meeting held on 14 April 2011, the Cabinet considered the report of the Director of Built Environment which provided details of the progress made on the renewal of the existing highway and drainage maintenance contracts and sought approval to award contracts for the ten highway and maintenance contracts.

RESOLVED: That

- (1) the progress made on the renewal of highway and drainage maintenance contracts be noted;
- (2) approval be given to the award of the following contracts to the highest scoring contractors indicated below subject to final discussions with the successful contractor regarding the sufficiency of their tender and in the case of poor performance by the Primary Contractor, the contract be awarded to the second highest tenderer as the reserve Contractor;

<u>Contract</u>	<u>Contractor</u>	<u>Reserve Contractor</u>
Carriageway Resurfacing	Dowhigh Ltd., Netherton	Bardon Contracting, Liverpool
Carriageway Road Markings	L & R Roadlines, Liverpool	Dowhigh Ltd., Netherton
Weed Control	R.M. Services, Ormskirk	Environmental Husbandry, Naseby
Signs, Nameplates and Guardrails	Graysons H & E Services, Formby	King Construction, Knowsley
Highway Grounds Maintenance	Landscape Group, Coventry	Assist Managed Services, Bootle
Gully Cleansing	Graysons H & E Services, Formby	Sefton Council Cleansing Services, Bootle

Electrical Connections	NDS Ltd., Rugby	Schneider Ltd., Widnes
Surface Treatments	Keily Brothers, Birmingham	Colas Ltd., Wolverhampton
Highway Maintenance Works	Dowhigh Ltd., Netherton	King Construction, Knowsley

- (3) the contract for Highway Minor Works be awarded to the two highest scoring tenderers, Dowhigh Ltd., Netherton and King Construction, Knowsley subject to final discussions with the successful contractors regarding the sufficiency of their tenders;
- (4) it be noted that this is 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 (Regeneration and Environmental 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 is impracticable to defer the decision until the commencement of the next Forward Plan because it is expected that the tendering exercise will result in more favourable rates and better value for money to the Council. An early decision to appoint new companies will allow for more timely commencement of new contracts.

## **9. CAPITAL PROGRAMME 2011/12 - DISABLED FACILITIES GRANTS**

The Cabinet considered the report of the Director of Built Environment which indicated that the cessation of the Government Housing Capital Pot from 2011/12 had resulted in a funding shortfall for Disabled Facilities Grants and as a result the resources available are insufficient to meet the statutory requirements. The report sought approval of top-up funding for Disabled Facilities Grants (DFGs) from the prudential borrowing previously earmarked for housing purposes. The revenue cost associated with this borrowing is already built into the base budget.

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

RESOLVED: That

- (1) approval be given to the use of this year's unringfenced funding of £1,576,000 for Disabled Facilities Grants (DFGs) made available by the Department for Communities and Local Government;
- (2) approval be given to the allocation of £1,000,000 of prudential borrowing previously earmarked by the Cabinet for housing

purposes to replace the Government's Housing Capital Pot funding;  
and

- (3) it be noted that the revenue costs associated with this borrowing is already built into the base budget.

#### **10. GREEN WASTE (COMPOSTING) SERVICE - RE-TENDERING**

Further to Minute No. 198 of the meeting held on 27 January 2011 and Minute No. 96 of the meeting of the Cabinet Member - Environmental held on 6 April 2011, the Cabinet considered a report of the Director of Street Scene which sought approval to re-tender the Green Waste Composting Contract and establish an interim arrangement until the new contract commences.

RESOLVED: That

- (1) approval be given to re-tendering of the Green Waste Composting Contract Service with immediate effect;
- (2) the Director of Street Scene be granted delegated authority to make interim arrangements for the delivery and composting of green waste until the new contract commences; and
- (3) it be noted that this is a Key Decision but, unfortunately it had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Chair of the Overview and Scrutiny Committee (Regeneration and Environmental 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 is impracticable to defer the decision until the commencement of the next Forward Plan due to the need to commence procurement and establish interim arrangements without further delay.

#### **11. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES 2011/12**

The Cabinet considered a report on the Director of Corporate Commissioning which sought the appointment of Council representatives to serve on Outside Bodies set out in the report for 2011/12 or for periods longer than one year. Details of the existing representation on Outside Bodies was set out in the report.

