

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 13 AUGUST 2020. MINUTE NO.S 22, 23 AND 24 ARE NOT SUBJECT TO "CALL-IN"

CABINET

REMOTE MEETING HELD ON THURSDAY 30TH JULY, 2020

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

ALSO PRESENT: Councillor Sir Ron Watson viewed the meeting
remotely

18. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Fairclough.

19. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

20. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 25 June 2020 be approved as a correct record.

21. ST TERESA'S CATHOLIC INFANT SCHOOL

Further to Minute No. 119 of 5 March 2020 the Cabinet considered the report of the Interim Head of Education advising that Cabinet had agreed to allow St. Teresa's Governors further time to provide an alternative financial proposal based on a half form entry from Reception to Year 2; that the Governing Body had been developing a financial plan to try to support the continued operation of the school; that the Local Authority had worked with the Governing Body to discuss the proposals and understand the implications; and that the issues were not related to the quality of the provision, as St Teresa's last inspection acknowledged that the school was 'Good'.

The Governing Body had put forward alternative proposals which they believed would support the sustainability of the school both financially and as a community resource; but there did however, remain some concerns about how they would work in practice. It was acknowledged that some of the work had been hampered by the COVID pandemic which had limited their ability to promote themselves as a school within the community. This would be closely monitored and escalated to Cabinet in the future if necessary.

Decision Made:

That:

- (1) the Governing Body be given the opportunity to implement their plans for St. Teresa's Catholic Primary School;
- (2) the Council cease the statutory process approved by Cabinet on 3 October 2019; and
- (3) the Local Authority and the Archdiocese continue to work with the Governing Body to ensure that proposed plans are implemented and the school can achieve financial sustainability.

Reasons for Decision:

The Local Authority has the power to consider all options and to allow the Governing Body the opportunity to continue with their action plan to move the school to a balanced budget.

Alternative Options Considered and Rejected:

Alternative options have been explored by the governing body with support from Officers. The Council could proceed to a statutory closure but have decided not to for the reasons outlined in the report.

22. SEFTON CLIMATE EMERGENCY IMPLEMENTATION PLAN

Further to Minute No. 5 of 28 May 2020 the Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services advising that Sefton Council was committed to reducing carbon emissions and had resolved to go further than the UK100 Agreement and to act in line with the scientific consensus that we must reduce emissions to net zero by 2030. As such the Council at its meeting in July 2019 declared a climate emergency. Following that declaration work had progressed within the Council on the agreed actions that were contained and approved by Members and the Strategy would be presented to a forthcoming meeting of full Council.

As part of the governance approach to the overall programme a 3-year implementation plan was to be developed for the period 2020-2023 together with details of the work undertaken during the last 12 months.

Decision Made:

That:

- (1) the progress made on the actions contained within the original Climate Emergency Council Motion of July 2019 be noted;

- (2) further work be undertaken in respect of Scope 3 of the Greenhouse Gas Protocol with the output being reported to the Overview and Scrutiny Management Board from December 2020; and
- (3) Council be recommended to approve the first 3-year implementation plan for the period 2020-2023 that will support the delivery of the Council's Climate Emergency Strategy.

Reasons for Decision:

The proposed implementation plan for the period 2020-2023 and progress made on the key actions agreed in July 2019 are key documents that will support the delivery of the Council Motion that declared a climate emergency.

Alternative Options Considered and Rejected:

None.

23. REVENUE AND CAPITAL BUDGET UPDATE 2020/21 INCLUDING THE FINANCIAL IMPACT OF COVID-19 ON THE 2020/21 BUDGET

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services that advised of:

- (1) the current estimated financial impact of COVID-19 on the 2020/21 Budget;
- (2) the current forecast revenue outturn position for the Council for 2020/21;
- (3) the current forecast on Council Tax and Business Rates collection for 2020/21; and
- (4) the monitoring position of the Council's capital programme to the end of June 2020 relating to:
 - the forecast expenditure to year end;
 - variations against the approved budgets and an explanation of those variations for consideration by Members;
 - updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects are also presented for approval.

Stephan Van Arendsen, Executive Director - Corporate Resources and Customer Services verbally updated the Cabinet in respect of the offer of a £1m grant to support projects in Southport. Mr. Van Arendsen advised that the Southport Town Board had informed the Council that they would like to progress 2 schemes to utilise the funding, namely Southport Market Hall and a Street Lighting project. On receipt of appropriate minutes from the Board Mr. Van Arendsen, the Council's s151 officer would inform MHCLG

of this decision and the schemes would progress through the Council's established governance processes.

