

CABINET

Thursday, 14 April 2011

<u>Present:</u>	Councillor	JE Green (Chair)	Finance, Big Society and Best Value
	Councillors	S Holbrook C Blakeley S Clarke D Elderton A Hodson S Kelly I Lewis R Moon L Rennie	Corporate Resources Housing and Community Safety Children's Services & Lifelong Learning Culture, Tourism and Leisure Regeneration and Planning Strategy Environment Community and Customer Engagement Social Care and Inclusion Streetscene and Transport Services
<u>In attendance:</u>	Councillors	S Mountney T Pritchard S Taylor	

367 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor D Elderton declared a personal and prejudicial interest in Item No. 26 on the agenda – Business Support Services (Minute No. 397 refers.) by virtue of being a Board Member of the Edgerton House Trust.

Councillor I Lewis declared a personal interest in Item No. 27 on the agenda – Support for Wirral's Coastal Resort Towns (Minute No. 371 refers.) by virtue of being a resident of New Brighton.

Councillors who had been appointed to serve as governors on school governing bodies declared a personal interest in Item No. 19 on the agenda – Admission Arrangements for Community Secondary Schools and the Co-ordinated Admission Scheme 2012-13 (Minute No. 390 refers.) and Item No. 20 on the agenda – Admission Arrangements for Community and Voluntary Controlled Primary Schools 2012-13 (Minute No. 391 refers.)

Councillor J Green declared a personal interest in Item No. 3 on the agenda – Chancellor of the Exchequer's Budget 2011 (Minute No. 372 refers) by virtue of being a Hospital Governor.

368 CHIEF EXECUTIVE DESIGNATE

Councillor J Green informed that Jim Wilkie was no longer the Council's Interim Chief Executive. He had been appointed Chief Executive Designate and the Council would be asked to approve this appointment at its next meeting on 18 April 2011.

369 **PRESENTATION ON THE OPPORTUNITIES AND CHALLENGES FOR WIRRAL UNIVERSITY TEACHING HOSPITAL**

Len Richards, Chief Executive of Wirral University Teaching Hospital NHS provided the Cabinet with a presentation that included the following:

- Wirral excellence in healthcare system
- Wirral Millennium
- Collaboration with the Countess of Chester Hospital
- The use of their sites
- The use of other sites (St Catherine's Hospital, Victoria General Hospital, GP Practices, Local Authority Premises)

Mr Richards then went on to outline challenges facing his organisation such as change, operational challenges (e.g. length of stays), interface with Social Services, reduction in re-admissions, infection control, patient experience, specialisation. He reported on compliance and regulatory standards, on finance (explaining how the Trust aimed to make savings of £42 million over the next 3 years) and the purpose of the GP Consortia and Health & Wellbeing Board.

In conclusion Mr Richards commented that change was the only constant and informed of the importance of the Health and Wellbeing Board. He also referred to the continuous focus on inter-agency.

Following the presentation Members asked Mr Richards a number of questions on the quality of services, access to services at the local level, numbers of still births, length of time spent in hospital and how older people were looked after in hospital. Mr Richards answered as appropriate. Mr Richards confirmed that patient care was at the top of his organisation's agenda.

RESOLVED:

That Mr Richards be thanked for his informative presentation.

370 **MINUTES**

Further to Minute No. 340 of the last meeting of the Cabinet held on 17 March 2011 - Delamere Community Centre - Community Asset Transfer - the Director of Law, HR and Asset Management reported that his consultations with the Deputy Leader and the three Eastham Ward Councillors had concluded successfully and that the transfer of the Centre would be proceeding.

RESOLVED: That

- (1) the Director's report as set out above be noted; and
- (2) the Minutes of the meeting of the Cabinet held on 17 March 2011 be confirmed as a correct record.

371 **SUPPORT FOR WIRRAL'S COASTAL RESORT TOWNS**

A report by the Interim Director of Corporate Services informed Members of the process that had been undertaken to bring forward proposals for the allocation of the £200,000 revenue grant available for supporting economic regeneration in Wirral's coastal resort towns of New Brighton, Hoylake and West Kirby.

The report provided Members with details of the proposals that were considered at the special Participatory Budgeting workshops facilitated by West Wirral Area Forum and Wallasey and New Brighton Area Forum on the 14 and 17 March respectively.

Councillor J Green circulated a letter he had received from Caroline Allsop, a local business owner from Hoylake who requested the Cabinet to reject the recommendations set out in the report and re-visit the entire process.

