

CABINET

FRIDAY, 21 MARCH 2014

(9.00 a.m. - 9.45 a.m.)



Joe Anderson, OBE	Mayor of Liverpool, Chair
Councillor Jane Corbett	Cabinet Member for Education and Children's Services
Councillor Malcolm Kennedy	Cabinet Member Regeneration
Councillor Timothy Moore	Cabinet Member Transport and Climate Change
Councillor Steve Munby	Cabinet Member Living Environment and Localism
Councillor Ann O'Byrne	Assistant Mayor & Cabinet Member - Housing
Councillor Wendy Simon	Assistant Mayor & Cabinet Member - Culture & Tourism
Councillor Nick Small	Cabinet Member Skills, Enterprise and Employment

Officers

Ged Fitzgerald	Chief Executive
Samih Kalakeche	Director - Adult Services & Health
Ron Odunaiya	Director - Community Services
Colette O'Brien	Director - Children & Young People's Services
Jeanette McLoughlin	City Solicitor
Simon McEneny	Assistant Director – Physical Assets
Peter Casterton	Head of Corporate Finance
Sandra Davies	Interim Director – Public Health

Apologies for absence were received from Councillors Alan Dean and Roz Gladden and Becky Hellard, Dr Paula Grey and Nick Kavanagh.

277. **Declarations of Interest**

None were submitted.

278. **Minutes of the Last Meeting**

Resolved that the minutes of the meeting held on 28 February 2014 be approved.

279. **Mayoral Recommendations or items for discussion (will indicate key decision or not)**

Cabinet considered recommendations and **resolved as follows –**

(a) **Special Educational Needs (SEN) Reform Grant (2014/2015) (EDCS/24)**

Resolved that –

- (i) authority be granted for the Director – Children & Young People's Services to accept the Special Educational Needs (SEN) Reform Grant (2014-15) of £557,846 from the Department for Education. The City Council will thereby accept the role of the Accountable Body and ensure the grant is administered appropriately;
- (ii) the Assistant Director for Early Help be appointed as the nominated Officer for monitoring compliance with the terms and conditions of the grant. This includes maintaining a constant review of the risk of grant being clawed back under grant rules and regulations and making budgetary provision to cover any requirement to repay grant in the financial year in which the liability arises;
- (iii) authority be granted to commit to expenditure of £557,846 from 2014/15 and the City Council revenue budget be amended to reflect the grant allocation; and
- (iv) responsibility for the scrutiny of the use of the grant be delegated to the Special Education Needs and Disability (SEND) 0-25 Strategy Group as a sub group of the Children's Trust Board.

(b) Proposal to close Parklands High Trust School from September 2014 (EDCS/25)

Cabinet considered a recommendation in relation to a proposal to close Parklands High Trust School from September 2014 that –

- (i) the City Council publishes statutory proposals to close Parklands High Trust School with effect from 31st August 2014 and offer parents a place for their child at Enterprise South Liverpool Academy, Gateacre High School or St Julie's Catholic High School, advising them that they would be free to send their child to any other school with places available;
- (ii) Officers continue to work to identify and implement the best possible model(s) of provision for those students that are currently based in the resource unit at Parklands High Trust School;
- (iii) the response to any objections received during the statutory notice period be prepared by the Director for Children & Young People's Services and submitted with her recommendation to the Cabinet when it comes to take a final decision on the proposals; and
- (iv) if no objections are received the final decision be taken by the Director under powers delegated by the Executive Board on 3rd August 2007.

The Mayor referred Cabinet to the Supplementary Agenda published which provides additional information in relation to –

- Home to School Transport and Uniform Costs for displaced pupils
 - A prescribed alteration to Enterprise Liverpool Academy to create resource provision reserved for 16 pupils from 11 to 19 with ASD (Autistic Spectrum Disorder) at the Academy with effect from 1st September 2014.
 - Response 12 as referred to at Paragraph 63 of the original report – the responses to a list of questions regarding Parklands High School Speke submitted by a consultee.
- (v) with travel and uniform costs in accordance with the principals as set out in paragraphs 1 to 6 of the Supplementary Information provided to Report CHS/12/14 submitted.