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

RESOLVED: That

- (1) the following Members be appointed to serve on the undermentioned Outside Bodies for 2011/12:

CABINET- THURSDAY 26TH MAY, 2011

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
Aintree University Hospitals NHS Foundation Trust	1	Cabinet Member - Older People and Health (Councillor Porter)
British Resorts and Destination Association	1	Cabinet Member - Leisure, Culture & Tourism (Councillor Booth)
Community Foundation for Merseyside	3	Councillors Kerrigan, McIvor and Robertson
Formby Pool Trust - Board	2	Councillors Griffiths and Mr. Rajan Paul (Head of Landscape Services)
Frank Hornby Trust	2	Councillor Robertson and Mr. M. Kundi (Economic Regeneration Manager)
John Goore's Charity, Lydiate	1	Councillor Fenton
Joint Health and Wellbeing Scrutiny Committee	3	Chair - Overview and Scrutiny Committee (Health & Social Care) (Councillor Hill) and 2 Spokespersons (Councillors Griffiths and Webster)
Liverpool City Region Cabinet	1	Leader of the Council (Councillor P.Dowd)
Liverpool City Region Child Poverty and Life Chances Commission	1	Cabinet Member - Children, Schools & Families (Councillor Moncur)
Liverpool City Region Economy Panel	1	Cabinet Member - Regeneration & Housing (Councillor Maher)
Liverpool City Region Employment and Skills Panel	1	Cabinet Member - Regeneration & Housing (Councillor Maher)

CABINET- THURSDAY 26TH MAY, 2011

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
Liverpool City Region - Environment and Waste Board	1	Cabinet Member - Environmental (Councillor Shaw)
Liverpool City Region Housing and Spatial Planning Board	1	Cabinet Member - Regeneration & Housing (Councillor Maher) (substitute representative - Chair of the Planning Committee - Councillor Tweed)
Liverpool City Region Safer, Healthier Communities Board	1	Leader of the Council (Councillor P. Dowd) - (Chair)
Liverpool John Lennon Airport Consultative Committee	1	Councillor Brady (or his nominee)
Local Government Association: (Appointments to conclude in May 2012 following cessation of the Council's Membership of the LGA)		
- Coastal Issues Special Interest Group	1	Councillor Brady (or his nominee)
- General Assembly	2	Councillor Brodie-Browne (2 votes) and Councillor Maher (3 votes)
- Urban Commission	2	Councillor Moncur (3 votes) and Councillor Mainey (2 votes)
Local Solutions	1	Councillor Tweed
Mersey Forest Steering Group	1	Councillor Griffiths (substitute representative - Councillor Hardy)

CABINET- THURSDAY 26TH MAY, 2011

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
Mersey Port Health Committee  (The status of the Committee is the subject of review at the present time - in the meantime, six Council representatives should continue to be Members of the Committee)	6	<u>Member</u> <u>Substitute</u>  Cllr. Dorgan Cllr. Griffiths Cllr. Kelly Cllr. K. Cluskey Cllr. Kerrigan Cllr. Mahon Cllr. Sumner Cllr. Hands Cllr. Tonkiss Cllr. Gibson Cllr. Tweed Cllr. Robinson
Mersey Waterfront Regional Park Board	1	Cabinet Member - Leisure, Culture & Tourism Services (Councillor Booth)
Merseyside Improvement and Efficiency Board	1	Cabinet Member - Street Scene & Transportation (Councillor Fairclough)
Merseyside Pension Fund Pensions Committee	1	Councillor McIvor (substitute Councillor Cuthbertson)
Merseyside Playing Fields Association	1	Cabinet Member - Leisure, Culture & Tourism Services (Councillor Booth) (substitute representatives - Councillors Cummins and Jones)
Merseyside Police Authority Appointments Committee	3	Leaders of the 3 Political Groups - Councillors P. Dowd, Parry and Robertson (or their nominees)
Merseyside Strategic Transportation and Planning Committee	2	Cabinet Member - Street Scene & Transportation (Councillor Fairclough) and Councillor Dodd
Merseyside Third Sector Technology Centre (3TC)	1	Cabinet Member - Regeneration & Housing (Councillor Maher)



CABINET- THURSDAY 26TH MAY, 2011

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
Merseytravel Advisory Panel (Sefton Division)	3	Councillors Griffiths, Sumner and Veidman (or their nominees)
NewHeartlands Board	1	Cabinet Member - Regeneration & Housing (Councillor Maher) (substitute Councillor Fairclough)
North West Home Safety Council	3	Councillors Dutton, Hardy and Tonkiss (or their nominees)
North Western Local Authorities Employers' Organisation (Appointment to conclude in May 2012 following cessation of the Council's Membership)	1	Cabinet Member - Corporate Services (Councillor Parry)
One Vision Housing Board	2	Mr. R. Connell and Mr. D. Hardy
PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee	1	Cabinet Member - Street Scene & Transportation (Councillor Fairclough) (substitutes - Councillors Parry and Robertson)
Raven Meols Community Centre, Formby - Management Committee	2	Councillors Griffiths and McIvor
REECH Steering Group (Renewable Energy and Energy Efficiency in Housing)	1	Cabinet Member - Regeneration & Housing (Councillor Maher)
Sefton Business Village Partnership	1	Leader of the Council (Councillor P. Dowd)

