

**THE "CALL-IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY 23 OCTOBER 2012. MINUTE NOS. 64(4) AND 67 ARE NOT SUBJECT TO "CALL-IN".**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 11TH OCTOBER, 2012**

**PRESENT:** Councillor P. Dowd (in the Chair)  
Councillors Cummins, Fairclough, Hardy, Maher,  
Moncur and Tweed

**ALSO PRESENT:** Councillors Ashton, Blackburn, Papworth,  
Robertson and Shaw

#### **59. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

#### **60. DECLARATIONS OF INTEREST**

No declarations of pecuniary interest were made.

#### **61. MINUTES OF PREVIOUS MEETING**

##### **Decision Made:**

That the Minutes of the Cabinet meeting held on 13 September 2012 be confirmed as a correct record.

#### **62. LOCAL POLICING ISSUES**

Chief Constable Jon Murphy from Merseyside Police addressed the Cabinet on the current performance of the Merseyside Police Service and the budget savings to be made by the Police Authority for 2012/13 and subsequent years. He indicated that staffing levels were reducing, but priority had been given to maintaining front-line services and Area Commanders were giving particular focus to local needs when determining the pattern of service for Neighbourhood Policing. The Chief Constable also referred to the election of the Police and Crime Commissioner which would be held on 15 November 2012 and indicated that one of the first tasks for the Commissioner was to draw up a Four Year Policing Plan.

Superintendent Kevin Johnson (Sefton Division) then gave a presentation on the Area Police Performance during the period April to October 2012 and the previous twelve month period in relation to violence, robberies, domestic abuse, burglaries and car crime, and local community safety initiatives undertaken with the Council and other partners.

The Chief Constable then responded to questions from Members of the Cabinet with regard to the future provision of safeguarding services for children's service and vulnerable adults, the youth offending service and Police Community Support Officers.

The Chair thanked the Chief Constable and Superintendent Johnson for attending the meeting and providing an update on Police activities in Sefton and the Police response to recent gun crime in Sefton.

**Decision Made:**

That the presentation be noted.

**63. TRANSFORMATION PROGRAMME - 2012/13 BUDGET UPDATE**

The Cabinet considered the report of the Head of Corporate Finance and ICT on the current position in respect of the achievement of the approved budget savings for 2012/13. The report also set out proposals for the transfer of service underspends to earmarked reserves and the utilisation of earmarked reserves to finance the non-achievement of specific budget savings.

Councillor Moncur raised the following question on the issue referred to in the report and the Strategic Director - People responded to the issue as referred to below:-

**Question:**

I note that on page 21 of the report, one of the underspends in the 2012/13 budget refers to Children's Social Care packages totalling £800k and on page 27 in the same report, the savings update relating to £700k for Children's Social Care is indicated as green. Given the current increasing demand in Children's Social Care, this level of saving would not seem to be compatible with this trend. Could I be given some background as to the factors leading to this saving?

**Response :**

There continued to be an increasing demand for Children's Social Care, whether it be the number of Referrals, Child Protection Plans or the number of children in care. Demands increased significantly following the national interest in the Baby 'P' case in 2008, and have generally stayed at that level. There was now a much better understanding of the family and risk factors relating to demand, differentiated by age cohort. It should be noted for example that the Cabinet had previously agreed to the closure of a Children's Care Home, Kirwan House, but those resources including staff has been reinvested to create a Strengthening Families Team. This had helped reduce the number of teenage young people coming into care through work with families and it reflected the Council's focus on early intervention and actively working with families to keep children and young people out of care as far as possible. Finally, the Turning the Taps commissioning approach for Children's Social Care, involved better market management / facilitation of the commissioned care placements. As well

as being cost effective this was producing much better placements and better outcomes for children and young people.

**Decisions Made:**

- (1) approval be given to the transfer of specific areas of underspend in the revenue budget, as set out in the report, to earmarked reserves;
- (2) the progress to date on the achievement of approved savings for 2012/2013 be noted; and
- (3) approval be given to the utilisation of earmarked reserves, as set out in the report, to finance the non-achievement of specific budget savings.

**Reasons for Decisions:**

To ensure Cabinet are informed of the latest position on the achievement of savings for the current financial year and to facilitate the achievement of the savings targets for 2012/2013.

**Alternative Options Considered and Rejected:**

None.

**64. TRANSFORMATION PROGRAMME AND REVENUE BUDGET  
2012 - 2015**

Further to Minute No. 54 of the meeting held on 13 September 2012, the Cabinet considered the joint report of the Head of Corporate Finance and ICT and the Head of Transformation which provided details of the progress made on the reviews of service and consultation processes being undertaken in order to move towards the achievement of a balanced budget in 2013/14 and 2014/15.

