

CABINET

Thursday, 3 February 2011

<u>Present:</u>	Councillor	JE Green (Chair)	Finance and Best Value
	Councillors	S Holbrook C Blakeley S Clarke D Elderton G Gardiner A Hodson I Lewis R Moon L Rennie	Corporate Resources Housing and Community Safety Children's Services & Lifelong Learning Culture, Tourism and Leisure Environment Regeneration and Planning Strategy Community and Customer Engagement Social Care and Inclusion StreetScene and Transport Services
<u>In attendance:</u>	Councillors	G Davies P Davies S Foulkes P Hayes	

298 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor G Gardiner declared a personal interest in Item No. 20 on the agenda - Community Asset Transfer - Greasby Community Centre (Minute No. 305 refers) by virtue of her being on the Community Centre's Management Committee.

Councillor G Davies who was in attendance at the meeting declared a personal and prejudicial interest in Item No. 11 on the agenda - Review of Primary School Places - Outcome of Consultations on Options put forward for the Phase 6 Planning Area (Minute No. 301 refers) by virtue of his wife being a primary school teacher who could be affected by the review. He indicated that he would leave the meeting whilst this item of business was under discussion.

299 MINUTES

RESOLVED:

That the Minutes of the meeting of the Cabinet held on 13 January 2011 be confirmed as a correct record.

300 URGENT BUSINESS

Councillor J Green, in his capacity as Chair informed that he had agreed that the following items of urgent business be considered because they could not await the next Cabinet meeting.

- (a) Tackling Worklessness and Supporting Apprentices in Wirral through the European Social Fund (Minute No. 321(a) refers)

- (b) Early Implementer for Health and Well Being Boards (Minute No. 321(b) refers)
- (c) A referral from the Council Excellence Overview and Scrutiny Committee Meeting on 31 January 2011 – Minute No. 114. Budget Projections 2011-2013 (Minute No. 321 (c) refers)

301 REVIEW OF PRIMARY SCHOOL PLACES - OUTCOME OF CONSULTATIONS ON OPTIONS PUT FORWARD FOR THE PHASE 6 PLANNING AREA

Councillor G Davies left the meeting.

A report by the Interim Director of Children's Services advised the Cabinet of the outcomes of the consultation process that had taken place in the South Wallasey planning area which had been agreed at the Cabinet meeting held on 24 June 2010 (Minute No. 24 refers). The report also described the responses to the various options put forward for discussion, including additional suggestions made during the consultation process, and proposed recommendations with regard to statutory proposals in this area.

It was noted that school re-organisation fitted into the Council's Corporate Objectives: "to help children and young people achieve their full potential"; and "create an excellent Council". The outcomes of school re-organisation met the Council's Aim to "Close the attainment gap where poverty and disadvantage affect achievement" by the removal of surplus places to ensure public money was spent to maximum effect in all Wirral schools.

As a result of the review Kingsway Primary School in Wallasey was recommended for closure from August 2012.

The Cabinet heard representations from Miss Francine Foster, Headteacher at Kingsway Primary School, against the proposed closure. She set out the benefits of maintaining her school which was in one of the most deprived areas in the country.

The Cabinet also heard representations from Ward Councillor D Knowles who was against the closure and from Councillor P Hayes who had chaired the consultation meetings and didn't believe the case for closure had been made sufficiently in the report.

It was noted that the proposed closure had nothing to do with standards and performance and that all Wirral Primary Schools were doing well. It was about reducing surplus school places.

The Cabinet put on record its thanks and appreciation of the work done in Wirral Schools over many years.

Attention was drawn to the Wirral Waters development scheme which was a 40 year project and the need for a school in the area to accommodate children who would move into this area of Wallasey in the future.

The Cabinet turned its attention to Recommendation (3) in the report as follows:

- “(3) Brentwood Early Years Centre be monitored in terms of numbers and viability and that the governing body be supported in considering alternative options for shared governance arrangements as opportunities allow;”

And it was indicated that all Members of the Cabinet were able to agree to this.