Councillor J Green declared a personal interest informing that he had been in attendance at the Forum meeting when this matter had been discussed. He told the Cabinet that the experience had been very good and everyone had the opportunity to listen and discuss the presentation. He had been impressed as there had been some good proposals put forward to get people back into work and some tourism ideas discussed. People were in the position to make informed choices as a result. It had been a very useful process. However, there were still some lessons to learn and the Council would improve as a result.

Councillor I Lewis asked a question about Empty Shops Funding and it was noted, in particular, that the Council had set aside funding to bring about improvements to all the shopping centres in Wirral, including the one in Liscard.

RESOLVED: That

- (1) it be agreed that funding be allocated to those projects ranked the highest by the West Wirral Area Forum up to the maximum sum available of £100,000, as set out in Appendix 1 to the report;**
- (2) it be agreed that funding be allocated to those projects ranked the highest by the Wallasey and New Brighton Area Forum up to the maximum sum available of £100,000, as set out in Appendix 2 to the report;**
- (3) it be noted that a Participatory Budgeting process was used to allocate this funding and that the event was well attended and over-subscribed; and that all the projects which were recommended for funding will provide support for Wirral's Coastal Towns;**
- (4) It was agreed that a report will be brought back to a future Cabinet meeting outlining how the process of administering participatory budgets will be further developed; and**
- (5) the Interim Director of Corporate Services and the Engagement Team be thanked for their hard work on this initiative.**

372 CHANCELLOR OF THE EXCHEQUER'S BUDGET 2011

A report by the Director of Finance provided the Cabinet with a summary of the main issues in respect of Chancellor of the Exchequer 2011 Budget, presented on 23 March, together with the key implications for local authorities.

Members took the opportunity to welcome the announcement that the Liverpool Wirral Waters development had been designated as one of eleven enterprise zones around the country. The special status meant tax breaks and planning rules would be cut back to attract new businesses and create jobs. This designation as an Enterprise Zone would allow both Councils to offer tax incentives in the first years of occupancy which would give businesses locating on the site a great head start.

RESOLVED: That

- (1) the Cabinet notes the implications contained in the Chancellor's Budget, in particular, the subsequent announcement to create a Local Enterprise Zone at Wirral Waters; and**
- (2) the Cabinet welcomes the opportunity for Wirral to attract additional, private sector investment to help rebalance the local economy and provide jobs and training for local people and believes this has the potential to act as a catalyst to start the economic transformation of the Borough and will help to accelerate positive opportunities to attract new business into the Wirral.**

373 ANNUAL GOVERNANCE STATEMENT 2010/11

A report by the Director of Finance informed the Cabinet that the preparation and publication of an Annual Governance Statement was necessary to meet the statutory requirement set out in the Accounts and Audit Regulations 2003 (amended 2006 and 2011).

The report explained the requirement for the Authority to produce the Annual Governance Statement declaring the degree to which it meets the Governance Framework.

An Appendix attached to the report set out the Annual Governance Statement for 2010/11 as agreed by the Audit and Risk Management Committee on 28 March 2011.

RESOLVED:

That the Annual Governance Statement for 2010/11 be agreed.

374 CONTRACTS REVIEW

A report by the Director of Finance sought the Cabinet's approval to engage PriceWaterhouseCoopers (PWC) to undertake a review of major contracts to support the delivery of savings targets agreed by the Council in the 2011/12 Budget.

It was reported that the Council had accrued credits to the value of £157,119 with PWC as a result of the work undertaken in 2009/10 on Value Added Tax recovery. It was proposed to use these credits to pay for this additional work in accordance with the Contract Procedure Rules paragraph 5.1.1 'Exceptions to Procurement procedure'.

RESOLVED -

That the Cabinet agrees to the engagement of PWC to undertake a review of major contracts for the reasons set out in paragraphs 3.0 to 3.4 in the report.

375 LOCAL GOVERNMENT RESOURCES REVIEW

A report by the Director of Finance provided details of the Local Government Resources Review which was launched by the Government on 17 March 2011. The vision was of 'self-funded' councils that kept their local business taxes with central grant dependence scaled back except where it was needed to protect the interest of taxpayers. The Review was expected to conclude in July 2011.

RESOLVED: That

- (1) Officers and Members, as appropriate, undertake detailed work and proactively make representations to influence Government, with the aim of securing a fair and rebalanced funding formula to tackle Wirral's underlying problems and provide adequate resources for local services; and**
- (2) input be made to collective lobbying through bodies such as SIGOMA, LGA, Liverpool City Region, other councils and representative bodies, as appropriate, to promote the case for equalisation, seeking to ensure that those local authorities with a low income from business rates and a high level of Government grant support are not adversely affected by the proposed repatriation of business rates.**

376 MERSEYSIDE PENSION FUND - SHAREHOLDER VOTING

A report by the Director of Finance provided a summary of the Merseyside Pension Fund (MPF) policy on the exercise of shareholder voting rights, in response to the resolution passed by Council on 14 February 2011 (Minute No. 95 refers).

