

# CABINET

Monday, 27 February 2017

<u>Present:</u>	Councillor	P Davies (Chair)	Leader of the Council Strategic Economic Development, Finance & Devolution
	Councillors	G Davies C Jones AR McLachlan B Mooney M Patrick  T Smith S Whittingham J Williamson	Housing and Community Safety Adult Social Services Transformation, Leisure & Culture Environment Community Engagement and Communications Children and Family Services Highways and Infrastructure Public Health

## COUNCILLOR DENISE ROBERTS

The meeting stood in silent tribute for one minute as a mark of respect for Councillor Denise Roberts who had sadly passed away on 8 February 2017.

## 93 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor George Davies declared a personal and prejudicial interest in Agenda Item No. 4 – Core Strategy Local Plan – Report of Further Consultation on Housing Need and Land Supply (Minute No. 96 refers.) by virtue of him being a Director of Plus Dane.

Councillor Bernie Mooney declared a personal and prejudicial interest in Agenda Item No. 4 – Core Strategy Local Plan – Report of Further Consultation on Housing Need and Land Supply (Minute No. 96 refers.) by virtue of her being a Member of the Leasowe Community Homes Management Board.

Councillor Stewart Whittingham declared a personal and prejudicial interest in Agenda Item No. 4 – Core Strategy Local Plan – Report of Further Consultation on Housing Need and Land Supply (Minute No. 96 refers.) by virtue of him being a Board Member of Magenta Living.

All three Councillors informed that they would be leaving the meeting whilst the Agenda Item was under discussion.

94 **MINUTES**

**RESOLVED:**

**That the Minutes of the meeting of the Cabinet held on 20 February 2017 be confirmed as a correct record.**

95 **DELIVERING WIRRAL'S GROWTH - OPTIONS APPRAISAL**



**Councillor Phil Davies, Leader of Wirral Council said:**

*“Driving economic growth, helping to create good, high paying jobs, is incredibly important. This importance is only heightened by the simple fact that – by 2020 – Wirral needs to be completely self-sufficient. The only money we will have to invest in this Borough will be the money we can raise ourselves.*”

*Throughout Wirral, we have huge opportunities to transform our economy and this report is an important next step in putting us in the best position to capitalise on them. We are continuing our work on developing a new approach to drive economic growth and will do further work in the coming months to turn these plans into a reality.”*

Councillor Phil Davies introduced a report which informed that driving economic growth across the Borough was one of the three key priorities within the Wirral Plan: a 2020 Vision. Work to promote growth and to support communities to meet their potential was being taken forward by a range of partners and actions were set out in the Wirral Growth Plan. One of the key outcomes of the Plan was to attract significant amounts of investment into the Borough and a number of opportunities had been identified to support this activity. This included creating appropriate delivery structures which could more easily work with and respond to the private sector.

In addition work had been taken forward through the Council’s Transformation Programme to progress the actions arising from the Corporate Asset Strategy, including the need to ensure that the Council’s asset portfolio maximised receipts from those assets held for investment purposes and met its statutory obligations. In order to consider this fully the Transformation Board had agreed that an options appraisal for establishing a property company should be progressed.

Members were reminded that in December 2016 the Cabinet had agreed a report 'Delivering Wirral's Growth' which outlined proposals for creating a property company to drive forward investment, economic growth and secure increased income for the Council in order to support services delivery, and officers had been instructed to present an options appraisal to the Cabinet in February 2017.

Bilfinger GVA (BGVA) and Bevan Brittan LLP had been commissioned by the Council to provide advice on the range of options available to the Council to achieve these objectives and to identify a preferred option. The full Strategic Options report was attached as Appendix 1.

In the context of the Council's objectives the appointed advisors had identified and reviewed four options and they had proposed the setting up of a joint venture company provided the best strategic fit for the Council moving forward. However, this would not preclude the Council from partnering with other organisations, such as a Pension Fund, on specific developments either through or outside of the proposed JV, nor preclude a Pension Fund from expressing an interest in the JV arrangement. The report, therefore, recommended that further work be carried out to develop a Full Business Case for progressing the option of a joint venture company and that this be reported back to Cabinet in May.

The Cabinet noted that a joint venture company could take a number of forms and the exact structure of the company should be considered as part of the development of the Full Business Case. It was proposed that the process of developing the detail around the preferred option should be undertaken through a series of workshops with both officers and Members.

Initially and subject to the approval of the report, the Council would start the procurement process through the publication of a Prior Information Notice (PIN), followed by a period of soft market testing with potential partners. The soft market testing process would allow the Council to ensure that when the Full Business Case proposition was presented to the Cabinet in May 2017 it provided a market facing proposition that was credible and likely to support interest in the Investment/Development market.