Councillor J Green proposed that further investigation may need to be carried out but Councillor S Holbrook disagreed. He made the point that there would probably be a number of Primary School places reviews in the next 40 years or so. He felt that any deferment of the decision may destabilise primary education in Seacombe and Wallasey and moved the following Motion which was seconded by Councillor G Gardiner in the light of the clear advice, he had received from the Interim Director of Children’s Services:

- “(1) statutory proposals be published in respect of the following option: Option A1, closure of Kingsway Primary School from August 2012;
- (2) the Interim 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 and proposals for the re-zoning of schools, in furtherance of the proposals;
- (3) Brentwood Early Years Centre be monitored in terms of numbers and viability and that the governing body be supported in considering alternative options for shared governance arrangements as opportunities allow; and
- (4) a scheme be drawn up for the replacement of mobile accommodation at Somerville Primary School with permanent accommodation on a phased basis.”

Councillor J Green indicated that he considered that the judgements made in the report were accurate in the light of the information available at the time. However, he now required further information that could be obtained relatively quickly and moved the following Amendment that was seconded by Councillor L Rennie:

“That

- (1) Brentwood Early Years Centre be monitored in terms of numbers and viability and that the governing body be supported in considering alternative options for shared governance arrangements as opportunities allow;
- (2) the Interim Director of Children’s Services and his team be thanked for all of the hard work carried out on the consultation; and
- (3) no other decisions be made in respect of primary school places until an investigation has been undertaken and further information is presented to the Cabinet, as soon as possible in respect of the growth bid and the implications of the Wirral Waters planning application.”

The Amendment was put to the vote and was carried 7 for to 3 against. It then became the Substantive Motion and was put to the vote and was carried 7 for to 3 against. Consequently the Cabinet

RESOLVED: That

- (1) Brentwood Early Years Centre be monitored in terms of numbers and viability and that the governing body be supported in considering alternative options for shared governance arrangements as opportunities allow;
- (2) the Interim Director of Children's Services and his team be thanked for all of the hard work carried out on the consultation; and
- (3) no other decisions be made in respect of primary school places until an investigation has been undertaken and further information is presented to the Cabinet as soon as possible in respect of the growth bid and the implications of the Wirral Waters planning application.

Councillor G Davies returned to the meeting.

302 **BURTON'S BISCUIT FACTORY, MORETON - PROPOSED CLOSURE**

Further to Minute No. 271 (13 January 2011) Councillor J Green reported on a productive meeting he, the Interim Chief Executive and the Interim Director of Corporate Services had attended with the Trade Unions concerned. They had discussed all of the issues, considered options and would be putting the best case possible forward to keep the factory open.

RESOLVED:

That the report be received and the Trade Union representatives be thanked for their attendance at the meeting referred to above.

303 **PERFORMANCE AND FINANCIAL REVIEW - THIRD QUARTER 2010/11- REPORT AND PRESENTATION**

A report by the Interim Chief Executive set out the performance of the Council's corporate plan towards delivering the vision of building a more equal and prosperous Wirral. This report was intended to provide Members with an overview of performance, financial and risk monitoring for quarter three 2010/11. The format for reporting performance issues and financial information was currently under review and future reports would reflect any changes to the current format.

The Head of Corporate Planning, Engagement and Communications and the Deputy Director of Finance made a presentation to the Cabinet on the 2010/2011 Quarter Three Performance and Financial Review. This included the following:

- key achievements
- what had worked well
- performance issues
- future challenges
- financial headlines

RESOLVED:

That the report be noted.

304 STRATEGIC CHANGE PROGRAMME - UPDATE

A report by the Director of Technical Services/Programme Director (Strategic Change) provided an update on the Council's Strategic Change Programme. This included a summary of projects included and next steps. It was agreed that change needed to be managed properly and the Cabinet would drive every efficiency it could, commensurate with risk.

RESOLVED: That

- (1) the progress be noted and the content of the Strategic Change Programme be agreed, and
- (2) Officers be thanked for the work they have undertaken in respect of the Strategic Change Programme.

305 COMMUNITY ASSET TRANSFER - GREASBY COMMUNITY CENTRE

A report by the Director of Law, HR and Asset Management sought approval for a transfer by lease of Greasby Community Centre, in accordance with the Council's Community Asset Transfer Policy. It was noted that the transfer would promote a number of the Council's Corporate Policies including: Increase enterprise and would also promote greater independence and choice. There would be a small saving in the Council's budget as a consequence of this transfer. The transfer was not a Statutory duty.