The report also set out a further package of savings proposals relating to internal consultation options, on which the first stage consultation is considered to be complete and requested the Cabinet to make an appropriate recommendation to the Council.

Councillor Dowd referred to the on-going discussions with the Trade Unions regarding the savings options within Corporate Support Services.

Councillor Moncur raised the following question on the issue referred to in the report and the Strategic Director - People responded to the issue as referred to below:-

Question:

Given the earlier comments relating to Children's Social Care savings on the previous agenda item there is a change option on Page 41 for a saving

of £1m by reviewing commissioning of all residential beds for children. This is a significant figure and I wonder if I could have some further explanation of the feasibility of this change option.

**Response:**

I refer to the earlier response on agenda item 5, in which I outlined the increased demand, the importance of being more cost effective and the need to produce better outcomes. The Fostering Strategy as approved by Cabinet had been implemented and this was enabling more family placements for those children and young people in care. There are three key elements in relation to cost to Children's Social Care. These are the number of young people in care; where they were placed – whether it be in Borough fostering care, independent fostering care placements or Residential Homes; and how long they were in care for. I would refer once again to the Turning the Taps Strategy and the focus on better outcomes with regard to the Authority seeking to place the right child in the right place at the right time for the right cost.

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

**Decisions Made:**

- (1) the work programme timetable contained in Annex A of the report be noted;
- (2) it be noted that consultation in respect of terms and conditions issues had been commenced with the Trade Unions;
- (3) it be noted that the first stage of consultation on the change proposals set out in Annex B of the report, is considered to be complete;
- (4) the Council at its meeting on 22 November 2012 be recommended to give approval to the change proposals set out in Annex B of the report and Officers be authorised to prepare for implementation immediately, pending the final decisions of Council, including the issue of relevant statutory and contractual notifications, if appropriate to achieve change;
- (5) it be noted that Officers will comply with Human Resource policies and procedures and this would include regular Human Resources monitoring reports to the Cabinet Member – Corporate Services and Performance; and
- (6) it be noted that the risks and mitigating actions identified in Annex B of the report had been taken into account during the consideration of recommendations to Council.

**Reasons for Decisions:**

The Council continues to forecast a significant budget gap over the period 2013-2015 requiring estimated savings of £43.7m. Additional budget savings and options would need to be identified over the coming months to ensure that future years' budgets can be balanced. It is a legal requirement to set a balanced budget and to ensure the medium term financial position is robust.

Early consideration of budget options continued to be essential as this would lead to informed decision making, including the consideration of the outcome of any consultations undertaken, the impact of any decisions to be made and any steps that can be taken to mitigate the impact of a decision.

**Alternative Options Considered and Rejected:**

Additional budget savings and options would need to be identified over the coming months to ensure that future years' budgets can be balanced. It is a legal requirement to set a balanced budget and to ensure the medium term financial position is robust.

**65. REVIEW OF LIBRARY SERVICE AND OPTIONS FOR CONSIDERATION**

The Chair reported that 172 petition forms, containing 262 names, had been submitted "calling upon Sefton Council to make sure that Churchtown Library stays open following the review of the library service. Churchtown Library is an efficient, friendly library and is a vital part of our community." In accordance with the Council and Committee Procedure Rules, Councillor Ashton made a statement on behalf of the petitioners.

Further to Minute No. 104 of the meeting held on 16 February 2012, the Cabinet then considered the report of the Strategic Director – Place, which provided an update on the Library Service Review, including the public engagement findings and options for consideration emerging from the review. At this stage the report sought approval to consult communities, partners, key stakeholders and employees, as appropriate, on the options and to report back the outcome of the consultations prior to any consideration by Council.

The report contained the following annexes:

Annex A	<i>"Comprehensive and efficient"</i> and details of the Wirral Inquiry
Annex B	Library engagement questionnaires
Annex C	Summary of public engagement findings
Annex D	Summary table of costs and usage of libraries
Annex E	Sample of comparator data
Annex F	Maps of Sefton's population
Annex G	Summary table of socio-economic data

- Annex H Libraries ranked on key indicators  
 Annex I List of background documents available to view on-line  
 Annex J Options considered but not recommended at this stage

The Strategic Director – Place indicated that the report provided an extensive summary of the work undertaken during the review of the library service and further details of the extensive background information were available on the Council’s website. The report sought approval to commence public consultations on the preferred option at this stage and the Public Engagement and Consultation Panel would be requested to approve the public consultation process at its next meeting.

Councillor P. Dowd referred to the challenge which the Council had in achieving £43.7 million of savings over the next two financial years and indicated that all service areas had to be examined for potential financial savings, prior to a balanced budget for 2013/14 been approved by the Council on 28 February 2013. He indicated that it was originally intended that the details of the review of the library service would be included in the report on potential savings options which had been submitted to the last Cabinet meeting but he had requested that a separate stand alone report on the review be submitted to this meeting to ensure that the details were more transparent.

