

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY 14 DECEMBER 2016. MINUTE NO's 56, 62, 64 AND 65 (2) ARE NOT SUBJECT TO "CALL - IN."

CABINET

MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE ON THURSDAY 1ST DECEMBER, 2016

PRESENT: Councillor Maher (in the Chair)
Councillors Atkinson, Cummins, Fairclough,
John Joseph Kelly, Lappin, Moncur and Veidman

ALSO PRESENT: Councillor Lynne Thompson

53. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Hardy.

54. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

55. MINUTES OF PREVIOUS MEETINGS

Decision Made:

That the minutes of the Cabinet meetings held on 3 and 14 November 2016 be confirmed as a correct record.

56. LIVERPOOL CITY REGION COMBINED AUTHORITY ORDER

The Chair indicated that a report on the Liverpool City Region Combined Authority Order would be submitted to an extra-ordinary meeting of the Cabinet to be held on 8 December 2016 at 2.00pm in Bootle Town Hall.

57. CHILDREN AND YOUNG PEOPLE'S EMOTIONAL HEALTH AND WELLBEING STRATEGY

The Cabinet considered the report of the Director of Social Care and Health which provided details of the Children and Young People's Emotional Health and Wellbeing Strategy, and an event held on the 14 July 2016 facilitated by Sefton Young Advisors which has been used to help shape the Strategy.

Decision Made:

That the Children and Young People`s Emotional Health and Wellbeing Strategy be approved.

Reasons for Decision:

Communities of Sefton face increasing health inequalities and poor health and wellbeing outcomes. In order to ensure that these outcomes are improved, particularly for the most vulnerable people, the Council needs to ensure that the priorities of the Health and Wellbeing Strategy and our Children and Young People`s Plan which includes Mental Health are fit for purpose / financially sustainable. The strategic plan plays an important role in helping to deliver the required improvements.

Alternative Options Considered and Rejected:

None.

58. SEFTON INTEGRATED SEXUAL HEALTH SERVICE

The Cabinet considered the report of the Head of Health and Wellbeing which provided details of key findings of the review of the Integrated Sexual Health Service in Sefton, which indicated that the current Integrated Sexual Health Service contract would expire at the end of June 2017, and a decision must be made by the end of December 2016, at the latest, on whether the contract extension clause would be activated or the Service re-procured. This would provide Southport and Ormskirk NHS Trust with the required minimum 6 months' notice period.

Decision Made:

That approval be given to an extension clause being activated within the existing contract for 12 months until 30th June 2018.

Reasons for Decision:

The contract was originally awarded for 3 years, from 1 July 2014, with the option to activate an extension clause for a further 12 months on two occasions (3+1+1).

The Key reasons for an activation of the contract extension clause for a twelve month period are:

- Service provider performance had been consistently meeting or exceeding targets set by the commissioner;
- To avoid destabilisation of a high priority service through introducing uncertainty through re-procurement;
- To give the current provider the financial stability needed to further develop the fully integrated offer for all ages in the Bootle area; and

- To allow better alignment of the Service with the outcome of the Council's forthcoming review of the medium term financial plan.

Alternative Options Considered and Rejected:

To re-procure the Sexual Health Service with a contract start date of 1 July 2017, with delegated authority to the Cabinet Member - Health and Wellbeing to sign-off the commissioning and re-procurement decisions.

The reasons for the rejection of this option are:

- Financial costs associated with re-procurement;
- Potential need for start-up costs if provider changed;
- Limited number of potential providers to tender;
- Potential negative impact on service users if current Service is destabilised through uncertainty of re-tendering; and
- Impact on service users and key stakeholders of potentially changing provider.

59. REVENUE AND CAPITAL BUDGET UPDATE 2016/17

The Cabinet considered the report of the Head of Corporate Resources which provided details of the current forecast outturn position for the Council for 2016/17 as at the end of September 2016 which was informed by the latest analysis of expenditure and income due to the Council, in addition to the progress in delivering approved savings; the current forecast on Council Tax and Business Rates collection for 2016/17; and the current position of the Capital Programme.

Decision Made: That

- (1) the current forecast outturn position as at the end of September 2016, together with the impact on the Council's Reserves position be noted;
- (2) the progress to date on the achievement of approved savings for 2016/17 and residual savings carried forward from previous years be noted;
- (3) the forecast position on the collection of Council Tax and Business Rates for 2016/17 be noted; and
- (4) the current position of the 2016/17 Capital Programme be noted.

