

**CABINET**

**MEETING HELD AT THE TOWN HALL, BOOTLE  
ON THURSDAY 3RD SEPTEMBER, 2009**

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

**ALSO PRESENT:** Councillor Cummins

**110. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Lord Fearn, Maher and Tattersall.

**111. MINUTES**

**RESOLVED:**

That the Minutes of the Cabinet Meeting held on 6 August 2009 be confirmed as a correct record.

**112. DECLARATIONS OF INTEREST**

The following declarations of interest were received:

Member	Minute	Reason	Action
Councillor Brodie-Browne	114 - Supported Housing Needs Working Group Report	Personal - His employer receives financial support under the Supported People Initiative	Took part in the consideration of the item and voted thereon
Councillor Fairclough	128 - Southport Commerce Park-Speculative Office Development	Personal - His employer is referred to in the report	Took part in the consideration of the item and voted thereon

**113. AREA POLICE PERFORMANCE IN SEFTON**

Chief Constable Bernard Hogen-Howe from Merseyside Police gave a presentation on the Area Police Performance in Sefton during the period August 2008 to July 2009 and the previous twelve month period.

The Chief Constable and Chief Superintendent Ian Pilling (Sefton Area Commander) then responded to questions from Members of the Cabinet on the following issues.

- Anti Social behaviour
- Allocation of Police and Community Support Officers (PCSO's) across the Merseyside Authorities
- PCSO Duties

The Chief Constable indicated that he would shortly be leaving the Force to take a new post with Her Majesty's Inspectorate of Constabulary and the process for the recruitment of his successor would commence in the near future.

RESOLVED: That

- (1) the presentation be noted; and
- (2) the thanks and appreciation of the Council be extended to the Chief Constable, Bernard Hogen-Howe for his dedicated service to the people of Merseyside during the last five years, which has resulted in the delivery of an improved police service and best wishes be extended to him for future success in his career.

**114. SUPPORTED HOUSING NEEDS' WORKING GROUP REPORT**

The Cabinet considered the report of the Overview and Scrutiny Committee (Health and Social Care) Supported Housing Needs Working Group on its inquiry into the provision of supported housing services in Sefton for vulnerable adults.

Councillor Cummins, Chair of the Working Group outlined the conclusions and recommendations set out in the report.

RESOLVED:

That the recommendations set out in the report be approved.

**115. ELECTED MEMBERS MEDIA GUIDELINES**

Further to Minute No. 88 of the meeting held on 6 August 2009, the Cabinet considered the joint report of the Assistant Chief Executive (Communications) and Legal Director seeking approval for a set of guidelines governing the ways in which the elected Members media relations should operate.

RESOLVED:

That the report be deferred for consideration at the next meeting to enable the Standards Committee to give further consideration to the revised guidelines before they are submitted to the Cabinet for endorsement and the Council for approval.

**116. CHANGES TO EXECUTIVE ARRANGEMENTS – LEADER OR ELECTED MAYOR FOR SEFTON : CONSULTATION PROCESS**

The Cabinet considered the report of the Legal Director on the outcome of the Council's consultation process as a result of the statutory requirement to review the Council's governance arrangements and to move to either a directly elected Mayor and Cabinet or a new style Leader and Cabinet.

RESOLVED: That the Council be recommended to:

- (1) note the report and the responses received as a result of the public consultation exercise;
- (2) determine that the proposals for a new Constitution should be based on the new style Leader and Cabinet model; and
- (3) note that a further report will be submitted to the Cabinet on 1 October 2009 and Council on 22 October 2009 setting out the necessary changes to the Council's Constitution.

**117. TREASURY MANAGEMENT 2009/10 – DRAFT CIPFA TREASURY MANAGEMENT CODE**

The Cabinet considered the report of the Finance and Information Services Director on the proposed changes to be made to the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice and the Council's draft response to the revised code.

