

# CABINET

Thursday, 27 May 2010

<u>Present:</u>	Councillor	JE Green (Chair)	Finance and Best Value
	Councillors	S Holbrook C Blakeley S Clarke D Elderton G Gardiner I Lewis L Rennie	Corporate Resources Housing and Community Safety Children's Services & Lifelong Learning Culture, Tourism and Leisure Environment Community and Customer Engagement Streetscene and Transport Services
<u>Apologies</u>	Councillors	A Hodson R Moon	

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

Councillor Sheila Clarke declared a personal interest in item No 10 – Review of Secondary School Places: Report on outcome of Consultations on Proposal to Close Rock Ferry High School and Park High School in order to establish an Academy, by virtue of her being a Governor at Bebington High Sports College.

Councillor Ian Lewis declared a personal interest in item No. 12 - Any Other Business: Neptune Development New Brighton - Progress Report because he lived nearby and in item No. 18 - Demolition and Remediation of Former Ministry of Defence Site at Long Plantation Road, Bromborough: Project Closure Report by virtue of him working on the site.

Councillor George Davies who was also in attendance declared a prejudicial interest in item No 10 – Review of Secondary School Places: Report on Outcome of Consultations on Proposal to Close Rock Ferry High School and Park High School in order to establish an Academy by virtue of him being a #governor at Park High School. He left the room whilst the item was under discussion.

## 2 MINUTES

### RESOLVED:

**That the Minutes of the Cabinet Meeting held on 15 April 2010 be confirmed as a correct record.**

3 **REVIEW OF SECONDARY SCHOOL PLACES: REPORT ON OUTCOME OF CONSULTATIONS ON PROPOSAL TO CLOSE ROCK FERRY HIGH SCHOOL AND PARK HIGH SCHOOL IN ORDER TO ESTABLISH AN ACADEMY**

A report by the Director of Children's Services advised the Cabinet of the outcome of the consultation process which had taken place in regard to the closure of the predecessor schools; Park High School and Rock Ferry School, as agreed by the Cabinet on 14 January 2010. The report described the responses, including additional suggestions put forward during the consultation process, and made recommendations with regard to statutory proposals in the area. It provided a provisional update on the separate consultation by the lead sponsor, the University of Chester, regarding the opening of an Academy.

Councillor Jeff Green invited members of the public to speak on the proposal to establish an Academy. Dr. Colin Hankinson, Director of 14-19 and Academy Development at the University of Chester made a presentation on the comprehensive consultation carried out, assisted by Professor David Cracknell, specifically in respect of the Sanderling Unit. They argued that new build outweighed the refurbishment of an old school and that the Academy would work best in a tailor-made building designed to fit the curriculum that would be offered. A number of questions were put by Members and answered accordingly by the representatives of the University.

It was noted that efforts had been made to identify a site on which to build the Academy but it had not been possible. Members were anxious to make progress and were aware that the Academy would work in refurbished premises but would work better in a new building. They had the security of knowing that the Park High School site was available before the funding agreement was signed.

The main specialisms of the Academy would be Applied Learning and Sport and Performing Art.

Councillor Jeff Green thanked Dr Hankinson for his excellent presentation. Members paid tribute to the staff, pupils, ex-pupils and governors of the Schools who had contributed to the consultation and who had been through a period of uncertainty.

**RESOLVED: That**

- (1) statutory proposals be published in respect of the following proposal:  
'To close Rock Ferry High School and Park High Schools';**
- (2) the closure date for the two schools be set in accordance with the proposed opening date for the new Academy, by agreement with the University of Chester as lead sponsor and the Department for Children, Schools and Families; and**
- (3) the Director of Children's Services be authorised to take all necessary steps to publish these proposals, ensure the prescribed procedures are followed, including requesting permissions from the Secretary of State, in furtherance of the proposals.**
- (4) the Director of Children's Services continue to develop plans, in conjunction with the sponsors and partnerships for Schools, to locate**

**the proposed new Academy at the current Park High site, as agreed by the Cabinet on 26 November 2009; and**

- (5) as work continues towards the Academy Funding Agreement, Cabinet instructs the Director of Children's Services to explore further whether a suitable site and funding might be available to accommodate the Academy as a new build.**

**4 PRESENTATION - 2009/2010 END OF YEAR PERFORMANCE AND FINANCIAL REVIEW**

The Deputy Chief Executive/Director of Corporate Services made an oral presentation providing an overview of 2009/2010 End of Year Performance and Financial Review. He detailed each strategic objective, key achievements, what worked well, key performance issues and risks. It was noted that Safeguarding Children was one of the Council's key priorities and the Director of Children's Services provided a progress report and agreed to provide the Cabinet Member with the Children's Services and Lifelong Learning Portfolio with a note setting out actual numbers etc. The Director of Finance also made a presentation setting out financial headlines.