Reasons for Decision:

To ensure Cabinet are informed of the forecast outturn position for the revenue budget and delivery of savings as at end of September 2016; the updated forecast of the outturn position with regard to the collection of

Council Tax and Business Rates and the latest forecast outturn of the Capital Programme.

Alternative Options Considered and Rejected:

None.

60. PROVISION OF AGENCY WORKERS

The Cabinet considered the report of the Head of Corporate Resources which sought approval to extend the current Agency Workers Framework Agreement for a period of 12 months from 1st February 2017 until 31st January 2018.

The report indicated that since January 2014, the Council had used this Framework Agreement whenever it had needed to employ Agency Workers. The Framework Agreement was procured collaboratively with other Liverpool City Region authorities and it had been presented for decision in line with the collaborative procurement timetable led by another authority.

Decision Made: That

- (1) approval be given to the extension of the current Agency Workers Framework Agreement for a period of 12 months from 1 February 2017 to 31 January 2018; and
- (2) it be noted that collaborative procurements are likely to increase, and collaborative procurement processes be improved through the Liverpool City Region Procurement Hub Project.

Reasons for Decision:

There was an ongoing need to employ Agency Workers in some service areas, to ensure sufficient capacity is available for those services to be provided safely and effectively.

Since February 2014, Agency Workers had been supplied through the MSTAR Framework Contract. The 3-year core period of the Contract expired at the end of January 2017 and the Council need to determine how it would procure any necessary Agency Workers beyond that date. The current Framework Contract included the option to extend for a 12-month period to 31 January 2018.

Analysis of the options available had identified that extending the current contract would cost approximately 16% less than other options. It was therefore considered appropriate and beneficial for Sefton Council to extend the Framework Agreement for the optional 12-month period, 1 February 2017 until 31 January 2018.

During the 12-month extension period, the future provision of Agency Workers would be further considered by Liverpool City Region (LCR) authorities, within the context of the LCR Procurement Hub Project, with pre-procurement analysis, options appraisal and planning commencing early in 2017 ahead of an anticipated joint procurement of a new service to replace the current Framework Agreement at the end of its full contract term (31 January 2018). All options would be analysed and considered, including utilising existing Framework Agreements and a full OJEU collaborative procurement process.

Alternative Options Considered and Rejected:

To carry out a full EU compliant Tender exercise or adopt an alternative Framework Agreement.

61. PROCUREMENT OF QUALITY TRAINING AND ASSESSMENT PROVIDERS FOR APPRENTICESHIPS

The Cabinet considered the report of the Head of Corporate Resources which provided details of the proposed process to formalise the procurement of Training and Assessment Providers for the delivery of apprenticeships, which would ensure that the Council had a contract in place with approved providers to deliver one or more occupational LOTs following the introduction of the apprenticeship levy in April 2017.

Decision Made: That

- (1) the Head of Corporate Resources be authorised to conduct a tender exercise in accordance with OJEU regulations and the Council's procurement regulations. The tender exercise is for the procurement of Training and Assessment Providers for the delivery of apprenticeships to run for a period of one year from 1 April 2017 with the option of two further one-year extensions; and
- (2) the Cabinet Member - Regulatory, Compliance and Corporate Resources be authorised to approve the award of the contract for training and assessment providers for each occupational LOT, following completion of this procurement exercise.

Reasons for Decision:

The way the Government funds apprenticeships was changing from April 2017. The Council would be required to contribute to a new apprenticeship levy and to pay providers directly for apprenticeship training and assessment provision.

The procurement process outlined within the report aimed to create a contract with a number of approved providers who had demonstrated compliance with the Council's statutory requirements, quality criteria and

thus can be invited to submit tender prices for one or more occupational LOTS.

It was recommended that the contract runs for an initial period of 1 year as there was a possibility that additional occupational LOTS may need to be added at a later date, thus giving the flexibility to re-tender this opportunity incorporating all of these additional LOTS after the initial core period of the contract.

The tender exercise would be required to follow an OJEU Procedure, as part of this process.

Alternative Options Considered and Rejected:

None.

62. NATIONAL SCHEME FOR AUDITOR APPOINTMENTS

The Cabinet considered the report of the Head of Corporate Resources which provided details of proposals for appointing an external auditor to the Authority for the 2018/19 accounts and beyond. The Councils current auditors are working under a contract originally let by the Audit Commission which was subsequently novated to Public Sector Audit Appointments (PSAA) following the closure of the Audit Commission, which would cease at the end of 2017/18.

Decision Made:

That the Council be recommended to accept Public Sector Audit Appointments' (PSAA) invitation to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018.

