

Cabinet

13 November 2002

<u>Present:</u>	Councillor	S Foulkes (Chair)	
	Councillors	D W Christian George Davies P L Davies P J Hackett	D T Knowles M McLaughlin H Smith P A Smith
<u>In attendance:</u>	Councillors	A Bridson J E Green	S E Kelly Mrs L A Rennie

327. COUNCILLOR JOHN THORNTON

The Leader referred to the death, on 4 November, of Councillor John Thornton, Liberal Democrat member for the Prenton Ward, and the Cabinet (together with other members in attendance, officers and members of the public) stood in silent tribute to his memory.

328. MINUTES

The Borough Solicitor and Secretary submitted the minutes of the meeting held on 31 October 2002 and advised that none of the Cabinet's decisions had been called-in.

Resolved - That the minutes of the meeting held on 31 October 2002 be approved and adopted.

329. DECLARATIONS OF INTEREST

Councillor Foulkes declared a personal interest in connection with agenda item 12(Appointment of Proper Officer - Infectious Disease Control) by virtue of a personal knowledge of one of the appointees.

Councillors P J Hackett and J E Green declared a personal interest in connection with agenda item 13 (Mersey/Dee Alliance) by virtue of their membership of that body as representatives of the Council.

Councillors P L Davies, J E Green and P J Hackett declared a prejudicial interest in connection with agenda item 14 (Wirral Waterfront Partnership - Financial Recommendations) by virtue of their membership of the Board.

(See also minute 336 below.)

330. **FINANCE AND BEST VALUE: FREEDOM OF INFORMATION ACT 2000**

The Borough Solicitor and Secretary reported upon the work that was currently being undertaken by an inter-departmental working party to produce a Publication Scheme setting out the types of information published by the Council which would be subject to public access when all the provisions of the Freedom of Information Act 2000 in force from January 2005. The working party had suggested that the Council should adopt an approach based on broad classifications for the Publication Scheme, which would have to be submitted to the Information Commissioner by 31 December 2002 and be in place by the end of February 2003.

A decision was required to approve the framework of the Publication Scheme suggested by the working party.

Resolved - That the framework of the Publication Scheme outlined in paragraph 2.6 of the Borough Solicitor and Secretary's report be approved, and it be noted that the Scheme will be presented for Cabinet approval prior to its being lodged with the Information Commissioner at the end of the year.

331. **FINANCE AND BEST VALUE: BUDGET TIME-TABLE 2003/04**

Further to minute 309 (Cabinet - 31/10/02), the Director of Finance reported that, to meet the 10 March deadline for setting the council tax, changes should be made to the approved budget time-table for February/March 2003. He suggested that the budget meeting of the Cabinet be held on 17 February (instead of 22 February), with the budget meeting of the Council being held on 24 February (instead of 3 March) 2003.

A decision was required to amend the budget time-table to take account of the Budget and Policy Framework Procedure Rules and to enable the Council to meet the 10 March deadline for council tax setting.

Resolved -

(1) That the suggestions made by the Director of Finance be agreed, and the budget meeting of the Cabinet be held on 17 February 2003, with the budget meeting of the Council being held on 24 February 2003.

(2) That 3 March 2003 be retained in the diary as a possible date for a further Council meeting in the event of a provisional budget being agreed on 24 February.

332. **FINANCE AND BEST VALUE: INSURANCE BUDGETS 2003/04**

The Director of Finance submitted a breakdown of estimated insurance costs of £6,212,860 for 2003/04, highlighting expected increases amounting to £1,457,275 and requesting approval to build the increased cost into the budget for 2003/04.

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In response to queries by Cabinet members, the Director of Finance advised that the market for local authority legal liability insurance had contracted in recent years and the scope for obtaining competitive quotations for this type of business was very restricted; however, in an attempt to limit future premium increases, action was being taken to reduce the cost of tripping claims, and additional resources would be devoted to risk management measures.

A decision was required to aid preparation of the budget for 2003/04.

The Cabinet accepted an addendum proposed by the Leader to the recommendation contained in the Director of Finance's report, and a suggestion made by the Leader of the Conservative regarding the wording of the resolution.