RESOLVED: That

- (1) a transfer by lease of the Greasby Community Centre be approved and the Director of Law, HR and Asset Management be authorised to complete the necessary legal documentation, on the terms set out in the report; and
- (2) the repair works, including the works to separate the two halls, and the transitional costs for the first two years of the business plan, be funded from the Community Fund.

306 DISCRETIONARY RATE RELIEF FOR NON PROFIT MAKING ORGANISATIONS

Further to the Cabinet meeting held on 22 July 2010 a report by the Director of Finance had requested a review of the Discretionary Rate Relief policy (Minute No 97 refers). Due to legislative requirements, any changes in Council policy would only take effect from 1 April 2012 for existing recipients of discretionary rate relief.

RESOLVED: That

- (1) the Discretionary Rate Relief budget for 2010-11 be increased by £190,000 to meet the current demand;
- (2) the award of top up Discretionary Rate Relief to voluntary and aided schools, foundation, and trust schools be met from the Schools Budget from 2011-12, subject to the agreement of the Schools Forum on 25 January 2011;
- (3) all future discretionary rate relief applications in respect of properties with a rateable value of less than £18,000 be accompanied by a Small Business Rate Relief (SBRR) application to encourage SBRR take up and then to continue to reduce the reliance on the Discretionary Rate Relief budget; and
- (4) with effect from 1 April 2012, Community Interest Companies and social welfare organisations that occupy properties with rateable values under £18,000 (in line with the SBRR limits) be entitled to full discretionary rate relief and those occupying properties of £18,000 or more be considered by Members on a case by case basis.

307 PENSION FUND BUDGET 2011-12

A report by the Director of Finance outlined the Pension Fund budget incorporating the administration and investment costs for 2011-12. The report also included a revised budget for 2010-11. The Pensions Committee had approved the budget at its meeting on 11 January 2011. The Cabinet agreed that the Pension Fund was a classic example of a shared service that worked well.

RESOLVED: That

- (1) the estimates for 2011-2012 be noted; and
- (2) the Cabinet's thanks be conveyed to the officers who run the Pension fund.

308 TREASURY MANAGEMENT PERFORMANCE MONITORING

A report by the Director of Finance presented a review of Treasury Management activities during the third quarter of 2010/11 and confirmed compliance with treasury limits and prudential indicators. The report had been prepared in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code. Councillor I Lewis wanted to know how much would be saved in interest by repaying the debt.

RESOLVED: That

- (1) the Treasury Management Performance Monitoring Report be noted; and

- (2) the Deputy Director of Finance be requested to provide a written response to Councillor Lewis' question above and circulate it to all Cabinet Members for information.

309 **LOCAL HOUSING ALLOWANCE - POST OFFICE PAYOUT**

A report by the Director of Finance advised the Cabinet that Post Office 'Payout' was a service facilitating secure cash payments to the public. The report outlined the key principles of 'Payout' and advised of the need to enter into a service agreement with the Post Office in order to make payment of Local Housing Allowance for certain claimants through this service.

RESOLVED: That

- (1) **Members support a contract with the Post Office to use Payout which will benefit approximately 230 of the LHA caseload claimants (this number will increase as LHA roll-out continues); and**
- (2) **the Director of Finance be thanked for the work he has undertaken on the Customer Access Strategy.**

310 **COUNCIL TAX LOCAL DISCOUNTS**

A report by the Director of Finance examined options, eligibility criteria and the costs of Council Tax Local Discounts and requested the Cabinet to decide if any new Discounts were required.

RESOLVED:

That no amendments be made to the current discount scheme but any amendments received be considered on an individual basis.

311 **PROCUREMENT OF AN INVOICE AUTOMATION SYSTEM**

A report by the Director of Finance set out the details of a proposal to automate invoice processing. This automation was dependent upon the procurement of the system detailed in the report. In parallel to the project, the Procurement Unit was continuing to encourage the use of iProcurement to enable the new processes to bring greater efficiencies and service improvements.

