

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY 29 JANUARY 2014. MINUTE NO's 86, 88 (6) AND 90 ARE NOT SUBJECT TO "CALL – IN."**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 16TH JANUARY, 2014**

**PRESENT:** Councillor Maher(in the Chair)  
Councillors Cummins, Fairclough, Hardy, Moncur  
and Tweed

**ALSO PRESENT:** Councillors Papworth and Tonkiss

#### **83. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor P. Dowd.

#### **84. DECLARATIONS OF INTEREST**

Margaret Carney (Chief Executive) declared a personal interest in Minute No. 90 (Pay Policy) as her post may be affected by the proposals set out in the report.

#### **85. MINUTES OF PREVIOUS MEETING**

##### **Decision Made:**

That the minutes of the Cabinet meeting held on 5 December 2013 be confirmed as a correct record.

#### **86. GOVERNMENT CONSULTATION ON A COMBINED AUTHORITY FOR GREATER MERSEYSIDE**

Further to Minute No. 51 of the meeting of the Council held on 27 September 2013, the Cabinet considered the report of the Chief Executive on the Liverpool City Region's draft response to the Government's consultation on the creation of a Combined Authority for Greater Merseyside.

The Chief Executive informed the Cabinet that the report had been considered by the Overview and Scrutiny Committee (Performance and Corporate Services) at its meeting held on 14 January 2014 and that the Committee had expressed concern about the proposal to name the Combined Authority "Greater Merseyside" and concurred with the consultation response to name it the "Liverpool City Region Combined Authority"; and raised questions about the 'travel to work area' and the method of scrutinising decisions of the Combined Authority via the panel of Councillors nominated by the six local authorities. In particular, a question

was asked as to who the Members would be serving on the Scrutiny Panel.

The Chief Executive indicated that the Council at its meeting to be held on 6 March 2014 would be requested to consider and approve all constitutional details including the scrutiny function and membership of the Combined Authority.

**Decision Made:**

That:

- (1) the opportunity to respond to the national statutory consultation on the creation of a Combined Authority for Greater Merseyside be welcomed;
- (2) after taking in to account the views of the Overview and Scrutiny Committee (Performance and Corporate Services), the consultation response set out in Appendix One to the report be approved;
- (3) the Chief Executive, in consultation with the Leader of the Council be given delegated powers to make any minor amendments to the consultation response prior to submission; and
- (4) it be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) had given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for this decisions to be treated as urgent and not subject to "call in" on the basis that it cannot be reasonably deferred because the Government's deadline for submission of responses is 12 noon on Wednesday 22 January 2014.

**Reason for Decision:**

To submit the consultation response to the Government.

**Alternative Options Considered and Rejected:**

The consultation response could be amended or rejected.

**87. 2013/14 BUDGET UPDATE**

The Cabinet considered the report of the Head of Finance and ICT which provided an update of the progress in the achievement of the approved savings for 2013 - 2015, and other risks within the 2013/14 budget; and a forecast of the collection rates for Council Tax and Business Rates in 2013/14.

**Decision Made:**

That:

- (1) the progress to date on the achievement of approved savings for 2013/2014 be noted;
- (2) the potential impact on the Council general balances in 2013/2014 should other savings not be achieved elsewhere in the budget, to bridge the current budget gap be noted;
- (3) The wider budget pressures being experienced in the remainder of the Budget be noted; and
- (4) The forecast position on the collection rates of Council Tax and Business Rates be noted;

**Reasons for Decision:**

To ensure Cabinet are informed of the latest position on the achievement of savings for the current financial year and to facilitate the achievement of the savings targets for 2014/2015.

To identify wider budget pressures being experienced elsewhere in the Budget and to provide an update on the forecast outturn position on collection of Council Tax and Business Rates.

**Alternative Options Considered and Rejected:**

None:

**88. UPDATE ON THE PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT AND CONSULTATION FEEDBACK ON THE COUNCIL TAX REDUCTION SCHEME**

Further to Minute No. 75 of the meeting held on 5 December 2013, the Cabinet considered the report of the Head of Corporate Finance and ICT which provided an update on the broad contents and implications of the Provisional Local Government Finance Settlement 2014/15, and a summary of the feedback received on the recent consultation exercise regarding the proposed amendments to the Council Tax Reduction Scheme.