Councillor J Green reported that he had received a letter from Mr John Brace in respect of the report and that the Director of Finance would be responding to it.

RESOLVED: That

- (1) Cabinet notes the policy on responsible ownership which is contained in the MPF current Statement of Investment Principles; and welcomes the statement in paragraph 3.3 of this report concerning the voting record of MPF at UK Company AGMs;**

- (2) Cabinet further notes the report of the Local Authority Pension Fund Forum 2010, but notes that its consideration of executive pay is limited to linking bonuses to non-financial business performance such as health and safety; and
- (3) Cabinet requests the Director of Finance, working with the Pensions Committee, to review the Statement of Investment Principles to consider how they might be strengthened “to actively pursue a policy of restraint and social responsibility in relation to the pay and bonuses of senior executives of the companies that it invests in”; as requested by Council on 14 February 2011.

377 ADVICE FROM THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT IN RESPECT OF REPORTS ON THE DEPARTMENT OF ADULT SOCIAL SERVICES

The Director reported that his covering report at Item No. 34 on the agenda, only referred to Martin Smith and Martin Morton and the Cabinet, could decide to consider it in Part 1 of the agenda, in the presence of the press and public. However, the appendix to the report which contained the independent report by Mr Smith (who had investigated the treatment of Mr Morton) should remain as an exempt item and not for consideration in the presence of the press and public. This was because Mr Smith’s Report could lead to capability or disciplinary procedures and the public interest would be better served by allowing the necessary internal processes to be carried out first. Once these were concluded the report could be made public.

Councillor I Lewis enquired about the timescale for the conclusion of the internal processes mentioned above and the Director’s best estimate on how long it could take was between three and six months. The Cabinet made it clear that as soon as it was possible Mr Smith’s report should be put in the public domain.

RESOLVED: That

- (1) the exemption be removed from the Director’s covering report and it be considered in the presence of the press and public;
- (2) the appendix to the Director’s report remain confidential and be considered in the absence of the press and public; and
- (3) at the conclusion of all the necessary internal processes Mr Smith’s report be made public.

378 DEPARTMENT OF ADULT SOCIAL SERVICES - REPORT OF THE INDEPENDENT INVESTIGATOR

A report by the Director of Law, HR and Asset Management informed of the report of Martin Smith, the Independent Associate Consultant, North West Employers’ Organisation, on his investigations into the treatment of Martin Morton, former Supported Living Development Officer in the Department of Adult Social Services. Mr Smith’s report considered Mr Morton’s allegations of abuse of power/bullying whilst he was in the Council’s employment. Mr Smith’s report would be considered in

Part 2 of the meeting, in the absence of the press and public, as agreed in Minute No. 377 above. In the light of Mr Smith's confidential report the Director had made a number of recommendations to the Cabinet.

Councillor J Green told the Cabinet that the whole process was still incomplete as a further independent report had been commissioned on performance which was not yet available. He informed that Mr Morton had his deepest sympathy and no employee should have been put into this situation. Mr Morton would receive a full and frank apology for the way in which the Council had treated him. Mr Morton had tried to bring to light something that was wrong – how people in the Council's care were being treated. The best remedy was that the Council should find a way to invite Mr Morton to be re-engaged with the Council. Mr Morton had a particular area of expertise and the Council would benefit from his advice.

Councillor S Holbrook reminded the Cabinet that it was him that had requested that the independent investigation take place. This investigation had taken a long time and this was reflected in the length of the report and the detail included within it. Its contents were quite shocking. There had been a fundamental denial of due process in respect of Mr Morton's now proven allegations and inappropriate use of the grievance procedure in place of the whistleblowing process that should have been deployed. The report was very clear. The only remedy was to make a full apology and seek to re-engage Mr Morton in a suitable role.

When the Cabinet had become aware that serious allegations required investigation it had acted straight away. Councillor J Green reported that he was disappointed that the other independent report was not yet ready. He was determined to get to the bottom of this matter as the Council, as an organisation, was unable to move on until the truth was out and the matter was remedied. Only then would the culture of the organisation change.

Councillor J Green invited Mr Morton, who was in attendance at the meeting to speak. Mr Morton informed that he was a bit shocked, it was a lot to take in but the moment had been a long time coming. He thanked the Cabinet for commissioning the report which would help the Council address the issues.

