



Council Supplemental (2)

Town Hall
Wallasey
15 October 2010

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday, 18 October 2010** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects : -

Contact Officer: Brian Ellis
Tel: 691 8491
e-mail: brianellis@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

5. MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 1 - 90)

To consider matters referred to the Council for determination. The relevant minutes are attached; copies of the related reports can be provided for Council members on request.

CABINET REFERRALS TO COUNCIL

Minute 68 (22 July) Area Based Grants

Minute 77 (22 July) Leasowe Leisure Centre

Minute 82 (22 July) Schools Capital Programme 2010/11

Minute 85 (22 July) Wirral's Revised Housing Investment Programme 210/11

Minute 89 (22 July) Local Development Framework – Core Strategy –

Preferred Options

Minute 93 (22 July) Reduction in Local Transport Grant 2010/11

Minute 121 (2 Sept) Local Development Framework – Strategic Housing Land Availability Assessment

Minute 143 (23 Sept) Local Development Framework – Core Strategy – Public Consultation on Preferred Options

14 October - Draft Housing Strategy (enclosure)

14 October - Wirral's Housing Investment Programme (enclosure)

COMMITTEE REFERRALS TO COUNCIL

Minute 9 Standards Committee (29 September) - Appointment of Vice-Chair

Minute 19(2) Employment & Appointments (17 August) - Early Voluntary Retirement Request

Minute 25 Employment & Appointments (16 September) - Delegation of Authority – Changes to staffing structure.

Minute 28 Employment & Appointments (16 September) - Appeals Sub-Committee – Pool of Members

(iii) APPOINTMENT Of INTERIM CHIEF EXECUTIVE, APPOINTMENT OF RETURNING OFFICER AND AMENDMENTS TO THE SCHEME OF DELEGATION of functions TO OFFICERS

The purpose of this report is to:

refer to Council the recommendation of the Employment and Appointments Committee on 17 August 2010 that the Deputy Chief Executive be appointed to the position of Interim Chief Executive for up to nine months;

invite Council to appoint a Chief Officer, subject to any necessary consultation, to the posts of Returning Officer and Electoral Registration Officer; and

seek approval of the amended Scheme of Delegation of Functions to Officers (Part 3, Schedule 4 of the Council's Constitution) reflecting the above matters and the re-organisation of the former Regeneration Department as set out at Appendix 1.

Cabinet 14 October 210 - Report of the Deputy Chief Executive:
INTERIM MANAGEMENT ARRANGEMENTS (enclosure). Cabinet resolved that:

That Council be recommended to delegate to the Interim Chief

Executive powers to appoint the Interim Head of Corporate Planning, Communications and Engagement and to make such other interim appointments (and to approve any interim terms and conditions) beneath Chief Officer level as he considers to be in the best interest of the Council and local people.

A handwritten signature in black ink, appearing to be 'B. M.', with a long horizontal flourish extending to the right.

Director of Law, HR and Asset Management

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WIRRAL COUNCIL

CABINET

14th October 2010

REPORT OF THE DIRECTOR OF CORPORATE SERVICES

DRAFT HOUSING STRATEGY

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to

- (1) provide Members with an overview of the draft Housing Strategy 2011 – 2026 and
- (2) to seek approval for the draft Housing Strategy 2011 – 2026 to be published for public consultation.

2.0 BACKGROUND

- 2.1 Wirral Council's existing Housing Strategy 2005 – 2010 was developed in line with the then Office of the Deputy Prime Minister 'fit for purpose' standard and supporting strategy guidance. It had also been aligned to the former Regional Housing Strategy and former Regional Spatial Strategy to ensure Wirral's local needs have been considered within the wider context of national and regional priorities. Members approved the Strategy on 3rd August 2005 (Cabinet, 3 August 2005, minute 126 refers).
- 2.2 The strategy was supported by a clear Action Plan which is updated and monitored every six months by the Housing Strategy Team, enabling it to respond to needs identified and local, sub-regional or national policy changes. This Action Plan is reported to both the Strategic Housing Partnership and to Members via Virtual Committee.
- 2.3 As the current Housing Strategy is approaching the end of its lifespan, officers are now in the process of preparing a new 15 year Strategy which will run from 2011 and will identify a more long term vision for housing in the Borough. The final Housing Strategy will need to align with the Council's Sustainable Community Strategy and will also need to respond to the outcome of the wider Wirral consultation exercise regarding the future of Council services in Wirral.
- 2.4 Over recent months, a number of significant changes have occurred impacting on the development of a new Housing Strategy including the change to the new Coalition government who have revoked the Regional Spatial Strategy and regional housing targets.
- 2.5 Whilst these changes, along with the immediate changes to Government spending programmes and priorities will affect the future direction of the Housing Strategy, officers are moving forward with the development of the new Housing Strategy to set the strategic framework for future policy and investment requirements.

3.0 THE CURRENT HOUSING STRATEGY 2005 - 2010

- 3.1 The vision for the current Housing Strategy is a simple one, 'to create sustainable communities across the whole of the Borough in which people choose to live and stay'. It is supported by four key strategic priorities, each with detailed solutions and action targets designed to achieve them:

- Delivering Urban Renaissance
 - Providing Affordable Homes to Maintain Balanced Communities
 - Delivering Decent Homes in Thriving Neighbourhoods
 - Meeting the Needs of Communities and Providing Support for those who need it.
- 3.2 To ensure the Strategy and in particular the Action Plan remains relevant and responsive to the changing environment, a review was undertaken half way through the term of the Strategy. An extensive consultation exercise was undertaken with key stakeholders, including the community of Wirral to 'reality check' the Strategy priorities and to identify any emerging local housing related issues.
- 3.3 The majority of those consulted, agreed with both the vision and the strategic priorities and felt that it addressed all of their housing and related issues. In particular residents identified improving the housing offer, increasing the supply of homes and building more affordable housing as the key housing issues for Wirral which needed to be addressed. All of these priorities are currently included in the existing Strategy and Action Plan. Some additional suggestions to respond to these issues were also put forward and have, where appropriate, been included within the existing Action Plan for by example building more homes and bringing empty properties back into use.
- 3.4 The 2005 – 2010 Strategy originally contained 117 action targets developed to meet its four strategic priorities. A further 84 actions have been added over the life span of the Strategy to respond to needs identified and local, sub-regional or national policy changes. As of April 2010 89% of all these actions have been fully completed with 7% not yet fully achieved. Work is continuing to ensure that all appropriate targets are fully completed, including:
- the Beechwood redevelopment scheme, where only 78% of the units had been completed due to the economic impact on the housing market, however a number of Homes and Communities (HCA) initiatives targeted at the housing market have been secured to deliver the remainder of the scheme;
 - four action targets have not been achieved due to the ongoing development of the Merseyside Sub-Regional Choice Based Lettings (CBL) Scheme. The Merseyside scheme is anticipated to be fully implemented by 2011.
 - The target to decrease Wirral's household energy consumption by 30% has achieved a level of 24% and a further update on this measure is currently taking place.
- 3.5 As a result of changes to either service delivery or funding availability 4% of the action targets have ended as they are no longer relevant. Where required, new action targets have been introduced to respond to changes to services.

Key Achievements as at April 2010

- 3.6 The current Housing Strategy has successfully enabled a significant number of achievements to be delivered, meeting the borough strategic housing priorities and vision. These include:
- In partnership with RSL's, private developer partners and other key agencies, clearance of over 580 older, obsolete and poor standard homes undertaken to make way for new, decent standard and affordable homes that better meet the current and future needs of Wirral residents.

- Improving our street scene and neighbourhoods for local communities through other initiatives such as the provision of 2060 alley gates and the installation of 108 CCTV cameras to help reduce crime.
- Increasing the decent homes standard levels of private sector homes through over 7000 improvements made to existing owner occupied and private rented homes across Wirral, complimenting the work being undertaken by RSL's in the social rented sector to bring all social housing stock up to the decent homes standard by 2010.
- Delivering over 1400 affordable homes for rent, homebuy or discounted market sale to offer greater choice for residents with differing income levels.
- Delivering over 280 new homes specifically to meet the identified needs of vulnerable residents in the Borough such as extra care housing for older people and those with cognitive problems, adults with learning or physical disabilities, teenage parents or care leavers.
- Ongoing delivery of home energy initiatives to promote and improve energy efficiency of dwellings and reduce energy consumption has resulted in over 45,000 households receiving advice (exceeding the target by 354%) and 5982 interventions to improve thermal comfort of homes (Cosyhomes 4203, Health through Warmth 1279, Heating Grants 182, insulation grants 226 and Warm Streets 92)
- Introduction of the Wirral wide free insulation initiative.
- Homelessness decisions have reduced by 87% between 2005/06 and 2009/10 as a result of refocusing the Housing Options Team towards homeless prevention and interventions.

4.0 THE HOUSING STRATEGY 2011 – 2026

- 4.1 Following a review of the achievements of the current Housing Strategy and in response to the issues identified in 2.3 – 2.5 of this report officers have drafted a new long term Housing Strategy for Wirral, which will run up to 2026.
- 4.2 The focus of this strategy will be achieved through the delivery of a housing investment plan which is measurable, realistic and achievable, enabling the Council to deliver its key priorities, respond to changes in market conditions, new opportunities and also introduce new perspective as changes happen. This approach will also ensure that shared outcomes around health, social care, education, community safety and the economy are addressed and developed.
- 4.3 It is proposed the investment plan will be monitored every six months and reviewed every three years in line with the Governments Comprehensive Spending Review process. This means the work undertaken to deliver the strategy whilst flexible enough to be responsive to new challenges and policy direction as they arise, will also be aligned with future investment opportunities.
- 4.4 An exercise has been undertaken to identify and capture all of the key evidence to identify those key issues which we know will affect housing policies and initiatives both now and in the future. These issues have been focused into seven broad areas and are supported by robust evidence:

Responding to changes in the long term population make up of Wirral, in particular its increasing ageing population

- 4.5 The Office of National Statistics indicates Wirral's overall projected population is predicted to continue to decline over the next 25 years, the opposite of what is predicted to happen to the UK as a whole. Wirral's decrease is projected to be 1.6% over the period 2008 to 2033, with more people leaving the Borough than moving in, while the projected UK increase in population is 16.6% over the same period.
- 4.6 Overall population change is not, however, the biggest issue for housing policy in Wirral. Wirral's Strategic Housing Market Assessment has identified that the make up of households is changing with household sizes becoming smaller, most notably in non-pensioner households without children, leading to a predicted 8.3% increase in the number of households by 2029.
- 4.7 There is therefore a need to consider the type and size of homes we currently have in Wirral. We need to ensure we not only make better use of existing homes and support people to move to properties which better suit their needs, but we also need to ensure the challenging targets set to deliver new homes are appropriate and support the predicted rise in household numbers.

Increasing the availability of new homes including affordable homes

- 4.8 In Wirral, being able to afford a home is still a major issue, which is worsening particularly for first time buyers who increasingly have to purchase at the lower end of the housing market. Typically this is further exacerbated by larger deposits required for a mortgage, often in the region of 25%. In Wirral this can equate to £25,000.
- 4.9 An increasing number of newly forming households (63.4%) are unable to afford general open market homes for sale. Around 47% of the requirement for new housing is for market accommodation, of which over 80% should have two or three bedrooms. About 19% should have one bedroom but mostly of types designed to cater to older people which must be of the right quality and standard. The majority (87%) of new intermediate housing should have two or three bedrooms. Nearly half of new social rented accommodation (47%) should have three or four bedrooms.
- 4.10 With the number of applicants registering on the Wirralhomes database for social housing increasing over the last year and the number of those people in urgent need of rehousing also increasing, we need to work with our partners to both make best use of existing homes as well as identifying opportunities to increase the provision of suitable housing to meet needs.

Making better use of existing stock to meet housing needs

- 4.11 Tackling long term empty homes in Wirral is important and will help to improve the quality and desirability of our neighbourhoods. It is estimated that a run-down empty home can reduce neighboring house prices by 18% and is a wasted asset for the owner. The number of empty homes within the borough has increased by 20% since 1995 with a total of 6099 homes empty in April 2010.
- 4.12 It is important to recognise that the problem exists across the whole of the borough, not just in areas of deprivation and affects newly built and existing housing stock which could be better used to help to meet the housing needs of the Borough.

- 4.13 Wirral's Strategic Housing Market Assessment (SHMA) has identified that 2,185 households currently live in unsuitable homes due to overcrowding, as well as 57,167 households who appear to be under-occupying their homes irrespective of whether they live in a home they own or rent. We need to focus on linking housing need and demand more strategically to existing homes and develop innovative solutions to bring these issues together. This work needs to focus in the future on looking at our changing population and household make up and linking this with the potential to target work to re-shape the existing housing stock in Wirral to meet the needs arising from this.

Improving homes and making areas more attractive to live

- 4.14 Wirral's housing stock consists of 73% of homes being owner occupied, 15% social rented and 12% rented from a private landlord. Although the tenure breakdown is broadly similar, the social rented sector is slightly lower than both the North West (19%) and National (18%) average.
- 4.15 In the social rented sector, homes continue to benefit from major improvement works ensuring that they meet the 2010 decent homes standard, with 94% of these homes classed as decent as of April 2010.
- 4.16 The biggest challenge in Wirral is to improve housing conditions in the private sector (owner occupied and private rented) and to balance the housing market offering greater choice. The overall number of vulnerable households (those people on a means tested benefit) living in this sector has increased from 26,200 in 2003 to 28,000 in 2008 with the percentage of vulnerable households living in a decent home increasing from 55% to just over 60%. It is estimated that of those 28,000 vulnerable households living in the private sector, 11,200 (40%) do not meet the decent homes standard. Although we have worked hard to improve some of the existing poor quality homes in the borough, particularly in our Housing Market Renewal Area, there is still more to do. High levels of unemployment, poor health and poor quality homes still exist and we need to be innovative in the future about how we address these issues, given the likely reduction in future funding available to do this.

Reducing fuel poverty in the borough, particularly focussing on the health and financial inequalities in those areas with higher than borough average rates of fuel poverty

- 4.17 Although excess winter deaths have decreased by 15% in 2009, excess cold remains a big issue in Wirral, particularly with fuel poverty levels rising due to increasing energy prices. Over Private Sector Stock Condition Survey indicates in particular, 39% of private sector stock fails the decent homes standard of which 23.4% fail due to a poor degree of thermal comfort and 16.1% of homes fail due to having Category 1 hazards in the home, the main reason being excess cold. Whilst considerable work has been done to tackle affordable warmth with over 5900 measures installed since 2005, there is still much work to be done to ensure those most vulnerable households live in a warm home.

Responding to the housing and support needs of vulnerable people

- 4.18 Our Strategic Housing Market Assessment which is carried out at a point in time estimates 29,741 (21.7%) households in Wirral with one or more members identified as being vulnerable or having a special need, exceeding the national average of 14% however the predominant vulnerable groups are households with a physical/learning/sensory disability, frail older people and a high number of people with a mental health illness.

- 4.19 Socially excluded groups including homeless people continue to need appropriate support and accommodation to meet their needs. In 2009/10, of those homeless applicants who were eligible, unintentionally homeless and in priority need, the highest percentage of applicants (63%) fell within the 25 – 44 age group and 24% in the 16 – 24 age group.
- 4.20 The housing strategy recognises that there is a need to continue to support those who can be most vulnerable in society and ensure that everyone where appropriate has the opportunity to live independently.

Supporting the economy through housing programmes

- 4.20 Whilst Wirral continues to have the capacity to undergo continued economic growth, the level of unemployment amongst residents in the Borough increased by 47.6% between March 2008 and March 2009. From March 2009- March 2010 the increase in unemployment levels has slowed with a 2% increase and since March 2010 levels have continued to fall with an 11% reduction to August 2010. However overall from March 2008 to date there has been an increase in unemployment by 31%. Inevitably, household income and employment status have an impact on housing choices and options.
- 4.21 Since 2006 Wirral and its partners have secured over £53 million in funding to develop over 720 new affordable homes, helping to create employment and training opportunities for local businesses and people.
- 4.22 The housing strategy recognises that there is a need to continue to develop new initiatives that respond to the housing needs of the borough alongside employment opportunities.

5.0 CONSULTATION PROCESS

- 5.1 It is proposed that a two stage consultation programme is undertaken, with stage one specifically testing the draft strategy and gaining views on all of the key issues which will inform housing policies and initiatives for the future, which have been set out. This part of the consultation process will take place with a wide range of key stakeholders and members of the public, through a range of existing engagement mechanisms over a six week period.
- 5.2 Following this consultation period and once the responses received have been collated, officers will during November and December 2010, start to develop and consult on stage two of the process. This will involve a more detailed consultation on the formulation of a Housing Investment Plan which will then be used and monitored to respond to annual budgets and funding regimes such as the Comprehensive Spending Review, highlighted in 4.3. It is anticipated any issues or actions arising from the Comprehensive Spending Review due to be announced on 20th October 2010, will then be able to inform this part of the process.
- 5.3 It is anticipated the final draft Housing Strategy 2011 – 2026 and supporting Housing Investment Plan, will be reported back to Members for approval early 2011, ready for implementation from 1st April 2011.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications at this stage in respect of the draft housing strategy. Any future requirements and actions arising from the new housing strategy that have any financial implications would be subject to further consideration by Members prior to implementation.

7.0 STAFFING IMPLICATIONS

7.1 There are no specific implications arising from this report.

8.0 EQUAL OPPORTUNITIES IMPLICATIONS/EQUALITY IMPACT

8.1 The draft housing strategy recognises the needs of vulnerable people as one of its seven key areas of focus.

9.0 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no specific implications arising from this report.

10.0 LOCAL AGENDA 21 IMPLICATIONS

10.1 There are no specific implications arising from this report.

11.0 PLANNING IMPLICATIONS

11.1 There are no specific implications arising from this report, but the Housing Strategy will need to be closely aligned with the Council's emerging Local Development Framework to lend further support to the delivery of the Borough's housing priorities.

12.0 ANTI-POVERTY IMPLICATIONS

12.1 There are no specific implications arising from this report.

13.0 SOCIAL INCLUSION IMPLICATIONS

13.1 There are no specific implications arising from this report.

14.0 LOCAL MEMBER SUPPORT IMPLICATIONS

14.1 The draft Housing Strategy will have an impact on the whole of the Wirral area, affecting all Wards.

15.0 BACKGROUND PAPERS

15.1 Cabinet 3rd August 2005 - Wirral's Housing Strategy Statement 2005 - 2010

15.2 Cabinet 14th October 2010 – Wirral Strategic Housing Market Assessment Update and Affordable Housing Viability Assessment – Key Findings and Policy Implications for Wirral.

16.0 RECOMMENDATIONS

16.1 That Members approve the draft Housing Strategy 2011 – 2026 for public consultation.

Kevin Adderley
Interim Director of Corporate Services

Housing Strategy 2011-2026 Draft Consultation Document

This document is the first of a two stage consultation process for the preparation of a new Housing Strategy for 2011-2026. The Council is seeking to establish the views of local stakeholders and communities on the key issues which we have identified in the Strategy.

We want to make sure we have captured the key housing issues which affect our borough so that this can be used in the future as a planning tool to help direct our resources and the work we do with our partners, including local communities to make Wirral a better place to live.

Following on from this initial stage of consultation and the comments we receive we will then be consulting on the Housing Investment Plan which will set out the immediate issues to be addressed and how we plan to respond. These will be focussed around the resources which are available to the Council and its key partners and will set out the short, medium and long term work to be done.

We look forward to receiving your comments and would ask that in responding if you could please complete our questionnaire and return it by no later than (TBC – once minutes of Cabinet meeting have been published) and call in period ended) in the freepost envelope to the following address:-

**Housing Strategy Team
Wallasey Town Hall
Brighton Street
Wirral
CH44 8ED**

Thank you for your time to read and respond to this consultation document, your views are very much appreciated

Wirral's Housing Strategy 2011-2026

Wirral Council is developing a new long-term Housing Strategy for the Borough. We would like to gain your views on housing issues to help shape our final Housing Strategy.

We would appreciate your time and comments to complete the following questions.

1. This is the suggested long term vision for the Borough: *'make sure all areas in Wirral are attractive places where people can access a home that meets their needs'*

What are your views on this? Do you:

- | | |
|----------------------------|--------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree nor disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly disagree | <input type="checkbox"/> |

If you disagree or strongly disagree with the vision then tell us what you think it should be.....