RESOLVED: That

- (1) the proposed changes to the Revised Treasury Management Code of Practice be noted; and
- (2) the draft response on the Revised Code be approved for submission to CIPFA.

**118. PLAYBUILDER CAPITAL GRANT 2009/10**

Further to Minute No. 53 of the meeting of the Cabinet Member - Children's Services held on 25 August 2009, the Cabinet considered the report of the Strategic Director of Children's Services seeking approval to

the implementation of schemes to be funded from the Fair Play Playbuilder Grant Allocation.

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

RESOLVED: That

- (1) the expenditure for the schemes be included in the Children's Services Capital Programme 2009/10;
- (2) the revenue allocation of £18,500 for repairs and maintenance of the five play areas on Council-owned land be referred to the budget process from 2011/12; and
- (3) future reports on proposed expenditure from the Fair Play Playbuilder Grant Allocation include details of the previous round of funding.

**119. SOUTH SEFTON SIXTH FORM COLLEGE - UPDATE ON CAPITAL AND REVENUE POSITION**

Further to Minute No. 54 of the meeting of the Cabinet Member - Children's Services held on 25 August 2009, the Cabinet considered the report of the Strategic Director of Children's Services which provided details of the offer of an additional Capital Grant from the Learning and Skills Council (LSC) for the South Sefton Sixth Form College and an update on the anticipated revenue position during the first years of operation of the College.

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

RESOLVED: That

- (1) the Capital Grant offer from the LSC be accepted and approval given to an adjustment of the Capital Programme; and
- (2) the current position on the revenue implications be noted.

**120. CORE STRATEGY – REPORT OF EARLY CONSULTATION**

Further to Minute No. 60 of the meeting of the Planning Committee held on 19 August 2009, the Cabinet considered the report of the Planning and Economic Regeneration Director which provided an update on the outcome of consultation on the Core Strategy and a summary of the issues that had emerged from it and from recent studies, so that these can be included in the Preferred Strategy stage of the Core Strategy.

RESOLVED:

That the issues outlined in the report be addressed in the Preferred Strategy stage of the Core Strategy.

**121. CORE STRATEGY - STRATEGIC FLOOD RISK ASSESSMENT FOR SEFTON**

Further to Minute No. 62 of the meeting of the Planning Committee held on 19 August 2009, the Cabinet considered the report of the Planning and Economic Regeneration Director which provided details of the proposed Strategic Flood Risk Assessment, which would form part of the evidence base for the Core Strategy and other development plans.

RESOLVED:

That the report be deferred to the next Cabinet meeting to enable the report to be considered alongside the report to be submitted to that meeting by the Overview and Scrutiny Committee (Regeneration and Environmental Services) Watercourses and Flooding Working Group.

**122. SEFTON STRATEGIC HOUSING MARKET ASSESSMENT 2008**

Further to Minute No. 61 of the meeting of the Planning Committee held on 19 August 2009, the Cabinet considered the joint report of the Planning and Economic Regeneration Director and Strategic Director of Health and Social Care which provided details of the key findings of the Sefton Strategic Housing Market Assessment 2008, one of a number of key evidence gathering studies that are being undertaken to inform the Core Strategy process and to guide advice and decisions on individual housing proposals and planning applications. It will also inform the Council's Housing Strategy.

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

RESOLVED: That

- (1) the key findings of the study be agreed; and
- (2) the Planning and Economic Regeneration Director circulate a copy of the Strategic Housing Land Availability Assessment to members of the Cabinet for information.

**123. VESTING OF PROPERTIES AND LAND - SEFTON METROPOLITAN BOROUGH COUNCIL (KLONDYKE AND HAWTHORNE ROAD) COMPULSORY PURCHASE ORDER 2005**

The Cabinet considered the joint report of the Housing Market Renewal Director and the Planning and Economic Regeneration Director which provided an update on the steps which are being taken to implement the

Sefton Metropolitan Borough Council (Klondyke and Hawthorne Road, Bootle) Compulsory Purchase Order 2005.