Decision Made:

That:

(A) in respect of the Revenue Budget:

- (1) the current estimated impact of COVID-19 on the 2020/21 Budget together with the key issues that will influence the final position; and that further government guidance is awaited on the additional support that will be provided to the Council which will inform the Council's strategy for delivering financial sustainability be noted;
- (2) the financial risks associated with the delivery of the 2020/21 revenue budget and the material variations that are to be expected to the current estimates contained in the report be recognised, and it be agreed that subsequent reports provide updates and where appropriate remedial action plans as appropriate;
- (3) Authority be granted to the Leader of the Council to approve any further expenditure from the Emergency Fund following advice from the Chief Executive and s151 officer with any decisions being reported to future Cabinet meetings;
- (4) the government grant funding that has been received and that has been used to support the response to the pandemic and which has been distributed in accordance with central government guidance be noted;
- (5) the current forecast revenue outturn position for 2020/21 be noted;
- (6) the implementation of a remedial action plan to partially mitigate the forecast outturn position, and the principles to be adopted to meet the remaining forecast deficit be approved;
- (7) the temporary additional resources required as part of the demand management programme in respect of fostering, family finder and direct payments be approved and that this provision be reviewed at the end of Q1 in 2021/22 to confirm that the savings identified are being delivered; and
- (8) It be acknowledged that the forecast outturn position will continue to be reviewed to ensure a balanced forecast outturn position and financial sustainability can be

achieved; and

(B) in respect of the Capital Budget:

- (1) the spending profiles across financial years for the approved Capital Programme (paragraph 7.1 of the report) be noted;
- (2) the proposed updates to the School's Programme (paragraph 7.2 of the report) be approved;
- (3) Council be recommended to approve the revised Transport Allocations as shown in paragraph 7.3 of the report;
- (4) the latest capital expenditure position as at 30 June 2020 of £2.423m (paragraph 7.4.2 of the report) with the latest full year forecast of £35.825m (paragraph 7.5.1 of the report) be noted;
- (5) the explanations of variances to project budgets (paragraph 7.5.2 of the report) be noted;
- (6) It be noted that capital resources will be managed by the Executive Director - Corporate Resources and Customer Services to ensure the capital programme remains fully funded and that capital funding arrangements secure the maximum financial benefit to the Council (paragraph 7.6 of the report); and
- (7) in order to comply with the guidance set out by Ministry of Housing, Communities and Local Government (MHCLG) in respect of the offer from central government of £1m to Southport as part of the Towns Fund, it be approved that the Southport Towns Fund Board will advise the Council of the project(s) that it is recommending and will be completed with the grant allocation and that this will be communicated to MHCLG via the Council's s151 officer as per the guidance; and following approval this will be the subject of a recommendation to Members in accordance with the Council's Financial Procedure Rules (paragraph 7.7 of the report).

Reasons for Decision:

To ensure Cabinet are informed of the forecast outturn position for the 2020/21 Revenue Budget as at the end of June 2020, including delivery of a remedial action plan, and to provide an updated forecast of the outturn position regarding the collection of Council Tax and Business Rates.

To keep Members informed of the progress of the Capital Programme against the profiled budget for 2019/20 and agreed allocations for future years.

To progress any changes that are required in order to maintain a relevant and accurate budget profile necessary for effective monitoring of the Capital Programme.

To approve any updates to funding resources so that they can be applied to capital schemes in the delivery of the Council's overall capital strategy.

Alternative Options Considered and Rejected:

None.

24. FINANCIAL AND CORPORATE PERFORMANCE 2019/20

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services advising of the revenue and capital outturn position in relation to the 2019/20 financial year; and that in doing so the report outlined any key variations and where appropriate any impact on future years' financial performance. In addition, the report provided details of the Council's Corporate Performance for 2019/20.

A copy of the Council's Corporate Performance Report for 2019/20 was attached as an appendix to the report.

Decision Made:

(A) in respect of the Revenue Outturn:

- (1) the General Fund net deficit of £0.555m for 2019/20 that will reduce the Council's General Balances be noted;
- (2) the reduction in Schools' balances of £2.773m for 2019/20 and the net reduction of non-schools centrally retained Dedicated Schools Grant balances of £4.155m be noted;
- (3) the utilisation of £0.620m of the Council's allocation of COVID-19 emergency funding to offset income losses experienced during 2019/20 as a result of restrictions imposed by the Government in response to the pandemic (paragraph 3.3.8 of the report) be approved;
- (4) the temporary utilisation of £0.653m from the Transforming Sefton Reserve to fund increased Debt Charges in 2019/20 relating to the Minimum Revenue Provision (MRP) be approved and it be noted that this will be repaid from future reductions in the MRP charge (paragraph 6.5c of the report); and

- (5) it be recommended to Council that the balance on the Business Rates Reserve (£1.976m) be released back to the General Fund in 2019/20 to support the outturn position (paragraph 6.5e of the report);
- (B) in respect of the Capital Outturn:
- (1) the total capital outturn of £25.175m for the financial year 2019/20 be noted; and
 - (2) the successful delivery of a number of schemes as set out in section 11 of the report, that have supported the delivery of the core purpose, be noted; and
- (C) the Council's Corporate Performance Report for 2019/20 be noted.