The project centred on reducing costs, being able to manage all Council payments to suppliers and taking the Council from the lowest quartile in the national comparison of paying suppliers within 30 days. The investment required involved the acquisition and implementation of a suitable solution from the tender details provided in the exempt appendix to the report at the end of the Cabinet's agenda. This investment was offset by the savings generated by a reduced staffing establishment and was an eligible case for support from the Efficiency Investment Budget.

The report recommended that the Cabinet agree to the proposal and approve the use of the Efficiency Investment Budget to enable the project to be delivered. The licence and implementation costs were capital items and were proposed for inclusion in the capital programme.

RESOLVED: That

- (1) agreement be given to the procurement of an invoice automation system from the lowest bidder as indicated in the exempt appendix to the report, at a cost of £165,626, to be added to the capital programme;
- (2) the revenue cost of £27,975 be met from the Efficiency Investment Budget;
- (3) a revenue saving of £45,000 be realised in 2011-12; and
- (4) the indicative additional revenue saving of £250,000 be realised as part of the business transformation project.

312 **TENDER REPORT FOR CONSTRUCTION OF THE NEW CO-LOCATED PENSBY PRIMARY AND STANLEY SCHOOLS**

A report by the Director of Law, HR and Asset Management updated and advised the Cabinet of tenders received for the construction of a new Pensby Primary School and Stanley School, which would be co-located on the existing Pensby Primary School site, and sought approval of the most economically advantageous tender.

The proposed development would promote the Council's Corporate Priority by raising overall educational attainment, reducing the Council's carbon footprint and improving the use of the Cabinet's land and assets.

The Cabinet was recommended to accept the most economically advantageous tender submitted by Wates Construction.

Appendix A to the report contained illustrations of the proposed development.

The Exempt Appendix B to the report summarised the evaluation of the submitted tenders and was not for publication because it contained commercially sensitive information relating to the submissions of the individual bidders.

The Interim Director of Children's Services requested that call-in be waived so that the steel required for the construction work could be ordered the next day. The Interim Chief Executive indicated his agreement to this request.

RESOLVED: That

- (1) the most economically advantageous tender submitted by Wates Construction be accepted as the preferred bidder, subject to the Contractor developing a satisfactory Health and Safety Plan, the development of an acceptable target cost and the completion of contract documentation; and
- (2) the call-in procedure in respect of this matter be waived in view of the urgent need to order the steel required for the construction work.

313 EARLY INTERVENTION GRANT

A report by the Interim Director of Children's Services provided an update on the range of activities currently commissioned by the Children's Trust through external funding grants to be replaced by the Early Intervention Grant (EIG) from 2011-12. The range of activities in 2010-11 included:

- Parenting, Behaviour and Family Support, Teenage Pregnancy, Substance Misuse, Positive Activities for Young People, Sure Start and Aiming High for Disabled Children and Families.

The Cabinet noted that the Early Intervention Grant would be expected to cover other activities such as payment for Wirral's element of the pan Merseyside Connexions Contract. The report included proposals for the priorities to underpin the next round of commissioning and offered options for the length of the contracts and suggested a time line for the process. The proposals were:

- (a) In line with the Council's priorities as listed in the Cabinet Resolution at its meeting on 9 December 2010 which recommended that provision should focus on early intervention supporting vulnerable children.
- (b) Promoting greater involvement by the voluntary and community sector and also in
- (c) Producing efficiencies in service provision.

RESOLVED: That the following be approved:

- (1) **the priorities underpinning the commissioning of the early Intervention Grant to be as follows:**
 - **Sure Start**
 - **Parenting, Behaviour and Family Support**
 - **Services for Disabled Children**
- (2) **the commissioning Time line (Appendix One) as attached to the report;**
- (3) **twelve months as the agreed contract period for commissioning in round one; and**
- (4) **the Children's Trust Executive oversee and agree service specification and be accountable for the time line.**

314 SCHEME AND ESTIMATE REPORT FOR CATHCART STREET PRIMARY SCHOOL REFURBISHMENT

A report by the Interim Director of Children's Services described the work required to remodel and refurbish Cathcart Street Primary School which included the provision of a re-located satellite Children's Centre and after school club accommodation replacement and set out the costs of the scheme. .

RESOLVED: That

- (1) the Scheme and Estimate, as presented in the report, be accepted;
- (2) the Director of Law, HR and Asset Management be authorised to seek tenders for the project; and
- (3) the Director of Law, HR and Asset Management be authorised to obtain all necessary statutory approvals for the project.