Cllr Jane Corbett, Cabinet Member stated that a lot of work had taken place to identify support for the school and pupils however, the school now being unable to fully support the National Curriculum, it was in the best interests of the pupils to move to closure as outlined.

Resolved that

(A) the recommendation be approved subject to part (ii) thereof being replaced by the following –

- (ii) the City Council publishes a proposal to make a prescribed alteration to Enterprise Liverpool Academy to create provision reserved for 16 pupils from 11 to 19 with Autistic Spectrum Disorder only at the academy with effect from 1st September 2014; and

the addition of part (v) –

- (v) that Officers work to develop a scheme to support the families of any pupils that will be displaced by the closure of Parklands Trust High School with travel and uniform costs in accordance with the principals as set out in paragraphs 1 to 6 of the Supplementary Information provided to Report CHS/12/14 submitted; and

(B) taking into account representations received in response to the consultation on the proposed closure and recognising the sensitivity of the issue to the local community and the views of Ward Councillors, that this decision be referred to a Special Meeting of the Education and Children's Services Select Committee which is scheduled to take place on 27 March 2014.

(c) Royal Court Theatre (F&R/14)

The Cabinet considered the following recommendation that –

- (i) authority be granted to the Director of Finance and Resources to agree capital funds of £2m, payable in phases;
 - (ii) approval be given to the surrender of the existing lease and grant of new lease and authority be granted to the Director of Regeneration and Employment to settle terms; and
 - (iii) the Capital Programme be amended to reflect the investment as set out in the report submitted.
-

Councillor Wendy Simon Cabinet Member for Culture and Tourism stated this was an example of the good work going on with the Council supporting its cultural partners and made particular reference to the work carried out by Tim Povall and Nick Flanagan in respect of the ERDF bid.

Resolved that the recommendation be approved.

(d) **Asset Transfer - Integrated Youth and Play Service Facilities (LEL/9)**

The Cabinet considered the following recommendation that -

- (i) Mab Lane Youth and Play centre; Knotty Ash Youth and Community Centre; Childwall Youth Centre ZAP Play Centre, Walton Adventure Playground and Centre and Epsom Street Play Centre be declared surplus to City Council requirements;
 - (ii) the Director – Regeneration & Employment Services be granted delegated authority to dispose of the buildings on the basis that there will be continued added value to the community and no direct financial contribution from the council;
 - (iii) the proposed set out in Appendix A to the report submitted be followed to seek expressions of interest and to identify the organisations that are best suited to transfer assets to. If no suitable organisation is identified with sustainable proposals then the Director – Regeneration & Employment Services be granted delegated authority to dispose of the buildings commercially on the open market; and
 - (iv) delegated authority be given to the Director – Community Services and the Director – Regeneration & Employment Services to agree future usage or disposal of the facilities in consultation with the Cabinet member and the Mayor.
-

Councillor Steve Munby Cabinet Member for Living Environment and Localism outlined the options which were being explored and the work going with both the RSLs and the voluntary sector to maximise the use of the buildings. The Mayor stated that Ward Councillors were key in developing and finding ways to try and deliver a service going forward in their neighbourhoods.

Resolved that the recommendation be approved.

(e) Garston Village Masterplan (R/37)

The Cabinet considered a recommendation that -

- (i) the Garston Village Masterplan set out in Appendix 1 to the report submitted be approved by Cabinet as the basis upon which the City Council bring forward regeneration in the Garston area;
- (ii) work continues on the development of the 3-5 year Delivery Plan to provide more detailed guidance on the delivery of the Masterplan and progress on implementing this plan be reported annually to Cabinet and other partner organisations, with regular updates provided to the SRF Board. This Delivery Plan should expand upon the outline draft Delivery Plan attached to this recommendation and should be produced in consultation with key partners and should specify actions, timescales, outcomes/outputs, resources and lead partners.
- (iii) delegated authority be given to the Director – Regeneration & Employment Services to enter into dialogue with key partners to create a sustainable ongoing regeneration vehicle for the St Mary's Road area to be called the 'Garston Space Agency' and progress on this be reported back periodically to Cabinet;
- (iv) it be noted that funding contributions from the Council are highly likely to be sought in the future and might possibly be funded by receipts from land sales in the area and section 106/CIL contributions; and
- (v) it be noted that in planning policy terms the Masterplan may have limited weight but should still be a material consideration in the council's determination of planning applications for the area, and in the evidence base for the Local Plan for Liverpool.