RESOLVED: That Cabinet

- (1) receives and considers the Report of Martin Smith, presenting the findings of his investigation into the treatment of Martin Morton in relation to his allegations of abuse of power and/or bullying;**
- (2) accepts all the findings contained within Mr Smith's Report;**
- (3) accepts all the recommendations contained within Mr Smith's Report and, in relation to those recommendations:**
 - (a) instructs the Chief Executive Designate to ensure that the Council's policies in relation to Harassment Bullying and Victimisation; Grievances; and Whistleblowing are all reviewed as a matter of urgency: with a view to incorporating those changes and improvements recommended by Mr Smith (and all other provisions**

that officers consider appropriate), to ensure that the policies are up to date and fit for purpose;

- (b) following completion of (a) above, a timely and comprehensive programme of training for all Council managers be put in place to ensure that the revised policies are understood and applied throughout the Authority;
- (c) the Head of Human Resources and Organisational Development shall take all necessary action to ensure that Recommendation 3 (relating to the Council's HR function) is implemented, in full, as soon as practicable;
- (d) the Chief Executive takes all necessary action to ensure that Resolution 3(a) (relating to the Council's corporate governance arrangements for dealing with employees' complaints) is implemented as soon as practicable;
- (e) the Chief Executive ensures that all appropriate action is taken by Council officers in relation to any issues of capability and/or disciplinary action arising from the findings in Mr Smith's Report where officer roles and responsibilities have not been met; and
- (f) resolves that a letter be written to Mr Morton offering a full apology for the Council's conduct in respect of the findings of this report and instructs Officers to open a dialogue with Mr Morton to discuss appropriate remedy, including possible re-engagement with the Council; and

(4) thanks Mr Smith for his detailed and thorough report.

379 **DELIVERING THE CORPORATE PLAN**

A report by the Chief Executive Designate set out the arrangements for governance, delivery and monitoring of the Corporate Plan in order to provide decision makers with intelligence on how well the Council was performing, together with associated resource implications and future risks and challenges.

It was reported that departments were preparing individual business plans which would set out in more detail how the actions and targets in the Corporate Plan would be delivered, alongside any additional activity linked to the Council's goals.

RESOLVED:

That the Cabinet be requested to approve the arrangements for governance, delivery and monitoring of the 2011/14 Corporate Plan.

380 **COMMITTEE REFERRAL - COUNCIL EXCELLENCE OVERVIEW & SCRUTINY COMMITTEE - LOCAL GOVERNMENT FINANCE SETTLEMENT 2011-13**

A report by the Director of Finance informed the Cabinet that the Final Local Government Finance Settlement for 2011/13 had been announced on 31 January

2011 for debate in Parliament on 9 February 2011. This had contained some minor changes to the Provisional Settlement that was announced on 13 December 2010 and reported to Cabinet on 13 January 2011.

The Committee had considered it prudent for the Cabinet to prepare a submission for the Department of Communities and Local Government outlining how Wirral had made savings, utilised its reserves and had secured efficiencies without compulsory redundancies but highlighting the difficulties facing the Borough.

RESOLVED:

That the Council Excellence Overview and Scrutiny Committee be thanked for its referral and its concerns be noted.

381 COMMITTEE REFERRAL - AUDIT COMMISSION PROGRESS REPORT

In the light of the success of the work carried out by Officers as part of the National Fraud Initiative the Audit and Risk Management Committee had requested the Cabinet to consider increasing investment so as to allow the work to be undertaken to combat fraud during 2011/12.

RESOLVED:

That the Cabinet thanks the Audit and Risk Management Committee for its referral and requests the Director of Finance to bring a report to a future Cabinet meeting setting out options and costs for continuing to effectively combat fraud.

382 AUDIT AND RISK MANAGEMENT COMMITTEE - ANNUAL REPORT

A report by the Director of Finance advised that the meeting of the Audit and Risk Management Committee on 17 January 2011 had considered a statement by the Chair regarding the requirement to complete an annual report to Cabinet on the work undertaken by the Audit and Risk Management Committee.

The Annual Report prepared by the Chair was made available to the Cabinet in consultation with Internal Audit which was agreed by the Audit and Risk Management Committee on 28 March 2011.

RESOLVED:

That the Annual Report be noted.

383 FINAL CARBON BUDGET 2011/12

A report by the Director of Law, HR and Asset Management informed the Cabinet that as reported in the Interim Carbon Budget 2011/12 presented to Cabinet on the 21 February 2011 (Minute 331 refers), each Council service had been given an 'allowance' of CO2 to operate and deliver their services.

The report detailed the revisions to both the Carbon Budget and the Carbon Impact Statement and provided the Final Carbon Budget for 2011/2012. It also contained the responses to the other requests from Members.