CABINET- THURSDAY 26TH MAY, 2011

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
Sefton Chamber of Commerce and Industry	3	Councillors K. Cluskey, Lord Fearn and Porter
Sefton Coast Partnership Board	3	Councillors Cummins, Crabtree and McGuire (or their nominees)
Sefton Council for Voluntary Service	3	Councillors Hill, Papworth and Veidman
Sefton Cultural Forum	1	Cabinet Member - Leisure, Culture & Tourism Services (Councillor Booth)
Sefton Cycling Forum	3	Councillors K. Cluskey, Crabtree and Weavers
Sefton Education Business Partnership	3	Cabinet Member - Children, Schools & Families (Councillor Moncur) and 2 Spokespersons (Councillors Dorgan and Preece)
Sefton Equalities Partnership	1	Cabinet Member - Safer Communities & Neighbourhoods (Councillor Robertson)
Sefton New Directions Limited Board	3	Councillors Brennan, Parry and Rimmer (Non-Executive Directors)
Sefton Sports Council	3	Cabinet Member - Leisure, Culture & Tourism Services (Councillor Booth) and 2 Spokespersons (Councillors Cummins and Jones)
Southport Pier Trust	3	Councillors Byrom, Lord Fearn and Crabtree (or their nominees)

CABINET- THURSDAY 26TH MAY, 2011

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
Standing Advisory Committee for Religious Education (SACRE)	3	Cabinet Member - Children, Schools & Families (Councillor Moncur) and 2 Spokespersons (Councillors Dorgan and Preece) with their Deputies as substitutes
The Mersey Partnership Board	1	Cabinet Member - Regeneration & Housing (Councillor Maher) (substitute representative - Councillor Fairclough)
Trans Pennine Trail Members Steering Group	2	Cabinet Member - Street Scene & Transportation (Councillor Fairclough) and Chair of the Planning Committee (Councillor Tweed) (or their nominees)
University of Liverpool - Court	6	Cabinet Member - Children, Schools & Families (Councillor Moncur) and 2 Spokespersons (Councillors Dorgan and Preece) plus the Mayor, the Chief Executive and the Strategic Director - People, who are ex-officio Members

- (2) in relation to those appointments for a longer period than one year, the following persons be appointed to serve on the Outside Bodies indicated:

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>	<u>TERM OF OFFICE EXPIRES</u>
North West Reserve Forces and Cadets Association	1	Councillor Byrom	15.5.2014 (3 year appointment)

CABINET- THURSDAY 26TH MAY, 2011

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>	<u>TERM OF OFFICE EXPIRES</u>
North Western Inshore Fisheries and Conservation Authority	2	Councillor Glover and Head of Coast and Countryside	31.5.2015 (4 year appointment)

CHARITIES

Ashton Memorial Fund, Formby	1	Councillor Griffiths	31.5.2015 (4 year appointment)
Consolidated Charities of Thomas Brown and Marsh Dole	2	Councillor Dutton Councillor Griffiths	26.6.2012 26.6.2014 (4 year appointment)
Halsall Educational Foundation	1	Councillor Parry	31.5.2013 (2 year appointment)

GOVERNING BODIES

Clarence High School, Freshfield	1	Councillor McIvor	31.5.2013 (3 year appointment)
Hugh Baird College, Bootle	1	Councillor Hill	3.2.2013 (4 year appointment)
Peterhouse School, Southport	1	Councillor Glover	13.7.2013 (3 year appointment)
St. Mary's College, Crosby	2	Councillors Dorgan and Hill	31.5.2013 (3 year appointment)

**12. LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY 2011/12 - APPOINTMENT OF REPRESENTATIVES**

The Cabinet considered the report of the Director of Corporate Commissioning seeking the appointment of representatives to serve on the General Assembly of the Local Government Association (LGA) for

2011/12 and to attend the Annual Meeting to be held on 28 June 2011 at Birmingham; and agreement on the distribution of the voting power between the representatives appointed.

The Authority had been invited to nominate up to four representatives to attend and exercise the Council's votes at the meetings of the LGA General Assembly.

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

RESOLVED: That

- (1) Councillors Brodie-Browne and Maher be appointed as the named representatives to attend meetings of the General Assembly of the LGA in 2011/12 and the Annual Meeting on 28 June 2011; and
- (2) the distribution of the voting power between the representatives appointed be as follows:

Councillor Maher - 3 votes

Councillor Brodie-Browne - 2 votes.

### **13. MERSEYSIDE INTEGRATED TRANSPORT AUTHORITY - REPRESENTATION**

Further to Minute No. 19(2) of the Adjourned Annual Council Meeting held on 17 May 2011, the Head of Corporate Legal Services submitted a report relating to the Council's representation on the Merseyside Integrated Transport Authority.

RESOLVED: That

- (1) the legal default position relating to proportionality on the Joint Authorities set out in Paragraph 3.3 of the report be approved and Councillors Dodd, M. Dowd, Friel and Griffiths be appointed as the Council's representatives on the Merseyside Integrated Transport Authority for 2011/12; and
- (2) Councillor Griffiths be appointed as a representative of the Merseyside Integrated Transport Authority on the Strategic Board of the Sefton Borough Partnership subject to approval by the Authority.

(In accordance with Rule 18.5 of the Council and Committee Procedure Rules, the following Councillors requested that their votes against resolution (1) above be recorded, namely: Councillors Booth, Brodie-Browne, Robertson and Shaw).