Councillor Malcolm Kennedy Cabinet Member for Regeneration stated that the plan set out key recommendations for the future regeneration of this area of the city.

Councillor Ann O Byrne Cabinet Member for Housing stressed the good work which was going on in the area with the Council and South Liverpool Housing.

The Mayor also referred to the excellent work going on with the RSLs and that 47 acres of green open space had actually been created in the city.

Resolved that the recommendation be approved.

(f) **Disposal of the former Our Lady of Mount Carmel School Site (R/38)**

The Cabinet considered a recommendation that -

- (i) the Director – Regeneration & Employment Services in consultation with the City Solicitor, be authorised to dispose of the freehold of the site of the former Our Lady of Mount Carmel School, North Hill Street, Liverpool 8, as set out in Appendix 1 to the report submitted, to Plus Dane Group at less than best consideration, subject to the completion of a Deed of Release between the Council and Gleesons; and
- (ii) a further condition of the disposal of the site is that any capital receipts from the disposal of equity in the affordable home ownership homes or future rental income should be ring-fenced by Plus Dane Group and reinvested in affordable rent and affordable home ownership products.

Councillor Ann O’Byrne Cabinet Member for Housing outlined the proposals and stated that she had received very positive feedback from those people who were being decanted.

Resolved that the recommendation be approved.

The Mayor advised that in respect of the following items Minute No. 279 (g) relating to ‘Culture Liverpool Investment Programme Funding (C&T/6)’ and Minute No. 279 (h) relating to ‘Disposal of land at Edge Lane (Liverpool Innovation Park) (R/36), certain appendices to these recommendations remained Exempt from Publication by virtue of Paragraph 3 (information relating to the financial or business affairs of any particular person(s) or business(es) (including the authority holding the information)) of Schedule 12A of the Local Government Act 1972.

This was resolved.

(g) **Culture Liverpool Investment Programme Funding (C&T/6)**

The Cabinet considered a recommendation that -

- (i) the allocations of £3.335m of funding to the 42 cultural organisations listed in Annex 2 to the report submitted be approved.
- (ii) the funding be financed by £2.787m of revenue funds from Cultural Services and the balance of £548k from Capital Resources; and

- (iii) the Capital Programme be amended to reflect this contribution and approval be granted to commit the spend set out in the report submitted.

Councillor Wendy Simon Cabinet Member for Culture and Tourism stated that the action plan reflected the aims and the ambitions of the city in terms of cultural activity.

The Mayor stated that it was great to see the planned cultural events for the city and again the culture team had been recognised in terms the recent awards for the Battle of Atlantic commemorations and Liverpool International Festival of Music.

Resolved that the recommendation be approved.

(h) **Disposal of land at Edge Lane (Liverpool Innovation Park) (R/36)**

Resolved that –

- (i) approval be granted for the disposal of the land identified in Appendix 1 to the report submitted to the Homes & Communities Agency (“HCA”) on the basis of the terms set out in this report and Appendix 2 to the report submitted; and
- (ii) authority be given to the Director for Regeneration and Employment in consultation with the Director for Finance and Resources and the City Solicitor to conclude negotiations with the HCA to dispose of the site, and for the Council to enter into the necessary legal documentation for the transfer of the site.