The Cabinet also considered a supplementary note which incorporated the Council's response to the Provisional Local Government Finance Settlement, which had been submitted to the Government by the deadline of 15 January 2014

**Decision Made:**

- (1) the contents of the Provisional Local Government Finance Settlement be noted;
- (2) the Council's response to the Provisional Local Government Finance Settlement be noted;
- (3) the impact of Provisional Local Government Finance Settlement with regard to the Revenue Budget for 2014/2015 be noted;
- (4) it be noted that until the outstanding referendum details are announced, the Council would not be in a position to consider its budget for 2014/2015;
- (5) it be noted that the impact on the potential budget shortfalls within the Medium Term Financial Plan were as follows: -

	£m
2015/16	31.6
2016/17	<u>22.2</u>
Total	53.8

- (6) the Council be recommended to approve the 2014/15 Council Tax Reduction Scheme as set out in paragraph 8.3 of the report.

**Reasons for Decision:**

To ensure that the Cabinet was fully aware of the latest Revenue Budget position for 2014/15 so that early decisions would be made to enable the Council to agree a balanced budget for 2014/15 and agree the level of Council Tax before the statutory date of 10 March 2014.

To ensure that the Cabinet was fully aware of the latest Medium Term Financial Plan position so that early decisions would be made to enable the Council to achieve a sustainable financial position for the financial years 2015/16 and 2016/17.

**Alternative Options Considered and Rejected:**

None.

**89. CAPITAL APPROVAL FOR SELF FINANCING SCHEMES**

The Cabinet considered the report of the Head of Corporate Finance and ICT which provided details of the self financing schemes that had been considered by the Strategic Capital Investment Group on 12 December 2013 and were now presented to Cabinet for approval to their inclusion in the Capital Investment Plan.

**Decision Made:**

That:

- (1) approval be given to the inclusion of the self financing schemes set out in Section 2 of the report, in the Capital Investment Plan, subject to the relevant funding approvals being received;
- (2) subject to the projects being 100% externally funded, and there being no uncontrollable financial or legal risks, approval be given to Sefton Council being the Accountable Body for:-
  - a) Green Deal for Communities bid as outlined in paragraph 2.4 of the report;
  - b) REECH into SMEs as outlined in paragraph 2.5 of the report; and
  - c) Low Carbon/REECH type activity under the next European Programme 2014-2020 as outlined in paragraph 2.6 of the report.

**Reasons for Decision:**

To enable the inclusion of the self financed schemes in the Capital Investment Plan following their consideration by the Strategic Capital Investment Group and the Cabinet.

**Alternative Options Considered and Rejected:**

The options available would be to not approve the schemes which would then be not undertaken.

**90. PAY POLICY**

The Cabinet considered the report of the Head of Corporate Personnel on the proposed Pay Policy which had been produced in accordance with the Localism Act 2011 and the statutory guidance produced by the Department of Communities and Local Government. The report dealt with two specific issues, namely the amendments to the pay policy to reflect changes within the Authority; and decision making in relation to Authority employees who may receive a severance payment of £100,000 or over.

**Decision Made:**

The proposed Pay Policy set out in Annex A to the report be recommended to the full Council for approval, noting the proposed arrangements for Council and the Pay and Grading Committee in respect of severance payments over £100,000. This includes changes to the functions of the Pay and Grading Committee to approve and determine such payments.

**Reasons for Decision:**

To comply with the Localism Act 2011.

**Alternative Options Considered and Rejected:**

None.

**91. ADDITIONAL PROVISION OF LITTER AND DOG FOULING ENFORCEMENT**

The Cabinet considered the report of the Director of Built Environment which provided details of the potential for utilising an external provider to supplement existing enforcement capacity for littering and dog fouling; the potential impact of such an approach; and proposals for the procurement of a contractor to provide additional enforcement capacity for littering and dog fouling.