Resolved -

- (1) That the additional funding of approximately £1.46m be approved and the base budget for 2003/04 be varied accordingly.**
- (2) That the Director of Finance continues to work to reduce the impact of insurance premium increases on Council budgets.**

333. FINANCE AND BEST VALUE: ACCOUNTS AND AUDIT REGULATIONS 2003

The Director of Finance reported upon proposed changes to the current (1996) Accounts and Audit Regulations set out in a consultation paper issued by the Office of the Deputy Prime Minister. The consultation period would end on 9 December, and it was proposed that the new regulations would be effective from 1 April 2003. He drew attention particularly to, and invited comments upon the proposed amendments to regulation 7 (regarding senior staff salaries) and regulation 10 (requiring the signing of the Statement of Accounts).

A decision was required concerning the Council's response to the consultation paper on the proposed Accounts and Audit Regulations 2003.

Resolved -

- (1) That the report be noted and, the proposed changes being broadly acceptable, no comments be made in response to the consultation paper on the Accounts and Audit Regulations 2003.**
- (2) That, as regards the proposed amendment to Regulation 7, this Council would have no objection to the statement of accounts being accompanied by a list of allowances paid to all councillors, as currently required by the Local Authorities (Members' Allowances) Regulations.**

334. **SOCIAL AND HEALTH SERVICES: PROPOSALS TO INTRODUCE A SYSTEM OF REIMBURSEMENT AROUND DISCHARGE FROM HOSPITAL**

The Director of Social Services reported that the Department of Health had issued a consultation paper on proposals to introduce a system of charging social services authorities where they were held responsible for delayed discharges from hospitals, which was intended to provide an incentive to minimise delays in discharging elderly patients once they had been declared medically fit. The government was planning to introduce primary legislation to enable this reform to be implemented by April 2003, and the Director's report detailed the proposals and outlined the implications, which such a system would have for the Social Services Department.

There was some ambiguity as to the discharge criteria, but depending upon the way in which they were interpreted, the annual cost to the Council could range from £1.4m to £2.4m a year.

The Association of Directors of Social Services had prepared a briefing note on the impact of the proposal and he would be sending this to the Members of Parliament representing the Borough.

The Cabinet member with responsibility for Social and Health Services regarded the proposal as disappointing. It had generated widespread condemnation when it had been announced at the Annual Conference of Directors of Social Services and the Local Government Association had expressed the view that the Government's analysis of the problem was flawed. Nevertheless, the proposal was included in the legislative programme for the new parliamentary session.

The Conservative Chair and the Liberal Democrat spokesperson on the Social Care and Health Select Committee also expressed their reservations about the proposal, which would have the effect of diverting resources from other areas of service provision and would also penalise service users and their families; they were also concerned that implementation of the proposal could seriously undermine the excellent working relationship which had been developed between Social Services and Health professionals.

The matter had been considered on 23 October 2002 by the Social Care and Health Select Committee, which had resolved (minute 48 refers):-

"(1) That this Committee views the proposals made by the Secretary of State to be punitive and divisive at a time when Social Services are actively pursuing involvement with its partners, particularly in Health; such proposals, if implemented, could only limit choice, penalise social services departments and put added pressures on families and service users when selecting a care home for life, or being discharged home without adequate support services

(2) That this Committee requests Cabinet to lobby the Secretary of State to reconsider his proposals and acknowledge that social services departments are

already stretched and are doing all that they can within limited resources to ensure that delayed discharges are kept to a minimum."

The Chair of the Select Committee indicated that she would have been prepared to accept that the amendment moved by Councillor (***) should be incorporated into the resolution, even though it had not been carried, and the Leader indicated that the Cabinet would include the relevant comments in their resolution.

A decision was required to ensure that the Council was able to comment formally upon proposals that could result in potentially significant financial costs to the Authority in the coming financial year. The report called for a "key decision" under the Council's constitution, of which notice had been given in the Forward Plan dated 1 November 2002.

Resolved -

(1) That the report of the Director of Social Services and the views of the Social Care and Health Select Committee be noted.

(2) That the negative effect of prolonged delays in the transfer of care be acknowledged, while recognising that the authorities in Wirral have considerably reduced these delays.

(3) That the proposals made by the Secretary of State are seen to be punitive and divisive at a time when Social Services are actively pursuing involvement with its partners, particularly in Health; such proposals, if implemented, could only limit choice, penalise Social Services Departments and put added pressures on families and service users when selecting a care home for life, or being discharged home without adequate support services.