2. The following are key housing issues identified for Wirral. How important do you think they to you?

- Responding to changes in the long term population makeup of Wirral, in particular older people

Not very important 1 2 3 4 5 Extremely important

- Increasing the availability of new homes including affordable homes

Not very important 1 2 3 4 5 Extremely important

- Making better use of existing stock to meet housing need

Not very important 1 2 3 4 5 Extremely important

- **Making areas more attractive as places to live through improving homes and providing greater choice**

Not very important 1 2 3 4 5 Extremely important

- **Reducing fuel poverty in the borough particularly reducing the gap between the borough average and those areas with higher rates of fuel poverty**

Not very important 1 2 3 4 5 Extremely important

- **Meeting the housing and support needs of vulnerable people**

Not very important 1 2 3 4 5 Extremely important

- **Supporting the economy through housing programmes**

Not very important 1 2 3 4 5 Extremely important

3. Are there any important housing issues we haven't included? If yes, please use the space below to tell us more:

Thank you for taking the time to submit your views

Mr/ Mrs/ Miss/ Ms.....

Address:.....Post code.....

Telephone number: Email:

Organisation (if applicable):

- Age: Under 18 years
- 18- 25 years
- 26-35 years
- 36-59 years
- Over 60 years



If you would like to receive feedback from this survey, or be involved in Stage 2 of the Housing Strategy consultation then please tick here

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A Vision for Wirral

The vision for housing in Wirral by 2026 is to ***'make sure all areas in Wirral are attractive places where people can access a home that meets their needs'***.

We will achieve this vision through the delivery of a Housing Investment Plan which is measurable, realistic and achievable, enabling us to deliver our key priorities, respond to changes in market conditions, new opportunities and also introduce new perspective. This approach will also ensure that shared outcomes around health, social care, education, community safety and the economy are addressed and developed.

We will monitor the investment plan every six months and review it every three years in line with the Governments Comprehensive Spending Review. This means the work we are doing whilst flexible enough to be responsive to new challenges and policy direction as they arise, will also be aligned with future investment opportunities.

Introduction

This strategy is informed by a robust evidence base supporting the case for housing as a priority for Wirral. In particular, our 2007 Strategic Housing Market Assessment (SHMA) and subsequent 2009 update is a major piece of evidence providing essential information in terms of our housing market. It includes detailed information regarding local needs and demand across the borough, all of which enables the Council and its partners to consider and respond to housing issues and how they impact on other areas such as health, education and the economy. This approach underpins the key housing issues identified in the Councils Corporate Plan, Core Strategy, and the Sustainable Communities Strategy where housing is a key priority.

Narrowing the inequalities gap in Wirral for housing both within and between communities is a real challenge and to address this, three clear housing targets have been set in our Local Area Agreement up to 2012. One target specifically focuses on addressing and improving the energy efficiency of existing homes, with two further targets focusing on delivering 925 additional homes in the borough of which 503 should be affordable homes. Although these targets will go some way to addressing Wirral's housing needs, they by no means are going to fully solve the problem, an issue which is reflected nationally.

In order to achieve these targets and respond to changes in the future, it is clear that one of the key challenges will be to continue to deliver affordable housing for people who need it whilst at the same time regenerating those priority neighbourhoods where markets are failing. Nationally, it has become clear that the onset of the 'credit crunch' has triggered a serious downturn in the housing market. Individual's inability to raise deposits, a severe reduction in the availability of mortgages and reducing house prices have led to an increase in demand for affordable housing and at the same time has impacted on purchaser confidence.

Analysis of house prices and sales for Wirral between 2007/08 and 2008/09 identified a significant reduction (5.7%) of median house price, with sales reducing by 54%, reflecting the trend nationally as a result of the economic downturn.

Although more recently it has been reported that the country is officially out of recession and there has been over the last year some improvement to the economic climate indicated in Wirral by a 2.27% increase in median house price and a 1.32% increase in sales, the housing market has not fully recovered and demand for affordable housing is still strong.

Generally, the majority of homes sold in Wirral tend to be in and around the Housing Market Renewal Areas (Birkenhead, Seacombe, Liscard and parts of Tranmere and Rock Ferry) indicating its affordability compared to areas to the West of the borough which tend to be less affordable, with less availability.

This combined with analysis of demand for affordable homes from people registered on the Wirralhomes Choice Based Lettings database which has seen an increase in applicants registering between April 2006 and April 2009, indicates a clear need for the Council and its partners to do more. A clearer picture of the need for affordable housing is the 1,100 applicants currently registered who have an urgent need for rehousing resulting in their current accommodation being unsuitable.

Whilst it is a key challenge to continue to deliver affordable housing, this needs to be placed into context. Not all people are in this position and the reality is that many Wirral residents have access to a decent home and enjoy an excellent quality of life and life expectancy, however there remains a stark gap between the most affluent and most deprived areas, particularly in life expectancy which housing has a significant impact on.

The Future

Throughout the life of this strategy, the economy will continue to change and therefore we need to ensure the housing market is supported to help respond to these changes. We need to ensure we meet both the local housing needs for the borough and balance out the housing market to achieve our long term vision, where although the population is anticipated to decrease slightly by 1.6%¹ by 2033, the fastest rate of increase in terms of age groups will be those aged 65 and above.

Therefore whilst we place significant importance on delivering sufficient new housing, we also have to be realistic in what can be achieved and delivered to meet local needs. The changing economic climate and the uncertainty in the longer term of the availability of resources means we also need to concentrate on the homes we already have in Wirral focusing on:

- **maximising the existing use of homes** through regeneration of areas;
- **improving poorer quality homes** to make properties and areas more attractive, where some 10.9% of residents living in private sector homes are fuel poor
- **Tackling and bringing back into use** those homes which are empty and could be used to meet the backlog of housing needs, particularly when the number of private sector homes which have been empty for more than six months has increased by 4.4% between 2009 and 2010.
- **Providing technology and services to vulnerable households** who need support to help them to remain in their own homes for as long as possible
- Helping those who can't remain in their current home through **providing specialist accommodation to meet their long term needs.**

In order to bring all of this together to deliver our vision, the council and its partners have a critical role to play in ensuring that new and existing high quality homes are provided, aligned with opportunities for training and employment, with the council seeing the strategic housing role at the heart of achieving this. We need to provide clear leadership to ensure the right conditions are created to increase the supply of all types of homes in Wirral, complimenting ambitious targets for housing growth with future changes in economic prosperity.

To achieve this we will continue to ensure housing and planning policies are closely aligned enabling opportunities for new housing development to be realised and delivered in the future.

¹ ONS population projections

KEY HOUSING ISSUES IN WIRRAL

To reflect the need to be responsive to new challenges for housing and to ensure we recognise the links between a persons increased health and general life opportunities such as education and employment, we have reviewed our approach to how we address housing issues, with our strategy focusing on the following key areas:

1. Responding to changes in the long term population makeup of Wirral, in particular an increase in the number of older people
2. Increasing the availability of new homes including affordable homes
3. Making better use of existing stock to meet housing need
4. Making areas more attractive as places to live through improving homes and providing greater choice
5. Reducing fuel poverty in the borough particularly focussing on the health and financial inequalities in those areas with higher than borough average rates
6. Meeting the housing and support needs of vulnerable people
7. Supporting the economy through housing programme

The core theme running through each of these areas is the need to ensure we respond to the different needs and aspirations of individuals and communities, enabling Wirral residents to thrive and achieve their full potential by working to narrow the inequalities gap and supporting a diverse population in the future.

Responding to changes in the long term population make-up of Wirral, in particular an increase in the number of older people.

The Evidence and Challenge

- A decrease in the overall population over a 25 year period (2008-2033) of 1.6% (4,800)
- The biggest decrease is in those of working age (-14.6%)
- The fastest rate of increase at 36.0% (24,600) being for older people with the largest increase being 122% (9,700) for those aged 85 and above.
- It is estimated by 2029 the number of households is projected to increase by 8.3% (11,400).
- It is estimated that by 2029, all household groups except pensioner households are projected to decrease in size, with non pensioner households without children expected to show the biggest decrease.
- It has been estimated that around 5% of people over the age of 65 live in some form of sheltered housing with a further 5% living in residential / nursing homes.
- In 2010 Supporting People services provide support for up to 3,678 older people through initiatives such as Extra Care Housing, Sheltered Housing and mobile wardens.
- In 2009/10 there were 7,035 people over the age of 65 in receipt of formal community care services arranged via the Department of Adult Social Services.
- There are 13,000 current claimants of Attendance Allowance in Wirral (non means tested benefit for which a person must be over 65 years of age and in need of frequent care and attention throughout the day or night, or need continual supervision).
- It is evident though consultation, that the existing levels and type of provision for older people no longer meet all of their aspirations and needs
- Overall in 2009 25.6% of all households in Wirral are unable to afford general market homes of an appropriate size, which is an increase of 2% since 2007.
- It has been predicted there will be an increase in the UK households of non-white British origin from 8% in 2001 to 20% in 2051

Evidence: Office for National Statistics 2010, Strategic Housing Market Assessment, Supporting People Programme, Joint Strategic Needs Assessment

The monitoring of population changes, forecasts and projections and relating them to housing is essential if we are to be well prepared to meet the Borough's future needs. Not only do we need to look at overall population change projections, we need to look at the predicted make-up of that population, for example people's age and ethnicity. The changes in our population make-up in recent years have already impacted upon and altered the way services are being delivered, such as the increase in the requirement for adapting older and disabled people's homes due to the increased need.

Population and household size

Wirral's overall projected population is predicted to decrease over the next 25 years, the opposite of what is predicted to happen to the UK as a whole. Wirral's decrease is predicted to be 1.6% over the period 2008 to 2033 with more people leaving the Borough than moving in, while the projected UK increase in population is 16.6% over the same period.

Overall population change whilst important is not the biggest issue for housing policy in Wirral. More importantly the make up of households is changing with household sizes becoming smaller. Our recent assessment of the local market estimates the biggest decrease expected will be in non-pensioner households without children, leading to a predicted 8.3% increase in the number of households by 2029. However, whilst households are expected to decrease there is still a major need to address the current housing requirements of the borough which is for a wide range of households including families, single people and couples. There is therefore a need to consider the type and size of homes we currently have in Wirral. We need to ensure we not only make better use of existing homes and support people to move to properties which better suit their needs, but we also need to ensure the challenging targets set to deliver new homes are appropriate and support this predicted rise in household numbers across all types of property.

Older People

The biggest issue arising from the predicted demographic changes for Wirral, is how our population will be made up in the future, in particular the highest estimated increase in the number of older people aged 65 and over. As well as impacting on housing, the increase is also an issue for support agencies and health and social care organisations.

Older people are one of the key ‘super groups’ identified as a target priority for the Council and its partners to address particularly in relation to housing, health and other support needs. This is of particular importance as the number of older people who have a physical and / or mental frailty is increasing although life expectancy is increasing. In effect as we are living longer, we have more years in poor health.

In responding to an older population, Wirral Council and its partners need to consider the following:

Types of homes

Of the additional homes needed for the Borough until 2029, it is estimated some 34.4% (3922) will need to be “specialist” housing², i.e. sheltered or supported.

Whilst we have gone some way to addressing this need, with 250 new homes developed specifically for older people since 2006 at a cost of over £24.68 million (£11 million of which has been provided through government grant funding), we still have work to do, but equally we have to be realistic about what can be done. Given the costs so far to develop this specialist accommodation, we need to be realistic about what we can do in the future, with a significant amount of investment required to deliver further accommodation. Clearly with the impact of reduced availability of resources and the changing economic climate, we need to consider the housing needs of all groups across the borough and balance out these requirements and what can realistically be achieved. We will need to work with our partners to develop innovative solutions which will help us deliver new provision where appropriate to address these needs.

House size

It is expected by 2029 that about half of all one and two bed homes (excluding “specialist” housing) will be occupied by older person households, up from an average of 39% in 2009³. Along with the need for greater provision of two bedroom homes in the Borough

² Wirral’s SHMA 2010, page 71.

³ Wirral’s SHMA 2010, page 82.

across all age groups, there will also be a need for some increase in numbers of this property size to accommodate older people who may wish to move into smaller homes.

Support in the home and quality housing

Most older people want to stay in their own home where possible and as the population continues to age, we need to recognise that a greater number of support services will be needed in the future to achieve this. We will need to invest in a range of innovative solutions and services including aids and physical adaptations and general home maintenance to ensure by 2026 that older people can live in a home which is of a good standard, safe, efficient to run and warm.

Where homes are being built, regardless of whether or not they are to be occupied immediately by older people, they must be “future-proofed” so when an older person moves in, or when the occupiers become older themselves, the home will already meet their needs or can easily be adapted. This will help to ensure that we can focus on helping people to stay in their own homes for as long as possible and ensure those who can't, have access to a suitable home to meet their needs.

Ethnicity

The current ethnic mix in Wirral consists mainly of white British (96.5%) and numbers of those of other ethnic origins is lower than the English average⁴. It has been predicted there will be an increase from 8% in 2001 to 20% in 2051 in UK households of non-white British origin⁵. Households with a European, US and Australasian ethnic background will grow fastest but those of a south Asian background will grow also. Wirral responds currently to the diverse needs of our communities directly for housing through the Black and Minority Ethnic Housing Support Team and will continue to be flexible enough to adapt its housing services to assist more households with different cultures, religions and languages accordingly.

⁴ Non White British in Wirral consist of 5% of the population and in England 13% - 2001 Census, ONS.

⁵ Ethnic population projections for the UK and local areas, 2001 – 2051, University of Leeds, July 2010.

A need to increase new housing and deliver affordable homes

The Evidence and Challenge

- Since the economic downturn, new housing development has been significantly below the higher annual regional requirement of 500 net additional homes.
- Wirral's Local Area Agreement targets for 2009/10 and 2010/11 have subsequently been re-negotiated to 265 and 160 to take into account the national economic downturn.
- The median house price in Wirral between 2007/08 and 2008/09 fell by 5.7% and sales reduced by 54%, however there has been some improvement in 2009/10 with a 2.27% increase in median house price and a 1.32% increase in sales.
- The median house price for Wirral increased from £132,000 in 2008/09 to £135,000 in 2009/10 which is an increase of 2.27% indicating early signs of improvement in the market.
- First time buyers are struggling to buy homes, as larger deposits are required to obtain a mortgage. In Wirral, on average a 25% deposit for a mortgage is in the region of £25,000.
- Wirral's 2008 Place Survey confirmed that people in Wirral see 'affordable decent housing' of key importance.
- Demand for affordable housing in 2009/10 has increased with the number of applicants registering on the Wirralhomes database for social housing increasing compared to previous years. Whilst this is not a true indication of need and is subject to allocations, this does support the continued priority for affordable housing to be delivered locally.
- The number of applicants registered on the database in 2009/10 with urgent need status for rehousing has also increased compared previous years, indicating that more people are in immediate need for affordable housing to meet their specific needs.
- A recent introduction in 2011/12 of absolute caps that Local Housing Allowance (benefits to help pay towards private rented accommodation costs) rates cannot exceed.
- Those on Job Seekers Allowance for more than 12 months will have their Local Housing Allowance cut to 90%.
- An implied requirement to deliver 570 new homes per year up to 2029 in order to balance out our housing market and make areas in the east of the borough more attractive to live.
- A requirement for 40% of this to be for affordable housing as 25.6% of all households in Wirral are unable to afford market accommodation of an appropriate size which is an increase of 2% since 2007.
- Without the Wirral Waters development, the Council's Strategic Housing Land Availability Assessment shows a reducing land supply over time within the regeneration priority areas primarily in the east of the borough, with a gross capacity of up to 2,900 units available within the first five years and up to 700 units in year's six to ten on previously developed sites. An additional 965 units had planning permission outside the regeneration priority areas.

Evidence: Strategic Housing Market Assessment and Strategic Housing Land Availability Assessment

Future Supply of Accommodation

Key to any new housing provision will be the availability of enough land to build new homes where they are needed. We are currently in the process of developing our Core Strategy which will be supported by a robust evidence base and assessment of land supply for Wirral and will ensure that appropriate future housing supply will be considered when developing housing targets .

The findings of the SHMA are significant considerations with regarding to level and location of future house building that should be permitted within Wirral, if identified local housing needs are to be met. The consideration of this issue is, however is currently subject to considerable uncertainty.

The rate of new house building in Wirral has dropped markedly since the onset of the recession and the level and pace of any future recovery is as yet unclear.

The annual housing requirement for net additional homes in Wirral was previously set by the Secretary of State in the former Regional Spatial Strategy issued in September 2008 at 500 dwellings, lower than the need now identified in the SHMA. The Regional Spatial Strategy has now been revoked to remove “top down” targets to allow greater local choice and the Secretary of State has confirmed that decisions on housing supply will rest with local councils without the framework of regional numbers and plans. The basis for making these decisions in the absence of the Regional Spatial Strategy has, however, not yet been clarified.

The Council will be consulting on a new housing requirement figure for Wirral as part of the preparation of the Core Strategy Development Plan Document. A range of figures will be suggested on which stakeholders will be invited to comment, including the annual rate of 570 net additional dwellings implied by the results of the SHMA Update, which is based at a single point in time on a number of factors including the provision that all emerging households need a property and does not account for empty properties which could and may be made available. Matters to be addressed will include the location and capacity of available land, wider development aspirations and the pace of market recovery. It will not be possible to comment further on the potential future housing numbers for Wirral until that consultation process has been completed, this will form part of the process of the review of the Housing Investment Plan for the future.

However, in the interim, until a final figure can be determined, Cabinet has already resolved that an annual figure of 250 net additional dwellings should be applied and underpinning our future direction in terms of new and existing homes will be the need to narrow the inequalities gap between our communities and ensuring that future housing provision meets needs and is sustainable over the long term.

Accessing Home Ownership

The economic downturn and the problems first time buyers are facing have impacted on Wirral’s housing market. Although house prices in the Housing Market Renewal area are still lower than the west of the Borough, evidence indicates there is still a 44.4%⁶

⁶ Strategic Housing Market Assessment 2009 Update – P60 para 6.48 – RSS Inner Area equivalent to HMRA

affordable housing need in that area. There is therefore still a need to make areas in the east of the Borough more attractive to live and narrow the housing and inequalities gap.

In Wirral, being able to afford a home is still a major issue, which is worsening particularly for first time buyers who are increasingly having to purchase at the lower end of the housing market. This is further exacerbated by the increased emphasis on larger deposits for mortgages as a result of the change in the availability of credit.

Nationally in 2010, first time buyers accounted for the lowest proportion (35%⁷) of home purchase loans since September 07, raising concerns about the future housing market particularly as this will impact on existing home owners ability to trade up and move on to more suitable homes. As the overall health of a housing market relies on a steady flow of first time buyers, particularly as the market is largely based on a system of trading up in the value, type and size of a home, we need to ensure new purchasers are encouraged and supported through new initiatives to access a first home.

It is important to stress that changes in the economy and housing market affect all home owners irrespective of their circumstances, however this is of more concern where people have little or negative equity in their home. Often this is compounded by the fact that peoples incomes may have reduced, they may have lost their job and have little or no savings to support them to move.

The Private Rented Sector

The private rented sector is an increasingly important provider of easily accessible, flexible accommodation, and more households are recognising the advantages of the sector as a tenure of choice. This ease of access, coupled with supporting tenants to sustain existing tenancies, is something Wirral continues to use as an aid to homelessness prevention and meeting housing need. This is being achieved and will continue to be delivered through linking housing advisors, information leaflets, multi tenure choice based lettings, landlord accreditation, Bond/Deposit Scheme, and tenancy support officers that work in partnership with landlords and tenants, all of which helps to improve access and ensure tenancies are sustained over the longer term.

A challenge for the future which will impact on people's ability to afford a home is the Government changes to the Local Housing Allowance to be introduced in 2011/12. It is estimated that in the North West, 49% of people claiming Local Housing Allowance will have their allowance cut, with the average loss being £11⁸ per week. There are concerns that nationally 202,000 people are at risk from becoming homeless as a result of this benefit cut. To respond to this we will need to work with our partners to minimise the impact of this on reducing peoples income by looking at a range of initiative including new ways of lettings such as shared tenancies and financial inclusion initiatives such as working with organisations such as Wirral Moneyline to provide financial advice, particularly if this means people are at risk of being made homeless and unable to afford to maintain their home.

⁷ Council of Mortgage Lenders ([press release 15 June 10](#))

⁸ [DWP Impacts of Housing Benefit proposals: Changes to the Local Housing Allowance to be introduced in 2011-12](#)

The Social Sector

In Wirral an increasing number of newly forming households (63.4%⁹) are unable to afford general open market homes for sale. It is estimated that the number of smaller one and two person households is increasing, contributing to Wirral's increased need for additional affordable housing for a range of households but in particular older and single people and households with no children.

With the number of applicants registering on the Wirralhomes database for social housing increasing over the last year and the number of those people in urgent need of rehousing also increasing, we need to work with our partners to both make best use of existing homes as well as identifying opportunities to increase the provision of suitable housing to meet needs.

We want to respond to the feedback we have had from consultation events with young people, where work needs to be done to raise the profile of social housing. It is essential social housing is seen as a tenure of choice for local people, this will need to be delivered through improving the quality, type and choice of social rented sector accommodation in the borough.