280. **Chief Financial Officer Reports**

The Cabinet considered Chief Financial Officer reports and **resolved as follows** -

(a) **Revenue Monitor 2013/14 - Month 10 (January 2014)**

Resolved that Cabinet –

- (i) note that in setting the 2013/14 General Fund Budget the City Council faced a budget gap of £32m. This is on top of successfully bridging a budget gap of £91.4m in 2011/12 and £50m in 2012/13. It is estimated that the revenue budget gap for the next 3 years 2014/15 to 2016/17 is a further £156.8m. This gives context to the current financial forecast for 2013/14;

- (ii) note at the end of Month 10 (January 2013) the full year forecast projects a year end general fund underspend of £1.366m (this represents 0.3% of net revenue budget), as against a forecast year end general fund underspend of £1.151m at Month 9. The Dedicated Schools Grant (DSG) funded activities are also forecast to break even after the use of earmarked reserves;
- (iii) note that management actions have been identified to recover the Directorate overspends and these are detailed in Appendix 2;
- (iv) approve the drawdown of earmarked reserves totalling £0.973m as outlined in Section 6.1 of the report submitted;
- (v) approve the creation of earmarked reserves totalling £1.9m as outlined in Section 6.2 of the report submitted;
- (vi) approve the budget transfer of £1m from previously allocated funding to the Liverpool Citizens Support Scheme to fund the increased demand for Discretionary Housing Payments as set out in section 8 of this report; and
- (vii) note that there are a number of risks and uncertainties that may impact adversely on the general fund financial forecasts for the remainder of 2013/14. These are shown in Section 5 of the report submitted and include increased demand pressures for services, impact of the economic downturn, claims made against the City Council and that of the 2013/14 Directorate budget savings options £27.558m (99%) have been delivered. Of the remaining options still to be delivered £0.124m have been identified as green, £0.079m identified as amber, and these have been factored into the forecasts.

(b) Capital Programme Monitor 2013/14 - Month 10 (January 2014)

Resolved that Cabinet –

- (i) agree the Period 10 budget net increase of £0.283m, to the latest 2013/14 capital programme already approved by Cabinet, as included in Table 1 / Annex 1 (summary) to the report submitted, to produce a revised programme of £178.290m;
- (ii) approve the capital budgets of £178.290m for 2013/14, £222.174m for 2014/15, £73.271m for 2015/16, £51.989m for 2016/17 and £25.186m for 2017/18 as detailed in Tables 2, 3 and 4 within the report submitted. These sums update those included in the City Council Capital Strategy document for 2013/14 – 2017/18 (DRFC14/13) presented to Cabinet on the 22nd February and Full Council on the 6th March 2013;

- (iii) note spend to date of £110.442m, representing 61.9% of the revised total capital budget for 2013/14 (Annex 1), with 83.3% of the year having elapsed, and an anticipated projected spend of approximately £178.290m;
- (iv) note that actual spend is showing a 79.1% actual spend against the budgeted profile. This represents a monetary value of £29.123m on a total 2013/14 Programme of £178.290m. Managers continue to undertake all necessary actions to ensure spend levels are maximised against budgets;
- (v) note the position regarding the prudential indicators approved as part of the Treasury Strategy Report 2013/14, presented to Council 6th March 2013; and
- (vi) note the total level of Council Borrowing of £410m (£320m borrowing and £90m Other Long Term Liabilities) as at 31st January 2014.

281. **Mayoral Announcements**

Mayor Anderson OBE advised –

- On Monday he was on BBC Two's Daily Politics talking about the budget challenge the council faces and was pleased to be able to explain to Conservative Party Chairman Grant Shapps on national television about the unfairness of the cuts to Liverpool compared to David Cameron's constituency of Witney. I told him we would be £135 million a year better off if we had the same council tax base as West Oxfordshire.
- It was great to have so many different organisations present at the Environmental Summit at the Town Hall on Wednesday looking at how we can work together to make Liverpool cleaner and greener. Enforcement will be stepped up and 26 apprentices will be taken on.
- Our cycle hire scheme has taken another step forward this week. In a public vote, people opted for the name City Bike as opposed to 'Pool Bike and pop Cycle. The scheme launches in April. By July, there will be 500 bikes at 50 stations, with 1,000 bikes at more than 100 stations, across the City, by March 2015.

Councillor Ann O' Byrne, Assistant Mayor, referred to the Project Viridis campaign to help Merseyside residents save money by saving energy in their homes and the opportunity to sign up to the pledge for delivery on housing stock in the city to achieve safe, warm and affordable homes.