RESOLVED - That

(1) the Cabinet

- (a) approves the revised Carbon Budget for 2011-12 contained in Appendix A to the report;**
- (b) notes and endorses the revisions to Appendix B to the report;**
- (c) notes the responses to the other requests from Members; and**

(2) a further report will be presented to Cabinet detailing the financial implications of the investment in the Solar Photovoltaic Project for approval prior to implementation.

384 PROPOSED EXTENSION OF FACILITIES MANAGEMENT CONTRACT FOR THE CHESHIRE LINES BUILDING

A report by the Director of Law, HR and Asset Management sought the approval of Members to extend the current facilities management contract for the Cheshire Lines Building with the present provider, 1 - Call Business Solutions, for a period of up to 18 months.

RESOLVED:

That the current contract for facilities management services at Cheshire Lines Building be extended for a further period commencing on 26 April 2011 and not exceeding 18 months on the terms set out in the report.

385 BYRNE AVENUE RECREATION CENTRE, ROCK FERRY

A report by the Director of Law, HR and Asset Management advised Members of the present position in respect of the Byrne Avenue Recreation Centre and sought instructions as to the way forward.

It was reported that a lease of this building would support the Council's goal of ensuring that the Council's buildings and assets were safe, effectively managed and used. The transfer of responsibility for the repair and maintenance of this building would save the Council revenue expenditure on security, empty rates etc.

RESOLVED: That

- (1) the Byrne Avenue Recreation Centre be transferred to the Byrne Avenue Community Trust, by way of lease;**
- (2) the Director of Law, HR and Asset Management in consultation with the Portfolio Holder for Corporate Resources to agree the terms and conditions of the lease;**

- (3) the Director of Law, HR and Asset Management be authorised to complete the necessary legal documentation; and**
- (4) in the event of appropriate terms of lease not being agreed, or the necessary funding not being obtained, the matter be reported back to the Cabinet.**

386 CHILD POVERTY STRATEGY AND ACTION PLAN

A report by the Chief Executive Designate informed the Cabinet that the local authority had a statutory duty to develop a Wirral Child Poverty Strategy as set out in the Child Poverty Act 2010. Following the general election, the national coalition government had expressed its commitment to maintaining the goal of ending child poverty in the UK by 2020 and a national strategy had now been launched further to the Independent Review on Poverty and Life Chances led by Frank Field MP.

The report set out the approach that the Council had put in place to develop a Wirral Child Poverty Strategy and action plan in partnership with local organisations and agencies, including the voluntary, community and faith sector. This approach would deliver the £10,000 policy option agreed by the Cabinet and Council in February 2010 to invest in targeted engagement with Wirral organisations and local communities to develop an action plan for Wirral with the aim of lifting children and families out of poverty.

It was noted that the Council had already taken action to develop and publish information which set out the characteristics and needs of its local population in line with the statutory duty to develop a needs assessment set out in the Child Poverty Act. The evidence would underpin the development of the strategy and action plan and help the Council to understand where and how they needed to focus activities in partnership with others to tackle the often complex problems faced by children and families.

Councillor S Clarke told the Cabinet that there were many children currently living in poverty in Wirral and she was keen for a strategy and action plan to be drawn up and implemented in order to make a difference.

The approach that the Council had put in place included the establishment of a local advisory group, the Wirral Child and Family Poverty Working Group. This Group would act as a focal point for engagement with stakeholders across the borough and make recommendations to the Council and its partners about a local Child Poverty Strategy and Action Plan. This Strategy would inform the future priorities of the Council and its partners in respect of delivering services and commissioning activity from others, including from the voluntary, community and faith sector.

Councillor S Kelly wanted to ensure that there was no slippage in respect of the timescale for this work and requested that a progress report be presented to the Cabinet in autumn 2011 along with appropriate recommendations. The Interim Head of Planning, Engagement and Communications agreed to provide this within the timescale laid down. The recommendations would then be considered as part of the Council's budgetary process.

RESOLVED:

That the Cabinet notes the approach set out in the report to develop a strategy and action plan and agrees to receive recommendations in due course from the Wirral Child and Family Poverty Working Group.

387 REPORT OF THE ANTI-SOCIAL BEHAVIOUR COMMISSION

A report by the Anti-Social Behaviour Commission, established by the Cabinet on 24 June 2010 provided background information in respect of the report of the Anti-Social Behaviour Commission.

The Commission had the task of reviewing the operation of those teams directly combating the consequences of anti-social behaviour. In addition, it was considering the long-term ambition of reducing the tendency towards anti-social behaviour by challenging poor behaviour at a much earlier stage in a young person's development.

A key conclusion of the Commission was the support for moving further service provision towards early intervention in Wirral, delivered in a timely manner following early identification of the problem. Particular emphasis should be placed on those programmes for which proven evidence existed.