315 SCHEME AND ESTIMATE REPORT FOR THE ROSCLARE "CHILDREN'S HOTEL"

A report by the Interim Director of Children's Services requested the Cabinet's approval to seek tenders to refurbish and remodel Rosclare House to provide a high quality children's short break facility. The scheme would promote the Council's Corporate Priority to improve the health and well being for all and help children and young people to reach their full potential. Financial savings would be realised by reducing the departments' residential accommodation, realigning staff teams across the short break residential service and by creating a facility that would offer flexibility to accommodate several groups of children with various disabilities at any one time, thus maximising the levels of occupation.

Whilst there was no statutory duty associated with the decision, the Governments' Aiming Higher for Disabled Children programme required the Authority to provide a short break service for carers of disabled children. This scheme formed part of the Children and Young Peoples Department's capital programme and would be funded from existing resource allocations.

RESOLVED: That

- (1) the scheme and estimate, as presented be accepted;
- (2) Studio Three on behalf of the Children and Young Peoples Department be authorised to obtain all necessary statutory approvals for the project;
- (3) Studio Three on behalf of Children and Young Peoples Department be authorised to seek tenders for the project; and
- (4) the Interim Director of Children's Services be requested to use his delegated powers to accept the lowest bona-fide tender and report his acceptance of the tender to the Cabinet in due course in accordance with the Council's procurement policy.

316 WIRRAL COUNCIL AND WIRRAL PARTNERSHIP HOMES - COMMUNITY FUND

Further to an update report on the Community Fund being considered by the Cabinet on 23 September 2010 (Minute No 147 refers), it was agreed that consideration of any future Council bids to use the Fund would be assessed after the completion of

the consultation – ‘Wirral’s future. Be a part of it.’ The report by the Director of Finance recommended the Cabinet to consider the bids to be submitted.

RESOLVED:

That the Cabinet instructs officers to make the appropriate submissions to Wirral Partnership Homes (WPH) for funding from the Community Fund in respect of the items detailed in section 4.10 of the report.

317 HIGHWAY MAINTENANCE FUNDING AND STRUCTURAL MAINTENANCE PROGRAMME 2011/12

On 13 January 2011, the Cabinet approved the Local Transport Plan Capital Programme 2011/12. The Programme included the funding for the Highway Maintenance Block, totalling £3.095 million.

A report by the Director of Technical Services presented both the proposed breakdown of that highway maintenance funding between the Bridges, Lighting and Roads/Footway elements of the network and the proposed Highway Structural Maintenance Programme 2011/12, for approval. The maintenance of highways was a statutory duty for the Council, under the Highways Act 1980 (as amended).

RESOLVED: That approval be given to:

- (1) **the proposed allocation of Local Transport Plan Capital Programme 2011/12 Maintenance Block between Street Lighting, Bridges and Roads/Footways;**
- (2) **the Detailed Highway Structural Maintenance Programme for 2011/12; and**
- (3) **the Director of Technical Services; in conjunction with the Cabinet Member for Streetscene & Transport Services and Party Spokespersons; be requested to make necessary adjustments to the priorities within the programme should the need arise due to financial, condition or other factors.**

318 ANNUAL REPORT ON PARKING ENFORCEMENT

A report by the Director of Technical Services set out information and data on the performance of the Council’s parking enforcement operations for the periods 2008/2009 and 2009/2010. Parking enforcement within Wirral was undertaken through the provisions of Part 6 of the Traffic Management 2004, enacted in March 2008 which required local authorities to produce and publish an annual report on their parking enforcement activities.

RESOLVED:

That the contents of the report be noted and approved the details of the report be noted and the proposal that the details of the report be published on the Council’s website be approved.

319 HIGHWAY AND ENGINEERING SERVICES CONTRACT - PROGRESS REPORT AND GATEWAY 5 REVIEW

A report by the Director of Technical Services informed the Cabinet of the progress of the current Highway and Engineering Services Contract, now well into its second year of operation, and of the results of the Gateway Review 5 (Benefits Evaluation) undertaken by officers from the Local Partnerships (formerly 4Ps).

