

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY, 16 FEBRUARY 2010. MINUTE NOS. 287 AND 289 ARE NOT SUBJECT TO "CALL-IN"**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 4TH FEBRUARY, 2010**

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

**ALSO PRESENT:** Councillor Barber

#### **270. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Porter.

#### **271. MINUTES**

**RESOLVED:**

That the Minutes of the Cabinet Meeting held on 14 January 2010 be confirmed as a correct record.

#### **272. DECLARATIONS OF INTEREST**

The following declarations of interest were received:

<b>Member</b>	<b>Minute No.</b>	<b>Reason</b>	<b>Action</b>
Councillor Fairclough	274 - Treasury Management 2009/10 - Third Quarter Update	Personal - His employer is referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Fairclough	282 - Funding Opportunities - Progress Report 3	Personal - He is the Chair of the South Sefton Development Agency which is referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Maher	279 - Davenhill Primary School, Aintree - Proposed Extensions and Alterations	Personal - His wife works at the school	Took part in the consideration of the item and voted thereon

## CABINET- THURSDAY 4TH FEBRUARY, 2010

Caroline Elwood - Legal and Democratic Services Director	280 - Birkdale High School - Proposed World of Work Experience	Personal - Her son is a pupil at the school	Stayed in the room during the consideration of the item
Councillor Robertson	284 - Frank Hornby Centre - Lease Agreement	Personal - He is a Trustee of the Frank Hornby Trust	Took part in the consideration of the item and voted thereon
Mo Kundi - Economic Regeneration Manager	284 - Frank Hornby Centre - Lease Agreement	Personal - He is a Trustee of the Frank Hornby Trust	Stayed in the room during the consideration of the item

### **273. REVENUE BUDGET AND MEDIUM TERM FINANCIAL PLAN 2010/11 TO 2012/13**

Further to Minute No. 70 of the Council meeting held on 14 January 2010, the Cabinet considered the report of the Chief Executive which provided an update on the Medium Term Financial Plan 2010/11 to 2012/13 and set out the remaining options for consideration in relation to the Strategic Budget Review.

It was noted that the Council is required to set a Budget and Council Tax for 2010/11 by 10 March 2010 at the latest and that the Cabinet's recommended budget had to be scrutinised independently (prior to approval by Full Council). The report indicated that the proposed budget would be considered by the Overview and Scrutiny Committee (Performance and Corporate Services) on 16 February 2010.

The Chief Executive circulated a supplementary report at the meeting, which provided an update on the budget position following consideration by the Leaders Group.

RESOLVED: That

- (1) the latest position for the 2010/11 - 2012/13 Medium Term Financial Plan following the Council Meeting on 14 January 2010 be noted;
- (2) the final Revenue Settlement position be noted;
- (3) that the application of £2.3m of Area Based Grant resources to the 2010/11 budget be confirmed;
- (4) the Council be recommended to approve the total savings of £400,000 from the Technical Service Environment and Routine

Maintenance budgets and the removal of the inflation provision for Private and Voluntary Sector Community Care Providers set out in Annex 1 of the supplementary report;

- (5) the budget scenario set out in Annex 2 of the supplementary report be submitted to the Overview and Scrutiny Committee (Performance and Corporate Services) for consideration and it be requested to note that the illustrative Council Tax increases under the scenario would be