⁹ Strategic Housing Market Assessment 2009 Update – P47 para ii

A need to make better use of the existing stock across all sectors to meet the backlog of housing need and those for the future.

The Evidence and Challenge

- Wirral recorded an increase in the number of all empty properties from 5086 in 2009 to 6099 in 2010.
- The North West has the second highest number of empty homes in the country representing a significant challenge for Wirral in terms of addressing this and where appropriate making use of these properties to meet the housing needs of the borough.
- Homes in the private sector which have been empty for more than 6 months has also increased by 4.4% from 2623 in 2009 to 2739 in 2010.
- Whilst Wirral has a significant problem with empty properties on the eastern side of the borough, it is by no means contained there. Across the 207 Lower Super Output Areas's (LSOA) within the borough, 25% (52) have long term vacancy rates above the Wirral average of 2.3%. Of the 31 LSOA's in the Housing Market Renewal Area 67%, (21) of those also have vacancy rates above the Wirral average.
- In 2007/08 177 empty homes were brought back into use, rising to 207 in 08/09 and in the region of 280 in 2009/10. The majority of these homes were in the private sector.
- As at April 2010 the overall number of empty social rented homes was 916, or 4% of social stock which is an increase of 104 over the 812 in 2009. Although empty properties at 4% remain higher than the national average of 2.5%, it is important to recognise that this increase is due to an increase in the long term empty homes many of which are a result of programmed clearance in preparation for demolition. The number of short term empty properties remain almost the same at 381 empty social rented homes in April 2010, an increase of just 2 from April 2009 figure of 379.
- Wirral's 2009 SHMA identified that 2185 households currently live in unsuitable properties due to overcrowding, irrespective of whether they live in a home they own or rent.
- Recent analysis of Wirralhomes data shows no direct relationship between postcode areas in terms of overcrowded and under occupied homes, however Wirral's 2007 SHMA has identified that 41.6% (57,167) of households across the borough irrespective of tenure under-occupy their homes, although indications are this is more common in households who own their own home.

Evidence: Empty Property Strategy, Wirral Homes data, Private Sector Stock Condition and Home Energy Survey 2008, Strategic Housing Market Assessment 2007

Tackling long term empty properties in Wirral is important and will help to improve the quality and desirability of our neighbourhoods. It is estimated that a run-down empty home can reduce neighbouring house prices by 18%¹⁰ and is a wasted asset for the owner. Irrespective of whether an empty property is newly built or an existing one, it could if brought back into use, help to meet the housing needs of the Borough.

¹⁰ The Royal Institution of Chartered Surveyors estimate

Whilst it is acknowledged there will always be an element of some vacant homes in the borough, by 2026 we want to reduce the number of empty homes both in the borough and more importantly in the areas where long term vacancy rates are above the Wirral average and are impacting on neighbourhoods.

We will need to focus on linking housing need and demand more strategically to existing homes and develop innovative solutions to bring these issues together. We will need to focus in the future on looking at our changing population and household make up and link this with the potential to target work which both looks to help owners who want to bring empty properties back into use and utilises a range of enforcement powers where needed. This will make a significant contribution to Wirral's local economy through increased income generation for the Council and the increased use of local labour and supplies through improvement works.

Tackling empty properties and the use of enforcement powers is a key challenge for the Council which will need to be sufficiently resourced in the future if it is to make a significant impact and a real difference is to be made in local neighbourhoods.

Whilst tackling empty properties across all sectors is important, the biggest challenge for the Council is to concentrate its resources towards the private sector. Responding to empty properties in the social sector continues to be important and we are working closely with our RSL partners to both understand the reasons why there are still a number of long term empty properties in this sector and address these properties through targeted programmes including clearance of high rise flats.

A need to make areas more attractive as places to live and encourage people to stay in the borough through improving stock and providing greater housing choice.

The Evidence and Challenge

- Wirral's housing stock consists¹¹ of 73% owner occupied, 15% social rented and 12% rented from a private landlord. Although the tenure breakdown is broadly similar, the social rented sector is slightly lower than both the NW region (19%¹²) and national picture (18%)
- 74% of all housing¹³ (both social and private sector) in Wirral meets the decent homes standard
- 94% of homes in the social rented sector are classed as decent as of April 2010. This is anticipated to rise to 95% at the end of 2010 with 100% decency being achieved by 2012¹⁴.
- The biggest challenge to improving conditions is in the private sector (owner occupied and private rented). Of those 28,000 vulnerable households (people on means tested benefits) living in the private sector, 11,200 (40%) live in homes that do not meet the decent home standard.
- 16.1% (19,900) of homes are classified as having category 1 hazards under the Housing Health and Safety Rating System associated with the property and this is significantly higher at 26% (4,394) inside the housing market renewal area.
- There has been a 3.57% reduction in house prices for the Borough between 2007/08 and 2009/10, however in the last year there has been an increase of 2.27%. However for the same period the housing market renewal priority areas have seen a 11.7% reduction with the last year alone seeing a 6% reduction demonstrating a need to target investment for the future into helping regenerate local areas and balance the market.
- Indications suggest that although housing renewal areas have improved in terms of perception and desirability, focus needs to remain on these areas as there is still a gap between these areas and rest of borough
- Since 2007 the number of properties within Wirral with Council tax bands A – C have increased by 1.29% compared to 0.88% for those in bands D – F and 3.42% for bands G – U. There is a gap in the % of properties in band C-H for the borough (38.43%) to that in the priority area; housing market renewal (2.34%)

Evidence Private Stock Condition Survey (2008); LCRH Vulnerable Markets paper (2009); Newheartlands Sustainability Index; Liverpool City Region Multi Area Agreements housing platform paper (2009); Merseyside LAS feasibility study (2009)

A key role of the Council in respect of private sector renewal is to improve the quality of life for residents by ensuring the provision of decent housing which meets the needs of

¹¹ PSSC&HES (2008) pg11

¹² HCA- Pete Bailey – tenure patterns & aspirations (2009) (original data 2007)

¹³ Private sector of 61% decent derived from 2009 PSSCS, and Social sector of 94.6% derived from 2010 WAMP data. All tenure % calculation made using dwelling count.

¹⁴ The delay in 100% decency being achieved due to WPH and extension agreed with HC (now TSA)

local people and supports both economic and social regeneration. This role exists to ensure that communities remain at the heart of the decision making process affecting their areas.

The responsibility for maintaining private property rests first and foremost with the homeowner. However the Council recognises that intervention and assistance is necessary where areas are in decline, owners are in financial hardship (a problem which is increasing as the impact of the economic recession continues) or landlords refuse to undertake essential repairs or improvements.

Wirral has already embarked on a bold programme to radically address housing market decline in the priority inner areas of Tranmere, Birkenhead, Seacombe and parts of Liscard and Rock Ferry. Over £103 million has been spent since 2003 transforming Wirral's eastern housing markets. It has levered in £17 million private sector funding with a further £64 million committed from Lovell. Activity since 2003 has included focussing on pockets of high market stress and encompassing selective clearance and site assembly for re development of high quality, well designed multi tenure housing and commercial units. In the more sustainable neighbourhoods Wirral has delivered improvements to the existing housing stock through group repair and improvement grants, environmental improvements and a range of environmental and neighbourhood initiatives.

Much of the work has focused so far on the priority areas of Rock Ferry and Tranmere where significant changes have been seen to the local areas. Residents satisfaction with the area has increased and in the Tranmere area alone, just before the economic downturn, house prices rose by 90% compared to the Borough average which during the same time rose by 50%.

Restructuring the housing market of the priority areas is still a major challenge and although we have worked hard to improve some of the exiting poorer quality homes in the borough, particularly in the inner areas there is still more to do. Wirral is well equipped to meet this challenge with dedicated staff in place with the necessary skills and expertise to deliver. Over the coming years the focus of delivery will be to move forward with the plans for the redevelopment of Birkenhead and Wallasey where resources will need to be targeted to make an impact on the same scale as has been seen in Rock Ferry and Tranmere where a neighbourhood has been transformed by market renewal.

We will need to be more innovative in how we address these issues and look at new delivery models such as Community Housing Trusts, given the reduction on future funding anticipated available to do this. Increasingly with changes to the economy we will see people moving in and out of Wirral in the future to access employment and education opportunities. To respond to this we need to make sure that what we have to offer people in terms of a home and neighbourhood to live is desirable and affordable as well as flexible enough to allow people to move.

Our homes in the social rented sector continue to be well regulated and improved to ensure they meet specific quality standards and we continue to work with Registered Providers who own these homes to make sure that these standards continue to be maintained in the future. We will use evidence such as our Strategic Housing Market Assessment to help inform the type and location of new homes needed for the sector to ensure the right types of homes are available and sustainable to meet the housing needs of the borough.

As is the case regionally and nationally in respect of the level of the private rented sector this continues to slowly increase due to a number of factors including less availability of social rented homes, lack of affordable homes to buy, increased demand for a flexible tenure that is easy to access, and a previously thriving buy to let market which has risen as a result of the 'housing boom' over recent years.

Although the private rented sector has many advantages such as flexibility and ease of access, evidence has highlighted that it contains more vulnerable households, has the least security of tenure and housing conditions on average are three times worse than owner occupied homes. By 2026 Wirral wants to see a healthy private rented sector with good quality properties and management standards supported through Wirral's accreditation scheme, a view which is supported by local communities. In order to meet the challenge of increase choice, Wirral recognises that the private rented sector in particular will need to be considered as a key partner in this process. Our limited land availability, pressure on the availability of social rented sector homes and the impact of the economic recession means that supporting people to consider all available housing options together is essential.

Subject to sufficient continued investment, by 2026 it is anticipated the gap between the boroughs house prices, proportion of council tax bands and tenure breakdown against those priority areas to the east of the borough are narrowed. The aspiration in the long term is one of a borough with a variety of accommodation which is balanced to ensure communities can have a greater choice in where they live and if applicable move up the housing market rather than move out.

A need to reduce fuel poverty across the borough, particularly focussing on the health and financial inequalities in those areas with higher than borough average rates

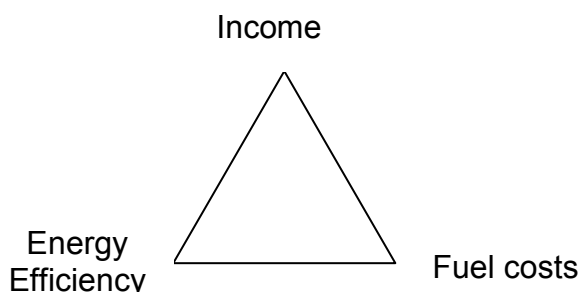
The Evidence and Challenge

- 11% of households living in the private sector are estimated to be fuel poor (spending more than 10% of their household income on energy bills) this is a decrease from 21.1% in 2002. However fuel poverty is rising due to increasing energy prices, which will continue to increase significantly until at least 2020, and therefore there is importance on addressing fuel poverty at a local level
- 39% of private sector stock fails the decent homes standard of which 23.4% fail due to a poor degree of thermal comfort and 16.1% of homes fail due to having Category 1 hazards in the home, the main reason being excess cold.
- The cost to remedy thermal comfort is £34m and the cost to remedy Category 1 hazards is £127m. The cost of energy efficiency improvements to dwellings in fuel poverty in the owner occupied sector is just over £10.9m.
- Costs of illness arising from cold and damp housing conditions to the National Health Service are estimated at over £1billion per year. Investing £2.3m addressing housing conditions for excess cold and falls has the potential to address health inequalities and save Wirral National Health Service £9.36m
- Areas which are suffering from higher than borough average levels of fuel poverty and Category 1 failures include parts of Wallasey and Birkenhead.
- By investing £7.34m in loft and cavity wall insulation to insulate 80% of properties in need of it, a lifetime CO₂ saving of 870,340 tonnes would be achieved, saving each household receiving both cavity wall and full loft insulation around £265 a year.

Evidence: Joint Strategic Needs Assessment, Affordable Warmth Strategy

Fuel poverty is officially defined by the Government as when a household needs to spend more than 10% of its disposable income to adequately heat the home¹⁵. It can be better described as “affordable warmth”. 15.3% of Wirral households are currently in fuel poverty¹⁶, which is above the average for Merseyside (14.5%) and the North West (14.2%).

Fuel poverty is caused by any one of three factors, with a household in fuel poverty being affected by just one or all three, as shown by the “fuel poverty triangle” below:



¹⁵ UK Fuel Poverty Strategy, 2001, DEFRA and DTI, Page 6.

¹⁶ Fuel poverty sub-regional statistics, 2009, DECC,

http://www.decc.gov.uk/en/content/cms/statistics/fuelpov_stats/regional/regional.aspx

- If household income is low, fuel bills will account for a higher proportion of that household's spend.
- If the property has poor energy efficiency levels due to, for example, no loft insulation or an old central heating system, fuel bills will be higher.
- The energy companies control fuel costs, however households have the opportunity to change suppliers to benefit from cheaper tariffs.

The majority of fuel poor households tend to be living in areas where income is low and property standards are poor. As with other inequalities across Wirral, there are marked differences in the rates of fuel poverty between areas, with Wallasey and Birkenhead having the highest levels¹⁷. There is also an overlap with health inequalities in particular where homes are cold and damp. This can exacerbate or be one of the causes of respiratory and cardio-vascular diseases, impacting significantly on peoples health.

The three causes of fuel poverty need to be analysed and addressed individually but where action is taken to reduce fuel poverty they need to be dealt with together.

Income

From 1996 until 2004, fuel poverty levels had been reducing every year¹⁸. The main reason for this fall was increasing household income¹⁹. The introduction of Pension Credit and Tax Credits and the continuation of Winter Fuel Payments have played an important part in this increase.

There is however a large number of unclaimed benefits. Up to £10.5bn in means-tested benefits and up to £6.2bn in tax credits currently goes unclaimed every year²⁰. If take-up could be improved, there is no doubt more households could be lifted out of fuel poverty. Benefit entitlement checks for households are therefore a key part of any fuel poverty initiative.

Energy Efficiency

Improvements to the energy efficiency of homes, occupied by fuel poor households in Wirral is essential as a long term and sustainable solution for dealing with fuel poverty. The average energy efficiency rating for homes in Wirral has increased over the last decade, most significantly in the social sector as a result of national schemes such as the Decent Homes Programme, Warm Front and more locally CosyHomes²¹. The introduction of the Council's free insulation programme accessible to all Wirral households will also assist greatly in improving energy efficiency levels in homes and reducing CO₂ emissions.

One of our biggest challenges is tackling the "hard to treat" homes in the borough which generally tend to be occupied by owner occupiers and private rented fuel poor households. These homes generally have solid walls which are not able to be insulated through the current large-scale energy efficiency grant schemes. It is estimated that the cost to insulate all of Wirral's solid walled homes would be in the region of £650m²² and therefore we need to look at how we can work with our partners to target these homes

¹⁷ Wirral Private Sector Stock Condition and Home Energy Survey 2008

¹⁸ UK Fuel Poverty Strategy – 7th Annual Progress Report – 2009, DECC, page 7.

¹⁹ Annual Report on Fuel Poverty Statistics 2009, DECC, page 11.

²⁰ Fuel Poverty Advisory Group Eighth Annual Report, 2009, published July 2010 by DECC, page 17.

²¹ RSL SAP data provided from HECA annual progress reports and WAMP returns; private sector SAP data provided from Wirral Private Sector Stock Condition Surveys 2003 and 2008.

²² Wirral Private Sector Stock Condition & Home Energy Survey 2008, page 74, using an average of £10k / property.

Future funding from the energy companies' energy efficiency obligation is likely to be based on the current pilot Community Energy Saving Programme. It is likely to provide funding for hard to treat homes in areas of deprivation. It is estimated the Council would need to identify funding of £54m for all solid wall and loft insulation measures for private sector homes in these areas over a period of 10 years. This would direct energy efficiency improvements to communities which experience the greatest level of failure of thermal comfort and the highest number of Category 1 hazards.

Fuel costs

From a low point in 2003, in real terms gas prices have risen by 77% and electricity prices by 60% to 2009²³. This has led to an increase in English fuel poverty levels from 1.2 million households in 2003 to 2.8 million in 2007 (latest figure) and a forecast rise to 4.6m in 2009²⁴. Looking forward to 2020, the long term trend for energy prices continues to be upward with households paying between £100 and £600 each year more for their energy bills²⁵.

As energy price increases are outside of our control, local fuel poverty initiatives will need to strengthen their role in ensuring households are on the cheapest tariff available and to publicise the energy companies' "Social Price Support" which provides discounts or rebates for some fuel poor households. There will also need to be greater local support and advice service for those households in "fuel debt", which is likely to increase not only due to price increases but also due to a decrease in incomes through greater unemployment. It is estimated that the cost of providing a dedicated fuel debt advice service for Wirral would be in the region of £50,000 per year.

Starting in 2011 the energy companies will be introducing smart meters into all homes consuming gas or electricity. It is anticipated that this will be fully introduced to all homes by 2020. Smart meters allow the energy company to remotely access consumption data, removing the need for estimated bills. They will also provide information for the householder on their real-time and total energy use. There are concerns that some vulnerable customers may become concerned about energy costs and could under-heat their home which will subsequently impact on their health and the condition of their homes. To assist, local authorities have been identified as having a key role in protecting vulnerable residents by ensuring they understand fuel consumption without risking their health and well-being from under-heating their homes.

Joined-up approach

We address income, energy efficiency and fuel costs together under our "Warmer Wirral" banner. Warmer Wirral, as well as delivering grants for energy efficiency, is designed to increase awareness of fuel poverty and assistance available to households, charities, Council staff and local organisations to ease this. A key aspect to this is our area-based approach to tackling fuel poverty with a team of assessors speaking to households on the doorstep and signposting to the assistance available and at the same time engaging the public through events, advice surgeries and talks and training on fuel poverty for front-line workers. This approach is vital in tackling fuel poverty in the Borough and must continue. It is integrated with the free insulation scheme until 2014 but funding will need to be identified in the region of £100,000 each year from 2014-15 onwards to ensure this continues.

²³ UK Fuel Poverty Strategy – 7th Annual Progress Report – 2009, DECC, page 19.

²⁴ UK Fuel Poverty Strategy – 7th Annual Progress Report – 2009, DECC, pages 7 to 8.

²⁵ Fuel Poverty Advisory Group Eighth Annual Report, 2009, published July 2010 by DECC, page 8.

Supporting vulnerable people.

The Evidence and Challenge

- Wirral has an estimated 19,300 households (15.9%) where there is a resident with a disability. Where a need for an adaptation has been indicated, the cost of these adaptations, after allowing for means testing, is estimated to be just under £3.7 million
- Wirral has a range of programmes targeted at supporting and enabling vulnerable people to maintain their independence in the home such as the Supporting People Programme and Disabled Facilities Grants.
- The Supporting People Programme when at full capacity is able to provide services for to up to 5,000 vulnerable people. As of August 2010 this is broken down as follows: 3632 older people; 453 people with mental health problems and 779 people from socially excluded groups, with capacity for some movement.
- In 2009/10 Wirral's Home Improvement Agency processed over 3,500 jobs to support vulnerable people consisting of 600 Disabled Facilities Grants, 620 Home Improvement Agency jobs, 553 fast track minor adaptations and 1,768 Handy person Service jobs.
- There has been a significant growth in the number of adults with learning disabilities in Wirral and the number of younger adults with complex needs moving through the education system. The Department of Adult Social Services estimates that caring for these young adults with complex needs will cost an additional £0.8 million per year.
- Since the introduction of a Homeless Prevention and Housing Options approach to homelessness was adopted 2008, the number of statutory homelessness cases has decreased significantly by 89% to 51 cases in 2009/10.
- On average the Housing Options Team are able to prevent 120 homeless cases per quarter, with one third of cases assisted to remain in the home and two thirds of cases assisted to find alternative accommodation.
- In 2009/10, of those homeless applicants who were eligible, unintentional and in priority need, the highest percentage of applicants (63%) fell within the 25-44 age group, and 24% in the 16-24 age group
- Of the cases where homelessness could not be prevented in the time available and who were accepted as unintentionally homeless, the majority (65%) were considered to be priority need because the household included dependent children. An increased proportion (10%), were vulnerable because of mental illness.
- Similarly, an increased percentage (9%), were considered to be vulnerable because of physical disability.
- Although overall homeless acceptances have fallen, the three main reasons for homelessness in Wirral in 2009/10 were, the Termination of assured short hold tenancy (22%), Mortgage Arrears (18%) Parents no longer willing or able to accommodate (12%).
- There is still an underlying low level incidence of rough sleeping, mostly by single people who do not meet the statutory thresholds for assistance

Evidence: Supporting People Programme, Joint Strategic Needs Assessment 2010, Supported and Special Needs Housing Commissioning Strategy 2008 – 11, Office of National Statistics 2010, Strategic Housing Market Assessment 2007, Private Sector Stock Condition Survey 2008, WirralHomes Steering Group Reports 2007-2010. Housing Advice and Housing Options team Statistics

Many Wirral residents enjoy an excellent quality of life, however some people require additional support to be able to live independently with help to access and maintain employment, a home and a healthy lifestyle.