Reasons for Decision:

The production of a revenue and capital outturn report is a key feature of effective financial management and will allow Members to make informed decisions that will support service delivery and medium-term financial sustainability.

Alternative Options Considered and Rejected:

None.

25. TREASURY MANAGEMENT OUTTURN 2019/20

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services that provided a review of the Treasury Management activities undertaken to 31 March 2020; that advised that the outturn report allowed monitoring against the Treasury Management Policy and Strategy and Prudential Indicators approved by Cabinet and Council in February 2019; and which also provided information to the Audit and Governance Committee, whose role it was to carry out scrutiny of treasury management policies and practices.

Decision Made:

That the Treasury Management position to 31st March 2020 and the update to 31st May 2020; the review of the effects of decisions taken in pursuit of the Treasury Management Strategy; the implications of changes resulting from regulatory, economic and market factors affecting the Council's treasury management activities be noted.

Reasons for Decision:

To ensure that Members are fully apprised of the treasury activity undertaken to 31st March 2020 and to 31st May 2020 in order to meet the

reporting requirements set out in Sefton's Treasury Management Practices and those recommended by the CIPFA code.

Alternative Options Considered and Rejected:

None.

26. TENDER FOR BANKING SERVICES

The Cabinet considered the report of the Executive Director - Corporate Resources and Customer Services that sought authority to commence a procurement exercise for the provision of banking services.

Decision Made:

That:

- (1) the Executive Director - Corporate Resources and Customer Services be authorised to conduct a formal procurement exercise for the provision of banking services for the period of three years from 1 April 2021 to 31 March 2024 with the option of further extensions to be exercised up to a maximum of two years; and
- (2) authority be delegated to the Executive Director - Corporate Resources and Customer Services, in consultation with the Cabinet Member – Regulatory, Compliance and Corporate Services to accept the highest scoring tender in accordance with the approved basis of evaluation and award the contract accordingly and any extension thereof.

Reasons for Decision:

The Council's Contract Procedure Rules require that where expenditure is above £189,330 the process must comply with EU Public Procurement Rules. The banking tender is expected to exceed the EU limit.

Alternative Options Considered and Rejected:

None.

27. OVERVIEW AND SCRUTINY FUNCTION – INFORMATION FROM THE CENTRE FOR PUBLIC SCRUTINY

The Cabinet considered the report of the Chief Legal and Democratic Officer advising that which provided consultation on both the new guidance published by the Centre for Public Scrutiny (CfPS) and on Overview and Scrutiny Committee meetings in Sefton, in general, with a view to providing feedback to the Overview and Scrutiny Management Board, in due course; together with a proposal that the Management Board develop an Executive / Scrutiny protocol for Sefton.

Decision Made:

That:

- (1) the new guidance document by the Centre for Public Scrutiny entitled "Taking Scrutiny Seriously", as attached to the report at Appendix A, be noted;
- (2) the Overview and Scrutiny Management Board be advised that Cabinet Members are happy with the way in which the scrutiny function operates in Sefton; and
- (3) the Overview and Scrutiny Management Board be requested to develop an Executive / Scrutiny protocol for use in Sefton.

Reasons for Decision:

Technically, the issue does not meet the criteria of a Key Decision so does not need to appear on the Forward Plan. Nonetheless, a formal decision is required by the Cabinet.

The Council's Overview and Scrutiny Management Board has requested that the guidance published by the Centre for Public Scrutiny should be forwarded to Cabinet Members and the Board has requested feedback from Cabinet Members on Overview and Scrutiny meetings in Sefton in general.

The Centre for Public Scrutiny has advocated the development of an Executive / Scrutiny protocol for use by local authorities.

Alternative Options Considered and Rejected:

No alternative options have been considered because a decision is required by the Cabinet.

28. DISCRETIONARY BUSINESS GRANTS UPDATE

The Cabinet considered the report of the Head of Economic Growth and Housing that advised, in accordance with the Constitution of the Council, of the decision of the Leader to exercise his powers to make urgent decisions because of the necessity to revise and deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response in Sefton.

Decision Made:

That the report and the necessity for the Leader of the Council to exercise his powers under the Council's Constitution to make urgent decisions to revise and deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response in Sefton be noted.

Reasons for Decision:

To inform members, in accordance with the Constitution of the Council, of the decision of the Leader of the Council to exercise his powers to make urgent decisions because of the necessity to revise and deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response as any delay would cause them further financial hardship and distress.

Alternative Options Considered and Rejected:

Delay approval of the revisions until the date of this Cabinet meeting. This was rejected as to delay any further would have caused business recipients further financial hardship and distress and potentially place many businesses at risk of contraction or closure. This cuts across the purpose and rationale behind the scheme.