(4) That the Secretary of State be asked to re-consider the proposals and to acknowledge that Social Services Departments are already stretched and are doing all that they can within limited resources to ensure delayed discharges are kept to a minimum.

(5) That the Cabinet member with responsibility for Social and Health Services continues to work through the Local Government Association to find ways to avoid the punitive financial effects of cross-charging.

(6) That the briefing note prepared by the Association of Directors of Social Services be sent to the Members of Parliament representing the Borough.

**335. SOCIAL AND HEALTH SERVICES:
SOCIAL SERVICES REVIEW PANEL (COMPLAINTS PROCEDURE)**

The Borough Solicitor and Secretary reported concerning the need to appoint independent Chairs for the Social Services Review Panel (Complaints Procedure) in

view of the resignation of one Chair and the ill health and recent ineligibility of the others. The Complaints Officer had suggested the names of two independent persons who would be prepared to undertake that role.

The report also suggested that, as the regulations limited elected member representation on the panel to two (currently one Labour and one Conservative), the Liberal Democrat spokesperson for Social Care and Health (Councillor Bridson) should be nominated as the first named deputy for either.

A decision was required to confirm the appointment of new independent chairs to enable the panel to convene to hear outstanding complaints.

Resolved

(1) That Mrs Pat Newton and Mr Brian Jones be appointed as Independent Chairs of the Social Services Review Panel (Complaints Procedure).

(2) That Standing Order 25 (6) be varied as necessary to permit the appointment of Councillor A Bridson as the first named deputy for Councillors R L Abbey or Mrs L A Rennie (ahead of the Labour and Conservative nominated deputies), and minute 89 (f) (Cabinet - 26/6/02) be amended accordingly.

336. EDUCATION AND LIFELONG LEARNING: SCHEME FOR FINANCING SCHOOLS - EXTENSION TO COVER GOVERNORS' COMMUNITY FACILITIES POWER

The Director Of Education and Cultural Services reported that The Education Act 2002 (sections 27 and 28) gave the governing bodies of maintained schools a new power to provide community facilities or services which would benefit pupils, their families, or people living or working in the locality of the school.

A decision was required to approve an extension to the Scheme for Financing Schools covering schools' community facilities.

Resolved - That the proposed new section 14 (Community Facilities) for inclusion in the Scheme for Financing Schools be agreed and sent to the Secretary of State for approval.

337. ENVIRONMENT AND PLANNING STRATEGY: WASTE RECOVERY DEVELOPMENT

The Director of Housing and Environmental Protection reported concerning the proposed development of some interim recycling initiatives in advance of the comprehensive recycling proposals currently being developed as part of the Merseyside Waste Strategies and a proposal for the "pooling" of recycling targets across Merseyside to assist with attainment of the DEFRA recycling targets for refuse collection authorities.

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This matter had been considered by the Environment Transportation and Planning Strategy Select Committee on 22 October 2002, and the Select Committee had resolved, inter alia (minute 89 refers):

"(2) That the proposals for the introduction of interim recycling and campaign measures for 2002/03 and 2003/04 be endorsed and referred to Cabinet for approval.

(3) That the proposal to pool recycling targets across Merseyside be referred to Cabinet for approval."

A decision was required to authorise the Director to proceed with the interim recycling initiatives and the pooling of recycling targets.

Resolved - That the views of the Environment, Transportation and Planning Strategy Select Committee be noted, and the introduction of interim recycling and campaign measures for 2002/03 and 2003/04 (as suggested in paragraph 3.2 of the Director's report) and the proposal to "pool" recycling targets across Merseyside be approved.

338. **ENVIRONMENT AND PLANNING STRATEGY: PROPOSED BURBO OFFSHORE WIND-FARM**

The Deputy Chief Executive/Director of Planning and Economic Development reported that the Council had been consulted by the Department of Trade and Industry concerning an application made under section 36 of the Electricity Act 1989 by Seascope Energy to site a wind-farm of 30 turbines approximately 7.5 kilometres from the North Wirral coast off New Brighton (one of a number of similar proposals for inshore waters around the north west coast). As the application was below the low water mark it fell outside the scope of the planning system and local authorities had the status of consultee in the process.