Reasons for Decision:

The Council's arrangements with its current auditors would end following the approval of the 2017/18 Statement of Accounts. The new external auditors for 2018/19 and beyond would need to be appointed by 31 December 2017.

Approval would ensure that PSAA can appoint auditors on the Council's behalf for the five financial years from 1 April 2018.

Alternative Options Considered and Rejected:

Council could choose to set up an independent Auditor Panel, or join with other authorities to set up a Joint Auditor Panel, to enable an external auditor to be appointed.

63. PRIVATE RENTED SECTOR HOUSING LICENSING SCHEMES

The Cabinet considered the report of the Head of Regeneration and Housing which provided details of the proposed introduction of a selective licensing scheme and two additional houses in multiple occupation licensing schemes in designated areas of the borough; and the business case to support the introduction of the schemes.

Decision Made: That

- (1) approval in principle be given to the Business Case for the introduction of a selective licensing scheme in the Bootle area and 2 additional houses in multiple occupation (HMO) licensing schemes in central Southport and areas of Waterloo / Seaforth.
- (2) approval be given to a 12 week public consultation on the proposals for the implementation of the schemes
- (3) the Head of Regeneration and Housing be granted delegated authority in consultation with the Cabinet Member - Communities and Housing, to:
 - (i) procure and appoint consultants to undertake the required public consultation on the 3 proposed schemes, and
 - (ii) agree any minor/technical changes to the Business Case in advance of the formal consultations.
- (4) approval in principal be given to the draft licencing conditions.

Reasons for Decision:

To enable the introduction of a selective licensing scheme and 2 additional licensing schemes within the Borough; to allow the procurement and appointment of consultants to carry out a public consultation and to approve in principle the draft licence conditions.

Alternative Options Considered and Rejected:

Do nothing

Sefton could continue solely with the current enforcement regime, linked with more aggressive promotion of Accreditation. This option is unlikely to have significant impact due to Accreditation being a voluntary scheme, with only the better landlords usually obtaining accreditation status.

Expand the Current Enforcement Regime

The Council currently had a reactive enforcement approach in relation to privately rented properties, dealing with cases as they present themselves. A more proactive approach would be taken to target the worst landlords. This would develop an outward facing image of enforcement in relation to rogue landlords.

To practically do this would involve the need to increase the resourcing allocated to the Housing Standards Team by a minimum of 3 additional posts. This cost would be up to £135,711 per annum.

This was a more traditional enforcement approach and less of an enabling one than licensing would bring.

Introduce a borough wide Selective Licensing Scheme

Officers also considered introducing a district-wide scheme but this was not taken forward because the evidence was not yet sufficient to introduce the whole district and therefore such an application was unlikely to be supported by the Secretary of State (who had to agree to the implementation of such a scheme). A consideration when determining an area for selective licensing was a requirement set out in the Government Guidance, which stated that any area considered for selective licensing must have a high proportion of property in the private rented sector, which is more than the national average. Nationally the private rented sector currently makes up 19.6% of the total housing stock in England. The proportion for the borough of Sefton is 13% (2011 census). Therefore a borough wide scheme would fail this test.

64. URGENT DECISION BY LEADER OF THE COUNCIL - ADDITION TO THE SEFTON LOCAL PLAN RELATING TO VACANT BUILDING CREDIT

The Cabinet considered the report of the Head of Regeneration and Housing which provided details of a decision taken by the Leader of the Council as urgent business in respect of an addition to the Sefton Local Plan in relation to the Government's reinstatement of the Vacant Building Credit.

Decision Made:

That the report be noted.

Reasons for Decision:

To address issues raised by the Inspector which required changes to be made in order to make the Local Plan sound.

Alternative Options Considered and Rejected:

None. Unless these changes were approved, the Local Plan would be found 'unsound' and would not be able to be adopted.

65. PROGRAMME OF MEETINGS – 2017/18 MUNICIPAL YEAR

The Cabinet considered the report of the Head of Regulation and Compliance which provided details of the proposed Programme of Meetings for the 2017/18 Municipal Year.

Decision Made: That

- (1) the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Sefton Safer Communities Partnership and the Health and Wellbeing Board for 2017/18 as set out in Annexes A and E of the report be approved; and
- (2) the Council be recommended to approve the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; Overview and Scrutiny Committees and Area Committees for 2017/18 as set out in Annexes B, C and D of the report.

Reasons for Decision:

To enable the business of the Council and its various Committees / bodies to be conducted during the 2017/18 Municipal Year.

Alternative Options Considered and Rejected:

None. The Council has to produce a timetable of meetings.