**Decision Made:**

That:

- (1) the potential impact of appointing an external provider to undertake additional littering and dog fouling enforcement across the Borough including improvements to enforcement service capacity provision, reputational impact and potential additional costs to the Council be acknowledged;
- (2) subject to foreseeable costs being able to be contained within the Environmental Public Health Enforcement budget:
  - (i) the procurement by open competition of additional litter and dog fouling enforcement services be commenced on 1 April 2014 for a period of 12 months, with a preference towards seeking contractual arrangements built around the business model outlined in option 4 of the report;
  - (ii) the exploration of the joint procurement of this service with other Merseyside Authorities be supported subject to compliance with the timescale set out in resolution (2) (i) above; and
  - (iii) the Director of Built Environment be granted delegated authority to sign off and award the contract on the basis of the offer which is most economically advantageous to the Council to be evaluated on quality as well as price.

**Reasons for Decision:**

This will allow the council to provide additional enforcement capacity for the enforcement and prevention of litter and dog fouling.

**Alternative Options Considered and Rejected:**

None.

**92. LOCAL PLAN FOR SEFTON: REPORT OF CONSULTATION ON PREFERRED OPTION**

The Cabinet considered the report of the Director of Built Environment on the consultation responses on the Preferred Option Document of the Local Plan for Sefton. The report indicated that detailed responses to the representations made would be made available when the next stage of the Plan was prepared in mid 2014.

**Decision Made:**

That the Report of Consultation and the further work identified in the report be approved.

**Reasons for Decision:**

To ensure that comments made during the consultation on the Preferred Options are reported to members, to note the implications for preparing the next stage of the Local Plan, and to ensure full account is taken of the issues raised through consultation and responses received.

**Alternative Options Considered and Rejected:**

The Council is required to prepare and adopt a Local Plan in accordance with the Planning and Compulsory Purchase Act 2004 and the National Planning Policy Framework.

**93. TWO YEAR OLD OFFER - DETERMINATION OF PROPOSAL TO EXPAND THE AGE RANGE AT PARTICIPATING SCHOOLS**

The Cabinet considered the report of the Director of Young People and Families which indicated that approval was given by Cabinet Member - Children, Schools, Families and Leisure on 23 October 2013 to the publication of a statutory public notice to change the age ranges at the relevant schools from 3 to 11 to 2 to 11 at the following schools to enable them to develop places for 2 year olds as part of the Government's Two Year Old Offer:

Lander Road Primary School  
Christ Church CE Primary School  
St Elizabeth's Catholic Primary School

Thomas Gray Primary School  
Hudson Primary School  
Bishop David Sheppard Primary School

The report indicated that no representations had been received to the proposals and set out the factors to be considered prior to any changes to the age ranges at the relevant schools.

**Decision Made:**

That the proposal the age range be changed from 3 to 11 to 2 to 11 at the schools detailed in the report with effect from 1 February 2014.

**Reasons for Decision:**

To meet the requirements of Section 19(3) of the Education and Inspections Act 2006 and the Council's Constitution.

**Alternative Options Considered and Rejected:**

None.

**94. APPOINTMENT OF TRUST GOVERNOR - LIVERPOOL WOMENS NHS FOUNDATION TRUST**

The Cabinet considered the report of the Director of Corporate Services on a request from the Trust Secretary of the Liverpool Womens NHS Foundation for a Member of the Council to be appointed on to the Council of Governors for the Foundation Trust. The report provided details of the role description and the eligibility criteria for the appointment of a Governor to the Foundation Trust.

**Decision Made:**

That Councillor Killen be appointed as the Council's representative on the Council of Governors for the Liverpool Womens NHS Foundation Trust for a term of office expiring in September 2017.

**Reasons for Decision:**

The appointment of a Council representative on to the Council of Governors will ensure that the interests of residents of Sefton are taken into account by the Liverpool Womens NHS Foundation Trust.

**Alternative Options Considered and Rejected:**

None