Vulnerable people exist in a variety of groups ranging from older people, people with learning or physical disabilities, to people who are homeless or teenage parents.

Overall there are an estimated 29,741 (20%)²⁶ households in Wirral with one or more members identified as being vulnerable or having a special need, exceeding the national average of 14%. The predominant vulnerable groups are households with a physical/learning/sensory disability, frail older people and a high number of people with a mental health illness.

The majority of vulnerable households (65%) live in homes owned by them or their families, with 25% living in social rented housing and the remaining 10% living in privately rented homes.

The housing needs of vulnerable people do have to be balanced against our other priorities however we want to support people to remain in or work towards independent living, helping them to participate in mainstream society and make a contribution to the local economy. We have achieved this by looking at a range of opportunities to help improve access to different types of housing, delivering services to peoples homes and where appropriate developing purpose built specialist accommodation to meet needs. Services provided such as the Supporting People Programme has enabled low level housing support to be delivered for clients such as older people which is supporting a high number of clients in relation to the expenditure committed to this group, therefore people are being supported to live independently in their own home.

For the future we will focus our work on three key 'super groups' which are:

- People living independently with support, which includes **older people**
- People in receipt of care with support, which includes **people with physical or sensory disabilities and people with learning disabilities**
- **People experiencing or at risk of social exclusion**, which includes single homeless people with support needs, homeless families with support needs, rough sleepers, people with mental health problems, refugees, travellers and teenage parents.

As we have already considered older people earlier in this strategy (Section 1), this section will focus on the remaining two super groups. It is important to recognise however that over the lifetime of this strategy these 'super groups' may change and therefore we will continue via our investment plan, to monitor needs and refocus services towards groups most in need.

People with Learning/ Physical/Sensory Disability

In Wirral there are approximately 26,179 households with a learning, physical or sensory disability with this group representing 88% of all vulnerable households.

The challenge for the future is to meet the needs of individuals by providing more housing and support choices, meeting the needs of those not eligible for statutory services. To do this our focus will be on both developing new homes when we can but primarily making

²⁶ Strategic Housing Market Assessment 2007

best use of the existing homes available. We will utilise a number of options to support this approach ranging from carrying out home adaptations to providing low level support to people to help them maintain independent living. Our budget for adaptations has been increasing to respond to this need, however there is still more to do but this needs to be considered in the context of what future funding will enable us to do, particularly given the fact that 32% of applicants accepted on the Disabled Persons Housing register between 2007 and 2010 were successfully rehoused however only 147 were able to access an existing adapted property. In addition, 15.9%²⁷ of people who own their home have indicated a need for some form of adaptation to meet their needs.

People experiencing or at risk of social exclusion

There are a number of people living in Wirral that are at risk of or excluded from opportunities such as a home, employment, education, and social networks. They are at risk because of issues such as homelessness, being at risk of offending or are an ex-offender, having health and well-being issues, or being a young person at risk to name a few.

It is clear that single homeless people with support needs, people with drug/ alcohol problems and young people at risk are the largest users of supported housing services so we need to focus on how we can work with our partners to help these people.

Homelessness

In 2007 Wirral Council commissioned a comprehensive independent review of its existing homeless services, to gain a clear understanding of both the effectiveness of the homeless services provided and as well as identifying future priorities to inform its 2008 – 2010 Homeless Strategy.

Key to this was the need to strengthen the existing Homeless and Housing Advice Service through significant investment and refocusing of services towards homeless prevention, by making best use of housing advice and mediation services.

This approach has resulted in the number of statutory homeless cases accepted by the Council decreasing by 89.08%²⁷ to 51 cases in 2009/10, with the main reasons for homeless being the termination of a short term tenancy, particularly in the private rented sector. It is important therefore that we continue to look at innovative ways to try and address these particular issues.

Whilst this approach is having a significant impact on homelessness, we must acknowledge there is still work to do to. It is clear that the significant investment in Wirral's Homeless and Housing Advice Services, focusing particularly on preventing homelessness, is working. Despite this success, we cannot be complacent. Analysis of footfall to the Homeless and Housing Advice Service during July 2010 has indicated a 20% increase over the same period in 2009 and for August 2010 this has increased by 40% more than the same period in 2009. The reality is that we need to recognise the impact of issues such as the changing economic situation, peoples changing housing needs and pressure on the housing market, will continue to be major influences on homelessness in Wirral. To respond to this we need to continue to ensure the investment in these services is maintained in the longer term.

²⁷ Private Sector Stock Condition Survey 2008

Other socially excluded groups

We assist socially excluded groups through a range of measures from providing specialist housing to support services delivered to people in their own homes. Clients from socially-excluded groups continue to experience difficulties in accessing appropriate permanent homes despite a range of initiatives developed to support them ranging from help with a rent deposit for a home in the private sector to increasing people's ability to access a home in the social sector.

As we recognise these services help to reduce tenancy breakdown, drug/alcohol use, cyclical homelessness, and reductions in hospital admissions (for people with mental health problems), we are committed to working with representatives from the social rented and private rented sectors to ensure wider access to housing for those who may have previously led an unsettled way of life.

Realising Housing's role in supporting the economy

The Evidence and Challenge

- Wirral still has the capacity to undergo continued economic growth, with only 0.68 jobs per working age person
- The level of unemployment amongst residents in Wirral has increased by 47.6% between March 2008 and March 2009, reflecting the current economic downturn. From March 2009 - March 2010 the increase in unemployment levels has slowed with a 2% increase and since March 2010 levels have continued to fall with an 11% reduction to August 2010. However overall from March 2008 to date there has been an increase in unemployment by 31%. Therefore, household's income and employment status has a significant impact on their housing choices and options.
- The percentage of people in receipt of Job Seekers Allowance in Wirral (expressed as a proportion of the resident working age population) is 5.7% compared to 4.9% for the North West and 4.3% for Great Britain. Locally the rates are particularly high in the wards of Birkenhead (13.6%), Bidston (10.7%), Tranmere (10.5%), Seacombe (9.4%), Liscard (6.9%), Leasowe (6.9%) and Egerton (7.7%)
- An average of 9.2% of young people in Wirral are not in education, employment or training with 9 of the 22 wards in the borough being above this average. Bidston and St James, Birkenhead and Tranmere, Rock Ferry and Seacombe all have a rate of above 15%.
- Work continues to support business to continue to operate and grow through a changing economic climate in order to safeguard and create jobs in Wirral
- Despite prevailing economic conditions, Wirral continues to see a steady stream of investment in development activity including the development of new housing within the Borough.
- Over £53 million has been spent on developing over 720 new affordable homes in Wirral, of which over £20 million public sector funding has been secured to support the costs involved with developing these homes, helping to creating employment and training opportunities for local businesses and people.
- The HMRI programme has invested £103,206,113 since 2003 and has facilitated a range of initiatives including the provision of Neighbourhood and Environmental Wardens, revitalising green spaces, home improvements, and the provision of new homes to improve local communities.
- Wirral was also successful in securing £1.4 million funding through the Local Authority New Build Programme as part of a £2.8 million scheme, to develop 23 units new affordable homes. This scheme will provide opportunities for local employment and support the appointment of 2 apprentices with the build contractor.
- Wirral has supported 2 private developers to secure £1,843,536 funding to 'Kickstart' private housing developments that have been unable to complete
- 53 new homes tenure has been changed over the last 12 months period to social rent from shared ownership, where specific housing needs have been identified, ensuring new housing continues to be delivered within the borough
- WirralWaters – NorthBank East will see £200 million investment and create around 1,000 jobs in construction and proposed office and retail uses
- 2009 – Treasury mapping identified Wirral as a 'red alert' area with more than 40% of all wards having a mismatch between supply of and demand for affordable credit.
- Some doorstep credit lending agencies charging up to 399.7% APR on loans.
- Wirral Moneyline launched in October 2009 in response to this and to provide a form of affordable credit for those on low incomes. Since its launch a total of 917 loans have been provided amounting to over £322,500 with the average loan being for just over £350. The top 4 areas were people lived who were provided with a loan

through this route are Birkenhead, Tranmere and Rock Ferry, Seacombe and Egremont and Prenton.

- By August 2010, 31 cases have been considered through the Governments Mortgage Rescue scheme which was introduced in 2009, with 11 cases actually successfully utilising the scheme to enable them to remain in their homes. The rest of the applicants who were not eligible have received advice and support.

Evidence: Wirral's Economic Recovery Plan, Strategic Housing Market Assessment, Stock Transfer Promises report.

Although Wirrals housing market is showing signs of improvement indicated by a slight increase in median house price and sales, there is still a long way to go in terms of our overall economic recovery. We recognise that Wirral still has the potential to undergo economic growth and there are significant investment and employment opportunities currently being developed which will support this, which include a number of housing and regeneration initiatives and developments.

It is important to stress that over recent years Wirral has benefited from an influx of investment targeted at a range of initiatives designed to help reduce the inequalities gap for the borough. Housing investment has been key to this with a significant amount of investment focused on both influencing housing markets through improving standards of homes and neighbourhoods as well as increasing housing provision to meet the changing needs of the borough.

Complimenting the funding for new affordable homes being developed in the borough, significant resources have been invested into existing social rented homes by our RSL partners as part of the 2010 Decent Homes Programme. In particular as part of the Council housing stock transfer, investment of over £97m has been secured and invested in improving over 13,000 ex council houses between 2005 and April 2010. A further £82 million is programmed to be invested as part of this process over the next three years.

This investment is delivered through the stock transfer organisations who appoint contractors to undertake improvement works. Each organisation is committed to as part of the stock transfer promise offer document, the use of local labour and suppliers and providing training opportunities including recruiting apprentices, with these commitments embedded into their procurement processes.

By improving quality, availability and accessibility of homes we are helping people to achieve their own social and economic well being, providing them with a starting point to develop their potential. We need to recognise however that peoples circumstances change over time and so we need to make sure we are flexible enough in what we do to respond to these changes.

To ensure this process continues to develop and adapt, we need to ensure that we build on and maximise the opportunities available to us through housing investment. Key to this will be encouraging our developer partners and contractors as part of any new housing developments, improvement schemes and initiatives, to build on the existing success of utilising local labour and work with us to provide training and apprenticeship schemes for people in Wirral.

Despite our success so far, working to develop opportunities to ensure people can access, afford, maintain and ultimately sustain their homes is and will continue to be a challenge for us. To respond to this, we need to ensure opportunities for people to be

able to access affordable credit, mortgages, education, employment and where appropriate support continue to be developed, working with our partners to ensure that our goals are the same, particularly in terms of the need to maximise opportunities to link housing led initiatives such as building and improving homes to supporting education, employment and health.

Whilst we recognise the future will present even more challenges to us and our partners, particularly as the economy continues to change, we will make sure that we continue to refocus the work we do to respond to these changes and continue to encourage Wirral's economic growth.

WIRRAL'S HOUSING INVESTMENT PROGRAMME 2010-11

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to seek Cabinet's approval to:

- (1) Wirral's Housing Investment Programme for 2010-11
- (2) Officers exploring the potential that a Community Housing Trust may offer Wirral.

2.0 BACKGROUND

2.1 A report was brought to Cabinet on 27th May 2010 detailing the proposed Wirral Housing Investment Programme for 2010/11. Government had recently announced a £50 million reduction to the National Housing Market Renewal Programme and it was not known how this reduction would be made and the implications for Wirral's Housing Investment Programme. Therefore, members requested a further report based on final known allocations.

2.2 The original and revised allocations to NewHeartlands (the Merseyside Housing Market Renewal Pathfinder) for 2010-11 are shown in the following table alongside Wirral's allocation.

	2010-11 Original	2010-11 Revised
HMRI Allocation to NewHeartlands	£47 million	£38.874million
Allocation to Wirral	£9.11 million	£7.437 million

2.3 The reduced funding for 2010-11 will still allow Wirral to continue its successful Housing Investment Programme and achieve its principal objectives:

- completion of further new homes on the Sevenoaks Scheme in Rock Ferry
- commencement of new retail development in Church Road, Tranmere
- completion of new homes at Whitford Road, Tranmere
- completion of new homes at Holt Hill, Tranmere
- completion of new homes at Woodhall/Royston Avenues, Wallasey
- completion of Extra Care housing scheme at Gorsey Lane, Wallasey
- progression of large scale refurbishment projects in Birkenhead.
- progression of large scale clearance projects in Birkenhead including assembly of sites for new build and development of major new build proposals.
- a Living Through Change Programme supporting communities through services such as the Live Wirral Wardens.

2.4 Cabinet is advised that the total allocation to NewHeartlands will be paid as a single sum to Liverpool City Council as the accountable body. Liverpool City Council will then have to transfer Wirral's allocation to the Council. Housing Market Renewal funds will be unringfenced and output targets will not be specified as part of the Pathfinder's budget

allocation, nor will the Pathfinder's performance be judged on the revised output figures based on the reduced budget. However, Pathfinders will still have to report quarterly to Homes and Communities Agency (HCA) on progress with outputs for the remainder of 2010/11.

3.0 THE HOUSING INVESTMENT PROGRAMME 2010-11

3.1 The Housing Investment Programme 2010-11 which builds upon priorities and initiatives in previous reports consists of the following initiatives, for which Cabinet's approval is sought:

- Birkenhead Clearance
- Rock Ferry (Fiveways) Clearance
- Tranmere (Church Road) Clearance
- Tranmere (Borough Road) Clearance
- Wallasey (Royston/Woodhall Avenues) Clearance
- Strategic site assembly
- Facelift Improvements
- Private Sector Home Improvements
- Private Rented Sector Home Improvements
- Living Through Change
- New Build

3.2 The Group Repair scheme listed on the May Cabinet report has been delayed until 2011/12.

3.3 Appendix 1 contains a spreadsheet showing the Housing Investment Programme for Wirral for 2010-11, including the funding sources and the outputs which will be achieved.

3.4 The following sections of the report set out the revised funding for each of the above initiatives and any changes to the original programme. Original funding allocations are shown in italics.

4.0 BIRKENHEAD CLEARANCE

4.1 HMRI funds of £2,638,979 (*£2,275,000*), Regional Housing Pot Funds of £1,351,935 (*£825,368*), Growth Point funding of £1,200,000 and recycled capital receipts of £955,765 (*£534,000*) will allow for acquisitions and demolition in two declared clearance areas at Milner/Carrington Streets and in the Bray/Brassey/Laird Street area. and other strategic areas. Increased funding for this area has been necessary to meet the demand from residents in strategic acquisition areas.

5.0 ROCK FERRY (FIVEWAYS) CLEARANCE

5.1 HMRI funding of £430,000 remains allocated to complete a programme of acquisition and clearance of 300 properties spanning five years. 45 homes for rent and 15 for shared ownership being developed for Riverside Housing Association, in Phase 1, have been completed. 12 units for outright sale have been completed by end of September 2010. A further 42 open market units will be built in Phase 1 but the rate of completion is dependent on market conditions. The completion of the clearance scheme as part of the 2010-11 programme makes land available for a further 169 units to be developed.

6.0 TRANMERE (CHURCH ROAD) CLEARANCE.

6.1 It is planned to spend HMRI funding of £800,000 (£1,600,000), in 2010-11 to progress the acquisition and clearance of retail, commercial and residential units in Tranmere, in line with the Church Road Masterplan. This will enable the acquisition of 3 commercial properties identified for clearance and provide gap funding to facilitate the commencement of new build retail development.

7.0 TRANMERE (BOROUGH ROAD) CLEARANCE

7.1 No funding will be spent in 2010/11 on this area. HMRI funding of £300,000 was allocated in the original programme.

8.0 WALLASEY (ROYSTON/WOODHALL) CLEARANCE

8.1 HMRI funding of £100,000 will fund acquisition costs of the remaining property in the Royston/Woodhall Avenue (Wallasey) Statutory Clearance Area to enable final demolition to take place and allow Phase 2 of the redevelopment of the site to take place. New Build development began on the first phase site in March 2009.

9.0 STRATEGIC SITE ASSEMBLY

9.1 The sum of £1,200,00 (£925,000) of Regional Housing Pot funding is allocated for strategic acquisitions, in the Wallasey neighbourhood.

10.0 GROUP REPAIR IMPROVEMENTS

10.1 Phase 4 of the scheme will complete the Triangles Group Repair Scheme and encompasses retail units on Laird Street and Mallaby Street There will be minimal spend on Phase 4 in 2010/11. The scheme has yet to go to tender and will be funded from recycled contributions from Phase 1 of the Craven Street Facelift Scheme..

11.0 PRIVATE SECTOR HOME IMPROVEMENTS

11.1 It is intended to allocate a total of £1,726,034 (£3,201,034) of HMRI and Regional Housing Pot funding, in 2010-11, plus £905,000 of recycled contributions and Capital Receipts to enable improvements to sustainable private sector housing stock. This will be supplemented by £500,000 Government funding from the Warm Front initiative, bringing the total funding to £3,131,034.

11.2 HMRI funding of £520,000 (£1,150,000) and £880,000 of recycled contributions has been allocated to the Craven/Paterson Streets, Neighbourhood Facelift Scheme, Birkenhead. Total funding £1,400,000. The scheme involves renovation of the external fabric of the houses over two phases. It offers a 75% grant with a means tested household contribution of up to 25%, supported by a reducing 3 year financial charge on the property. Phase 1 of the scheme is complete and Phase 2 will start on site in November.

11.3 £280,000 of Regional Housing Pot Funding will be used for Equity Renewal Loans across Wirral. These enable low income homeowners, with sufficient equity in their property, to fund improvements/repairs which otherwise may not be possible due to financial constraints.

- 11.4 Implementation of a course of action to deal with the major disrepair and dereliction in the terrace 11-41 Trafalgar Road, in Wallasey, will be in 2011-12 and no allocation will be made in 2010-11.
- 11.5 £25,000 (£250,000) of recycled capital receipts from HOUSED (Home Ownership Using Sustainable Empty Dwellings) sales will be used to fund HOUSED in the HMRI area during 2010/11. The scheme purchases long term empty properties, improves them and sells them to support owner occupation. The properties are refurbished to Secured by Design standards and a 10% discount is offered to help first time buyers.
- 11.6 £100,000 Regional Housing Pot Funding will be used for Empty Property Loans of up to £10,000 to bring back into use long term empty properties.
- 11.7 Empty Property Grants of up to £2,000 will be piloted in 2010-11. These will be available to support the renovation of strategically located long term vacant properties. Assistance is conditional upon the property being brought back into use. £20,000 Regional Housing Pot Funding will be used for this scheme.
- 11.8 £33,000 of Regional Housing Pot funding will be used for the First Homes scheme. First Homes encourages and supports primarily first time buyers (subject to eligibility criteria) into home ownership in the Housing Market Renewal area. The scheme provides support and guidance, a financial incentive up to £2,000 towards purchasing and moving costs, and referral to an Independent Financial Adviser for mortgage advice and access to other support services.
- 11.9 The Energy Efficiency Scheme will receive HMRI funding of £165,000, Regional Housing Pot funding of £150,000 and Warm Front funding of £500,000 to provide for private sector properties.
- Central heating and heating improvements to vulnerable households so they reach the thermal comfort criterion of Decent Homes Standard
 - Free loft and cavity wall insulation
 - Solid wall insulation to properties being renovated by the Empty Property Team
 - Interest free loans for replacement boilers, solar water heating and for facilitating the installation of loft and cavity wall insulation
- 11.10 Capital receipts of £187,000 have been set aside for energy efficiency work on Quarry Bank, Tranmere. However, the use of this is subject to the outcome of a bid to Homes and Communities Agency for funding for redevelopment.
- 11.11 Regional Housing Pot funding of £300,000 (£400,000) has been allocated for Home Repair Assistance. This is discretionary assistance in the form of a loan designed to provide help with small scale emergency works of repair.
- 11.12 Regional Housing Pot funding of £158,034 has been allocated for additional Disabled Facilities Grants in the HMRI area carried forward from 2009/10.

12.0 PRIVATE RENTED SECTOR IMPROVEMENTS

- 12.1 Regional Housing Pot funding of £100,000 will be used for Fire Safety Loans up to the value of £10,000 each and works in default as required, as part of the Healthy Homes Initiative. Healthy Homes is a new project focusing on improvements in the private rented sector and initially targeting a small area in New Brighton which has the highest concentration of HMOs (Houses in Multiple Occupation) in the Borough.