The applicant had prepared an environmental statement in connection with the proposal, and a planning application would be submitted for the on-shore elements (on-shore cabling, an underground interconnection chamber and a sub-station) which it was proposed should be located in the vicinity of Bidston Dock. That application would be subject to scrutiny in the normal way.

The report identified the main issues for Wirral (these had been addressed in the environmental statement, and this had suggested that there would be no adverse impact) and the officers believed that an objection could not be justified to the principle of the proposed wind-farm but that they should be authorised to submit further representations on matters of detail once a thorough appraisal of the application had been completed.

This matter had been considered by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002, and the Select Committee had resolved (minute 87 refers):

"That this Committee recommends to Cabinet that no objection be raised to the principle of the proposed Burbo offshore wind-farm but that officers be authorised to submit further representations on matters of detail if required, once a detailed appraisal of the application has been completed."

A decision was required to enable the Council's views to be given regarding the proposal.

Resolved - That the views of the Environment, Transportation and Planning Strategy Select Committee be noted and no objection be raised to the principle of the proposed Burbo offshore wind-farm but officers be authorised to submit further representations on matters of detail, if required, once a thorough appraisal of the application has been completed.

339. **ENVIRONMENT AND PLANNING STRATEGY: APPOINTMENT OF PROPER OFFICER – INFECTIOUS DISEASE CONTROL**

The Director of Housing and Environmental Protection reported concerning the appointment of twelve Proper Officers for the Cheshire and Merseyside Health Protection Team and eight Public Health Primary Care Trust Proper Officers for Wirral Borough Council.

A decision was required to enable the Council to comply with various statutory obligations.

Resolved -

(1) That the following officers be appointed Proper Officers in accordance with the relevant legislation identified below:-

(a) Proper Officers for Cheshire and Merseyside Health Protection Team:

**Dr Richard Jarvis - Consultant in Communicable Disease Control
Dr Basil Wiratunga - Consultant in Communicable Disease Control
Dr Catherine Quigley - Consultant in Communicable Disease Control
Dr Sam Ghebrehewet - Consultant in Communicable Disease Control
Dr Bernard Schlecht - Consultant in Communicable Disease Control
Dr Brian Staples - Consultant in Health Protection
Dr John Reid - Consultant in Health Protection
Dr Paula McDonald - Consultant in Communicable Disease Control
Dr Philip Mannion - Consultant Microbiologist
Dr Sarah Woodhouse - Consultant in Communicable Disease Control
Mr Gavin Williams - Infection Control Nurse
Ms Carol Kerr - Infection Control Nurse**

(b) Primary Care Trust Proper Officers for Wirral Borough Council:

**Dr Dympna Edwards - Director of Public Health
Dr Elaine Church - Consultant in Public Health
Dr Ewan Wilkinson - Consultant in Public Health
Dr Joyce Carter - Consultant in Public Health
Dr Kate Ardern - Director of Public Health
Dr Paula Grey - Director of Public Health
Dr Alison Rylands - Director of Public Health
Dr Mark Bellis - Director of Public Health**

(2) That these appointments be made in accordance with and for the purposes of the relevant legislation, namely:-

(a) Public Health (Control of Diseases) Act 1984, sections 11, 18, 20, 22, 24, 29, 32, 36, 40, 42, 43, 48, and the Public Health (Infectious Diseases) Regulations 1988 Regulations 6, 8, 10 and Schedules 3 and 4;

(b) Public Health (Control of Diseases) Act 1984, section 35;

(c) Public Health (Control of Disease) Act 1984, sections 50 and 61, and Schedules 3 and 4 of the Public Health Act (Infectious Diseases) Regulations 1988 under the specific powers given by paragraph 3 of Schedule 3 and paragraph 3 of Schedule 4 of the Regulations;

(d) Public Health (Control of Diseases) Act 1984, sections 16, 23, 24, 25, 26, 28, 30, 31, 34, 37, 38, 39, 41, 42, 46, 51, and regulation 11 of the Public Health (Infectious Diseases) Regulations 1988.

**340. ECONOMIC REGENERATION AND COMMUNITY PLANNING:
MERSEY/DEE ALLIANCE**

Councillors P J Hackett and J E Green declared a personal interest in this matter (see minute 329 above).