**RESOLVED:**

**That Officers be thanked for their informative presentations and for achieving so well against the targets set.**

**5 ECONOMIC RECOVERY PLAN: MAY 2010 UPDATE**

A report by the Deputy Chief Executive/Director of Corporate Services updated Members on Wirral's Economic Recovery Plan, including feedback from partners on latest responses to the recession and the impact of a number of interventions.

**RESOLVED:**

**That:**

- (1) this latest report on Wirral's response to the current economic conditions and the progress of the Recovery Plan attached as Appendix 1 to the report; be noted, and**
- (2) the continued approach of Wirral's Recovery Plan, which emphasises the need to maintain a focus on the long-term economic vision whilst also planning short and medium term responses to the recession, be agreed.**

**6 PRIVATE SECTOR HOUSING AND REGENERATION ASSISTANCE POLICY**

A report by the Deputy Chief Executive/Director of Corporate Services sought approval of the Council's revised Private Sector Housing and Regeneration Assistance Policy following consultation. It was noted that any revisions approved would be implemented with immediate effect.

It was proposed to amend the eligibility criteria for housing to take into account annual income rather than just salary. Some degree of flexibility around the income thresholds was to be introduced to facilitate property sales where there was no interest from applicants meeting the criteria.

The report also sought to amend the Council's preferred builders protocol used in conjunction with the renovation assistance to allow applicants to seek contractors outside the preferred builders' protocol list, should there be insufficient registered contractors to provide a quotation.

Members were also advised that, in conjunction with the Council's Housing Market Renewal partners, the contract with the Council's current loan administrator, ART Homes Ltd., had been extended for a further 12 months to 31 March 2011

**RESOLVED: That**

- (1) the revised Private Sector Housing and Regeneration Assistance Policy, as set out in the report, be agreed and implemented with immediate effect.**
- (2) the Preferred Builders Protocol to allow applicants to seek quotations from suitable contractors not registered with the Protocol only when insufficient registered contractors are available to provide a quotation be amended subject to the conditions mentioned in paragraph 5.2 of the report and it be subject to annual review by the cabinet;**
- (3) the 12 month extension until 31<sup>st</sup> March 2011, to the ART Homes Ltd loan administration contract, in conjunction with our HMRI Partners, be noted: and**
- (4) The Deputy Chief Executive and Director of Corporate Services be requested to provide a report for consideration at a future meeting of the cabinet outlining how an environmental responsibility policy and guidelines can be incorporated into the Private Sector Housing and Regeneration Policy as a future specific condition of all grant assistance where relevant**

**7 DISTURBANCE TO THE WATER SUPPLY IN THE WALLASEY AREA**

The Chief Executive briefed the Cabinet on repairs being carried out to a mains pipe which had resulted in homes being without water for a considerable period of time over the hottest weekend of the year. All Members had received a copy of the press release from United Utilities. Some areas were at risk of low water pressure caused by the repair work. The scale of the repair had exceeded United Utilities expectations, work was ongoing and they were confident the situation would be remedied by early next week.

Councillor Lesley Rennie reported that she was grateful to the Chief Executive and the Health, Safety and Resilience Operations Manager for keeping Members informed of the situation when the water supply was disrupted. She also raised concerns over the lack of communication from United Utilities. A number of lessons were to be learnt from this unfortunate disruption.

The Chief Executive informed that the Chief Executive of United Utilities had agreed to visit Wirral and a debriefing would be arranged and include Members. A detailed review would be carried out.

Councillor Blakely proposed that representatives of United Utilities be invited to all Area Forum meetings and suggested that the Sustainable Communities Overview and Scrutiny Committee could carry out a review into United Utilities operations.

## **8 WIRRAL'S HOUSING INVESTMENT PROGRAMME 2010-2011**

A report by the Deputy Chief Executive/Director of Corporate Services sought Cabinet's approval to:

- (1) Wirral's Housing Investment Programme for 2010-11, subject to the completion of a Deed of Variation between Newheartlands and the Homes and Communities Agency (HCA) to secure Housing Market Renewal funding for 2010 -11;
- (2) Delegate authority for programme management and delivery and completion of the Deed of Variation to the Deputy Chief Executive/Director of Corporate Services and the Director of Law, HR and Asset Management;
- (3) Underwrite from HMRI funds, if required, Keepmoat Homes' reasonable costs up to a maximum of £150,000 to enable the momentum of Housing Market Renewal new build in Birkenhead to continue in advance of securing legal agreement between the Council and Keepmoat Homes.