Sefton Council Services	2.5%
Levies	0.4%
Fire and Police	<u>0.3%</u>
Total	3.2%

- (6) officers be requested to continue to review all savings options and assumptions in order to achieve a total Council Tax increase of less than 3% inclusive of levies and precepts;
- (7) the latest schedule of Levies and Parish precepts set out in Annex 3 of the supplementary report be noted;
- (8) officers be requested to consider the implications of making a substantial allocation of one-off resources to invest in highways maintenance following the recent bad weather and submit a report to the next Cabinet meeting on 4 March 2010;
- (9) it be noted that the Chief Executive will report on the robustness of the estimates and the adequacy of financial reserves for the budget proposals to the Overview and Scrutiny Committee (Performance and Corporate Services) and Full Council;
- (10) the Strategic Budget Review (SBR) options detailed in Table 1 of Appendix B to the report be deferred for consideration at the Cabinet meeting on 4 March 2010;
- (11) the Action Points identified for each SBR option in Table 2 of Appendix B to the report be recommended to the Council for implementation;
- (12) the progress being made in the Terms and Conditions negotiations with the Trade Unions be welcomed and the consideration of the remaining "amber/red" SBR options, detailed in Tables 3 and 4 of Appendix B to the report be concluded at the Cabinet Meeting on 4 March 2010; and
- (13) it be noted that the comments of the Overview and Scrutiny Committee (Performance and Corporate Services) on the budget proposal will be referred back to the Cabinet meeting on 4 March 2010 for consideration.

**274. TREASURY MANAGEMENT 2009/10 - THIRD QUARTER UPDATE**

Further to Minute No. 172 of the Cabinet Meeting held on 29 October 2009, the Cabinet considered the report of the Acting Finance and Information Services Director which provided an update on the Council's Treasury Management activities undertaken in the third quarter of 2010/11.

RESOLVED:

That the report be noted.

**275. BUILDING SCHOOLS FOR THE FUTURE PROGRAMME - UPDATE AND FINANCIAL IMPLICATIONS**

Further to Minute No. 261 of the Cabinet Meeting held on 14 January 2010, the Cabinet considered the joint report of the Strategic Director - Children, Schools and Families and Strategic Director - Communities which provided an update on the cost, benefits and risks of the programme entry to the Building Schools for the Future (BSF) Programme and sought approval to the proposed budget for the completion of the Outline Business Case.

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

RESOLVED: That

- (1) the report be noted;
- (2) the draft Communications and Engagement Strategy for the BSF Programme be endorsed; and
- (3) approval be given to the advance allocation from one-off resources of £200,000 for 2009/10 and up to £1.681m for 2010/11 to complete work on the Strategy for Change and Outline Business Case for the BSF Programme.

**276. SCHOOLS ACCESS INITIATIVE - PROPOSED SCHEME**

Further to Minute No. 104 of the meeting of the Cabinet Member - Children's Services held on 19 January 2010, the Cabinet considered the report of the Strategic Director - Children, Schools and Families seeking approval to the implementation of a further scheme at Rowan Park Special School under the Schools Access Initiative.

RESOLVED: That

- (1) the scheme detailed in the report of Rowan Park Special School be approved; and
- (2) the proposed expenditure to be funded from specific resources be included in the Children, Schools and Families Capital Programme 2009/10 and 2010/11.

**277. PLAYBUILDER CAPITAL GRANT 2009/10 - ADDITIONAL SCHEME**

The Cabinet considered the report of the Strategic Director - Children, Schools and Families which provided an update on schemes to be funded from the Playbuilder Capital Grant and sought approval to an additional scheme and for a change to a previously approved scheme.

RESOLVED: That

- (1) the report be noted;
- (2) approval be given to the additional scheme detailed in the report; and
- (3) approval be given to the change to and reallocation of funding from a previously approved scheme as detailed in the report.

**278. HILLSIDE HIGH SCHOOL, BOOTLE - SPECIALIST SCHOOLS PROGRAMME CAPITAL GRANT**

Further to Minute No. 105 of the meeting of the Cabinet Member - Children's Services held on 19 January 2010, the Cabinet considered the report of the Strategic Director - Children, Schools and Families seeking approval to the implementation of a scheme to enhance the facilities at Hillside High School following its redesignation as a specialist school for science and languages.

RESOLVED: That

- (1) the proposed scheme be approved as detailed in the report; and
- (2) the expenditure for the scheme to be funded from specific resources be included in the Children, Schools and Families Capital Programme 2009/10.

**279. DAVENHILL PRIMARY SCHOOL, AINTREE - PROPOSED EXTENSIONS AND ALTERATIONS**

The Cabinet considered the report of the Strategic Director - Communities on the tenders received for the provision of extensions and alterations to the accommodation at Davenhill Primary School, Aintree.