The Gateway Review 5 was conducted because it provided external assurance to the Council as to whether the anticipated benefits were being delivered and that the ongoing contractual arrangements met the needs of the service. The report had been prepared in accordance with the Cabinet Resolution of 16 October 2008 (Minute No 246 refers).

RESOLVED: That

- (1) the progress made on delivering highway and engineering services through the contract arrangements be noted;
- (2) the Cabinet assurances provided by the external Gateway Review 5 be accepted, and progress made in achieving the recommendations of that review be noted; and
- (3) a progress report be presented to the Cabinet at the end of the third year of the contract's operation, by no later than June 2012.

320 NEIGHBOURHOOD PLANNING VANGUARDS - WIRRAL PROPOSAL

A report by the Interim Director of Corporate Services informed the Cabinet that the Government had announced a Neighbourhood Planning Vanguard as a pilot for proposals in the Localism Bill, introduced to Parliament in December 2010.

Two community organisations in Wirral had expressed an interest in preparing Neighbourhood Plans for their respective areas and the Council had been asked to endorse and assist in the bid for Vanguard status.

The Vanguard pilot would provide valuable experience in preparing locally-derived proposals, although at this pilot stage, any proposals must conform to existing national and local policy. The Government's objective was to promote new development and the Vanguard proposals may be judged by the Government on the extent to which they satisfied this national objective.

RESOLVED: That

- (1) the submission of two community organisations' (Devonshire Park Residents' Association and Hoylake Village Life) proposals for the Neighbourhood Planning Vanguard, which is promoted by the Department for Communities and Local Government be endorsed; and
- (2) agreement be given for officers to assist Devonshire Park Residents' Association and Hoylake Village Life in determining boundaries and

preparing draft Neighbourhood Plans for the two potential pilot areas of Wirral.

321 ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)

- (a) **Tackling worklessness and supporting apprentices in Wirral through the European Social Fund. (Minute No. 300 (a) refers).**

A report by the Interim Director of Corporate Services provided the Cabinet with an update regarding two European Social Fund (ESF) opportunities to address worklessness and to support apprentices via the City Employment Strategy (CES) Pathfinder Enabling Programme.

Members' approval was sought for delegated authority to agree the contract to enable the Council to be Accountable Body for the ESF funds.

Members were also advised of the

- recommendations from the procurement process to select a delivery partner for an element of the worklessness programme and approval was sought to appoint a supplier to deliver the contract on behalf of the Council.
- outcome of negotiations with Greater Merseyside Connexions Partnership (GMCP) following the CES Board request that each authority work with GMCP to consider how a consistent participant "aftercare" element could be incorporated into the ESF apprenticeship contract.

Appendix 1 to the report contained commercially sensitive information regarding a competitive tendering process the disclosure of which was not considered to be appropriate. Accordingly, it was deemed to be exempt from disclosure under paragraph 3, Part 1 of schedule 12A of the local Government Act 1972 (as amended). (Minute No. 324 refers).

RESOLVED: That

- (1) **the Cabinet agrees to delegate responsibility to the Director of Law, Asset Management and HR and the Interim Director of Corporate Services to finalise and sign the funding agreements for worklessness and apprenticeships with Knowsley Council in consultation with the Leader of Council and the Portfolio Holder for Economy and Regeneration, in respect of:**

- **Enabling the Council to be Accountable Body for the City Employment Strategy ESF resource of £1,220,310 to deliver activity to reduce worklessness; match funded with Council resources of £1,220,310 providing a total of £2,440, 620, as approved by the Cabinet on 9 December 2010; and**
- **Enabling the Council to be Accountable Body for the City Employment Strategy ESF funds of £655,960 to deliver activity to support apprenticeships; match funded with**

Council resources of £1,058,579 providing a total of £1,714,539, as approved by Cabinet on 9th December 2010.

- (2) following an OJEU Accelerated Restricted process ensuring a competitive procurement procedure, accept the most economically advantageous tender in terms of quality/price and appoint a consortium led by Involve Northwest to deliver elements of the worklessness contract on behalf of the Council to the value of £1,461,484, be accepted;
 - (3) the Interim Director of Corporate Services be authorised to progress other enabling actions to support the delivery of worklessness as outlined in Paragraph 4.3.10 of the report.
- (b) Early Implementation for Health and Wellbeing Boards. (Minute No. 300 (b) refers).**

A report by the Interim Chief Executive informed that on 27 January 2011 the Department of Health had issued a letter asking Local Authorities to consider whether they would wish to become an Early Implementer for Health and Wellbeing Boards. The deadline for requests was 1 March 2011. (A copy of the letter was attached to the report for Members' information).