The formal procurement process leading to the Council establishing a joint venture company to deliver its ambitions would only be progressed following approval by the Cabinet of the Full Business Case in May 2017.

Councillor Davies informed that these actions would support the Wirral Plan pledges as set out in the Wirral Growth Plan, including:

- Increase inward investment
- Greater job opportunities in Wirral
- Thriving Small Businesses

This matter affected all Wards within the Borough. It was not a key decision.

Councillor Davies asked that, given the pending MIPIM event in March 2017 and the need to include the preferred option in the Prior Information Notice, call-in be waived. He informed that the Cabinet's decision was urgent as any delay caused by the call-in process was likely to cause serious prejudice to the Council. The Chief Executive had been consulted and recommended that it was reasonable in the circumstances, to treat this as a matter of urgency and that call-in be waived.

Councillor Ann McLachlan concurred with this view. She informed that it was very important that the Council was prepared and ready to take advantage of any opportunities that may come its way. Councillor McLachlan referred to the process of developing the detail around the preferred option, via a number of pre-decision scrutiny workshops, prior to the Full Business Case being presented to the Cabinet for endorsement in May 2017.

**RESOLVED: That**

- (1) the objectives identified (para 3.6 in the report refers) as delivering the Council's ambitions against which the options have been evaluated be noted;**
- (2) the preferred option as identified through the evaluation process (Section 4 Preferred Option within Appendix 1 Strategic Option Report refers) be confirmed;**
- (3) subject to the approval of the preferred option the Executive Director for Strategy be authorised to commence the initial stage of work to enable a Full Business Case to be developed supporting the preferred option for Cabinet endorsement in May 2017;**
- (4) the Executive Director for Strategy be authorised to approve the publication of a Prior Information Notice (PIN) which is then followed by a period of soft market testing to inform the production of the Full Business Case;**
- (5) the Assistant Director, Law and Governance be authorised to negotiate, execute and complete the relevant documents necessary to give effect to the above recommendations; and**
- (6) given the urgency as detailed above, call-in be waived.**

**Councillors George Davies, Bernie Mooney and Stuart Whittingham left the meeting whilst the next item of business was under discussion.**

**CORE STRATEGY LOCAL PLAN - REPORT OF FURTHER CONSULTATION  
ON HOUSING NEED AND LAND SUPPLY**

**Councillor Phil Davies, Leader of Wirral Council, said:**

*“Last week the Government announced its long awaited Housing White Paper. The headlines revealed plans to build 1,000,000 new homes by 2020.*

*“While this White Paper recognises the failure to build sufficient homes in the past has directly led to the current housing crisis, the policy does little to address the root causes of homelessness or the growing affordability and availability gaps especially for younger people and the needs of an ageing population.*

*“The Government's Top-Down House Building Target also puts pressure on our Green Belt. To meet the target, each local authority has to submit a Local Plan identifying how many and where new homes will be built. Wirral's housing needs assessment has been set at a minimum of 900 new homes every year for the next 15 years - 13,500 in total.*

*“The assessment also tells us we do not have enough land in Wirral currently allocated for housing to meet this target.*

*The Council therefore must review the options available to it.*

*“We will review land currently identified for employment and explore regenerating other previously undeveloped urban sites; look at increasing housing densities; bringing empty properties back into use; and making landowners and developers such as Peel - owners of Wirral Waters - commence building the homes they have extant planning permission for.*

*It is a requirement of the statutory Local Plan process that all options are reviewed including the Green Belt to meet these house building targets.*

*“Failing to explore all options, including Green Belt, or not submitting a Local Plan by March 2018 carries potential sanctions from Government.*

*“Not submitting a Local Plan also prevents local authorities from exercising proper planning control and leaves the Green Belt unprotected from speculative bids from builders and developers.*

*“Let me be clear, this Council will seek to meet its obligations and provide the homes needed to meet our economic growth ambitions; improve the quality of housing on offer for residents; and meet the needs of our most vulnerable people to enable them to live independently.*

*“We will achieve this by identifying all possible options for building new homes on existing sites and development locations. This administration is committed to not building on Wirral’s Green Belt.*

*“I have written to the Secretary of State asking him to reconsider his policies and instead provide local authorities with the resources to manage house building in the interest of residents not Government targets.*

*“Public consultation will commence in March 2017 and I encourage everyone to contribute ideas on these important issues which will affect us all.”*

Councillor Phil Davies introduced a report which set out the results of consultation with the public and other stakeholders on the scale of the future need for housing and on the land that would be available to accommodate it.