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 allocation of £2,488,647 in the Children's Services Capital programme for this scheme, funded from the Primary Capital budget (£2,000,000); Modernisation Programme (£398,647) and the schools Devolved Formula Capital funding (£90,000);
- (2) the lowest tender submitted by Lockwoods Construction (Liverpool) Ltd of Bootle in the sum of £1,988,385 be accepted; and
- (3) the Legal and Democratic Services Director be requested to enter into a formal contract with the successful tenderer.

**280. BIRKDALE HIGH SCHOOL - PROPOSED WORLD OF WORK EXTENSION**

The Cabinet considered the report of the Strategic Director - Communities on the tenders received for the provision of a new World of Work extension at Birkdale High School, Southport.

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 allocation of £346,286 in the Children's Services Capital programme for this scheme, funded entirely from the 14-19 Diplomas budget and school's Devolved Formula Capital contribution;
- (2) the lowest revised tender submitted by Lyjon Co. Ltd. of Ellesmere Port in the sum of £261,054 be accepted;
- (3) the Legal and Democratic Services Director be requested to enter into a formal contract with the successful tenderer.

**281. MEOLS COP HIGH SCHOOL, SOUTHPORT - DINING ROOM CONSERVATORY**

The Cabinet considered the report of the Strategic Director - Communities on the tenders received for the proposed Dining Room Conservatory at Meols Cop High School, Southport.

RESOLVED: That

- (1) the lowest tender submitted by Davies Maintenance Ltd of Burscough in the sum of £182,610 be accepted; and
- (2) the Legal and Democratic Services Director be requested to enter into a formal contract with the successful tenderer.

### **282. FUNDING OPPORTUNITIES - PROGRESS REPORT 3**

Further to Minute No. 89 of the meeting of the Cabinet Member - Regeneration held on 20 January 2010, the Cabinet considered the report of the Strategic Director - Communities on the progress made with regard to the expressions of interest submitted to the Regional Development Agency for funding under the North West Operational Plan to deliver projects throughout the Borough. The report also provided an update of further external funding opportunities.

RESOLVED:

That the report be noted.

### **283. 'SHOP SEFTON 2010' – SUPPORTING OUR TOWN CENTRES**

Further to Minute No. 180 of the meeting of the Cabinet held on 29 October 2009, the Cabinet considered the joint report of the Planning and Economic Development Director and the Leisure and Tourism Director on proposals to enter into a partnership Agreement with Liverpool Biennial in order to deliver a range of activities in retail centres within the Borough which would help to enhance their viability and vitality under the Shop Sefton 2010 Project.

RESOLVED: That

- (1) the bid submitted to Arts Council England for funding be noted and endorsed;
- (2) subject to securing Arts Council grant funding as outlined in paragraph 7.2 of the report, approval be given to the Council entering into a Partnership Agreement with Liverpool Biennial as outlined in Paragraph 8.0. Such an agreement will ensure that ALL Partnership arrangements are underpinned by clear and well documented internal financial controls, thereby minimising any risk to the Council as Accountable Body;
- (3) it be noted that the indicative delivery timetable is subject to change, as outlined in paragraph 6.0 of the report; and
- (4) the Legal and Democratic Services Director be authorised to execute the partnership agreement.

**284. FRANK HORNBY CENTRE - LEASE AGREEMENT**

Further to Minute No. 315 of the Cabinet Meeting held on 16 April 2009, the Cabinet considered the joint report of the Planning and Economic Development Director and the Leisure and Tourism Director on the need to enter into a lease agreement with the Frank Hornby Trust for the Hornby Centre space in the Meadow Lane Complex, Maghull, as part of securing external funding from the Heritage Lottery Fund.

RESOLVED:

That the Legal and Democratic Services Director enter into a 25 year lease agreement on peppercorn terms with the Frank Hornby Trust for the Frank Hornby Centre at Meadows Leisure Complex, Maghull, subject to a successful Heritage Lottery bid or other successful external funding, and subject to the production of a satisfactory business plan, which illustrates the proposed ongoing revenue funding and management arrangements arising from the operation of the Frank Hornby Centre.

