

COUNCIL – 16 NOVEMBER 2017

REPORT OF THE LEADER OF THE COUNCIL

COUNCIL CONSTITUTION – CALL-IN AND URGENCY PROVISIONS

I wish to report that the Chair of the relevant Overview and Scrutiny Committee gave consent, under Rule 46 of the Overview and Scrutiny Procedure Rules set out in the Council Constitution to the following issues being dealt with, on the basis that the decisions could not be reasonably deferred, and not be subject to call-in.

CABINET – 6 APRIL 2017

119. COMMERCIAL ACQUISITION

The Cabinet considered the report of the Executive Director which provided details of proposals to make a commercial acquisition within the Borough and sought the relevant permissions accordingly.

Decision Made: That

- (1) the recommendations set out in the Business Case, appended to the report, be approved;
- (2) it be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Vice Chair of the Overview and Scrutiny Committee (Regeneration and Skills) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by the Cabinet as a matter of urgency. The basis for this decision is that it is impracticable to defer the decision until the commencement of the next Forward Plan. It did not become clear to officers until the end of March 2017 following a comprehensive due diligence exercise that a recommendation could be made to proceed to make this strategic acquisition. Having reached such a conclusion and in line with the Heads of Terms agreed between the parties, officers are seeking permission from Cabinet to proceed to negotiate with the vendors; and
- (3) it be noted that the Leader of the Council and the Vice Chair of the Overview and Scrutiny Committee (Regeneration and Skills) had given consent Rule 46 of the Overview and Scrutiny Procedure Rules for these decisions to be treated as urgent and not subject to "call in" on the basis that they cannot be reasonably deferred because of the commercial nature of the transaction. In addition the Heads of Terms, to which the Council had committed to conclude the due diligence process included a specific timetable with which the Council is expected to comply.

Reasons for Decision:

The reasons for the decision are detailed in the Business Case appended to the report.

Alternative Options Considered and Rejected:

A detailed options appraisal is set out in Appendix 1 to the report.

CABINET – 27 JULY 2017

38. Determination of the proposal to merge South Sefton College with Hugh Baird College as recommended by the Liverpool City Region Area Review

Further to Minute No. 7 of the meeting held on 25 May 2017, the Cabinet considered the report of the Head of Schools and Families in relation to the determination of the proposal to merge South Sefton College with Hugh Baird College as recommended by the Liverpool City Region Area Review.

Decision Made: That:

- (1) the information on the proposal to discontinue South Sefton College to enable the merger with Hugh Baird as recommended by the Liverpool City Region Area Review of post 16 education and training institutions contained in the report, be considered;
- (2) the proposal for the discontinuance of South Sefton College to enable the merger with Hugh Baird as recommended by the Liverpool City Region Area Review of post 16 education and training institutions contained in the report with effect from 31 July 2017, be approved.
- (3) the Head of Regulation and Compliance in consultation with the Head of Schools and Families be authorised to complete the necessary agreements required as part of the merger with Hugh Baird,
- (4) the Cabinet agree to lease the land to Hugh Baird College at less than best consideration due to the significant contribution the proposal will make to the economic and social wellbeing of the local area as set out in the Liverpool City Region Area Review of post 16 education and training institutions;
- (5) the Cabinet note that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Children's Services and Safeguarding) had given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for these decisions to be treated as urgent and not subject to "call in" on the basis that they cannot be reasonably deferred because of the start of the Colleges academic year on 1 August; and
- (6) the Liverpool City Region Area Review Working Group and Officers be thanked for all their hard work.

Reasons for the Decision:

The Local Authority has the statutory power to discontinue a maintained school following the statutory process detailed in the report.

Alternative Options Considered and Rejected:

None.

CABINET - 2 NOVEMBER 2017

101. Merger of South Sefton College with Hugh Baird College as recommended by the Liverpool City Region Area Review

Further to Minute No. 38, of the Cabinet Meeting held on 27 July 2017, the Cabinet considered the report of the Head of Schools and Families in relation to the consultation on the proposed merger of South Sefton College and Hugh Baird College. The report detailed the revised business plan which had been updated to take into account the current position and the revised financial implications for the Council.

Decision Made: That the Cabinet:

- (1) note the latest position on the merger of South Sefton College with Hugh Baird College as recommended by the Liverpool City Region Area Review of post 16 education and training institutions contained in the report; and the reduced student numbers;
- (2) note the commitment of Hugh Baird and South Sefton Colleges towards the merger in agreeing a memorandum of understanding to enable joint working in anticipation of the formal merger;
- (3) note that the alternative to progressing the merger would be closure which would have an adverse impact on students, staff and affect educational opportunities for young people in the south Sefton area;
- (4) agree the revised financial implications associated with the merger with Hugh Baird as set out in the report and authorise Officers to finalise the merger with Hugh Baird and South Sefton College as soon as practicable; and
- (5) note that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Children's Services and Safeguarding) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by 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 the merger needed to take place before the end of term to avoid further uncertainty and increasing cost.

Reasons for the Decisions:

Due to the change in student numbers the Local Authority need to agree the revised financial implications following a review of the merger proposal

Alternative Options Considered and Rejected:

The alternative option would be to close South Sefton College because it is no longer viable. This would have a major impact on current staff and students as well as future educational opportunities for young people in South Sefton.