12.2 Recycled income of £20,000 has been allocated to HMO Licensing to support licensing and enforcement activity.

13.0 **LIVING THROUGH CHANGE**

13.1 It is planned to use a total of £888,000 (£1,190,000) for the initiatives that make up the Living Through Change Programme allocated as follows:

- Live Wirral Wardens £275,000 (£375,000)
- HMR Anti-Social Behaviour £50,000 (£60,000)
- Handyperson Scheme £60,000
- Landlord Accreditation £150,000 (£200,000)
- Community Schemes £3,000 (£15,000)
- Build Wirral Employment Project £60,000 (£85,000)
- Homemovers Service £260,000
- Environmental Improvements £30,000 (£135,000)

13.2 The programme of initiatives is a continuation of the successful schemes implemented in 2004-10.

14.0 **RELOCATION SUPPORT**

14.1 Relocation loans and support (subject to eligibility criteria) will be made available to both householders and businesses. £400,000 (£200,000) of HMRI funding and £120,000 of Regional Housing Pot funding will be used for this purpose. The allocation has been increased to meet the demand from residents in strategic acquisition areas.

15.0 **NEW BUILD**

15.1 The new build programme is most advanced in Sevenoaks, Rock Ferry where 72 homes have been completed in Phase 1 to date. The retail development in Church Road, Tranmere is now on site. Work started on the site in Whitford Road, Tranmere in January, following a successful bid under the Government's Kickstart programme. 55 homes will be completed by end of March 2011. The remaining residential new build for Sevenoaks and Church Road will be brought forward when the housing market recovers. Overall, there are 257 new dwellings under construction throughout the HMRI area. The key supported new build schemes are on site at:

- Royston/Woodhall, Wallasey (36 units)
- Gorse Lane (Extra Care), Wallasey (70 units)
- Holt Hill, Tranmere (9 units)
- Falkland Road, Wallasey (6 units)

15.2 The scheme at Fox Street, Birkenhead (14 units) was completed in May 2010.

15.3 Discussions are continuing with Keepmoat Homes, the Council's private sector developer partner for Birkenhead, and local residents about plans for the future redevelopment of the declared clearance areas.

15.4 Work is underway on the proposed structure for engagement of a Registered Social Landlord partner for redevelopment of cleared sites in Birkenhead and will be the subject of a further report for Members' consideration

- 15.5 Future new build will be determined by site availability, market conditions and access to funds to increase the attractiveness of new build homes. These will be reported to Cabinet as required.
- 16.0 **COMMUNITY HOUSING TRUSTS**
- 16.1 The Coalition Government's housing priorities are aligned with its commitment to localism and placing communities at the centre of decision making. It is keen to see the concept of Community Housing Trusts developed as a vehicle for increasing housing supply. Community Housing Trusts, also known as Local Housing Trusts, have been used successfully in rural areas to create affordable new housing and offer a model that could be transferred to urban development in viable markets. Their primary focus is on increasing affordable housing supply but can take a role in market renewal. As a property owner, a Community Housing Trust is able to offer homes for rent or shared equity and is able to derive income from its housing role to fund initiatives sought by communities, such as empty homes investment or worklessness prevention.
- 16.2 A viable Community Housing Trust (CHT) requires a partnership involving organisations such as the Council (as provider of land at nil cost), the Homes and Communities Agency (as provider of funding to acquire sites and subsidise affordable housing), a private developer (as provider of homes for sale and source of revenue generation) and Registered Social Landlords (as providers of land, development expertise, neighbourhood management and possible "incubator" for a fledgling CHT). A CHT also requires an accountable community role, which could build on existing arrangements such as Community Development Trusts, along with a route for wider involvement and membership from individuals.
- 16.3 Negotiations with Keepmoat Homes (see 15.2 above) have led to indicative designs being drawn up and shared with residents. However, alongside this process, the concept of Community Housing Trusts has become a government ambition. Land assets and partnerships exist that could be adapted to suit a new model. These exist primarily in Birkenhead, but it is envisaged that a Community Housing Trust could have a wider geographical focus, particularly in Wallasey, where land for development is being assembled using HMRI funding.
- 16.4 A principal test for a CHT is the viability of housing development to sustain an organisation and provide an income stream to fund locally agreed priorities. A larger scale of development may be required than can be made available currently using HMRI assembled sites. Therefore, a good case exists for sustaining HMRI investment to assist the viability of a CHT and the inclusion of other council land assets would help create a land base to sustain long term development to allow a CHT to prosper.
- 16.5 In the medium term, Communities and Local Government guidance advises that Community Housing Trusts can take a role in planning matters. They will have to show support from the local community for planned housing developments and meet some basic planning criteria, but would not need to lodge specific planning applications.
- 16.6 Cabinet approval is sought for officers to explore the potential that a Community Housing Trust may offer for Wirral. Wirral would be at the forefront of implementing government housing policy if a Community Housing Trust can be made to work in an urban housing market. Through embarking on a development programme such as this Wirral may benefit from a further government initiative – "New homes bonus".

17.0 FINANCIAL IMPLICATIONS

17.1 Homes and Communities Agency funding, RSL investment and private sector funding will contribute over £20 million into the overall programme for regenerating the housing market of Wirral. This is in addition to HMRI, Regional Housing Pot, Growth Point funding and Capital Receipts shown in the programme budget.

18.0 STAFFING IMPLICATIONS

18.1 The programme will be delivered using the existing staffing structure which has been reduced recently through early voluntary retirement.

19.0 EQUAL OPPORTUNITIES/EQUALITY IMPACT IMPLICATIONS

19.1 Equality Impact assessments have been completed and reviewed for the Housing Market Renewal Programme, the Private Sector Housing and Regeneration Assistance Policy, the Housing Strategy Statement, Private Sector Housing Strategy and Affordable Warmth Strategy. The issues and actions within these are addressed in the initiatives and projects within the Housing Investment Programme. The programme will have a positive impact on some of the most socially and economically deprived areas of Wirral. Improvement and Living Through Change projects will improve quality of housing and access to help and support for all residents. Redevelopment of sites for new build housing will help promote greater choice, increase quality and choice of housing for all local people.

20.0 COMMUNITY SAFETY IMPLICATIONS

20.1 HMRI will result in some clearance of poorly designed, unsafe or obsolescent areas and the creation of safer, more secure living environments.

21.0 LOCAL AGENDA 21 IMPLICATIONS

21.1 Housing Market Renewal will improve the quality of living environments and environmental standards throughout many parts of Wirral. New high quality, decent homes with enhanced energy efficiency standards and better use of renewable building materials will contribute towards Local Agenda 21 priorities.

22.0 PLANNING IMPLICATIONS

22.1 HMRI aims to bring about a fundamental change in the character of some of the most deprived areas of the Borough. Proposals for new development will be brought forward with the assistance of the preferred private developer and Registered Social Landlords and will be integrated with the Council's Local Development Framework, as either Supplementary Planning Documents or Development Plan Documents. Residential redevelopment is in conformity with Policy HS4 of the Unitary Development Plan, while mixed use development incorporating retail use will be considered against retail policy including Policy SH4 of the Unitary Development Plan. Other uses will be considered against UDP Policy HS15.

23.0 ANTI-POVERTY IMPLICATIONS

23.1 Build Wirral is seeking to help disadvantaged groups access training and employment opportunities.

24.0 SOCIAL INCLUSION IMPLICATIONS

24.1 Build Wirral is seeking to help disadvantaged groups access training and employment opportunities.

25.0 LOCAL MEMBER SUPPORT IMPLICATIONS

25.1 The HMRI areas are within the following Wards: Bidston and St James, Birkenhead and Tranmere, Rock Ferry, Seacombe, Liscard, Claughton, Oxtun and Bromborough. Regional Housing Pot funding which is not matched funding for the HMRI programme can be used in all Wards.

26.0 BACKGROUND PAPERS

26.1 Wirral's Housing Investment Programme 2010/11 reported to Cabinet 27th May 2010.

27.0 RECOMMENDATIONS

27.1 That:

- (1) the Housing Investment Programme 2010-11 for Wirral, which is summarised in the table below and in Appendix 1, is agreed.

<u>Funding be allocated</u>	<u>£,000</u>
Birkenhead Clearance	6,147
Rock Ferry Clearance	430
Tranmere Clearance	800
Wallasey Clearance	1,300
Private Sector Home Improvements	3,251
Living Through Change	888
Staffing and Resources	1,727
Relocation Loans	520

- (2) Approval is given for officers to explore the potential that a Community Housing Trust may offer for Wirral.

Kevin Adderley
Interim Director Corporate Services

This report was prepared by Lynn Ireland, HMRI Policy and Performance Manager who can be contacted on 691 8102.

	A10 HMRI	A41 RHP	A41 Growth Point	A41 Warm Front	Capital Receipts & recycled contributions	Total	Number of Units
Clearance						8,676,679	
Birkenhead	2,638,979	1,351,935	1,200,000		955,765	6,146,679	30 B50a (2 RSL) 35 B50c acq 23 B40b 52 B40c dem
Rock Ferry	430,000	-				430,000	3 B50a private acq 77 B40b demolitions
Tranmere	800,000	-				800,000	4 B50a acq 10 B40b demolitions
Wallasey	100,000	1,200,000				1,300,000	1 B50a 7 B50c acq 6 B40b demolitions
Improvements to Retained Stock						3,251,034	
Group Repair Phase 4					-	-	n/a
Private Sector (Craven Street)	400,000					400,000	41 B30a private 17 B30b RSL
Private Sector (Paterson Street)	120,000				880,000	1,000,000	20 B30a private 15 B30b RSL
Equity Renewal Loans HMRI		80,000				80,000	4 B30b private
Equity Renewal Loans non HMRI		200,000				200,000	n/a
Empty Property Work		120,000			25,000	145,000	10 B30b Private
First Homes		33,000				33,000	n/a
Energy Efficiency	165,000	150,000		500,000		815,000	135 B30a private 442 B30b private
Home Repair Assistance		300,000				300,000	
DFGs		158,034				158,034	28 B30a private
Healthy Homes (Fire Safety Loans)		100,000				100,000	n/a
HMO Licensing					20,000	20,000	n/a
Living through Change						888,000	
Environmental Wardens	150,000					150,000	n/a
Neighbourhood Wardens	125,000					125,000	n/a
Respect agenda	50,000					50,000	n/a
Handyperson Scheme	60,000					60,000	n/a
Landlord Accreditation	150,000					150,000	n/a
Community Schemes	3,000					3,000	n/a
Construct Wirral	60,000					60,000	n/a
Homemovers Service	260,000					260,000	n/a
Environmental Improvements	30,000					30,000	
HMRI Relocation Loans	400,000					400,000	n/a
Business Relocation		120,000				120,000	n/a
Resources	1,495,000	232,000				1,727,000	n/a
Total	7,436,979	4,044,969	1,200,000	500,000	1,880,765	15,062,713	

Notes

Capital receipts and recycled contributions are available from reserves accumulated over the last three years. A further £187,000 may be used for additional energy efficiency measures at Quarry Bank dependent on a successful bid for funding its redevelopment.

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HCA CORE OUTPUTS	
Reference	Description
B30	The total number of homes refurbished, repaired or otherwise improved by tenure
B30 A)	A) The Programme Target - financed by HMRI grant
B30 B)	B) The Scheme Target - direct result of HMRI activity but not funded

B40	The total number of homes demolished, by tenure, during the period.
B40 B)	B) The Programme Target - financed by HMRI grant
B40 C)	C) The Scheme Target - direct result of HMRI activity but not funded

B50	The total number of properties acquired, by tenure
B50 A+B)	A + B) Properties (including homes and other properties) financed by HMRI Grant - The Programme Target
B50 C)	C) Properties (including homes and other properties) without HMRI grant - the Scheme Target

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INTERIM MANAGEMENT ARRANGEMENTS

1. Purpose of the Report

- 1.1 On 18 October 2010 the Council will be invited to confirm my appointment as Interim Chief Executive for a period of up to nine months.
- 1.2 The Council faces a number of challenges that must be speedily addressed. It is clearly essential that we tackle the £106 million budget deficit that currently exists over the next four years. The Strategic Change Programme is an important element of this and sufficient support must be put in place to ensure its successful delivery.
- 1.3 At a time of significant change it has never been more important to communicate with, consult and engage with the residents, businesses, voluntary sector and community groups of Wirral.
- 1.4 What is even more important is to ensure that we act on the results of what we are told. In my opinion immediate measures must be put in place to ensure that resources are targeted towards the services that are most important to the people who we serve. This will necessitate changes to the Council's Policy and Corporate Planning processes as well as changes to the Council's structure.
- 1.5 I am therefore recommending in this report a number of interim staffing arrangements that will enable change to be delivered speedily and effectively pending a permanent management re-structure and appointment of a Chief Executive on a permanent basis.

2. Delivering a balanced budget

- 2.1 It is vital to the future of the organisation that the existing budget deficit is addressed. I believe there are three key elements to this:
 - Effective delivery of the Strategic Change Programme. Additional support is required to ensure this as detailed below;
 - Effective implementation of the outcomes of the current public consultation following the Cabinet decision; and
 - Departments ensuring robust budget management and effective financial control.

2.2 This is my key priority and the interim staffing changes I propose to put in place, if appointed as Interim Chief Executive, will ensure that the Council has the capacity to deliver upon them.

3. Ensuring the effective delivery of the Strategic Change Programme

3.1 New management of the Strategic Change programme will ensure that deliverable savings are realised and new programmes are added over the coming months.

3.2 To ensure that the Director of Technical Services is provided with sufficient capacity to lead on the Strategic Change Programme (Cabinet Decision, 24 June 2010), I am recommending the following changes:

- One of the three Heads of Service in the Technical Services Department to carry the title of Interim Head of Technical Services with accountability for the operational day to day management of the department including the recently re-aligned Cultural Services. It is proposed that expressions of interest are sought for this post from the three Heads of Service in the Department; and
- The Director of Technical Services to carry the additional title of Programme Director (Strategic Change).

4. Placing communication and consultation at the centre of future policy making

4.1 In my opinion it is essential that the Council's Corporate Plan is driven by the following four key elements:

- The current consultation – 'Wirral's future – be a part of it' will conclude in November. It is crucial that residents see the results of that process being turned into action. We must utilise the results to help shape and influence both the current budget making process and the development of future policy;
- Cabinet will receive a report in December detailing how the localism agenda will be taken forward. This will help to ensure that Council services are delivered in the future with the needs and aspirations of local communities at their heart. To be meaningful this must therefore be central to the Corporate Planning process and integral to future planning;
- The Strategic Change Programme must be embedded in the Corporate and departmental planning processes and effectively communicated to staff and stakeholders; and
- Crucial to the future delivery of services will be the Council's ability to support, nurture and work with the voluntary and community sector. This is a process which has begun with discussions in the consultation Task Forces but is an area of work that requires priority.

- 4.2 At a time of significant change meaningful communications and engagement with our staff, residents and stakeholders has never been more important. This activity must be led and properly coordinated in order that we are able to respond to concerns and feedback promptly and effectively.
- 4.3 I therefore propose to centralise all communications and engagement activity at the core of the organisation. This will include the Council's press office, internal communications and marketing staff, community engagement, policy, performance and the coordination of Freedom of Information requests.
- 4.4 These interim arrangements will enable speedy action to be taken to drive forward the Council's future planning process by establishing a team that will report directly to me. This activity will be led by an Interim Head of Policy, Communications and Engagement, with the key responsibilities to include:
- Leading and developing the current and future budget consultation exercise;
 - Ensuring the results of the consultation exercise are at the heart of the new Corporate Plan;
 - Ensuring the engagement of the public in policy development and service delivery across the Council including the development of 'Big Society', the Localism agenda, and Strategic Partnership activity;
 - To lead the coordination of policy development across the Authority and ensure Strategic partnership activity is fit for purpose;
 - Improved communications and engagement with all residents, businesses, partners and voluntary sector organizations;
 - Delivering excellent communications and engagement with Council Staff; and
 - Direct operational support for the Interim Chief Executive.
- 4.5 It is proposed that this role is an interim appointment for an existing Head of Service. As a new role, reporting to the Interim Chief Executive, it is proposed that expressions of interest are sought from all Heads of Service across the Council..
- 4.6 In addition I have asked the interim Director of Corporate Services to put in place arrangements to ensure the continued successful delivery of the Investment and Housing Strategies. I am therefore also recommending that the Head of Housing Services takes on additional duties commensurate with those of a Head of Service on an interim basis.
- 4.7 It is requested that Council be recommended to delegate to the Interim Chief Executive powers to make all such interim appointments (and to approve any interim terms and conditions) beneath Chief Officer level as he considers to be in the best interest of the Council and local people.

5. Proposed principle for future management restructure

5.1 It is clear that the Authority will need to radically change how services are delivered in the future. It is therefore essential that the Council is reorganised both to make management cost savings and to ensure structures are modernised and fit for purpose.

5.2 This reorganisation should be driven by a number of principles. These include the commitment given in the Wirral Progressive Partnership Agreement which stated:

‘the Partnership will review the overall structure of the Council based on the overarching principle that duplication of services should be eliminated; front line staff and managers should be given the responsibility and the power to make decisions subject to appropriate levels of accountability.’

5.3 To maximise the efficiency and cost effectiveness of the Council the restructuring proposals should also embody the centralisation of a number of support functions which are currently distributed across Departments. These include HR and Finance. A report elsewhere on this agenda by the Director of Finance contains proposals for a first stage in this process with regard to the financial and associated functions of the Department of Adult Social Services.

6. Financial & Staffing Implications

6.1 It is proposed that the Interim Head of Technical Services and the Interim Head of Corporate Planning, Communications and Engagement receive an additional payment for the duration of the interim appointments in line with the salary scale for Deputy Chief Officers; and that the Interim Head of Housing receives an additional payment for the duration of the interim appointment in line with the salary scale for Heads of Service. The financial implications for the Interim management arrangements for the nine month period, provides a net saving of approximately £15k

7. Risk Assessment

There are none identified in this report

8. Equal Opportunities Implications/Health Impact Assessment

There are none identified in this report

9. Community Safety Implications

There are none identified in this report

10. Local Agenda 21 Implications

There are none identified in this report

11. Anti-poverty Implications

There are none identified in this report

12. Social Inclusion Implications

There are none identified in this report

13. Local Member Support Implications

There are none identified in this report

14. Background Papers

There are none identified in this report

15. RECOMMENDATIONS:

15.1 That Cabinet endorse the interim management arrangements as detailed in this report.

15.2 That Council be recommended to delegate to the Interim Chief Executive powers to make all such interim appointments (and to approve any interim terms and conditions) beneath Chief Officer level as he considers to be in the best interest of the Council and local people.

J. WILKIE

Deputy Chief Executive

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PART 3

SCHEDULE 4

SCHEME OF DELEGATION OF FUNCTIONS TO OFFICERS

1. The following functions are delegated to the officers described below by the Council, pursuant to Section 101 of the Local Government Act 1972 and by the Executive under Section 15 of the Local Government Act 2000.
2. The officers listed below or any successor subsequent to any re-organisation and any officers acting in their place under paragraphs 3 and 14 are authorised to exercise the powers of the Council (both Executive and non-Executive functions) relating to their areas of responsibility as set out in [Part 7](#) of this Constitution including professional and managerial functions relating to his/her service subject to the limitations and reservations of this Scheme
 - Chief Executive
 - Director of Corporate Services
 - Director of Children's Services
 - Director of Finance
 - Director of Adult Social Services
 - Director of Technical Services
 - Director of Law, HR and Asset Management
3. (a) Unless otherwise provided for within this scheme every officer listed in paragraph 2, may authorise officers in his/her department/service area to exercise on his/her behalf, functions delegated to him/her. Any decisions taken under this authority shall remain the responsibility of the relevant officer named in paragraph 2 above and must be taken in the name of that officer, who shall remain accountable and responsible for such decisions.

(b) In addition, the Council is required to designate specific officers to posts recognised by statute, namely a Chief Inspector of Weights and Measures, who shall be the holder of the post of Trading Standards Manager (Department of Regeneration), a Traffic Manager, who shall be the holder of the post of Head of Streetscene and Waste (Department of Technical Services) and Scrutiny Officer, who shall be the Head of Legal and Member Services.
4. The Scheme delegates powers and duties within broad functional descriptions and includes powers and duties under all legislation present and future within those descriptions and all powers and duties including those relating to the employment of staff and incidental legislation.
5. The Constitution includes power for the Executive and committees to delegate their functions onwards to officers or to other local authorities and is in addition to any other general scheme made by the Council which does not conflict with it.