**285. ROYAL NATIONAL LIFEBOAT INSTITUTION BEACH SAFETY PARTNERSHIP**

Further to Minute No. 85 of the meeting of the Cabinet Member - Leisure and Tourism held on 27 January 2010, the Cabinet considered the report of the Leisure and Tourism Director on a proposal to develop a Beach Lifeguard Partnership with the Royal National Lifeboat Institution in order to improve beach safety and lifeguard provision on the Sefton coast.

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

RESOLVED: That

- (1) officers be authorised to complete the "Agreement for the Provision of Lifeguard Services" in order to establish the Beach Lifeguard Partnership with the Royal National Lifeboat Institution (RNLI) (Beach Lifeguards) so that it may commence on 1 April 2010;
- (2) the Legal and Democratic Services Director be authorised to enter into a contract with the RNLI for a period of five years; and
- (3) the value of the five year contract be included in the relevant year's Medium Term Financial Plan in accordance with the Retail Price Index.

**286. CARBON REDUCTION COMMITMENT SCHEME**

The Cabinet considered the joint report of the Neighbourhoods and Investment programmes Director and the Acting Finance and Information Services Director on the implementation of the Government's Carbon Reduction Scheme which would commence on 1 April 2010.

RESOLVED: That

- (1) the report be noted; and
- (2) further reports on the progress of the scheme in Sefton as it develops be submitted to the Cabinet.

**287. GENERAL LICENSING - FEES AND CHARGES 2010/11**

This item was withdrawn from consideration at the meeting. The proposed fees and charges for Licensing Services in 2010/11 were submitted to the meeting of the Licensing and Regulatory Committee on 18 January 2010 and deferred for further consideration at the next meeting of the Committee to be held on 22 February 2010. The recommendations of the Committee will be submitted for consideration at the next Cabinet meeting to be held on 4 March 2010.

**288. EXECUTIVE RESPONSE TO OVERVIEW AND SCRUTINY FINAL REPORTS**

The Cabinet considered the report of the Assistant Chief Executive which indicated that the Overview and Scrutiny Management Board had proposed that when a Cabinet Member or Cabinet consider a final report from an Overview and Scrutiny Working Group, that they be requested to in future produce an executive response, compiled by the relevant Service Director and Cabinet Member to the relevant Overview and Scrutiny Committee.

The proposal was one of a number of recommendations contained in an Action which had been developed following a visit to Tameside Council as a means of developing the Overview and Scrutiny Function.

RESOLVED:

That an Executive response to Overview and Scrutiny Working Group Final Reports be produced in future by the relevant Service Director and Cabinet Member and submitted to the relevant Overview and Scrutiny Committee.

**289. SELECTION OF THE DEPUTY MAYOR FOR 2010/11**

The Cabinet considered the report of the Legal and Democratic Services 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 2010/11.

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 M. Fearn stands nominated as Mayor Elect for 2010/11; and
- (2) the Labour Group nomination for the post of Deputy Mayor for 2010/11 be submitted to the Legal and Democratic Services Director and subsequently submitted to the Council for approval at its Annual Meeting in May 2010.

## **290. CABINET MEMBER REPORTS**

The Cabinet received reports from the Cabinet Member for Children's Services, Communities, Corporate Services, Environmental, Health and Social Care, Leisure and Tourism, Performance and Governance, Regeneration and Technical Services.

RESOLVED:

That the Cabinet Member reports be noted.

## **291. 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 item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 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.

## **292. LOCAL LAND CHARGE SEARCHES**

The Cabinet considered the report of the Legal and Democratic Services Director on the current position with regard to the potential impact of the Environmental Information Regulations on Charges for Property Searches.

RESOLVED:

That the report be noted and a further report be submitted to the Cabinet following the meeting referred to in Paragraph 3.3 of the report.