### **RESOLVED: That**

- (1) **following the recent announcement of a grant reduction for the National Housing Renewal Programme of £50m against a budget of £311m in the financial year 2010/11, and as it is not known how this grant reduction will be made and the implications that this may have on Wirral's Housing Investment Programme in 2010/11, it is recommended that officers prepare a further report on this matter for consideration by Cabinet in July 2010.**
- (2) **authority for programme management and delivery and completion of the Deed of Variation be delegated to the Deputy Chief Executive/Director of Corporate Services and the Director of Law, HR and Asset Management with future progress reports being presented to the Cabinet; and**
- (3) **Keepmoat Homes' reasonable costs be underwritten, if required up to a maximum of £150,000 to enable the momentum of Housing Market Renewal new build in Birkenhead to continue in advance of securing legal agreement between the Council and Keepmoat Homes.**

9 **DEVELOPMENT OF SUB-REGIONAL CHOICE BASED LETTINGS SCHEME**

A report by the Deputy Chief Executive/Director of Corporate Services outlined the progress made in establishing a Merseyside sub-regional choice based lettings (CBL) scheme in line with Government policy.

**RESOLVED: That**

- (1) **the draft common allocations policy for consultation according to statutory guidance be approved;**
- (2) **the proposed governance arrangements be approved;**
- (3) **the selection of the IT supplier, Abrisas be approved;**
- (4) **the estimated set-up and annual running costs of the scheme together with a preferred cost sharing model be approved;**
- (5) **the elements of the scheme listed in the report be approved;**
- (6) **the Deputy Chief Executive/Director of Corporate Services be authorised to enter into an agreement with the other local authorities (Halton, Knowsley, Liverpool and Sefton, or at least 3 of them) to govern the implementation of the Abrisas contract referred to below;**
- (7) **the Deputy Chief Executive/Director of Corporate Services enter into a contract with Abrisas for the provision of the IT;**
- (8) **the one-off set-up costs be paid from existing provision, and**
- (9) **continued development of the scheme with the sub-regional partners be approved.**

10 **OUTCOME OF PROPOSAL FOR THE CLOSURE OF OUR LADY OF LOURDES CATHOLIC AIDED PRIMARY SCHOOL AND THE ESTABLISHMENT OF A JOINT CHURCH AIDED PRIMARY SCHOOL**

The Cabinet at its meeting of 19 March 2009, decided that, following consultation with governing bodies, staff, parents and other stakeholders, statutory notices should be published regarding the closure of Our Lady of Lourdes Catholic Primary School, linked to the establishment of a joint Church Aided school on the same site, subject to the approval of the Secretary of State to waive a statutory competition. Notices were published on 24 February 2010. A report by the Director of Children's Services described the outcome of the subsequent representation period and recommended that the proposals be approved and implemented.

**RESOLVED: That**

- (1) **the closure of Our Lady of Lourdes Catholic Aided Primary School from 31 August 2010 be agreed;**

- (2) the establishment of a new Joint Church Voluntary Aided school at the Our Lady of Lourdes site from 1 September 2010, be agreed; and
- (3) the Director of Children's Services be authorised to take all necessary steps to ensure the prescribed procedures are followed in furtherance of the proposals.

11 **REPLACEMENT PVI PRE-SCHOOL UNIT AT GREAT MEOLS PRIMARY SCHOOL - SCHEME AND ESTIMATE REPORT**

A report by the Director of Children's Services advised that the DCSF had announced additional Early Years Capital Funding for the period April 2009 to March 2011. The grant was intended, but not exclusively, to support capital investment in the private, voluntary and independent [PVI] sector. The report described the scheme to replace a poor quality Pre-School Unit located at Gt Meols Primary School with accommodation within the main school building. The report set out the costs and scope of the scheme and the Cabinet was asked to consider and approve the proposal.

**RESOLVED: That**

- (1) the Scheme and Estimate, as presented, be accepted;
- (2) all necessary statutory approvals for the project be accepted;
- (3) Children's Services be authorised to seek tenders for the project; and
- (4) the Director of Children's Services be requested to use his delegated powers to accept the lowest bone-fide tender and report his acceptance of the tender to the Cabinet in due course, in accordance with the Council's Procurement Policy.

12 **GAUTBY ROAD PLAY AND COMMUNITY CENTRE**

A report by the Director of Law, HR and Asset Management advised Members of the expression of interest received for community asset transfer relating to Gautby Road Play and Community Centre in Bidston and recommended that the North Birkenhead Development Trust be invited to proceed to the next stage.