The Deputy Chief Executive/Director of Planning and Economic Development submitted the Mersey Dee Alliance Business Plan and Business and Employment Support Strategy programme, and requested approval to the Council's continuing participation in the business of the Alliance.

A decision was required to approve the business plan, the support strategy and the Council's continuing involvement with the Alliance.

Resolved - That the Mersey/Dee Alliance Business Plan and Business and Employment Support Strategy programme (as now submitted) be noted, and the Council's continuing participation in the business of the Alliance be approved.

341. **ECONOMIC REGENERATION AND COMMUNITY PLANNING:
FINANCIAL RECOMMENDATIONS OF THE WIRRAL WATERFRONT
PARTNERSHIP BOARD: 6TH NOVEMBER, 2002**

Councillors P L Davies, J E Green and P J Hackett, having declared a prejudicial interest in this matter (see minute 329 above) left the meeting while it was considered.

The Deputy Chief Executive/Director of Planning and Economic Development submitted a report seeking agreement to the recommendations of the Wirral Waterfront Partnership Board at its meeting on 6 November, 2002.

A decision was required to approve the financial decisions of the Wirral Waterfront Partnership Board.

Resolved -

(1) That an SRB grant of £167,958 be awarded to fund the development of the detailed design phase of the Lauries Centre Project for a period of 3 months.

(2) That a grant of £247,986 be awarded to Groundwork Wirral for Phase II of the Navigator project to assist small and medium enterprises in improving their health, safety, environmental and quality processes to make their businesses more sustainable.

342. **HOUSING AND COMMUNITY SAFETY: TEN STREETS PILOT REGENERATION
INITIATIVE - AREA BOUNDED BY CLEVELAND STREET, LYNAS STREET,
CORPORATION ROAD AND LIVINGSTONE STREET, BIRKENHEAD**

The Director of Housing and Environmental Protection reported upon progress made with the "Ten Streets" pilot regeneration Initiative, dealing with property abandonment and obsolescence in an area of Central Birkenhead, and requested approval to proceed with specific actions, previously agreed in principle, to support the implementation of the pilot regeneration scheme, in conjunction with the Council's partners, including:

(a) the Wirral Homeswap Scheme involving the sale of up to 30 Council houses at a discount of 60%;

(b) the award of priority re-housing status for those residents requiring re-housing from the Unified Waiting List.;

(c) the provision of financial support through the Housing Capital Programme.

A decision was required to enable the pilot regeneration initiative to proceed. The report called for a "key decision" under the Council's constitution, of which notice had been given in the Forward Plan dated 1 November 2002.

Resolved -

- (1) That the provision of financial support for the "Ten Streets" pilot regeneration initiative through the Housing Capital Programme be approved.
- (2) That the Wirral Homeswap Scheme and criteria, as detailed in the Director's report, be approved and the application of this scheme to the "Ten Streets" initiative be agreed.
- (3) That the award of priority re-housing status to all those residents requiring social re-housing through the Unified Waiting List be approved.
- (4) That further reports be submitted to the Housing and Community Safety Select Committee or to the Cabinet (as appropriate) as the initiative progresses.

343. **HOUSING AND COMMUNITY SAFETY:
FLOATING TENANCY SUPPORT SCHEME**

The Director of Housing and Environmental Protection reported upon the development of a "floating tenancy" support service, designed to support vulnerable tenants and to promote independence among people within the 16-25 age range (including care leavers).

A decision was required to allow the service to be provided.

Resolved - That the proposed introduction of a "floating tenancy" support service be approved.

344. **HOUSING AND COMMUNITY SAFETY: GAS SERVICE CONTRACTS 1 AND 3
- PROPOSED NOVATION OF CONTRACTS**

The Director of Housing and Environmental Protection reported upon the current position with regard to gas service contracts 1 and 3 as a result of an Administration Order being made in respect of the Service provider on those contracts (N.W.M (UK) Limited) in April 2002.

A decision was required to authorise the novation of these contracts as recommended by the Administrator.

In response to a query raised by the Leader of the Conservative Group, the Director advised that the company had been working satisfactorily on these and similar contracts for some months, but he would take up with the Director of Property Services the question of appropriate background checks.