Councillor Davies informed that the results of consultation had not identified any significant additional development opportunities to meet the likely identified need for new housing, over and above the sites already included in the Council’s Strategic Housing Land Availability Assessment, the report recommended that officers be authorised to undertake and consult upon a wider review of potential development options, that would not, at this stage, commit the Council to any future land releases but would enable it to more precisely determine the environmental and other constraints that may apply to any future development sites, including land in the Green Belt designated in the Council’s existing Unitary Development Plan.

Councillor Davies also informed that further consultation on a wider range of potential development options would also enable the Council to demonstrate that the full range of available alternatives had been properly considered, in line with the requirements of national policy and legislation, before any final decision is taken on the content of the Borough's Core Strategy Local Plan.

The Cabinet noted that the decision to assess a wider range of potential development options was a procedural requirement and was not a key decision, as any key decision would not be taken until after the necessary information had been prepared and consulted upon, through the consideration of a further report to the Cabinet at a later date.

The recommendations contained in the report, if approved, could support the delivery of the Wirral Plan pledge for good quality housing which met the needs of residents; and Wirral Plan Housing Strategy objectives to build more homes to meet the Council's economic growth ambitions and improve the quality of the housing offer for Wirral's residents.

The recommendations could also support the delivery of the Council's Medium Term Financial Strategy and an increase in income through New Homes Bonus and Council Tax.

Appended to the report were:

- Appendix 1 - The Summary of the Consultation Findings
- Appendix 2 – Report of Consultation
- Appendix 3 – Plans of New Sites Submitted
- Appendix 4 – Plans of Amended Sites Submitted
- Appendix 5 – Plans of Other New Sites Submitted

Councillor Davies referred to the country's housing crisis that had come about because not enough houses etc. had been built to meet people's needs. Consequently, the Government had announced that it aimed to build 1 million new homes over the next five years. The Council must demonstrate how it would hit its target of building nearly 1000 new homes each year over the next five years.

Councillor Davies considered this to be an aggressive top down housing target which was putting undue pressure on Wirral's green belt. He considered that the Government should allow local authorities to set their own housing targets against local circumstances e.g. 45% of the peninsula was made up of green belt land. Consequently, Councillor Davies had written to the Secretary of State for Communities and Local Government asking him to reconsider his policies and instead provide local authorities with the resources to manage house building in the interest of residents not Government targets as 'the green belt is the jewel in Wirral's crown and greatly valued by our residents'.

Councillor Davies informed that the Council required a robust Local Plan to target land for housing. Developers had to identify exceptional circumstances to be allowed to build in the green belt. Councillor Matthew Patrick referred to the undue strain and pressure on the green belt. He informed that if the Council did not explore all of its options, including the green belt, the Government would open up the entire Borough for speculative developments.

Councillor Ann McLachlan referred to planning permission had already been granted to build 18,500 units of housing on Wirral and informed that Peel Holdings had planning permission for 13,500 of these. She considered that they should be put under pressure to start building. Councillor McLachlan was also of the view that the Leader should write to the Secretary of State to ask him to take account of small Boroughs such as Wirral, where a high proportion of land is in the green belt.

**RESOLVED: That**

- (1) the results of further consultation on the Borough's housing needs and land supply be noted;**
- (2) the information arising from the consultation set out in the Appendices to the report be used to inform the Council's Strategic Housing Land Availability Assessment for April 2017;**
- (3) the Objectively Assessed Need for housing and employment be not determined until the Liverpool City Region Strategic Housing and Employment Land Market Assessment (SHELMA) has been completed and approved;**
- (4) the future designation of existing employment land be not determined until the Employment Land and Premises Study Update has been completed and approved;**
- (5) the future designation of existing open spaces be not determined until the Playing Pitch Strategy has been completed and approved;**
- (6) the Assistant Director for Environmental Services be authorised to consult the public and other stakeholders on a wider review of potential development options;**
- (7) the results of consultation on that wider review be reported to the Cabinet before the content of the Draft Core Strategy Local Plan is finalised for submission to the Secretary of State; and**
- (8) the Leader of the Council be requested to write to the Secretary of State for Communities and Local Government asking for powers for local authorities to be able to set their own housing targets against local circumstances.**

**Councillors George Davies, Bernie Mooney and Stuart Whittingham returned to the meeting.**

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## **PAY POLICY STATEMENT 2017/2018**



**Councillor Phil Davies, Leader of the Council, said:**

*“The Pay Policy Statement 2017/18 – if agreed – demonstrates our commitment to the Living Wage and on ensuring our Pay Policy is fair, equitable and sustainable.”*

Councillor Phil Davies introduced a report that informed that the Localism Act 2011 set out the requirements for Councils to determine and publish annual pay policy statements. The requirements of The Localism Act included:

- The Pay Policy Statement to be approved by the Council, in advance of the Financial Year to which it related.
- The Pay Policy Statement to be published on the Council website.

