

CABINET

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 5TH FEBRUARY, 2009**

PRESENT: Councillor Robertson (in the Chair)
Councillors Brodie - Browne, P Dowd, Lord Fearn,
Fairclough, Maher, Parry, Platt, Porter and Tattersall

ALSO PRESENT: Councillors Shaw and Weavers

248. APOLOGIES FOR ABSENCE

There were no apologies for absence.

249. DECLARATIONS OF INTEREST

The following declaration of interest was received:

| Member | Minute No. | Reason | Action |
|----------------------|--|--|--|
| Councillor Robertson | 252 - Revenue Budget 2009/10 - Budget Update | He is a member of Maghull Town Centre which is referred to in the report | Took part in the consideration of the item and voted thereon |

250. MINUTES

RESOLVED:

That the Minutes of the Cabinet Meeting held on 22 January 2009 be confirmed as a correct record.

251. ALLOCATION OF AREA BASED GRANT 2009/10

Further to Minute No. 222 of the meeting held on 8 January 2009, the Cabinet considered the report of the Finance and Information Services Director on the proposed course of action to meet the key local priorities and targets for Sefton with regard to the distribution of Area Based Grant resources in 2009/10.

RESOLVED: That

- (1) the priority areas within the Local Area Agreement (LAA), and the current performance against targets within the LAA as detailed at Annex C of the report be noted;

- (2) the comments of the Sefton Borough Partnership be noted;
- (3) that approval be given to £2.3m of resources released from Area Based Grant been re-directed into budget pressures within the Council's Priority Services on the basis of information set out in the report;
- (4) the External Funding Working Group be requested as a matter of urgency, to look at this issue in more detail, including;
 - (i) reviewing the detailed impact assessments and the overall alignment of resources to match LAA priorities,
 - (ii) reviewing the allocation of the remaining £24.2m of ABG,
 - (iii) reviewing performance against key Local Area Agreement targets to determine priorities for Area Based Grant growth in 2010/11, and
- (5) that pending completion of this review, it be confirmed that the Thematic Groups should not commit any further resources.

252. REVENUE BUDGET 2009/10 - BUDGET UPDATE

The Cabinet considered the report of the Finance and Information Services Director which provided an update on the current base budget position for 2009/10, following previous decisions made by the Cabinet.

It was noted that the Council is required to set a Budget and Council Tax for 2009/10 by 10 March 2009 at the latest and that the Cabinet's recommended budget had to be scrutinised independently (prior to approval by full Council). The proposed budget will be considered by the Overview and Scrutiny Committee (Performance and Corporate Services) on 17 February 2009.

The Finance and Information Services Director circulated a copy of the Liberal Democrat Group Budget Proposals.

The Cabinet also considered Minute No. 109 of the meeting of the Cabinet Member - Technical Services held on 28 January 2009 relating to the Winter Service Budget 2008/09 and Minute No. 4 of the joint meeting of the Party Group Leaders and Area Committee Chairs held on 29 January 2009, relating to the budget for the maintenance of street nameplates.

RESOLVED: That

- (1) the base budget position following the Cabinet meeting on 22 January 2009 be noted;
- (2) the final Revenue settlement position be noted;

- (3) the Liberal Democrat Group budget be recommended to the Overview and Scrutiny Committee (Performance and Corporate Services);
- (4) that the Finance and Information Services Director circulate the budget proposals submitted by the Conservative and Labour Groups to the Overview and Scrutiny Committee (Performance and Corporate Services) for comments;
- (5) it be noted that the Finance and Information Services Director will report on the robustness of the estimates and the adequacy of financial reserves for the budget proposals submitted by the three Political Groups to the Overview and Scrutiny Committee (Performance and Corporate Services);
- (6) it be noted that the comments of the Overview and Scrutiny Committee (Performance and Corporate Services) on the budget proposals will be referred back to the next Cabinet meeting for consideration;
- (7) it be noted that the Finance and Information Services Director will submit an updated Medium Term Financial Plan to the Cabinet meeting on 19 March 2009;
- (8) the funding of any overspend on the Winter Service Budget from the Council's balances be considered further during the budget setting process; and
- (9) the reinstatement of the highways budget for the maintenance of street nameplates at a cost of £30k be given further consideration during the budget setting process and that the Finance and Information Services Director seek the views of the Overview and Scrutiny Committee (Performance and Corporate Services) on this matter.