RESOLVED

That the actions of officers to execute General Vesting Declarations and Notices to Treat/Notices of Entry as a means of acquiring all remaining outstanding interests within the Compulsory Purchase Order boundary be noted.

**124. LIVERPOOL CITY REGION - HOUSING AND SPATIAL PLANNING BOARD MEMBERSHIP**

The Cabinet considered the report of the Planning and Economic Regeneration Director seeking the nomination of a Member to be the Council's representative on the Liverpool City Region Housing and Spatial Planning Board. The report also set out the Board's proposed Terms of Reference.

RESOLVED: That

- (1) the Cabinet Member - Regeneration be appointed as the Council's representative on the Liverpool City Region Housing and Spatial Planning Board with the Chair of the Planning Committee as the named alternative representative; and
- (2) the City Region Cabinet be requested to give consideration to the appointment of a Transport representative on the Merseyside Strategic Transport and Planning Committee.

(In accordance with Rule 18.5 of the Council and Committee Procedure Rules, the following Councillors requested that their vote against the resolution (1) above be recorded, namely,

Councillors Griffiths, Parry and Porter.)

**125. PROPOSED SOUTHPORT CULTURAL CENTRE**

Further to Minute No. 107 of the meeting held on 6 August 2009, the Cabinet considered the report of the Leisure Director on the current position relating to the proposed Southport Cultural Centre Project including the financial implications and the proposed project management plan.

The Leisure Director also gave a brief presentation on the design proposals for the Project.

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

RESOLVED: That

- (1) the work completed to date on the Cultural Centre and the current status of the project be noted;
- (2) approval be given to the undertaking of further pre-development works in the current financial year as outlined in the report, within the existing approved budget;
- (3) the issues with regard to the relocation of the library be noted and officers be authorised to continue to seek alternative provision;
- (4) approval in principle be given to the establishment of an interim arts service, subject to a further and detailed report on the nature of the service and the staffing consequences;
- (5) the Arts and Cultural Services and Library and Information Services Budgets be reformatted to meet the needs of the interim Service, subject to formal approval by Cabinet at a later date.
- (6) Officers submit proposals to phase the works programme to match the availability of external funding;
- (7) a further report be submitted to the Cabinet on the outcome of the bid to the North West Development Agency; and
- (8) the potential increased revenue costs in 2012/13 and 2013/14 be noted and a further report on the Business Plan be submitted before committing the Council to any additional costs.

#### **126. CABINET MEMBER REPORTS**

The Cabinet received reports from the Cabinet Members 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.

#### **127. EXCLUSION OF PRESS AND PUBLIC**

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 Paragraph 3 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.

**128. SOUTHPORT COMMERCE PARK – SPECULATIVE OFFICE DEVELOPMENT**

Further to Minute No. 109 of the meeting held on 2 September 2009, the Cabinet considered a further report of the Strategic Director of Regeneration and Environmental Services on proposals for the appointment of an alternative developer for the Southport Commerce Park.

RESOLVED: That

- (1) approval be given to an 'exclusivity agreement' being entered into with Berkeley James Developments Limited to allow the Council to negotiate with Berkeley James to undertake the specific speculative office development, previously being undertaken by Blythe's; and
- (2) that the exclusivity agreement be for a period of four months and further progress reports be submitted to the Cabinet on this issue.

**129. APPROVAL OF CONTRACTOR FOR REMEDIATION OF FORMER TANNERY AND FORMER PENPOLL INDUSTRIAL ESTATE**

The Cabinet considered the report of the Housing Market Renewal Director seeking approval to the appointment of a contractor for the land remediation of the former Tannery and Penpoll Industrial Estate sited at Hawthorne Road, Bootle.

RESOLVED: That

- (1) the tender submitted by C.A. Blackwell (Contractors) Ltd of Wakefield in the sum of £1,717,377.03 be approved; and
- (2) the Legal Director be requested to prepare a formal Contract with the successful tenderer.