**RESOLVED:**

**That the North Birkenhead Development Trust be invited to submit detailed proposals in accordance with stage two of the Community Asset Transfer process.**

13 **URGENT BUSINESS: NEPTUNE DEVELOPMENT NEW BRIGHTON - PROGRESS REPORT**

The Director of Law, HR and Asset Management updated Members on the progress made in connection with the Neptune Development on the New Brighton seafront. A revised copy of the site plan was circulated.

In view of the urgency of this matter, the Cabinet was also asked to waive "Call-in". Councillor Jeff Green informed that the Labour Group had been consulted on this proposal and was content for call-in to be waived, given the urgency of the situation.

**RESOLVED: That**

- (1) the Director of Law, HR and Asset Management, pursuant to section 122 of the Local Government Act 1972, be authorised to appropriate that land shown edged red on the plan for the planning purposes detailed in the report.**
- (2) Call-in of the resolution (1) above be waived, given the urgency of the decision as it was likely that a delay in progressing the development could seriously prejudice the Council's or the public's interest.**

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

Before moving the exclusion of the press and public, Councillor Jeff Green informed that it was important that the Council ensured the maximum level of openness that it could and he reassured the public that this was the aim.

**RESOLVED:**

**That, under Section 100(A)(4) of the Local Government Act 1972, the press and 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 in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. The public interest test had been applied and favoured exclusion.**

**15 TELECOMMUNICATIONS NETWORK**

A report by the Director of Finance informed the Cabinet of the outcome of tenders for the replacement of the corporate telecommunications network.

**RESOLVED:**

**That the contract for the provision of a replacement telecommunications network be awarded to British Telecom for a period of three years, at a total cost of £4,110,863, with the option to extend the contract for a further year if required.**

**16 TRANMERE ROVERS FOOTBALL CLUB - SPONSORSHIP 2010 - 2011**

A report by the Deputy Chief Executive/Director of Corporate Services recommended that the sponsorship agreement between Tranmere Rovers Football Club and Wirral Metropolitan Borough Council be renewed for a further year to cover the period 1 July 2010 to 30 June 2011.

Councillor Jeff Green reported that the Council Excellence Overview and Scrutiny Committee had undertaken a piece of work around Freedom of information. He was interested to ascertain what progress had been made and was keen to look at the

Council's processes to ensure it was more open and so the public could obtain the information it wanted.

**RESOLVED:**

**That – the Cabinet delegates to the Deputy Chief Executive authority to extend the existing sponsorship arrangements with Tranmere Rovers Football Club for a further year (from 1 July to 30 June 2011) on the basis set out in the report subject to:**

**(a) The sponsorship level being increased in line with inflation; and**

**(b) The Club agreeing that the Sponsorship Agreement is made public.**

**17 M53 JUNCTION 3 MAJOR SAFETY SCHEME - ACCEPTANCE OF TENDER**

A report by the Director of Technical Services advised the Cabinet of tenders received and sought approval to accept the lowest tender.

**RESOLVED:**

**That the lowest tender submitted by Dowhigh Ltd in the sum of £848,126.75 be accepted.**

**18 LAND AT EUROPA BOULEVARD, CONWAY PARK, BIRKENHEAD**

A report by the Director of Law, HR and Asset Management updated the Cabinet on the current situation regarding the proposed developments at Europa Boulevard/Conway Street, Conway Park, Birkenhead.

**RESOLVED:**

**That Cabinet notes the progress made and instructs the Director of Law, HR and Asset Management to report back to it at its meeting on 22 July 2010 in the expectation that all legal documentation for the commencement of development will have to be executed.**

**19 DEMOLITION AND REMEDIATION OF FORMER MINISTRY OF DEFENCE SITE AT LONG PLANTATION ROAD, BROMBOROUGH: PROJECT CLOSURE REPORT**

A report by the Deputy Chief Executive/Director of Corporate Services advised Members of the successful conclusion of the project to demolish and remediate the former Ministry of Defence Long Plantation Depot site in, Bromborough. The site, a former oil storage depot was taken into public ownership, remedied to a development standard and now benefited from new mains surface water and foul water drainage as well as a dedicated power supply.

**RESOLVED:**

**That Members note the successful completion of the project and approve the project closure report.**

**20 CHIEF SUPERINTENDENT JON WARD**

It was reported that Wirral's Area Commander, Chief Superintendent Jon Ward was moving to work in one of the toughest areas in Liverpool in July 2010.

Members paid tribute to Chief Superintendent Ward who had worked proactively on policing in Wirral and had done an outstanding job. He was a key part of Civic life in Wirral and a tremendous police officer who would be missed. Chief Superintendent John Martin would take over as Wirral's Area Commander in July 2010.