253. SELECTION OF DEPUTY MAYOR FOR 2009/10

The Cabinet considered the report of the Legal Director which provided details of the Selection Procedure previously agreed for the selection of the Deputy Mayor and sought the nomination of the Deputy Mayor for the Municipal Year 2009/10.

Under the present political management framework, the nomination of the Deputy Mayor Elect was a matter on which the Cabinet should make a recommendation to the Council.

RESOLVED: That

- (1) it be noted that Councillor Doran stands nominated as Mayor Elect for 2009/10;

- (2) the Council be recommended to elect Councillor M. Fearn as Deputy Mayor for 2009/10 at its Annual Meeting in May 2009.

254. LITHERLAND HIGH SCHOOL - ONE SCHOOL PATHFINDER - APPOINTMENT OF PREFERRED BIDDER

Further to Minute No. 185 of the meeting held on 27 November 2008, the Cabinet considered the report of the Strategic Director of Children's Services on the development of the Litherland High School project via the Partnerships for Schools framework.

The Cabinet also considered the report of the Overview and Scrutiny Committee (Children's Services) Focus Group on the pre-scrutiny process undertaken to verify the recommendations on the appointment of the preferred bidder for the detailed design and delivery stage of the project and a copy of the report to the Project Board meeting held on 3 February 2009.

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

RESOLVED: That

- (1) Kier Education be appointed as the preferred bidder for the Litherland High School One School Pathfinder project;
- (2) the open book process continue into the preferred bidder stage to provide further assurance on Value for Money before entering into the contract;
- (3) Kier Education be required to provide detailed information on the products specified in their tender submission, within four weeks of appointment;
- (4) the Lead Officer representing Sefton Council in managing the project on site be nominated as a matter of urgency to ensure continuity and fluid communication throughout the life of the project; and
- (5) the Overview and Scrutiny Committee (Children's Services) be kept informed of progress and be invited on a site visit of the School once the project is complete.

255. MODERNISATION FUNDING - PROPOSED TWO POSTS TO SUPPORT SEFTON'S PLAY STRATEGY

Further to Minute No. 112 of the meeting of the Cabinet Member - Children's Services held on 20 January 2009, the Cabinet considered the report of the Strategic Director of Children's Services which sought approval for an allocation from the Modernisation Fund to fund two posts to lead on and co-ordinate Sefton's Play Strategy. The report explained

that the posts would be for one year in the first instance, with a further extension following a review of performance and project progress.

RESOLVED:

That the report be deferred for consideration at a future Cabinet meeting.

256. GREATER MERSEYSIDE CONNEXIONS PARTNERSHIP

Further to Minute No. 313 of the meeting held on 20 March 2008, the Cabinet considered the report of the Strategic Director of Children's Services on the proposed arrangements for the future commissioning of 'connexions service'.

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

RESOLVED: That

- (1) the existing contract with Greater Merseyside Connexions Partnership (held by Wirral Council on behalf of the six Merseyside Local Authorities) be amended to cover the period to 30 September 2009, pending the completion of procurement processes;
- (2) the new contract for 'connexions services' should cover the period 30 September 2009 to 31 March 2012 with an option of an extension to the contract for a further period of up to 3 years, but for the contract to accommodate an appropriate break clause in the event of poor performance or reduced financial capacity to commission the service to the level previously agreed;
- (3) Halton Borough Council be the lead Authority for the procurement of the new arrangements on behalf of the six participating Local Authorities; and
- (4) Halton Borough Council be the contract holding Authority on behalf of the six participating Local Authorities from the City Region for the new contract when awarded with the appropriate cross Authority commitments.

257. RESPONSE TO NOTICE OF MOTION - ENERGY, CARBON AND WATER SAVING

Further to the Notice of Motion set out in Minute No. 73 of the Council meeting held on 15 January 2009, the Cabinet considered the report of the Strategic Director of Regeneration and Environmental Services which provided details of the response to the Notice of Motion with regard to the Council's strategy and investment for reducing energy consumption and carbon emissions.

RESOLVED: That

- (1) the report and issues raised in respect of energy efficiency and carbon emissions be noted; and
- (2) further reports be submitted to the Cabinet in due course with outcomes of the strategic review.

258. RURAL DEVELOPMENT PROGRAMME FOR ENGLAND AND MERSEYSIDE RURAL ECONOMY ACTION PLAN

The Cabinet considered the report of the Planning and Economic Regeneration Director advising of the development of the Rural Development Programme for England (RDPE) and the Merseyside Rural Economy Action Plan (MREAP) and seeking consideration of the implications for Sefton; and indicating that a decision on this matter was required to ensure that Sefton Council and its partners were in a position to access support and funding from RDPE and MREAP either through collaborative programmes or individual Sefton projects.