6. The Scheme operates under Sections 101, 151 and 270 of the Local Government Act 1972 and Section 15 of the Local Government Act 2000 and all other enabling powers.
7. Functions of the Council are divided between:
 - (a) Executive functions, which are all those functions of the Council which are not non-Executive functions, and
 - (b) non-Executive functions, which are those functions listed in the Scheme together with any other functions that are required by statute or regulations to be non-Executive functions or local choice functions that the Council decides will be non-Executive functions and in exercise with statutory discretion.
8. Any exercise of responsibility of functions or delegated powers shall comply with:
 - (a) any statutory obligations, duties and restrictions;
 - (b) the Council's Constitution, policies and protocols;
 - (c) the Council's [Budget and Policy Framework](#);
 - (d) [Members' Code of Conduct](#) and the [Code of Conduct for employees](#);
 - (e) the Code of Recommended Practice on local authority publicity;
 - (f) agreed arrangements for recording the decisions;
 - (g) the need to take legal or other appropriate professional advice when required;
 - (h) the need to have regard to the principles of Best Value and to use the most efficient and effective means available.
9. The Scheme does not delegate to officers any matter that:
 - (a) is reserved by law or by this Constitution to the full Council or
 - (b) may not by law be delegated to an officer.
10. The Scheme places an obligation on officers to keep members properly informed of action arising under these delegations and to record decisions.
11. It should always be open to the Cabinet or any committee of the Council, as appropriate, to take decisions on any matter falling within the delegated power of an officer, provided that the matter is within their terms of reference.
12. Any decision taken under delegated powers shall be within the Council's [Budget and Policy Framework](#) and be in accordance with the Council's Standing Orders. Where expenditure is involved, such action shall be conditional upon financial provision being included within the approved budget and compliance with financial regulations.

13. The Council and the Cabinet will review from time to time, as may be necessary, the general operation of the approved delegated arrangements, with any variations or amendments requiring the approval of the Council.
14. In the event of a Chief Officer referred to in paragraph 2 not being available for whatever reason, his/her Deputy (or, where there is no officer designated as such, the next most appropriate senior officer of the department) shall be authorised to implement approved delegated arrangements.
15. Should the title of a Chief Officer be altered from that shown owing to a re-organisation of departmental arrangements or for any other reason, the approved delegated arrangements shall be exercisable by the appropriate Chief Officer, as the case may be, responsible for the function in question.
16. Any reference to a committee shall be deemed to include a reference to any other committee to which the Council may from time to time delegate the performance of the function referred to.
17. Any reference to a specific statute includes any statutory extension or modification or re-enactment of such statute and any regulation, orders or schemes made thereunder.

Consultation

18. In exercising delegated powers, officers shall consult other officers as appropriate and shall have regard to any advice given.
19. Where an issue which falls within an officer's delegated powers has significant policy, service or operational implications, or is politically sensitive, that officer shall consult and liaise closely with the appropriate Cabinet member(s) or the committee chair and vice-chair before exercising the delegated powers.
20. It shall always be open to an officer to consult a Cabinet member, a committee, or its chair or vice-chair before exercising the delegated powers, or not to exercise delegated powers but to refer the matter to the Cabinet or a committee for decision.
21. The normal requirements for consultation with local members on matters affecting their wards, as set out in the Member/Officer Protocol, will also be adhered to.

Limits on Delegated Arrangements

22. Officers may not exercise any of the functions reserved by this Scheme to the Council, the Cabinet or any committee of the Council. Nor may officers:
 - (a) change approved policies or strategies;
 - (b) create new policies or strategies;
 - (c) take decisions on the withdrawal or modification of public services;
 - (d) decide on significant new powers or duties arising from new legislation;

- (e) provide formal responses to any White Paper, Green Paper or other consultations likely to lead to policy changes or have a significant impact upon services;
- (f) declare land or property surplus to requirements.

Authorisation and Emergency Powers

23. By this Scheme and subject to the limitations and reservations herein, the Council delegates and authorises the officers identified in paragraph 2 above and any officers acting in their place under paragraphs 3 and 14:

- (a) to exercise the powers specified;
- (b) to exercise any of the Council's functions in an emergency; and

authorises any other officers identified under arrangements made by the Council or Cabinet or any committee pursuant to section 101 (2) of the Local Government Act 1972 or section 15 the Local Government Act 2000 to exercise the powers specified in relation to the appropriate officers in those arrangements.

Financial Powers

- 24. Any decision taken under this Scheme must be made within the approved revenue and capital budgets, subject to any discretion allowed by the [Financial Procedure Rules](#).
- 25. Acceptance of quotations and tenders must be in accordance with the [Contracts Procedure Rules](#).
- 26. Chief Officers may increase individual prices for Council services and facilities annually in line with RPI.

Legal Powers

- 27. Subject to any limitations set out in other provisions of this Scheme, officers are authorised to institute, appear in, prosecute and defend on behalf of the Council proceedings before a magistrates Court or similar tribunal of first instance where the matters fall within the remit of their departments. Officers are not so authorised in relation to any other legal proceedings. Such powers are delegated to the Director of Law, HR and Asset Management, who has general authority to institute, appear in, prosecute, defend any legal proceedings whatsoever on behalf of the Council including the power, notwithstanding any limitations contained within this scheme, to authorise and require any Council employee agent or representative to undertake such tasks, duties and responsibilities in respect of any Council policy, procedure, litigation or legal matter as may be considered necessary and expedient to protect or otherwise further the interests and or position of the Council.

Personnel and Staffing Powers

- 28. Without prejudice to the Officer Employment Procedure Rules, Chief Officers have the power to appoint, dismiss or transfer staff, or take any other action with regard to the employment of staff in accordance with the Employment Procedure Rules and the Scheme of Delegation to the Chief Executive.

Land and Property

29. Officers may give written notice of the proposed development of land for the purposes of their service in accordance with the Town and Country Planning General Regulations 1976, provided that the project for which development is required has been included in the approved capital budget.
30. Officers may authorise employees of the Council to enter any land for the purposes of any statutory power of the Council.
31. Officers have authority to grant easements, way-leaves and licences to statutory undertakers and other bodies providing public services.

Contracts

32. Officers are authorised to accept tenders and enter contracts for goods and services including agreeing price variations subject to the Financial Procedure Rules and subject to any threshold set down in the Contract Procedure Rules.

Procurement Rules

33. Officers may use the central purchasing facilities of other local authorities or government agencies when, in their opinion, it is in the interests of the Council to do so.

General

34. Officers are authorised to:
 - (a) approve *ex gratia* payments to staff up to £750 per incident (subject to consultation with the Director of Law, HR and Asset Management);
 - (b) approve *ex gratia* payments for replacement of stolen tools subject to the maximum provision in the conditions of service;
 - (c) write off debts or inventories up to £1,000 (in consultation with the Director of Finance);
 - (d) in cases of urgency, and after consultation with the relevant Cabinet member, approve and support Objective 1 schemes within the scope of their department subject to a subsequent report to Cabinet;
 - (e) settle complaints of maladministration, after consultation with the Director of Finance and the Director of Law, HR and Asset Management, by making compensation payments up to a maximum of £1,000 in any one case.
 - (f), settle complaints of maladministration, after consultation with the Chair of the Standards Committee, the Director of Finance and the Director of Law, HR and Asset Management, by making compensation payments between £1001 and £5,000 in any one case. (Cases over £5,000 are dealt with by the Standards Committee - see [Article 9](#) in Part 2).

35. Specific Powers Delegated to Officers

For the avoidance of doubt and without prejudice to the generality of paragraph 23, the following powers are delegated to the officers referred to below.

36. Chief Executive

The Chief Executive is authorised to:

- (1) Exercise the functions of the Council's Head of Paid Service under Section 4 of the Local Government and Housing Act 1989 and in this role the general management of the Authority.
- (2) Exercise the powers of the Council under Section 138 of the Local Government Act 1972 in the event of an emergency disaster.
- (3) Make any necessary appointments to fill casual vacancies that may arise on committees, boards and outside bodies carrying out or relating to non-executive functions, in accordance with the wishes of political groups.
- (4) Implement decisions of negotiating bodies relating to conditions of service (in consultation with the Director of Finance in the case of wage awards) except where national awards have significant financial implications.
- (5) Exercise the powers delegated to any officer when that officer is unable or unwilling to act.
- (6) In the event of a conflict in the provision of the Constitution the Chief Executive will have power to act and determine the conflict.
- (7) Implement self-financing incentive bonus and productivity schemes cleared by the North West Provincial Council.
- (8) Approve subsistence payments above nationally agreed rates (after consulting the party Leaders) to elected members and Council officers travelling abroad on Council business.
- (9)
 - (a) Re-allocate on a temporary basis following any change to the Council's Chief Officer Structure, any function(s) and powers delegated to a Chief Officer under this scheme to another Chief Officer(s) providing it is lawful and necessary to ensure the effective and timely delivery and discharge of that function(s).
 - (b) Any re-allocation of functions under this paragraph shall continue until Council amends or varies this scheme or in default for a period not exceeding nine months in duration;
 - (c) All officers exercising, discharging and or undertaking powers, responsibilities and duties falling within the remit and scope of any re-allocated function(s) under this paragraph shall, on a temporary basis and providing it is lawful and necessary to ensure the effective and timely delivery and discharge of that re-allocated function(s), fall temporarily within the management control of the relevant Chief Officer to whom the function(s) has been re-allocated.

on the advice or recommendation of, or after consultation with the appropriate Chief Officers, and subject to the appropriate conditions of

service -

- (9) Approve amendments to organisational structures (except those covered by the JNC for Chief Executives and Chief Officers) in accordance with national grading criteria, provided resources are available within the workforce budget and the changes involve no overall increase in staffing costs.
- (10) Implement, after consultation with the recognised trade unions, measures designed to promote recruitment and retention of staff (to be financed by way of virement within and between existing workforce budgets).
- (11) Authorise employees' attendance at courses leading to appropriate qualifications (including second attempts).
- (12) Withdraw post-entry training facilities in appropriate circumstances and require the refund of any financial assistance granted.
- (13) Authorise the attendance of employees at courses not exceeding three weeks' duration.
- (14) Authorise temporary variations in a department's establishment by the creation of posts to be held against unfilled vacant posts of a similar nature, provided the maximum salaries of the new posts are not more than those of the unfilled posts.
- (15) Authorise additional increments to officers on the grounds of special merit or ability.
- (16) Authorise the payment of honoraria to officers temporarily undertaking additional duties.
- (17) Approve requests by employees to undertake outside employment, provided the departmental Chief Officer is satisfied that no conflict of interest will arise.
- (18) Authorise the use of private cars and classify users as "casual" or "essential" in accordance with the Council's scheme.
- (19) Authorise loans (in consultation with the Director of Finance) in accordance with the Council's assisted car purchase scheme.
- (20) Authorise payment of private telephone charges in accordance with the Council's scheme.
- (21) Authorise (in consultation with the Director of Finance) payment of pensions, gratuities, grants, etc, in accordance with the Superannuation Acts and Regulations or the Council's policy.
- (22) Terminate the employment of junior entrants during or at the end of their probationary periods on the grounds of unsuitability.
- (23) Authorise, on independent advice, early retirement on grounds of ill-

health.

- (24) Grant additional leave of absence with pay (with no limit on the number of days) after consulting the Chair or Vice-Chair of the Employment and Appointments Committee.
- (25) Approve special leave of absence without pay for a period not exceeding six months where, it is considered to be justified by the circumstances of the individual case.
- (26) Authorise, in respect of employees appointed to posts where accommodation is provided under the terms of the appointment, payment of any difference between present rent and travel costs (at public transport rates, and only if incurred) and the rent (if any) applicable to the "tied" property from the date upon which the employee commences duty until the employee is housed in the "tied" accommodation.
- (27) Authorise leave of absence with pay to Unison delegates attending national conferences.
- (28) Authorise additional paid leave (up to five working days) in special circumstances related to the illness or death of a near relative.
- (29) Award payments of up to £250 under the Council's suggestion scheme, subject to verification by the Director of Finance that the cost of the award will be covered by implementing the suggestion.
- (30) Select applicants for sail training.
- (31) Authorise (in consultation with the Director of Finance) expenditure on hospitality above the prescribed limit in exceptional cases.
- (32)

37. Director of Corporate Services

In respect of investment and development grants:

- (1) Approve business development grants up to £5,000 under any of the Council's approved schemes, subject to budgetary provision being available and to a subsequent report to the relevant Overview and Scrutiny committee.
- (2) Approve grants of up to £600 (within approved budgets) to individual credit unions.
- (3) Accept offers of grant made directly by the European Commission (after consulting the Director of Finance and the relevant Cabinet member), subject to a subsequent report to Cabinet and/or the relevant Overview and Scrutiny committee, as appropriate.
- (4) To authorise directed surveillance, for investigatory purposes, in accordance with the Regulation of Investigatory Powers Act 2000 and to designate officers to

carry out that function.

(5) Approve business support grants up to £20,000 after consulting the Cabinet member for Regeneration and Planning Strategy.

In respect of housing and related functions:

(6) Undertake all duties and responsibilities, as necessary, in relation to the Council's strategic housing function.

(7) Continue to administer Wirralhomes allocation scheme on behalf of partner Registered Providers and the Wirral Housing Register.

(8) Issue notices in respect of slum clearance and generally exercise all of the Council's powers and duties relating to the condition, occupation and management of private sector housing (including houses in multiple occupation).

(9) Exercise the powers and duties of the Council under the Metropolitan Borough of Wirral (Registration of Houses in Multiple Occupation) Control Scheme 1999.

(10) To make HMO (Houses in Multiple Occupation) Management Orders

(11) Take all necessary action, in accordance with the Supporting People grant conditions, to ensure that the Council arranges the provision of housing support welfare services to vulnerable client groups within the policy framework contained in the "Supporting People" Strategy and Annual Plan produced by the Commissioning Body.

(12) Approve any assistance under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and Part 1 of the Local Government Act 2000 provided through Wirral's Private Sector Housing and Regeneration Assistance Policy

(13) Instigate legal action and or proceedings in respect of the enforcement of any legislation (and related statutory instruments) relating to Housing Services, including, where relevant (but not limited to), the service of notices, the appointment of persons, the issue of licences and authorisations, prior consents and grants or loans acceptance of statutory notifications; application for warrants.

Relevant legislation under this paragraph shall include but is not limited to: the following legislation:

The Building Act 1984

The Environment Act 1995

The Environmental Protection Act 1990

The Home Energy Conservation Act 1995

The Housing Act 1985

The Housing Act 1988

The Housing Act 1996

The Housing Act 2004

The Housing Grants Construction and Regeneration Act 1996

The Land Compensation Act 1973

The Landlord and Tenant Act 1985

The Landlord and Tenant Act 1987
The Landlord and Tenant Act 1988
The Local Government Miscellaneous Provisions Act 1976
The Local Government Miscellaneous Provisions Act 1982
The Local Government and Housing Act 1989
The Planning and Compulsory Purchase Act 2004
The Prevention of Damage by Pests Act 1949
The Protection from Eviction Act 1977
The Public Health Act 1936
The Public Health Act 1961
The Rent Act, 1977
The Town and Country Planning Act 1990
Health Act 2006

In respect of public health matters:

- ~~(24) Amend the list of Proper Officers to undertake statutory medical or public health functions upon receipt of requests from the Health Protection Agency, subject to the Cabinet being provided with updated lists of Proper Officers on a regular basis.~~
- ~~(25) Authority to exercise the powers and duties arising under the provisions of The Health Act 2006.~~

In respect of grants and regeneration:

- (14) Allocate grants of up to £500 for minor projects or events within the “Pathways” initiative.
- (15) Authorise expenditure within the approved budget in respect of all Single Regeneration Budget initiatives for general administrative and office expenses, marketing, consultancy and advertising, subject to compliance with the Contract Procedure Rules.

38. Director of Law, HR and Asset Management

The Director of Law, HR and Asset Management is authorised, *in respect of Personnel matters (and in consultation with the Director of Finance) to:*

- (1) Approve severance payments provided they can be contained within departmental budgets.
- (2) Authorise the early retirement of employees aged between 50 and 58 years without enhancement of pension or benefits, where they are satisfied this would be in the interest of the efficient exercise of the Council’s functions.

- (3) Authorise the early retirement of employees aged between 58 and 65 years, with added years enhancement, where they are satisfied this would be in the efficient exercise of the Council's functions.
- (4) Authorise the voluntary early retirement of employees aged between 50 and 59 years on compassionate grounds with no actuarial reduction in pension or benefits, provided all such cases are reported annually to the relevant Overview and Scrutiny committee.
- (5) Approve severance payments in qualifying cases under the Local Government (Discretionary Payment) Regulations.
- (6) Set appropriate rates of interest for loans to employees in connection with Local Agenda 21 policies.

In respect of Property Management functions:

- (7) Undertake the day-to-day management of the Council's land and premises including the authorisation of expenditure subject to budgetary control.
- (8) Negotiate and agree a price for the purchase of land or property provided that a detailed estimate of the cost has been approved by Cabinet and the agreed price is within the reported estimate.
- (9) Enter into discussions for the sale of Council owned land.
- (10) Authorise the purchase at market value of land or premises included in compulsory purchase orders made by the Council or its predecessor councils, together with blight/purchase notices accepted by the Council, including the payment of compensation in accordance with relevant legislation, subject to the availability of funding within the Council's capital programme, or from elsewhere.
- (11) Authorise the acquisition, by way of dedication or transfer, of land within development schemes which is required to be provided by the developer for open space or play area purposes subject to being satisfied as to the standard of the completed works and the availability of finance for future maintenance.
- (12) Authorise the grant and renewal of leases, tenancies and agreements of land and premises at current market rentals subject (where appropriate) to the receipt of satisfactory references and planning consent and (as appropriate) the termination thereof.
- (13) Approve the grant of licences of Council land and buildings where the licence is for a period not exceeding five years.
- (14) Approve the review of rents reserved by existing leases and tenancy agreements of Council land and property at current market rental levels.
- (15) Approve assignments of the residue of leases and tenancy agreements and underleases thereof subject to the receipt of satisfactory references.
- (16) Approve (where appropriate at the market value thereof) the modification or release of covenants contained in existing conveyances, leases, agreements and licences subject to compliance with the Council's planning or other policies and to approve the terms of any such modification or release.

- (17) Approve the acceptance of surrenders of leases where there is a financial benefit to the Council.
- (18) Approve the grant of easements, wayleaves, etc. over Council owned land where the annual acknowledgement to be paid does not exceed £1,000, or where a capital payment of up to £10,000 is involved.
- (19) Approve the purchase of or agreements for easements, wayleaves, etc. necessary to fulfil Council requirements where the annual acknowledgement to be paid does not exceed £1,000 or a capital payment of £10,000 and settle subsequent claims where the total in respect of capital payments and claims does not exceed £10,000.
- (20) Approve minor amendments to Executive decisions relating to purchases, leases, sales and contracts.
- (21) Take any action, institute proceedings, to terminate unauthorised encroachment on land or property in the Council's ownership.
- (22) Approve the appointment of professional advisers and/or agents, using any select list currently in force, and to settle any fees or other costs arising therefrom.
- (23) Agree and authorise payments of statutory disturbance claims, home loss claims and payments for the depreciation in the value of land caused by work carried out under statutory powers.
- (24) Agree terms, in consultation with the Director of Corporate Services, and authorise the acquisition of former Council dwellings, provided this involves no financial gain to the owner and the property is required by the Council for letting in accordance with existing policies.
- (25) Agree terms and complete the acquisition at market value of land and buildings located within strategic areas within the Housing Market Renewal Area Initiative area and, in connection with such transactions, pay the vendor's reasonable legal and surveyor's fees (and, where appropriate, home loss and disturbance payments) where the Council's interest would be prejudiced by any delay.
- (26) In connection with the implementation of the strategy entitled 'Tackling & Preventing Dereliction in Wirral', once he is satisfied that the power of sale is available to the Council, and in consultation with the Director of Corporate Services, to serve the necessary notices pursuant to the Law of Property Act 1925, draw up and seal deeds poll, register the charges, take possession of and market the properties in an appropriate manner and complete the sale of the properties.
- (27) To obtain an individual valuation of properties identified for disposal under the HOUSED scheme, in consultation with the Director of Corporate Services, and subject to any necessary consents, to complete the sales of the properties at market value and, where appropriate, to give a grant of up to 10% of the purchase price to assist persons displaced.

(28) In consultation with the Director of Corporate Services, to enter into agreements with the owners of sites chosen to benefit from the UGLI scheme and to authorise the carrying out of the necessary works.