Resolved - That the proposal to enter into a Novation Agreement with Enterprise Utility Services Ltd in respect of Gas Service Contracts 1 and 3 with effect from 19 April 2002 be approved.

345. **TRANSPORTATION AND INFRASTRUCTURE:
TRAFFIC CALMING SCHEMES - UPDATE**

The Director of Highway and Engineering Services reported upon progress made within the capital programme in respect of speed reduction schemes from the Aids to Movement and Local Safety Scheme programmes and requested that proposed amendments to the existing programmes be agreed.

The report had been considered by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002, and the Select Committee had resolved (minute 76 refers): "That this Committee endorse the amendments together with the revised costs identified within the report and refer the report to Cabinet for approval."

A decision was required to authorise the implementation of the traffic calming schemes in the Mosslands Drive area of Wallasey Village (estimated cost £83,000) and in Digg Lane, Moreton (estimated cost £18,000), and to postpone the scheme for Egerton Road, Claughton, as a consequence of major works being undertaken by United Utilities.

Resolved - That the programme amendments and the revised costs of works identified in the Director's report be approved.

346. **TRANSPORTATION AND INFRASTRUCTURE: PROPOSED CLOSURE OF PART OF FOOTPATH NO. 9 (BIRKENHEAD) AND THE CREATION OF AN ALTERNATIVE ADOPTED LINK FROM NOCTORUM WAY TO CHRISTLETON CLOSE (OXTON WARD) SECTION 257 TOWN AND COUNTRY PLANNING ACT 1990**

The Director of Highway and Engineering Services reported regarding a public path order to extinguish part of public footpath No. 9 (Birkenhead) and upon representations and objections received during the statutory consultation period.

Members were informed that the Licensing, Health and Safety and General Purposes Committee, at the meeting held on 5 November 2002, had considered a similar report relating to this footpath and had resolved that the Public Path Order 2002 in respect of Footpath No. 9 (Birkenhead) be submitted to the Secretary of State as an opposed order (minute 32 refers). Closure of that part of the footpath was proceeding under section 118 of the Highways Act 1980.

The Cabinet was being asked to consider whether the proposed closure of the remainder of Footpath No. 9 (Birkenhead) should also be submitted to the

Secretary of State as an opposed order under the provisions of section 257 of the Town and Country Planning Act 1990.

The Leader advised that the submission of this to the Secretary of State as an opposed order would probably give rise to a public inquiry.

A decision was required as to whether the order (insofar as it related to the Council's powers under section 257 of the Town and Country Planning Act 1990) should be submitted to the Secretary of State.

Resolved - That minute 32 (Licensing, Health and Safety and General Purposes - 5/11/02) be supported; that the proposed closure of that part of Footpath No. 9 (Birkenhead) covered by section 275 of the Town and Country Planning Act 1990 be approved, and the Public Path Order 2002 be submitted to the Secretary of State as an opposed order.

347. **TRANSPORTATION AND INFRASTRUCTURE: BIDSTON AVENUE AREA TRAFFIC CALMING & 20MPH ZONE: PHASE 2 – OBJECTIONS**

The Director of Highway and Engineering Services reported in connection with the two objections received to the proposed traffic calming measures identified within Phase 2 of the Bidston Avenue area 20 mph zone speed reduction scheme.

This matter had been considered by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002, and the Select Committee had resolved (minute 77 refers):

"That this Committee notes the objections raised but that, in the interests of road safety, endorses the scheme as advertised, and the report be referred to Cabinet for approval."

A decision was required to approve the making of the order.

Resolved - That the views of the Environment, Transportation and Planning Strategy Select Committee be noted and the scheme be approved as advertised.

348. **TRANSPORTATION AND INFRASTRUCTURE: TRAFFIC MANAGEMENT STUDY & STRATEGY FOR THE WOODCHURCH ESTATE - UPDATE**

The Director of Highway and Engineering Services reported upon progress in producing a traffic management study and strategy for the Woodchurch Estate and recommended that the revised costs identified within the report be met from the Transport Capital Programme 2002/03, with any shortfall being undertaken early in 2003/04, and that a tender be accepted for the Phase 1 works.