Councillor J Green informed that the work carried out by the Commission had been excellent. He went on to thank all members of the Commission for their contributions.

RESOLVED: That the Cabinet:

- (1) welcomes the report of the Anti-Social Behaviour Commission and thanks all those who have contributed to it;**
- (2) accepts, in principle, the seventeen recommendations contained in the report and the emphasis placed on early intervention strategies;**
- (3) requests the Interim Director of Children's Services to, in the first instance, prioritise on the following recommendations contained in the Report:**

No. 2	Monitoring of the Children's Centre Plan
No. 3	Sure Start Children's Centre Provision in Wirral
No. 4	Enhanced Induction Process
No. 5	Family Information website
No. 6	Private Sector Nurseries
No. 8	Orrets Meadow Services
No. 11	The Principle of Early Intervention in Wirral
No. 12	The Commissioning process
No. 13	Management of the Commissioning process
No. 14	Use of proven Early Intervention Programmes
No. 15	On-going Evaluation of Early Intervention Programmes;
and	

- (4) **agrees that the Anti-Social Behaviour Commission report should be further considered in conjunction with the proposed full review of the Council's approach to preventing and tackling anti-social behaviour.**

388 EXTENSION OF CHILDREN'S PREVENTATIVE SERVICES CONTRACTS

A report by the Interim Director of Children's Services requested Members to extend the specialised contracts, which were outlined in Table 1.2 of the report, for one year to 30 June 2012 after which they would be included in the commissioning of the Early Intervention Grant. These contracts were currently extended to June 2011 as agreed by Cabinet.

Councillor J Green informed that it was clear that the work that had been carried out, in terms of children's services, was a good example of commissioning.

RESOLVED:

That the five specialist contracts set out in Paragraph 1.2 in the report be extended until 30th June 2012 to ensure continuity of service for those vulnerable groups of children and young people and to allow for time for these contracts to be part of the next commissioning process.

389 LIFELONG AND FAMILY LEARNING FEES 2011/12

A report by the Interim Director of Children's Services detailed the proposed Lifelong and Family Learning Service fees for 2011/12. The Lifelong and Family Learning Service would support the Council's Corporate Priorities by providing opportunities for adults to develop their skills to support their children, gain confidence, become more employable and learn how to be actively involved in their local area. The Service is entirely funded by a Skills Funding Agency grant, with the expectation that course fees were set and collected.

RESOLVED:

That the Cabinet be requested to approve the changes in Lifelong Learning Fees Policy.

390 ADMISSION ARRANGEMENTS FOR COMMUNITY SECONDARY SCHOOLS AND THE CO-ORDINATED ADMISSION SCHEME 2012/13

A report by the Interim Director of Children's Services invited the Cabinet to determine the Authority's admission arrangements for community secondary schools and the coordinated admissions scheme for 2012/13.

RESOLVED:

That the proposed admission arrangements and coordinated scheme for 2012/13 be agreed.

391 ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS 2012/13

A report by the Interim Director of Children's Services invited the Cabinet to determine the admissions arrangements for community and voluntary controlled primary schools and the coordinated admissions scheme for 2012/13.

RESOLVED:

That the proposed admission arrangements and coordinated scheme for 2012/13 be agreed.

392 TENDER REPORT FOR CATHCART STREET PRIMARY SCHOOL REFURBISHMENT

A report by the Director of Law, HR and Asset Management advised the Cabinet of the outcome of the two stage tender process for the project to remodel and refurbish Cathcart Street Primary School which included the provision of a re-located satellite Children's Centre. The report sought ratification from Members to the selection of the Constructor named in Appendix 1 to the report as the Councils 'preferred constructor' for the scheme.

The Director requested that call-in be waived to allow early mobilisation of the preferred constructor to minimise the disruption to the School and the Chief Executive Designate indicated that he fully supported this request.

RESOLVED: That

- (1) Paragon Construction, who submitted the most economically advantageous tender, as detailed in Appendix 1, be accepted as the Councils 'preferred constructor';**
- (2) the Director of Law, HR and Asset Management be authorised to execute an appropriate construction contract with the preferred constructor in due course based upon a partnering philosophy, subject to them developing a satisfactory Health & Safety Plan; and**
- (3) call-in be waived to allow early mobilisation of the preferred constructor and minimise disruption to the school.**

393 HOUSING MARKET RENEWAL - 23-37 TRAFALGAR ROAD, EGREMONT - OPTIONS FOR REGENERATION

A report by the Interim Director of Corporate Services sought the Cabinet's approval to demolish the block of vacant and derelict Council owned properties at 23-37 Trafalgar Road, Egremont, as the preferred outcome of an options appraisal completed by officers.