In respect of Miscellaneous matters to:

- (29) Authorise urgent action in relation to trespass after notifying the leader of the Council and Ward Councillors.
- (30) Authorise appropriate officers within his/her department to appear on behalf of the Council on proceedings before a magistrates' court.
- (31) Authorise the use of rooms, including appropriate hire fees, within Wallasey Town Hall.
- (32) Alter the advertised venue of a committee meeting in appropriate circumstances.
- (33) Approve amendments to the Committee calendar after consultation with the leaders of political groups.
- (34) Apply to magistrates' courts for anti-social behaviour orders, or any other orders under the Crime and Disorder Act 1998.
- (35) Authorise directed surveillance, for investigatory purposes, in accordance with the Regulation of Investigatory Powers Act 2000.
- (36) Exercise the functions of the Council's chief legal officer.
- (37) Institute or defend on behalf of the Council any legal proceedings whatsoever, or to appear on behalf of the Council in proceedings before the appropriate Court or Tribunal. In doing so, the Head of Legal and Member Services is authorised to take all necessary action in connection with such proceedings, including the power to settle proceedings.
- (38) Authorise the sealing or signature of any Order, Deed or any other document necessary to give effect to the substance of a decision of the Council, Executive, committee, or officer acting under delegated powers.
- (39) Act as the Council's Monitoring Officer and Proper Officer
- (40) Determine, in consultation with the Director of Technical Services, applications for Certificates of Lawfulness in relation to existing or proposed uses of developments, and serve breach of conditions notices.
- (41) Act as Registrar in connection with all mortgages granted to the Council.
- (42) Make ex-gratia payments of up to £750 in each case to Council employees or members who suffer loss, damage or injury in the course of their duties .
- (43) Apply to magistrates' courts for anti-social behaviour orders, or any other orders under the Crime and Disorder Act 1998.
- (44) Enter into any agreement, contract, admission agreement, order or other documentation necessary to effect the management and administration of the Merseyside Pension Fund
- (45) In consultation with the Director of Finance, sign any certificate required under the Local Government Contracts Act 1999.

In respect of trading standards, environmental health and related functions and responsibilities:

- (46) Subject to paragraph (2) below, take any action under any relevant legislation (and related statutory instruments) including, where relevant (but not limited to), the service of notices, the appointment of persons, the issue of licences and authorisations and the approval of registrations, prior consents and grants; acceptance of statutory notifications; to apply for warrants, to seize and detain goods and documents and carry out test purchases of goods and services relating to trading standards, environmental health, environmental protection, food safety, licensing and health and safety matters.

Relevant legislation under this paragraph shall include but is not limited to:

Accommodation Agencies Act 1953
Administration of Justice Act 1970
Agriculture Act 1970
Agriculture (Miscellaneous Provisions) Act 1968
Agriculture Produce (Grading and Marking) Acts 1928 and 1931
Animal Boarding Establishments Act 1963
Animal Health Act 1981
Animal Health Act 2002
Animal Health (Amendment) Act 1998
Animal Health and Welfare Act 1984
Animal Welfare Act 2006.
Animals Act 1971
Breeding of Dogs Acts 1973 and 1991
Breeding and Sale of Dogs (Welfare) Act 1999
Building Act 1984
Business Names Act 1985
Business Protection from Misleading Marketing Regulations 2008
Caravan Sites Act, 1968
Caravan Sites and Control of Development Act 1960
Charities Act 1992
Children and Young Persons Act 1933
Children and Young Persons (Protection from Tobacco) Act 1991
Chronically Sick and Disabled Persons Act, 1970
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Companies Act 1985
Company Directors Disqualification Act 1986
Competition Act 1980
Consumer Credit Act 1974
Consumer Protection Act 1987
Consumer Protection from Unfair Trading Regulations 2008
Control of Pollution Act 1974
Copyright Designs and Patents Act 1988
Copyright etc and Trade Marks Offences and Enforcement Act 2002
County of Merseyside Act 1980
Courts and Legal Services Act 1990
Criminal Attempts Act 1981
Criminal Damage Act 1971
Criminal Justice Act 1988
Criminal Law Act 1977

Dangerous Dogs Acts 1989 and 1991
Dangerous Wild Animals Act 1976
Defective Premises Act 1972
Development of Tourism Act 1969
Dogs Act 1871 and 1906
Dogs (Fouling of Land) Act 1996
Education Reform Act 1988
Employment Agencies Act 1973
Energy Act 1976
Energy Conservation Act 1981
Enterprise Act 2002
Environment Act 1995
Environmental Protection Act 1990
Estate Agents Act 1979
European Communities Act 1972
Explosives Act 1875
Factories Act 1961
Fair Trading Act 1973
Farm and Garden Chemicals Act 1967
Food Act 1984
Food and Environment Protection Act 1985
Food Safety Act 1990
Forgery and Counterfeiting Act 1981
Fraud Act 2006
Gambling Act 2005
Guard Dogs Act 1975
Hallmarking Act 1973
Health and Safety at Work etc. Act 1974
Health Act 2006
Home Energy Conservation Act 1995
Housing Acts 1980, 1985, 1988, 1996 and 2004
Housing and Building Control Act 1984
Housing Grants, Construction and Regeneration Act 1996
Intoxicating Substances (Supply) Act 1985
Land Compensation Act 1973
Landlord and Tenant Acts 1954, 1985 and 1987
Licensing Act 2003
Litter Act 1983
Local Government Act 1972
Local Government Act 1988
Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Medicines Act 1968
Merchant Shipping Acts 1979/1995
Mobile Homes Act, 1973 and 1983
Mock Auctions Act 1961
Motor Cycle Noise Act 1987
Motor Vehicles (Safety Equipment for Children) Act 1991
Noise and Statutory Nuisance Act 1993
Noise Act 1996
Nursing Agencies Act 1957
Offensive Weapons Act 1996
Offices, Shops and Railway Premises Act 1963
Olympic Symbol Act 1995

Opticians Act 1989
Performing Animals (Regulation) Act, 1925
Pet Animals Act 1951
Poisons Act 1972
Police and Criminal Evidence Act 1984
Police Reform Act 2000
Pollution Prevention and Control Act 1999
Powers of Criminal Courts (Sentencing) Act 2000
Prevention of Damage by Pests Act 1949
Prices Acts 1974 and 1975
Property Misdemeanors Act 1991
Protection of Animals (Amendment) Acts 1988 and 2000
Protection from Eviction Act, 1977
Protection of Birds Acts 1954 to 1976
Public Health Acts 1875, 1936, 1961 and 1969
Public Health (Control of Diseases) Act 1984
Radioactive Substances Act 1993
Regulation of Investigatory Powers Act, 2000
Refuse Disposal (Amenity) Act 1978
Rent Act, 1977
Riding Establishments Acts 1964 and 1970
Road Traffic Acts 1988 and 1991
Road Traffic (Consequential Provisions) Act 1988
Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Offenders Act 1988
Solicitors Act 1974
Sunday Trading Act 1994
Telecommunications Act 1984
Theft Acts 1968 and 1978
Timeshare Act 1992
Town Police Clauses Acts 1847 and 1889
Trade Descriptions Act 1968
Trade Marks Act 1994
Trading Representations (Disabled Persons) Acts 1958 and 1972
Trading Stamps Act 1964
Unsolicited Goods and Services Acts 1971 and 1975
Vehicles (Crime) Act 2001
Video Recordings Act 1984/1993
Water Act, 1989
Water Industry Act 1991
Weights and Measures Acts 1976 and 1985
Zoo Licensing Act 1981

and any legislation amending or replacing the above (including Statutory Instruments)

- (47) Institute legal action and or proceedings in respect of the enforcement of any legislation relating to trading standards, environmental health, environmental protection, food safety, licensing and health and safety including those functions delegated to the Licensing, Health and Safety and General Purposes Committee, except the Health and Safety at Work etc. Act 1974, but in the following circumstances authority to prosecute may (but need not necessarily, especially in cases of urgency) be sought from the Licensing, Health and Safety

and General Purposes Committee (or the Cabinet in the case of an Executive function):

- (i) where the prosecution relates to a contentious/complex area of legislation and/or is likely to be considered as a test case;
 - (ii) where significant costs are likely to be incurred in bringing the prosecution before the courts;
 - (iii) where the prosecution has serious national implications;
 - (iv) where the prosecution relates to a significant and/or sensitive local issue;
 - (v) any other matter which in the opinion of the Director is of such a serious or sensitive nature that it would be inappropriate for him to act under delegated powers.
- (48) Authorise individual trading standards officers to take particular actions in their own names and to charge people at police stations.
- (49) (a) Personally or, where legislation requires it, through the Trading Standards Manager authorise suitably qualified members of staff in the Trading Standards Division to carry out enforcement functions as authorised officers under trading standards, consumer and related legislation;
- (b) personally or through the Trading Standards Manager authorise the commencement of legal proceedings on behalf of the Council under trading standards, consumer and related legislation;
- (c) authorise the post-holders listed below in the first instance, in the Trading Standards Division, after consultation with the Director of Law, HR and Asset Management, to present cases and appear in legal proceedings on behalf of the Council:
- Trading Standards Manager
Divisional Officer (Business Support)
Divisional Officer (Community Support and Regulation)
- and authorise other officers as considered necessary to present an appear in legal proceedings on behalf of the Council.
- (d) authorise the post-holders listed below, in the Trading Standards Division, to charge alleged offenders in police stations:
- Trading Standards Manager
Divisional Officer (Business Support)
Divisional Officer (Community Support and Regulation);
- (50) Authorise directed surveillance and covert human intelligence sources in accordance with the requirements of the Regulation of Investigatory Powers Act 2000, and designate officers to carry out that function.
- (51) Issue fixed penalty notices for leaving litter.

- (52) Take action under the Licensing Act 2003 relating to the sale of intoxicating liquor to, or for consumption by, persons under 18.
- (53) Enforce the Customs & Excise Management Act 1979 and the Tobacco Products Act 1979 relating to fiscal marking of tobacco products.
- (54) Operate Agency Services under the terms of Sections 135 and 169 of the Local Government and Housing Act 1989 and to charge fees accordingly.
- (55) Approve increases in charges not fixed by statute.
- (56) Waive charges for the provision of information under the Environmental Information Regulations in appropriate circumstances
- (57) Vary levels of charges in respect of depot sales of surplus materials and miscellaneous charges, such revisions having regard to the retail price index and prevailing market conditions.
- (58) Nominate an officer to deal with representations made to the Council by persons in receipt of a Notice.
- (59) Authority to implement the Food Safety Act 1999, as amended, the Food Hygiene (England) Regulations 2005 and 2006, the Official Feed and Food Controls (England) Regulations 2005 and 2006, and for any subsequent amendments, modifications or re-enactments to the parent legislation or any regulations or orders made thereunder.
- (60) To exercise the powers and duties available under the Business Protection from Misleading Marketing Regulations 2008 and the Consumer Protection from Unfair Trading Regulations 2008

In respect of licensing and registration functions:

- (61) Determine and otherwise deal with the following matters, provided that controversial matters must be submitted to the Licensing, Health and Safety and General Purposes Committee or Licensing Panel or Licensing Act 2003 Committee:
 - (i) Premises Licenses;
 - (ii) Game Dealers Licences;
 - (iii) Scrap Metal Dealers Registration;
 - (iv) Street Collection Licences and House to House collection permits;
 - (v) Club Premises Certificates;
 - (vi) Temporary Event Notices;
 - (vii) License premises for gambling activities;
 - (viii) Consider notices given for temporary use of premises for gambling;

- (ix) Grant permits for gaming and gaming machines in clubs and miner's welfare institutions;
 - (x) Regulate gaming and gaming machines in alcohol licensed premises;
 - (xi) Grant permits to family entertainment centres;
 - (xii) Grant permits for prize gaming;
 - (xiii) Consider occasional use notices for betting at tracks;
 - (xiv) Register small societies' lotteries;
 - (xv) The enforcement of the provisions of the Gambling Act 2005;
 - (xvi) Personal Licenses;
 - (xvii) Registration of second-hand dealers;
 - (xviii) Motor Salvage operators;
 - (xix) Certificates of Consent for all public exhibitions, demonstrations or performances of hypnotism;
 - (xx) Licences to hold civil marriage ceremonies on approved premises;
 - (xxi) Application for new (and renewal applications) for hackney carriage and private hire driver's licences, vehicle licences and operator's licences in accordance with guidelines, approved by the Licensing, Health and Safety and General Purposes Committee;
 - (xxii) The enforcement of conditions relating to the licensing of hackney carriage and private hire drivers licences, vehicle licences and operator's licences, as allowed in the Local Government (Miscellaneous Provisions) Act, 1976, including the suspension of driving licences, vehicle licences and operator's licences. (Any actions to be reported to the next meeting of the Licensing, Health and Safety and General Purposes Committee;
 - (xxiii) The enforcement of the provisions of the Licensing Act 2003
 - (xxiv) The enforcement of all Hackney Carriage and Private Hire matters under the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.
 - (xxv) Authorise members of staff in the Licensing Division to carry out enforcement functions as authorised officers under licensing legislation.
 - (xxvi) Personally, or through the Director of Law, HR and Asset Management Commence legal proceedings on behalf of the Council under licensing legislation.
- (62) In consultation with the Director of Technical Services and the three party spokespersons, to consider and determine applications for street trading consents or renewals thereof (including the imposition of such conditions as is considered reasonably necessary)

In respect of public health matters:

- (63) Amend the list of Proper Officers to undertake statutory medical or public health functions upon receipt of requests from the Health Protection Agency, subject to the Cabinet being provided with updated lists of Proper Officers on a regular basis.
- (64) Authority to exercise the powers and duties arising under the provisions of The Health Act 2006.

In respect of Community Safety functions:

- (65) To be responsible for the management of the Community Safety function and to exercise all the Council's statutory and regulatory powers relating to that function

39. Director of Children's Services

The Director of Children's Services is authorised to:

- (1) Set school budgets and monitor expenditure in accordance with the Scheme for Financing Schools.
- (2) Co-ordinate Standards Fund arrangements, including the appointment of staff and project workers for specific projects.
- (3) Exercise, in respect of schools outside delegation powers equivalent to those exercised by governors of schools within delegation.
- (4) Ensure arrangements for home to school transport in accordance with the policy of the Council.
- (5) Make provision of additional assistance to pupils with special educational needs.
- (6) Determine the placement of pupils in special schools, or approve arrangements for education other than at school.
- (7) Determine of the dates of school terms and holidays.
- (8) Accept Standards Fund and other grant allocations where these are cost neutral to the Authority's estimates.
- (9) Agree to meet the Authority's liability in relation to capital works at Voluntary Aided Schools, where these cannot be accommodated within the Authority's capital programme.
- (10) Produce and implement support packages for schools on a buy-back basis (i.e. business planning arrangements).
- (11) Determine the admission of pupils to community and voluntary controlled schools, provided that any appeal against such decisions is heard by the Parental Appeals Panel.
- (12) Secure the admission of a child who has been twice excluded to a particular school, having first obtained an indication of parental preference for at least three schools and having taken into account any representations made by the Headteachers of those schools.

- (13) Settle the initial staffing establishments of nursery schools, the pupil referral unit and the education support service, and approve subsequent variations.
- (14) Make or approve appointments of teaching and non teaching staff in accordance with arrangements made by the Council and the Local Management of Schools Scheme.
- (15) Determine all matters relating to employees' conditions of service (including applications for leave of absence) which are not delegated to the governing bodies of schools subject to the local Management of Schools Scheme.
- (16) Carry out the Council's responsibilities relating to the absence of teaching staff through sickness or other cause.
- (17) Arrange for the transfer of teachers between schools (with the approval of the governors of schools in delegation and after consultation with the teacher concerned).
- (18) Implement recommendations in connection with teachers' pay and conditions of service (as prescribed by the Secretary of State for Education and Skills).
- (19) Approve the use by appropriate organisations of land and premises occupied for education purposes, subject to the Council's regulations.
- (20) Grant permission for educational visits by pupils and young people.
- (21) Provide specialist residential and recreational courses for pupils and young people.
- (22) Provide information to parents relating to school admission arrangements and other related matters.
- (23) Administer procedures for the admission of children to voluntary aided and foundation schools if requested by their governing bodies and charge the cost thereof to the schools.
- (25) Determine the admission of pupils to maintained special schools, including Wirral Hospital School and Pupil Referral Units.
- (26) Arrange for the admission of pupils to non-maintained special schools.
- (27) Authorise, in consultation with the Director of Finance, the payment of fees for which the Council has accepted responsibility for pupils attending schools not maintained by the Council.
- (28) Make arrangements for the home tuition of pupils.
- (29) Administer the supply of milk and meals to pupils (including the supply of milk and meals by agreement at schools to whom the function has been delegated, as well as schools not maintained by the Council).
- (30) Determine applications for discretionary payments from the Learner Support Scheme to post-16 students in relation to costs not met through the educational maintenance allowance.

- (31) Approve the registration of youth clubs and organisations.
- (32) Authorise grant aid in respect of salaries of full-time youth leaders, repairs and alterations to premises, the purchase and repair of equipment, and youth activities.
- (33) Authorise the payment of grants and the refund of expenses in connection with the Duke of Edinburgh's Award Scheme.
- (34) Set fees for users of Oaklands Outdoor Education Centre, and authorise arrangements for the remission of fees in cases of hardship.
- (35) Approve repairs, improvements and extensions to educational establishments costing £10,000 or less for each project provided capital schemes are included in an approved building programme (and the views of the governing body concerned are obtained).
- (36) Appoint persons as LEA-nominated governors having regard to the political ratios determined by the Council.
- (37) Determine applications for student support from eligible students for a higher rate than that awarded to cover the cost of child care, examination fees not covered by the school budget or other exceptional costs.
- (38) Determine discretionary payments and applications under the Learning Support Fund.
- (39) Determine applications for assistance under Section 17 of the Children Act 1989.
- (40) Make arrangements for the day-to-day reception and placement in appropriate accommodation of any child brought to notice of Social Services as being in need of accommodation or committed to the care of the Local Authority by the courts.
- (41) Arrange admission and accept financial responsibility for the admission of unmarried mothers to Mother and Baby Homes.
- (42) Give financial assistance towards the expense of maintenance, training or education of persons over 16 years of age, under Section 24 of the Children Act 1989.
- (43) Approve and review Local Authority foster carers in accordance with the Fostering Services Regulations 2002 and take any necessary decisions on fostering issues.
- (44) Inspect, supervise and offer any necessary advice to foster homes in which children are placed privately in order to comply with the duty of the Local Authority under Section 67 of the Children Act 1989 to satisfy themselves that the welfare of children who are privately fostered within the Borough is being satisfactorily safeguarded and promoted.
- (45) Receive and find appropriate placements for children remanded to the accommodation of the Local Authority or committed to the care of the Local Authority on interim or full Care Orders.

- (46) Authorise the placement of children subject to care orders, with their parents or other persons with parental responsibility in accordance with the Placement of Children with Parents etc. Regulations 1991.
- (47) Appoint supervising officers to children and young persons placed under the supervision of the Local Authority as a result of either criminal or care proceedings.
- (48) Provide places for children and families in Family Centres.
- (49) Arrange regular visiting to ensure the welfare of any child accommodated in a voluntary home by Social Services is adequately safeguarded and promoted in accordance with the duty under Section 62 of the Children Act 1989.
- (50) Arrange for the supervision of children placed in the Metropolitan Borough of Wirral area by other authorities when so requested.
- (51) Consider and authorise the payment of approved Adoption Allowances in accordance with a scheme duly approved by the Department for Work and Pensions in cases where the Adoption Panel has recommended such allowances, and the Agency Decision Maker has confirmed the recommendation as an agency decision.
- (52) Consider and authorise applications to a court for an order freeing a child for adoption, if the Adoption Panel of the Council's Adoption Agency recommend that this is the best interest of the child, and the Agency Decision Maker has confirmed this as an agency decision.
- (53) In accordance with the requirements of the Adoption Act 1967 and accompanying Regulations, investigate the circumstances of children offered for adoption and families wishing to adopt, and present suitable adoptive placements for consideration by the Adoption Panel and, having taken a decision based on the Panel's recommendation, arrange such placements.
- (54) Attend Court of Adoption placements.
- (55) Refuse contact under Section 34 (6) of the Children Act 1989.
- (56) Institute proceedings (in consultation with the Director of Law, HR and Asset Management) for contacts to be defined, and respond to such applications lodged by other parties.
- (57) Apply to the courts for placement in secure accommodation of juveniles accommodated by, or in the care of, the Local Authority in accordance with Section 25 of the Children Act 1989 and the accompanying Secure Accommodation Regulations 1991.
- (58) Apply for Child Assessment Orders under Section 43 of the Children Act 1989.
- (59) Apply for Emergency Protection Orders under Section 44 of the Children Act 1989.
- (60) Apply to the courts for Care/Supervision Orders in accordance with Section 31 of the Children Act 1989.