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This matter had been considered by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002, and the Select Committee had resolved (minute 80 refers):

"(1) That the contents of the report and the objection raised by the manager of the First Crosville Bus Company be noted.

(2) That in the light of the ongoing liaison with Merseytravel and in the interests of road safety, this Committee endorse the programme of works identified within phase 1 of the proposals as advertised and refer the report to Cabinet for approval."

The Leader of the Liberal Democrat Group expressed concern at the negative attitude adopted by First Crosville in relation to Council proposals for improving road safety, and suggested that this matter be taken up at a higher level within the company.

A decision was required to enable Phase 1 of the strategy to be implemented.

Resolved -

(1) That the views of the Environment, Transportation and Planning Strategy Select Committee be endorsed.

(2) That, in the light of the ongoing liaison with Merseytravel and in the interests of road safety, the programme of works identified within Phase 1 of the proposals be approved.

(3) That acceptance of the lowest tender (that submitted by Eastway Construction in the sum of £168,344) be approved for the purposes of Contract Procedure Rule 13.6.

349. **TRANSPORTATION AND INFRASTRUCTURE: METROPOLITAN BOROUGH OF WIRRAL'S TRAVEL PLAN – REVISED VERSION AND 2001/02 PROGRESS REPORT**

The Director of Highway and Engineering Services reported concerning the review process for the Travel Plan as a means of meeting Local Transport Plan performance indicators; he advised that this would become integral to the transport theme targets of the environmental management system under the ISO 14001 programme, which required a 10% reduction in staff mileage claims by 2005 and having at least 20 fleet vehicles running on liquid petroleum gas by 2003.

The revised Travel Plan had been considered and endorsed by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002 (minute 81 refers).

A decision was required to approve the revised Travel Plan.

Resolved - That the views of the Environment, Transportation and Planning Strategy Select Committee be noted, and the revised Travel Plan, as now submitted, be approved.

350. **TRANSPORTATION AND INFRASTRUCTURE: PROPOSED REMOVAL OF WOODWARD ROAD FOOTBRIDGE, ROCK FERRY**

The Director of Highway and Engineering Services reported upon the condition of the footbridge and requested approval its removal and its replacement with a puffin crossing facility, subject to a favourable response to the public consultation.

The proposal had been considered and supported by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002 (minute 82 refers).

A decision was required to authorise the implementation of the proposal.

Resolved - That the views of the Environment, Transportation and Planning Strategy Select Committee be noted, and the proposal for the removal of the Woodward Road footbridge and its replacement by a puffin crossing be approved subject to a favourable response to the public consultation.

351. **TRANSPORTATION AND INFRASTRUCTURE: SEWERAGE MANAGEMENT SERVICES AGREEMENT WITH UNITED UTILITIES**

The Director of Highway and Engineering Services reported upon recent changes in the operation of the sewerage management services agreement with United Utilities and recommended that the agreement be terminated on 31 March 2003.

The proposal had been considered and endorsed by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002 (minute 84 refers).

A decision was required to authorise the termination of the management agreement.

The Cabinet member with responsibility for Transportation and Infrastructure advised that United Utilities would give a presentation to a future meeting of the Select Committee, explaining the new arrangements, and he suggested an addition to paragraph 12 of the Director's report to clarify the position for the wider public. The amendment was agreed without a vote.

Resolved -

(1) That the views of the Environment, Transportation and Planning Strategy Select Committee be noted, and the proposal to terminate the sewerage management services agreement be approved.

(2) That the Council arrange, through the Press and Public Relations Division, to advise the public of the impending changes affecting the sewerage service, and United Utilities be asked to contribute towards the costs of the exercise.

352. **TRANSPORTATION AND INFRASTRUCTURE: HIGHWAY MAINTENANCE WORKS 2001-2003 SPECIALIST SURFACING CONTRACTS**

The Director of Highway and Engineering Services reported concerning the proposed extension of the current road surfacing and surface treatment contracts by a further year to March 2004 in view of likely changes in relation to street scene issues affecting departmental roles and the way in which services were provided.

The proposal had been considered and endorsed by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002 (minute 85 refers).

A decision was required to extend the current contract period.

Resolved - That the views of the Environment, Transportation and Planning Strategy Select Committee be noted, and the Director's recommendation to extend the current specialist road surfacing and surface treatment contracts until March 2004 be approved for the purposes of paragraph 5.1.2 of the Contract Procedure Rules.