It was reported that the project would promote the Council's Corporate Priorities by providing a site for either new housing or community use and would save money by reducing ongoing security costs for the site.

RESOLVED: That

- (1) the demolition of the properties at 23-37 Trafalgar Road, Egremont, inclusive, in order to provide a cleared site for either housing redevelopment or community use be approved;**
- (2) Officers continue to explore a longer term sustainable after-use for the cleared site; and**
- (3) the Interim Director of Corporate Services be given delegated authority to deal with any issues that may arise in respect of the demolition of the Council owned buildings.**

394 SUPPORTING PEOPLE CONTRACTS REPORT

A report by the Interim Director of Corporate Services sought Members' endorsement of the decision of the Interim Director of Corporate Services to extend a number of Supporting People Contracts, which allowed for renegotiation/tendering in 2011/12, and the alignment where appropriate with the Department of Adult Social Services contracted supported-living services.

It was reported that at its meeting on 10 December 2008, the Cabinet approved the Supported and Special Needs Housing Strategy 2008/11, including a Procurement Methodology which sets out the framework for renegotiating/tendering of Supporting People Contracts.

It was noted that whilst the majority of contracts had been renegotiated or tendered within the timescales set out in the Strategy there remained a number of negotiations still to take place. To date, the procurement exercise had realised significant savings to the Authority. The extension of the remaining contracts would allow sufficient time for the process to be concluded. In doing so, this would achieve further efficiencies for the Council, whilst continuing to support a number of the Councils key corporate priorities and improving outcomes for the most vulnerable of Wirral residents. As with previous negotiations, the outcomes would be reported to the Cabinet in due course.

RESOLVED:

That the decision of the Interim Director of Corporate Services to extend the Supporting People contracts for the periods set out in Appendix 1 to the report be endorsed.

395 TACKLING WORKLESSNESS - EUROPEAN SOCIAL FUND - INTERMEDIATE LABOUR MARKET PROGRAMME

A report by the Interim Director of Corporate Services set out a model for delivering an Intermediate Labour Market (ILM) Programme as part of the Worklessness element of Wirral's European Social Fund (ESF) employment programme.

This programme would fund part of a fixed term employment contract with training with a local employer for those residents experiencing a range of barriers to

employment. It would assist those residents to re-enter the job market whilst also supporting local business growth.

Councillor A Hodson informed that the number of people in receipt of benefits had reduced slightly this week and that this scheme would help older people to get back to work.

RESOLVED: That

- (1) the proposed delivery model for Wirral's Intermediate Labour Market Programme as outlined in section 4 of the report be approved; and**
- (2) the Interim Director of Corporate Services be authorised to commence delivery of the programme.**

396 ENTERPRISE ZONES

A report by the Interim Director of Corporate Services set out the detail regarding Enterprise Zones (EZ) following the announcement in Budget 2011 to designate Wirral Waters and Liverpool Waters as an EZ for the Liverpool City Region.

Councillor J Green thanked the Interim Director of Corporate Services for his outstanding work to bring this to fruition and the Chief Executive Designate for his contributions and in particular liaising with Liverpool City Council. Councillor A Hodson informed that he had received a letter regarding Enterprise Zones from Mr and Mrs Brace and he would be responding to it later in the week.

RESOLVED: That

- (1) Cabinet thanks Officers and Members for their contributions and hard work in securing Enterprise Zone status for the Mersey Waters Enterprise Zone;**
- (2) Cabinet welcomes the announcement as positive news for Wirral and believes it will benefit Wirral's economy and assist businesses and employers, through tax incentives, superfast broadband, improved infrastructure and simplified planning rules; and**
- (3) Cabinet authorises Officers to engage as appropriate in the development process for the Mersey Waters Enterprise Zone to ensure that Wirral's economic potential is realised.**

397 BUSINESS SUPPORT SERVICES

Councillor D Elderton, having already declared a personal and prejudicial interest in this item of business, left the meeting whilst it was under discussion.

A report by the Interim Director of Corporate Services requested the Cabinet's authority to put in place a three month interim arrangement to continue the support

services currently offered to Wirral businesses until a new delivery model could be developed.

RESOLVED:

That authority be given to the Interim Director of Corporate Services to put in place an interim arrangement to continue the business advice services currently offered to Wirral businesses until a suitable delivery model can be developed and procured as appropriate.

398 LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL - EVIDENCE BASE - RENEWABLE ENERGY CAPACITY STUDIES

A report by the Interim Director of Corporate Services set out the main findings of two studies on the capacity for producing low carbon and renewable energy in the North West and in the Merseyside sub-region. The regional study suggested that almost a third of the demand for electricity could come from onshore and offshore renewable energy resources by 2020 and concluded that micro-generation was likely to be the most significant source of renewable energy for Merseyside. The sub-regional study identified the potential to accommodate a new district heating system at Wirral Waters and outlined a suggested approach for consistently promoting energy efficiency and low carbon development across the sub-region.