The Cabinet noted that the Pay Policy Statement was required to set out the Council’s policies relating to the following:

- Chief Officer Remuneration, including salary, allowances, and enhancements at termination.
- Remuneration of its lowest paid employees.
- The relationship between Chief Officer Remuneration and that of other employees.

Appended to the report was the draft Pay Policy Statement 2017 - 2018.

Councillor Davies reported that he was proud of the fact that the Council was one of the first Councils to introduce the Living Wage.

**RESOLVED: That**

- (1) the introduction of the revised National Living Wage rate of £8.45 per hour, effective from 1 April 2017 be agreed; and**

- (2) the Council be recommended to approve the Council's Pay Policy Statement for the Financial Year 2017/18.

98 **ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY AND SECONDARY SCHOOLS AND CO-ORDINATED SCHEME FOR 2018-2019**



**Councillor Tony Smith, Cabinet Member – Children and Family Services, said:**

*“Making sure your child gets into the right school is incredibly important for every family in the borough. It is important we have a fair, equitable policy to determine school admission arrangements.*

*“This report provides the borough with a policy for the 2018/19 academic year”*

Councillor Tony Smith introduced a report which invited the Cabinet to determine the Authority's Admission Arrangements for Community and Voluntary Controlled Primary and Secondary Schools and the Co-ordinated Schemes for 2018 - 2019. This was a statutory requirement.

Appended to the report were:

- The Scheme for the Co-ordination of Admission Arrangements for Maintained Primary Schools in the Wirral Area for the Academic Year 2018 – 2019; and
- The Scheme for the Co-ordination of Admission Arrangements for Maintained Secondary Schools in the Wirral Area for the Academic Year 2018 – 2019.

**RESOLVED:**

**That the proposed admission arrangements for community and voluntary controlled schools and the Wirral co-ordinated schemes for 2018-2019 be agreed.**



**Councillor Ann McLachlan, Cabinet Member - Transformation, Leisure and Culture (and Joint Deputy Leader of the Labour Group), said:**

“This report sets out a programme of meetings for the coming Municipal Year, allowing the Council to plan its business effectively and enable effective governance and scrutiny of all decisions.”

Councillor Ann McLachlan introduced a report that recommended draft dates for Council, Cabinet and Committee meetings (“Council meetings”) for the Municipal Year 2017/2018. The report also described various issues that had been taken into account in compiling it. Appended to the report as Appendix 1 was the Draft Calendar of Meetings for the 2017/18 Municipal Year.

Other meetings that did not constitute a meeting of the Council and, therefore, did not require inclusion in the Calendar of Meetings were set out at Appendix 2 to the report. Councillor McLachlan informed that notification of these other meetings was provided now to enable Members to manage their diaries.

The Wirral Plan: A 2020 Vision set out a shared partnership vision to improve outcomes for Wirral residents. Delivery of the priorities and outcomes described in the Plan was dependent on the efficient operation of the democratic process to scrutinise and make the decisions required and the requirement for the scheduling of Council meetings which took these decisions.

The decision required was not a key decision.

**RESOLVED: That:**

- (1) the relevant draft Calendar of Meetings for the 2017/18 Municipal Year set out at Appendix 1 for approval, and unless amended at the meeting of Council on 20 March, 2017, be confirmed as the Calendar of Meetings for the Municipal Year 2017/18;**
- (2) the other meetings detailed set out at Appendix 2 be noted and Members diarise those meetings as appropriate; and**

- (3) any proposed amendments to the Calendar of Meetings and Appendix 2 be submitted to the Assistant Director: Law and Governance by 10am on Friday, 10 March 2017.

100 TRANSPORT PLAN FOR GROWTH PROGRAMME 2017/18



**Councillor Stuart Whittingham, Cabinet Member - Transport, Technology and Infrastructure, said:**

*Our ambitions for Wirral are dependent on a transport network which is safe, efficient and attracts employers to our borough.*

*I am delighted we have been awarded £1,160,000 to improving our highway infrastructure.*

*This investment will help bring about further growth in our economy, it will help reduce carbon emissions and – crucially – it will further improve our roads to support our residents to travel safely and efficiently.*

Councillor Stuart Whittingham introduced a report that informed that on 3 February 2017, the Liverpool City Region Combined Authority awarded £1,160,000 of Integrated Transport Block funding to the Council, to support the delivery of the Liverpool City Region Transport Plan for Growth during 2017/18. The report sought the Cabinet's approval to accept the £1,160,000 and allocate it to priorities and projects as outlined in the report.