353. **TRANSPORTATION AND INFRASTRUCTURE: POLICY FOR THE CHARGING FOR GOODS AND SERVICES**

The Director of Highway and Engineering Services reported upon charges levied by the Department for the provision of goods and services and recommended that, in accordance with the Council's constitution, the charges be revised with effect from 1st April 2003 and reviewed annually thereafter.

The proposals had been considered and endorsed by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002 (minute 86 refers).

A decision was required to approve the proposed changes.

Resolved -

(1) That the views of the Environment, Transportation and Planning Strategy Select Committee be noted, and the revised charges for the provision of goods and services (identified in the report now submitted) be adopted with effect from 1 April 2003.

(2) That the charges for the provision of goods and services by the Highway and Engineering Services Department be reviewed annually in accordance with paragraph 5.2.2 of the Financial Procedure Rules contained within the Council's constitution.

354. **CENTRAL SERVICES - APPROVED DUTIES**

The Borough Solicitor and Secretary requested that, subject to the approval of the Pensions Committee, the Chair of that Committee and one officer be authorised to attend the Local Authority Pension Fund Forum, to be held in Bournemouth from 4 to 6 December 2002.

A decision was required in order to approve payment of members' travel and subsistence allowances.

Resolved - That the Chair of the Pensions Committee, together with one officer, be authorised to attend the Local Authority Pensions Fund Forum Conference, to be held in Bournemouth from 4 to 6 December 2002.

355. **EXEMPT INFORMATION: EXCLUSION OF MEMBERS OF THE 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 to that Act.

356. **TRANSPORTATION AND INFRASTRUCTURE:
PUBLIC LIABILITY INSURANCE CLAIMS**

(Exempt by virtue of paragraph 12)

The Director of Highway and Engineering Services and the Director of Finance reported jointly upon proposals to address the issue of increasing numbers of public liability highway-related claims.

This matter had been considered by the Environment, Transportation and Planning Strategy Select Committee on 22 October 2002, and the Select Committee had resolved (minute 92 refers):

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"That this Committee note the contents of the report and the attached Liability Survey on Highways, approve the implementation of the proposed Action Plan, and refer the report to Cabinet for endorsement."

A decision was required to implement the action plan.

The Cabinet member with responsibility for Transportation and Infrastructure suggested an amendment to the recommendation contained in paragraph 12 of the Directors' report to address the issue of company representatives ("claims farmers") actively touting for claims business on the public highway. The suggested amendment was approved.

Resolved -

(1) That the views of the Environment, Transportation and Planning Strategy Select Committee be noted, and implementation of the proposed action plan be approved.

(2) That the Borough Solicitor and Secretary consider the possibility of introducing a bye-law prohibiting companies, firms or individuals ("claims farmers") operating on the public highway.

357. CENTRAL SERVICES: LAND AT HILLSIDE PRIMARY SCHOOL.

(Exempt by virtue of paragraphs 8 and 9)

The Director of Property Services reported upon offers received for a residential development site adjacent to Hillside Primary School, Noctorum.

A decision was required to authorise acceptance of the highest offer.

Resolved -

(1) That the property be sold to the highest bidder upon the terms now reported.

(2) That, in the event of the highest bidder not proceeding with the purchase, the Director of Property Services be authorised to negotiate with other interested parties to conclude a sale on the best terms possible, subject to a further report to Cabinet at the earliest opportunity.

358. CENTRAL SERVICES: LAND AT BRUNSWICK COURT, BIRKENHEAD

(Exempt by virtue of paragraphs 8 and 9)

The Director of Property Services reported upon offers received for the sale of residential development land comprising the site of the former Brunswick Court tower and part of the former Brook Street East.

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A decision was required to authorise acceptance of the highest offer.

Resolved -

(1) That the land at Price Street and Brook Street, Birkenhead (as identified on the plan now submitted) be declared surplus to requirements and sold to the highest bidder upon the terms now reported.

(2) That, in the event of the highest bidder not proceeding with the purchase, the Director of Property Services be authorised to negotiate with other interested parties to conclude a sale on the best terms possible, subject to a further report to Cabinet at the earliest opportunity.