Members of the Cabinet raised questions on the following issues referred to in the report and Officers responded to the issues as referred to below:-

Page in the report	Question/Response
<p>Page 83 (Councillor Maher)</p>	<p>Can Officers clarify the difference between the public engagement that has taken place to date and the public consultation referred to today</p> <p>Response:                      The Strategic Director – Place indicated that the public engagement activity had taken place during a twelve week period during May to July 2012, in order to gain information from both users and non users of the library service. The information gathered included which libraries people use; how often; why they use them; what other Council services they use; and why they do not use the library service.</p> <p>The next stage is to go to a true and full public consultation exercise to ascertain the views of the local community on the preferred option and any other options for the</p>

	<p>delivery of the library service. The full details of the public consultation process would be submitted to the Public Engagement and Consultation Panel for approval.</p>
<p>Page 85 (Councillor Cummins)</p>	<p>A significant amount of data has been considered so far in this review period, how did we develop the criteria for a sustainable service?</p> <p>Response: The Strategic Director – Place indicated that in the development of the criteria, Officers had examined the reviews of library services undertaken by other local authorities, the outcome of judicial reviews and the Secretary of State for Culture, Media and Sport intervention in Wirral.</p> <p>There is no statutory guidance on what a “comprehensive and efficient service” is but it is considered that the criteria should take into account the following factors:</p> <ul style="list-style-type: none"> <li>• Geographical spread of population and library buildings;</li> <li>• Co-located facilities/services and opportunities for co-location;</li> <li>• Operating costs and the condition of library buildings infrastructure;</li> <li>• Social demographics;</li> <li>• Levels of library usage; and</li> <li>• Transport and methods of travel</li> </ul>
<p>Page 83 (Councillor Fairclough)</p>	<p>Can you explain the difference between a registered and an active borrower and what is included in the items borrowed?</p> <p>Response: The Head of Library and Information Services indicated that an active borrower is someone who has borrowed one or more items in the</p>

	<p>past 12 months and the borrowed items would include books, spoken word CD's, DVD's and maps. A registered borrower is someone who holds a current membership of a given library and had been on the library system during the last 5 years.</p>
<p>Page 80 (Councillor Tweed)</p>	<p>There is a significant number of background documents associated with the review. Apart from the Council website, how will the community gain access to this information?</p> <p>Response: The Strategic Director – Place indicated that it was hoped that as many people as possible would use the Council's website but in addition to that it was envisaged that key documents and questionnaires would be made available at the libraries and various Council offices in the Borough. Notices would be placed at Council offices and details sent to local residents groups. The local media would be requested to publicise the details of the consultation exercise.</p>
<p>Page 90 (Councillor Hardy)</p>	<p>Will the full Equality Impact Assessment be submitted to Members in due course? Can you give us an assurance that any other options which come forward from the public consultation exercise, in addition to those set out in Section 9 of the report would be submitted to Members and how long will the public consultation be for?</p> <p>Response: The Strategic Director – Place indicated that a full Equality Impact Assessment would be submitted to Members; that all of the options for the delivery of the library service would be explored and submitted to Members for consideration and that</p>



	<p>it was envisaged that subject to approval by the Public Engagement and Consultation Panel, that the consultation exercise would be from 29 October 2012 to 14 January 2013 and a report would be submitted to the Cabinet on 31 January 2013 for consideration prior to submission to the Council.</p>
<p>Page 81 (Councillor P. Dowd)</p>	<p>The report indicates that the overall associated budget for the library service for 2012/13 is £3.25m and the net controllable expenditure is £2.38m. Can you explain what the non - controllable expenditure includes?</p> <p>Response: The Head of Corporate Finance and ICT advised that the non - controllable expenditure included the cost of capital, depreciation costs, licensing costs and fixed costs for staff overheads.</p>

Councillor P. Dowd referred once again to the massive budget savings of £43.7m which had to be achieved and indicated that it was not easy for elected members to have to look at closing Council services, especially library services but some difficult decisions would have to be made in the near future in order to achieve a balanced budget. He hoped that members of the public would participate in the public consultation exercise and submit their views on the options available for the delivery of the library service and any alternative budget savings options they may have. All of the feedback from the consultation exercise would be considered and taken into account by Members before a final decision was taken.