Wirral's Transport Plan for Growth supported the Wirral Plan 20/20 pledge to provide Transport and Technology Infrastructure fit for the future by ensuring that Wirral had safe, affordable, well maintained and efficient transport networks for residents to access community services, leisure facilities and commute to work.

Appended to the report was the 2017/18 ITB \_ Transport Plan for Growth Capital Programme - Proposed Projects.

This was a Key Decision and affected all Wards within the Borough.

**RESOLVED: That:**

- (1) **£1,160,000 of Integrated Transport Block funding allocated to the Council by Liverpool City Region Combined Authority be accepted;**

- (2) the proposed programme for this funding as set out in Appendix 1 be approved; and
- (3) authority be delegated to the Strategic Commissioner - Environment, in conjunction with the Cabinet Member for Transport, Technology and Infrastructure, to make necessary adjustments to the priorities within the programme should the need arise due to financial or other factors.

101 HIGHWAY STRUCTURAL MAINTENANCE PROGRAMME 2017/18 TO 2019/20



**Councillor Stuart Whittingham, Cabinet Member - Transport, Technology and Infrastructure, said:**

*“Providing good quality transport links are essential for the economy of the borough, and making sure local roads enable all residents to go about their lives - whether on foot, cycle, public transport or car – as safely and efficiently as possible is incredibly important.*

*‘The proposals set out in this report, combining both regional grant allocations and £500,000 from the Council’s own resources, will continue the important work to maintain our infrastructure in as good a condition as any other area in the country*

Councillor S Whittingham introduced a report that informed that the meeting of the Combined Authority on 3 February 2017 had approved allocations for highway maintenance to constituent Councils. As such the allocation for the Highways Maintenance Block for this Council was £3.213 million for 2017/18.

This report presented both the proposed breakdown of that highway maintenance allocation between Bridges, Lighting and Roads/Footway elements of the network and also the proposed detailed Highway Structural Maintenance Programme 2017/18 and 2018/19, for approval and 2019/20 for noting.

The Cabinet was informed that the replacement of life-expired street lighting columns was the subject of a full condition survey to be carried out in 2017, as part of the feasibility study for further upgrading of lighting with LED lamps, and would be the subject of a separate application for funding from the Capital Programme for 2017/18 and beyond.

The Cabinet noted that the Council’s Capital Programme and Financing 2016/19 report approved at the Council meeting on 3 March 2016 provided a further

£0.5million allocation for 2017/18 for highway maintenance improvements, funded from Council Resources, for unclassified/residential roads.

Councillor Whittingham informed that at the Regeneration and Environment Policy and Performance Committee held on 3 December 2014 it was resolved that long term maintenance strategies should form the basis for development of future structural maintenance programmes for highway infrastructure. To fulfil this recommendation a three year programme had been developed.

Appended to the report were:

- Appendix 1 – The Highway Structural Maintenance Programme 2017/18 to 2019/20; and
- Appendix 2 – The Potential Carriageway Schemes to be considered for inclusion in a Works Programme 2019/20.

The Cabinet noted that the maintenance of highways was a statutory duty for the Council under the Highways Act 1980 (as amended) and that the report was linked to the *Transport and Technology Infrastructure Pledge* of the Wirral 2020 Plan, and was key to delivery of the *Connecting Wirral* Transport Strategy.

This was a key decision and all wards were affected.

**RESOLVED: That**

- (1) the acceptance of the Highways Maintenance Funding £3,213,000 for 2017/18, confirmed by the Combined Authority at its meeting of 3 February 2017 be approved;**
- (2) the proposed allocation of the Highways Maintenance Funding 2017/18 to 2019/20 between Street Lighting, Bridges and Roads/Footways be approved;**
- (3) the detailed Highway Structural Maintenance Programme for 2017/18 to 2018/19 outlined in Appendix 1 to the report be approved;**
- (4) the proposed schemes for 2019/20 outlined in Appendix 2 to the report be noted; and**
- (5) the Strategic Commissioner for Environment in conjunction with the Cabinet Portfolio Holder be authorised to make necessary adjustments to the Programme should the need arise due to financial, asset condition or other factors.**