- (61) Apply for discharge and variation of Care Orders and Supervision Orders in accordance with Section 39 of the Children Act 1989.
- (62) Apply for a prohibited steps or specific steps issue order under Section 8 of the Children Act 1989 in respect of a child accommodated by the Local Authority.
- (63) Appoint and pay the reasonable expenses of Independent Visitors appointed under Paragraph 17 of Schedule 2 of the Children Act 1989, and as defined by the accompanying Definition of Independent Visitors (Children) Regulations 1991.
- (64) Authorise the payment of legal costs and fees in connection with an adoption application in respect of children in the care of the Local Authority, where the Adoption Panel has recommended that adoption is in the child's best interest, and the Agency Decision Maker has confirmed this.
- (65) Authorise the payment of a prospective adopter's legal costs of making an application for an Adoption Order in those cases where either the natural parents oppose the adoption, or there are other difficulties which make it advisable for the prospective adopter to be legally represented, where The Adoption Panel has recommended such payment and the Agency Decision Maker has confirmed this as an agency decision.
- (66) Authorise payment for any additional medical reports in connection with an adoption application with the exception of the normal medical reports of the child to be adopted (which are payable by the Council).
- (67) Authorise the use of adoption agencies to secure the appropriate placement for the adoption of individual children with special needs where a suitable prospective adopter is not currently on the Council's Adoption Agency list of approved adopters and approve the amount of the inter-agency fee that may be payable in an appropriate case, where the Agency Decision Maker has confirmed this as an agency decision.
- (68) Negotiate on the Authority's behalf inter-agency agreements, including inter-agency fees which fall within nationally and locally agreed guidelines.
- (69) Confirm Adoption Panel recommendations as decisions of the Adoption Agency as required by the Adoption Agencies and Children (Arrangements for Placement and Review) (Miscellaneous Amendments) Regulations 1997"
- (70) Assess the contributions to be made the parents of children and young people where appropriate in accordance with laid down scales or procedures.
- (71) To authorise directed surveillance, for investigatory purposes, in accordance with the Regulation of Investigatory Powers Act 2000 and to designate officers to carry out that function.
- (72) To be responsible for the management of the Anti-social Behaviour Service and to exercise all the Council's statutory and regulatory powers relating to that service, including the following:

- To give consent on behalf of the Council to any requests from the Police to seek a designation of an area under Part IV of the Anti-Social Behaviour Act 2003 for the dispersal of groups in consultation with the spokespersons for Housing and Community Safety, the Councillors for any wards that would be affected by the designation and the Director of Law, HR and Asset Management; and
- To act (in consultation with the Director of Law, HR and Asset Management) as the officer to be consulted, on behalf of the Council, by Merseyside Police when they wish to close a property owing to nuisance related to drug use, manufacture or sale, using Part 1 of the Anti-Social Behaviour Act 2003

40. **Director of Finance**

The Director of Finance is authorised to:

- (1) Exercise the functions of the Council's Chief Finance Officer, including proper administration of the Council's financial affairs under Sections 115 and 151 of the Local Government Act 1972, Section 114 of the Local Government Finance Act 1988 and the Accounts and Audit Regulations 2003.
- (2) Issue financial procedures within the principles of Financial Regulations.
- (3) Take all necessary action for the collection of amounts due to the Council using any powers available to the Council.
- (4) Write off irrecoverable amounts due to the Council up to and including £1,000 and without limit as regards personal local taxation on a single property and NNDR provided that the relevant Overview and Scrutiny committee is informed annually of the total amount involved.
- (5) Approve discretionary relief from National Non-Domestic Rates, in accordance with the Council's approved scheme,
- (6) Authorise, on behalf of the Council as Billing Authority, valuation agreements in respect of the Non-Domestic Rate Rating list, as required by the District Valuer of the Inland Revenue.
- (7) Arrange borrowing as may be necessary from time to time for the Council's purposes. Sources of funds will comprise temporary loans, loans from the Public Works Loan Board, other mortgages and bonds, money bills, bank overdrafts and internal funds of the Council, subject to any restriction which may be made by statute, by Council or the Executive.
- (8) Arrange finance and operating leases as required in accordance with the requirements of the Council's capital programme.
- (9) Invest Council funds temporarily not required in accordance with the statutory provisions regulating approved investments as defined in Section 66 of the Local Government and Housing Act, 1989, subject to any restrictions which may be made by statute, by Council or the Executive.
- (10) Approve payments of gratuities to retiring employees in accordance with

discretionary powers available through the Local Government Act 1972, and the Pensions Regulations.

- (11) Fix incidental charges relating to local taxation.
- (12) Determine applications for rate relief under Section 44a of the Local Government Finance Act 1988.
- (13) Make minor variations in contracts for the collection of cash.
- (14) Authorise directed surveillance, for investigatory purposes, in accordance with the Regulation of Investigatory Powers Act 2000.
- (15) Nominate officers within the Finance Department to institute and conduct proceedings on behalf of the Council in the Magistrates' Court for the recovery of unpaid council tax, community charge, non-domestic rate and general rate.
- (16) Exercise the powers and duties of the Council under the Housing Benefit (General) Regulations 1987 as subsequently amended, including the exercise of discretionary powers.
- (17) Revise, at six monthly intervals, the maximum loan available under the Council's assisted car purchase scheme, and effect annual adjustments, in line with the Retail Price Index, to disturbance and travelling allowances payable to appointees to permanent posts, and to the value of awards under the Long Service Award Scheme,
- (18) Undertake all day-to-day administration of, and investment decisions for, the Merseyside Pension Fund within the policy laid down by the Pensions Committee including the authorisation of admission agreements with transferee admission bodies pursuant to Best Value arrangements, as required by the Local Government Pensions Scheme Regulations.
- (19) Terminate a contract of an external investment manager and enter into any consequential arrangements for the transitional management of the Fund's investments pending the decision of the Pensions Committee on the award of a new contract.
- (20) To authorise and nominate on behalf of the Finance Department designated officers to investigate and exercise all necessary powers available to them under all relevant primary and secondary legislation relating to welfare benefit fraud to include the power to issue Cautions, Administrative Penalties and where appropriate to authorise the Director of Law, HR and Asset Management or any appropriate outside agency to commence legal proceedings on their behalf where necessary.
- (21) To authorise the Director of Law, HR and Asset Management to institute legal proceedings on behalf of any relevant outside agency relating to a welfare benefit fraud and where that investigation also raises matters relating to housing/council tax benefit fraud.
- (22) To be responsible for the production and implementation of the ICT Strategy

and ICT Development Programme.

- (23) To be responsible for the management of the Library Service and to exercise all the Council's statutory and regulatory powers relating to that service

42. **Director of Adult Social Services**

The Director of Adult Social Services is authorised to:

In respect of Miscellaneous matters:

- (1) Assess the contributions to be made by recipients of service where appropriate in accordance with laid down scales or procedures.
- (2) Exercise discretion to vary charges in cases where there are special circumstances, hardship, etc.
- (3) Consider and determine applications for loans or grants below £20,000 for aids and adaptations to the homes of people with disabilities.
- (4) Institute or defend legal proceedings in connection with the Social Services function in consultation with the Director of Law, HR and Asset Management.
- (5) To authorise directed surveillance, for investigatory purposes, in accordance with the Regulation of Investigatory Powers Act 2000 and to designate officers to carry out that function.

In respect of Service for Adults:

- (6) Admit to residential accommodation and temporary accommodation, either provided by the Council, by other authorities, voluntary organisations or privately registered homes, persons in need of care and attention.
- (7) Admit persons with mental ill health, physical disabilities or learning difficulties to Day Centres or Workshops provided for them.
- (8) Arrange the burial or cremation of persons to whom Section 50 of the National Assistance Act 1948 applies, and make whatever recoveries are possible towards the cost.
- (9) Appoint officers to carry out the duties of approved Social Workers under the Mental Health Act 1983.
- (10) Make applications in respect of individuals to whom the provisions of the Mental Health Act 1983 apply in accordance with the provisions of the Act.
- (11) Enter into contractual arrangements with registered residential and nursing homes for the provision of residential and nursing care within available resources (National Health Service Community Care Act 1990).

- (12) Negotiate and agree fee levels with independent sector providers, having regard to the assessed needs of clients, the services to be provided, and the availability of resources (National Health Service and Community Care Act 1990).
- (13) Waive the Contract Procedure Rules relating to procurement when seeking quotations and tenders for certain Community Care Services.
- (14) Enter into contractual arrangements with day care providers for the provision of day care within existing resources under the National Health Service and Community Care Act 1990 and the Health Act 1999.
- (15) Provide services to support people in their own homes (e.g. domiciliary services) under the NHS & CC Act 1990 and National Assistance Act 1948.
- (16) Approve applications for concessionary travel passes from people with learning disabilities and those who are mentally ill.
- (17) Approve interest-free loans not exceeding £30,000 in accordance with approved guidelines.

In respect of Complaints and Representations:

- (18) Co-ordinate all aspects of consideration of complaints in accordance with Section 50 of the National Health Service and Community Care Act 1990 and Section 26 of the Children Act 1989, including the response to all registered complaints.
- (19) Make arrangements for panel review of response to a registered complaint when requested to do so by the complainant.
- (20) Comment upon decisions of the Review Panel (Complaints Procedure) after consultation with the Cabinet member for Social Care and Inclusion and the Chair and spokespersons of the Social Care, Health and Inclusion Overview and Scrutiny Committee.
- (21) Notify the complainant and any other involved persons of reconsideration.
- (22) Reimburse independent review panel members, complainants and authorised representatives for any out-of-pocket expenses incurred.
- (23) Appoint and pay the reasonable expenses of independent persons required to assist in the operation of the Authority's Representations Procedure established in accordance with the requirements of Section 26 (3) of the Children Act 1989 and the accompanying Representation Procedure (Children) Regulations 1991.

43. Director of Technical Services

The Director of Technical Services is authorised to exercise the following powers and functions:

In respect of Highways and related matters:

- (1) Exercise all the powers and duties of the Council arising under the provisions of the Highways Act 1980, the Wildlife and Countryside Act 1981, the Cycle Tracks Act 1984 and the Countryside and Rights of Way Act 2000 (including for those

consents, licences and footpath matters specifically to be discharged as a non-executive function by the Licensing, Health and Safety and General Purposes Committee) as follows:-

- (a) creation of highways under Part III of the Act;
 - (b) maintenance of highways under Part IV of the Act;
 - (c) improvement of highways under Part V of the Act;
 - (d) construction of bridges over and tunnels under navigable water and diversion etc. of watercourses under Part VI of the Act;
 - (e) provision of special facilities for highways under Part VII of the Act;
 - (f) provision of amenities on certain highways under Part VII(A) of the Act;
 - (g) stopping-up and diversion of highways under Part VIII of the Act including the making of gating orders;
 - (h) lawful and unlawful interference with highways and streets under Part IX of the Act;
 - (i) the making-up of private streets under Part XI of the Act.
- (2) Exercise all the powers and duties of the Council arising under the provisions of the New Roads and Street Works Act 1991 relating to the regulation of public utilities' powers to undertake street works, including the serving of notices and recovery of costs.
 - (3) Exercise all the powers and duties of the Council under the provisions of the Road Traffic Regulation Act 1984 relating to the making of traffic regulation orders, the establishment of pedestrian and school crossings, the provision of parking places and the placing of traffic signs, save for those orders where objections are raised, in which case, objections lodged to the making of a traffic regulation order will be considered by the Streetscene and Transport Services Overview and Scrutiny Committee, prior to a decision being made by Cabinet as to the confirmation of the order or otherwise.
 - (4) Exercise all the powers and duties of the Council under the provisions of the Traffic Management Act 2004 including the civil enforcement of traffic contraventions.
 - (5) Exercise all the powers and duties of the Council under the provisions of the Clean Neighbourhoods and Environmental Health Act 2005
 - (6) Exercise all the powers and duties of the Council under the provisions of the Land Drainage Act 1991 to facilitate or secure the drainage of land.
 - (7) Exercise all the powers and duties of the Council under the provisions of Section 18 of the Building Act 1984 relating to building over agreements and under Sections 84 and 85 of the Act to require works to be undertaken in relation to the paving and drainage of yards and passages.

- (8) Exercise all the powers and duties of the Council under the provisions of the Reservoirs Act 1975.
- (9) Exercise, in consultation with Ward members, the powers and duties of the Council under the provisions of Sections 247 and 257 of the Town and Country Planning Act 1990 relating to the stopping-up or diversion of highways, footpaths, bridleways and restricted byways.
- (10) Take action to prosecute offences under the Highways Act 1980, the Road Traffic Regulation Act 1984, the New Roads and Street Works Act 1991, the Land Drainage Act 1991, the Town and Police Clauses Act 1847 and the Clean Neighbourhoods and Environmental Health Act 2005.
- (11) Lodge objections to operators licence applications on highway safety and traffic management grounds under the provisions of the Transport Act 1968.
- (12) Approve the naming and numbering of streets in consultation with ward members.
- (13) Adopt highways to become maintainable at public expense in consultation with ward members.
- (14) Approve the siting of taxi ranks in consultation with ward members.
- (15) After consulting the local ward Councillors, approve or reject applications by Royal Mail for the installation of postal pouch boxes and agree the terms under which any approval is given (including the siting, design and specification of the installation works).
- (16) Consider and determine, in consultation with ward members and the police, all applications for the provision of on-street parking bays for the disabled.
- (17) Enter into agreements with developers for the execution of highway works under the provisions of Section 278 of the Highways Act 1980.
- (18) Exercise, in relation to sewage management contracts, the powers conferred upon United Utilities Plc by the provisions of the Water Industry Act 1991.
- (19) Authorise directed surveillance and covert human intelligence sources in accordance with the requirements of the Regulation of Investigatory Powers Act 2000, and designate officers to carry out that function.

In respect of Planning and related matters:

The Director of Technical Services has authority:

(i) to determine all planning and related applications other than those listed under (a) below;

(ii) to take appropriate enforcement action on all matters relating to the issue and service of Enforcement Notices, Breach of Condition Notices and Discontinuance Orders, including the following:

- To take initial action to deal with breaches of planning control including the

serving of Planning Contravention Notices to obtain relevant information in order to assess whether or not a breach of planning control has occurred.

- To serve Breach of Condition Notices where planning conditions have not been complied with and to specify the steps which the Council consider ought to be taken or the activities which ought to cease.

- To serve Enforcement Notices or to withdraw, modify and reissue any Enforcement Notice following a decision by the Planning Committee to grant permission for development or not to proceed with enforcement action.

- In cases of urgency, in consultation with the Chair, vice-Chair and Party Spokespersons of the Planning Committee, to issue and serve Stop Notices unless the serving of such a notice would result in the significant loss of jobs or the potential for substantial costs against the Council.

- In consultation with the Chair, vice-Chair and Party Spokespersons of the Planning Committee to serve Temporary Stop Notices.

(For the avoidance of doubt) where it is proposed not to take appropriate enforcement action relating to Priorities 1, 2 and 3 of the adopted Planning Enforcement Policy on the grounds of non-expediency, the Authority of Members of the Planning Committee must be sought.

(iii) to refuse applications in relation to telecommunications development.

(iv) where it is proposed to recommend approval of telecommunication development, after consultation with the Chair of the Planning Committee and the appropriate ward councillors, to determine applications in relation to telecommunications development which, following the receipt of a petition or referral by an elected member, cannot be dealt with by the Planning Committee within the statutory 56-day period, subject to his reporting the use of such delegated authority to the next available meeting of that Committee, for information.

The Assistant Director has authority to determine all minor and other applications submitted by or on behalf of the Borough Council other than those listed under (a) below;

(a) Applications to be determined by Committee:

(i) "Major" applications (unless recommended for refusal and has not been supported on planning grounds by a Member as set out in (vi) below) – "Major" applications will be defined as any application for residential development or change of use involving 10 or more dwellings, and other forms of development or change of use of 1,000 square metres floorspace relating to B1(Light Industrial), B2(General Industrial) or B8(Storage and Distribution) Uses , or applications for development or change of use of 0.5 hectare or more of land. Minerals and waste applications will be regarded as "major" applications (other than minor amendments to existing permissions, and ancillary or small scale works).

(ii) Applications where it is proposed to make a decision that is contrary to the development plan with the exception of domestic extensions.

(iii) Decisions that would need to be referred to the Secretary of State with the exception of applications for Planning Permission and/or Listed

Building Consent to Grade I listed buildings, where there are no objections on conservation grounds.

(iv) Applications which any Member has asked to be referred to the Planning Committee. When a Member has requested an application be referred to the Planning Committee the Member must, however, state the reason(s) on planning grounds for that request in writing and must make any request prior to the last date for comment as published on an application.

(v) Applications that attract one or more petitions of objection, within the specified consultation period, which contains 25 or more signatories from individual households or 15 individual objections in writing, unless the application is being recommended for refusal, in which case, the application shall remain under delegated powers, (unless a Member registers support in writing for an application on planning grounds). The lead petitioner will be informed of the recommendation to refuse under delegated powers.

(vi) Any application recommended for refusal where a Member has registered support in writing for an application on planning grounds and has requested the application is determined by Planning Committee.

(vii) Any personal/private application made by any Member of the Council, or any member of staff employed in the Technical Services Department.

(viii) Decisions that would require a Section 106 obligation or action under other powers, with the exception of applications requiring the provision of additional litter bins or where an applicant is required to provide the Council with a sum of £10,000 or less towards any minor traffic/highway improvements.

(ix) Decisions where a claim for compensation from the Council may arise or which otherwise may involve a financial payment.

(b) The Director of Technical Services is authorised to undertake the following functions and powers:

(1) To exercise all the powers and duties of the Council in respect of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 as follows:-

(a) To take appropriate action to advertise planning applications and display site notices.

(b) Reject an outline application because of insufficient details.

(c) Require owners to carry out proper maintenance of land where its condition detracts from the amenity of the immediate surrounding area, including the service of appropriate statutory notices under Section 215 of the Act.

(d) Serve planning control contravention notices and to hold discussions as a result of the "time and place" procedure under Section 171(C) of the Act.

(e) Make and confirm emergency Tree Preservation Orders except where objections/representations have been received and confirm unopposed Tree Preservation Orders under Section 201 of the Act and vary and revoke such orders.

(f) Determine applications for the lopping, felling or topping of trees covered by Tree Preservation Orders and require such replanting as is considered necessary.

(g) Issue screening opinions (Regulations 5, 7 and 25) and scoping opinions (Regulation 10) under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

(h) Authorise entry on to land under Sections 196 and 324 of the Act and under Section 88 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) To exercise all the powers and duties of the Council arising under the provisions of the Building Act 1984 as follows:-

(a) Part I – Building Regulations.

(b) Part III – Drainage, provision of sanitary conveniences, buildings, defective premises and demolition.

(c) Part IV – Powers of entry, execution of works and enforcement.

(3) To exercise all the powers and duties of the Council arising under the provisions of Safety of Sports Grounds Act 1975 in relation to the issuing of notices prohibiting the admission of spectators to sports grounds and make agreed amendments to safety certificates.

(4) To exercise all the powers and duties of the Council arising under the provisions of the Building (Approved Inspectors) Regulations 1985.

Note: This power may also be exercised by the Building Control Manager and the Fire/Safety at Sports Grounds Officer.

(5) To exercise all the powers and duties of the Council arising under the provisions of the Public Health Act 1936 in relation to sanitary conveniences for buildings and culverts, ditches and watercourses.

(6) To exercise all the powers and duties of the Council arising under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to listed buildings and conservation areas.

(7) To exercise all the powers and duties of the Council arising under the provisions of the Planning (Hazardous Substances) Act 1990.

(8) To exercise all the powers and duties of the Council arising under the Town and Country Planning (Control of Advertisements) Regulations 1992 or any amendments to those regulations.

(9) To exercise all the powers and duties of the Council arising under the provisions of the Hedgerows Regulations 1997.

(10) To respond to consultations from neighbouring local planning authorities on planning applications.

(11) To exercise all the powers and duties of the Council under the provisions of the Local Land Charges Act 1975.

(12) After consulting the Director of Finance, to vary the standard scale of charges of the Local Government Association model structure by plus or minus 10%.

(13) To take action to prosecute offences under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990, the Public Health Act 1936 and the Safety at Sports Grounds Act 1975.

(14) To exercise all the powers and duties under Part 8 of the Anti-Social Behaviour Act 2003 to consider and determine complaints about high hedges.

(15) To authorise directed surveillance, for investigatory purposes, in accordance with the Regulation of Investigatory Powers Act 2000 and to designate officers to carry out that function.

In respect of Cultural Services functions:

(29) Approve the setting and variation of charges and core admission prices to Cultural Services facilities and events (including those held in parks or other open spaces).

(30) Accept bids for concessions at events.

(31) Approve routine lettings for events on Cultural Services premises/land under control of Children and Young People's Department.

(32) Approve free or concessionary use of Cultural Services facilities/equipment.

(33) Approve the closure of Cultural Services facilities for essential maintenance.

(34) Determine opening hours during holiday periods for Cultural Services facilities.

(35) Accept bids for concessions at parks and open spaces.