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

**Decisions Made:**

- (1) the petition be noted;
- (2) the outcome of the local needs analysis, including the results from the public engagement exercise, resulting in options for a new model of delivery for a modern, sustainable, comprehensive and efficient Sefton Library Service be noted;

- (3) it be noted that all figures in the report are working assumptions in relation to the options to be considered and the figures should not be seen as predetermining any decisions;
- (4) it be agreed that the review process described in the report has been a robust process;
- (5) the general definition of a “*comprehensive and efficient*” library service for Sefton described in paragraph 2.3 of the report be approved;
- (6) the risks identified within the report be noted;
- (7) the option appraisal criteria set out in the report be approved and it be noted that they are influenced by previous Secretary of State/Judicial Review considerations and intervention;
- (8) Option B set out in the report be approved as the basis for consultation and engagement with the community, staff, partners, including businesses, voluntary, community and faith sectors, to transform the way Sefton delivers its library service;
- (9) it be noted that the equality implications would be thoroughly assessed in line with the Council’s Equality Impact Assessment process, should Members agree that the proposed option be taken forward at a later date; and
- (10) the potential mitigating actions identified to date be noted and that further work on Sefton’s Library Service offer, including the possible mitigating actions, be developed.

**Reasons for Decisions:**

This report provided an update on the Library Service Review and sought approval to commence consultation on options. Early consideration of potential budget options continued to be essential as this would lead to informed decision making, including the consideration of the outcome of any consultations undertaken, the impact of any decisions to be made and any steps that can be taken to mitigate the impact of a decision.

**Alternative Options Considered and Rejected:**

In developing options, Officers have considered the approach other library authorities are taking across the country as they too are impacted by reductions in resources. Some Public Library Authorities are proposing new models which include:

- the part or whole replacement of staff by volunteers;
- closure of libraries with buildings being handed over to community groups;

- reducing the number of service points, reconfiguring the network and developing alternative service models;
- cutting opening hours across all libraries;
- replacing static buildings with additional mobile services;
- out-sourcing support and infrastructure services to commercial companies;
- commissioning services from other agencies, including other public library authorities;
- “friends of” groups raising funds external to council revenue.

The report identified elements of the above within the options for consideration. The options from the above list that relate to alternative methods of governance are complex. They would need time to evaluate and implement and most would need a lot of specialist legal support. Exploratory discussions had taken place which had indicated that the level of external support (e.g. volunteers) for taking over the full operation of individual libraries is very limited. Therefore, such proposals were not recommended to move forward at this stage. However, any partnership methods of service delivery would be investigated further. More detailed information about this was contained in Annex J of the report.

#### **66. HOUSING BENEFIT TRANSITION FUNDING AND ESTABLISHING A LANDLORD ACCREDITATION SCHEME**

The Cabinet considered the joint report of the Director of Built Environment and the Head of Corporate Finance and ICT seeking approval to the use of Housing Benefit Transition Funding to establish a new Private Landlord Accreditation scheme in Sefton.

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

#### **Decisions Made:**

- (1) approval be given to the use of Housing Benefit Transition resources to fund the establishment of a Landlord Accreditation scheme, and enhance financial advice services to assist clients adversely affected by changes to housing benefit regulations; and
- (2) approval be given to an Agreement being entered into with Wirral Borough Council to help establish a Landlord Accreditation scheme, at an estimated cost of £28,000.

#### **Reasons for Decisions:**

While there is a clear need and justification for establishing an Accreditation scheme, there are resource implications. While potential Housing Benefit Transition Fund resources have been identified to help establish a scheme, Officers need to alert Members to the resource implications which would arise in future years in retaining and operating a scheme. Officers do not have authority to enter into such a commitment.

The Government's intention is that the Housing Benefit Transition Fund is used to target support to help meet the housing needs of claimants affected by Housing Benefit changes. Funding would be used to enhance financial advice services to assist clients adversely affected by changes to housing benefit regulations. A holistic service would be provided in One Stop Shops in Bootle and Southport by training selected staff to provide advice on benefits, money and debt and finding employment.

**Alternative Options Considered and Rejected:**

There was no obligation on the Council to establish a Landlord Accreditation scheme. Consequently, the options were to either pursue the establishment of a scheme or not. If the Council chose to pursue establishing a scheme, the feasibility report provided further options on how this could be taken forward.

**67. CAPITAL PROGRAMME - CONTAMINATED LAND CAPITAL PROJECT GRANT**

The Cabinet considered the report of the Director of Built Environment on the award of grant funding of £30,803 from the Department for Environment, Food and Rural Affairs to undertake further investigations into potentially contaminated land.

**Decision Made:**

The Council be recommended to include the grant of £30,803 in the Council's Capital Programme for 2012/13.

**Reasons for Decision:**

The acceptance of the grant funding and undertaking the investigation would assist the Council in discharging its statutory duty in relation to managing contaminated land in an appropriate manner.

**Alternative Options Considered and Rejected:**

Not to accept the time related grant and to fund further investigation from core resources.