The report indicated that RDPE had a budget of £3.9 billion to be spent on agri-environment and other land management schemes aimed at helping farmers to manage their land more sustainably and to deliver important outcomes on bio-diversity, landscape and access, water quality and climate change; and to make agriculture and forestry more competitive and sustainable in rural areas; whilst the MREAP was a major two phase study with the following aims:

- Phase 1 - the production of an over-arching Merseyside Rural Economy Strategy to be informed by economic baseline and SWOT analyses and to include the determination of an integrated strategic governance structure;
- Phase 2 - the production of a detailed, intelligence-led, fully costed integrated Rural Economy Action Plan and associated bids to draw down funding and deliver the defined strategy.

The report concluded that the development of MREAP, as set out in the report, provided an opportunity to get a comprehensive picture of the rural economy and to identify actions required; that the Regional Development Agency was part funding this study, and had indicated that projects emanating from this Action Plan would be eligible for grant funding from £2m already allocated from the Agency's single pot budget for rural areas over the next two years.

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

RESOLVED: That

- (1) the report be noted;

- (2) it be noted that Sefton's contribution towards the Rural Economy Action Plan can be funded from within existing resources; and
- (3) regular progress reports on the matter, be submitted to the Cabinet.

259. CROSBY MARINE LAKE WATER QUALITY IMPROVEMENTS - APPROVAL TO AWARD TENDER

Further to Minute No. 206 of the meeting held on 11 December 2008, the Cabinet considered the report of the Planning and Economic Regeneration Director which provided details of the negotiated contract sum for the Water Quality Improvement Scheme at Crosby Marine Lake.

RESOLVED:

That approval be given to the award of the contract to Balfour Beatty for a contract sum of £513,067.

260. LICENSING SERVICES - FEES AND CHARGES 2009/10

Further to Minute No. 43 of the meeting of the Licensing and Regulatory Committee held on 19 January 2009, the Cabinet considered the report of the Environmental Protection Director on the proposed changes to the fees and charges for Licensing Services in 2009/10.

RESOLVED:

That approval be given to the revised fees and charges for 2009/10 as listed in the Annex to the report.

261. IDENTITY CARDS ACT SECONDARY LEGISLATION - CONSULTATION

The Cabinet considered the report of the Legal Director which provided details of the new Consultation Paper published by the Government setting out proposals for secondary legislation under the Identity Cards Act 2006. The paper covers the new regulations, orders and codes of practice that will need to be put in place before the first ID cards can be issued under the Act.

RESOLVED: That

- (1) the report be noted;
- (2) the content of the Notice of Motion approved by the Council at its meeting held on 3 March 2005 (Minute No. 66) in relation to the introduction of National Identity Cards be used as the basis of the Council's response to the Consultation Paper.

262. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That, 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 paragraphs 2 and 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.

263. SOUTHPORT CULTURAL CENTRE

Further to Minute No. 186 of the meeting held on 27 November 2008, the Cabinet considered the joint report of the Leisure Director and Head of Tourism on the outcome of the Council's application for Sea Change Funding for the development of the Southport Cultural Centre.

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

RESOLVED: That

- (1) the offer of a grant of £4m from the Sea Change Fund be noted;
- (2) that the sum of £7.3m be included in the 2010-12 capital programme subject to sufficient external funding bids being successful to complete the proposal;
- (3) the progress made in attracting other sources of funding be noted; and
- (4) the intention to bring a more detailed report to the next meeting be noted.

264. THE VENUE, LORD STREET, SOUTHPORT

The Cabinet considered the report of the Strategic Director of Regeneration and Environmental Services which sought approval to the purchase of the leasehold interest in The Venue Bar in the Arts Centre, Lord Street, Southport.

RESOLVED: That

- (1) approval be given to the purchase of the leasehold interest in The Venue on the basis of the terms and conditions contained within the report;
- (2) the Strategic Director of Regeneration and Environmental Services and Legal Director be given authority to negotiate and agree any

other detailed terms and conditions as may be necessary to complete the transaction;

- (3) it be noted that the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) has been consulted under Rule 15 of the Access to Information Procedure Rules for this key decision to be treated as urgent on the basis that the decision cannot be reasonably deferred because the opportunity has arisen to gain possession of the property required for the development of the Cultural Centre.