Councillor J Green informed the Cabinet that this would provide real opportunities to be at the cutting edge of some of the issues. It was imperative that these opportunities were exploited by getting ahead and bringing this technology forward.

RESOLVED:

That the Cabinet recommends to Council that the findings of the North West Renewable and Low Carbon Energy Capacity and Deployment Study (September 2010) and the Liverpool City Region Renewable Energy Capacity Study (Stage 1 - December 2009 and Stage 2 - February 2011) be adopted as a material planning considerations in the determination of individual planning applications and be used to inform the content of future planning policy in the Council's emerging Local Development Framework.

399 DEMENTIA SCRUTINY REVIEW

A report by the Dementia Scrutiny Panel which was presented to the Health and Wellbeing Overview and Scrutiny Committee on 27 March 2011 provided background information regarding the Final report of the Dementia Scrutiny Review.

RESOLVED: That the Cabinet:

- (1) welcomes the report of the Dementia Scrutiny Review and thanks all those who have contributed to it;**
- (2) asks the Interim Director of Adult Social Care, in partnership with NHS Wirral, Cheshire and Wirral Partnership NHS Trust and Wirral University Teaching Hospital NHS Foundation Trust to facilitate the integration of**

services for people with dementia and similar conditions to produce a single pathway of support; and

- (3) invites the Health & Wellbeing Overview and Scrutiny Committee to consider whether they would undertake a scrutiny review of the provision of Local Authority services for people with dementia, and what further steps could be taken to enhance outcomes through early intervention and support.

400 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1) - THANK YOU**

Councillor J Green, as Leader, informed that this was the last Cabinet meeting in the current Municipal Year. And whilst the press and public were still in attendance he wanted to thank everyone for their contributions to Cabinet meetings. He thanked Mr and Mrs Brace for being a part of the process and attending meetings, Councillor S Holbrook, his deputy and Cabinet colleague, his other Cabinet colleagues and the Officers who had worked closely with the Cabinet.

Councillor Green informed that the Cabinet had set new standards in openness and honesty and shown it wanted to engage with the public. He listed some of the many achievements of the coalition including:

- the Budget Strategy;
- the Change Programme; and
- the Early Voluntary Severance process that had allowed 1,100 people to leave the Council's employment in decent and proper circumstances.

Councillor Green thanked former staff who had left during the Municipal Year for their work and commitment whilst employed by the Council. He then went on to thank the 5,000 staff who remained in the Council's employment for their work, flexibility and commitment. He considered the staff to be well placed to face challenges coming forward to improve outcomes and the quality of life of the people of Wirral.

401 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED:

That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

402 **TENDER REPORT FOR CATHCART STREET PRIMARY SCHOOL REFURBISHMENT - EXEMPT APPENDIX**

The Cabinet considered the exempt appendix regarding the tender report for Cathcart Street Primary School Refurbishment (Minute No. 392 refers).

RESOLVED:

That the content of the exempt appendix to the report considered elsewhere on the agenda be noted.

403 MERSEYSIDE INFORMATION SERVICE

A report by the Interim Director of Corporate Services set out the key financial and service delivery implications for Wirral Council regarding the termination of the contract named in the report.

RESOLVED: That

- (1) the Cabinet notes that the stated position of Liverpool, Halton, St Helen's and Knowsley favours termination of the contract and that without the participation of other LCR partners, the contract is not viable; and**
- (2) therefore, Officers are authorised to instigate the relevant actions to terminate the contract, noting the costs and liabilities outlined in the report.**

404 DEPARTMENT OF ADULT SOCIAL SERVICES - CONFIDENTIAL REPORT OF THE INDEPENDENT INVESTIGATOR

Further to Minute Nos. 377 and 378 the Cabinet considered the detail of the confidential report of the Independent Investigator.

RESOLVED:

That the content of the confidential report of the Independent Investigator be noted.

405 ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR - COMMERCIAL PROPERTY IN ROCK FERRY

A report by the Director of Law, HR and Asset Management sought the Cabinet's approval to authorise, in principle, the release or variation of covenants, included in the original sale of this property and delegate approval of detailed terms to himself in consultation with the Cabinet Portfolio Holder for Corporate Resources.

RESOLVED:

That the Director of Law, HR and Asset Management be authorised in consultation with the Cabinet Portfolio for Corporate Resources, to approve any provisionally agreed terms, to release, or vary the covenants contained in the original conveyance for this asset.