As part of the proposals for Health reforms the Government had recently announced the establishment of Health and Wellbeing Boards which would bring together Councils with NHS Commissioners, working to join up services across the NHS, public health, social care and children's services. Relevant GP Consortia would have a statutory responsibility to be members of the board, as would elected Members. In the case of Wirral it was anticipated that this would be the three Group Leaders, with the Board being chaired by The Leader of the Council.

Directors of Children's Services, Directors of Adult Social Services and Directors of Public Health as well as local HealthWatch should also be members of the board.

Joint working and Joint Strategic Needs Assessment (JSNA) would be at the heart of both councils and NHS commissioner's statutory responsibilities with the health and wellbeing board as the vehicle to make this a reality.

It was noted that Health and Wellbeing Boards would take the lead on developing a shared understanding of local needs (through the Joint Strategic Needs Assessment) (JSNA), and setting the priorities and strategy for health and wellbeing for the local community (through the Joint Health and Wellbeing Strategy). These strategies would inform commissioning plans for NHS commissioners and councils, providing a basis for joint working and commissioning.

It was reported that subject to Parliamentary approval, Health and Wellbeing Boards would be established from 2013 running in shadow form from 2012 with 2011/2012 being a transitional year.

The Department of Health has worked with an initial group of 25 Councils to design the focus and approach of an Early Implementer Network.

The Department of Health have suggested that Early Implementers should:

- have sign-up and commitment from the top of the organisation (Leader and Chief Executive);
- be genuinely committed to taking this forward in partnership, particularly with emerging GP consortia
- be prepared to actively participate in sharing information and learning with other areas.

Three separate GP Consortia had been established across Wirral, all three of which had now been awarded pathfinder status. The Council had worked to begin to develop close working relationships with each of the three Consortia. It was considered appropriate for the Council to become an Early Implementer for the following reasons:

- it has a history on Wirral of effective local partnerships;
- through these partnerships, the Council has good links with existing agencies, and are developing positive relationships with the emerging GP Commissioning Consortia, who are all in support of it becoming an early implementer for Health and Wellbeing Boards, and who are all Pathfinder GP Commissioning Consortia. The proposal to become an Early Implementer is also supported by Wirral University Hospital Trust, the Cheshire and Wirral Partnership NHS Trust and NHS Wirral;
- the Council is keen to see effective commissioning of value for money public services, which are driven by an understanding of local needs gained through the JSNA, and through the development of a Joint Health and Wellbeing Strategy which it would like to see in place as early as possible;
- the Council has a robust JSNA in place currently, developed under the leadership and duties placed on the Director of Public Health, Director of Adult Social Services and Director of Children and Young People's Services. This is already influencing local commissioning decisions and the Council is looking to involve the developing GP consortia in the refresh of the JSNA during the coming year; and
- the pattern of future commissioners on Wirral (i.e. the Local Authority, three GP consortia, Public Health England and the NHS Commissioning Board) will require a coordinated approach to ensure integrated and effective pathways of support and care are put in place for our residents.

The NHS operating framework for 2011/2012 announced the establishment of PCT Clusters to facilitate the move towards the new arrangements set out in the Health and Social Care Bill. These Clusters would not in themselves be

statutory bodies as the existing PCT's would remain the statutory body. It was understood that NHS Wirral was likely to become part of the Cheshire Cluster. This Cluster option was supported by NHS Wirral and it was proposed that the Council support this position.

As it was necessary for the Council to respond the Department of Health's letter by 1 March 2011 Members were unanimously in the view that the call-in procedure should be waived and the Interim Chief Executive indicated his agreement to the proposal.

RESOLVED: That

- (1) **the proposal that the Council formally requests to become an Early Implementer of Health and Wellbeing Boards and support NHS Wirral's proposal for PCT Clustering be agreed; and**
 - (2) **the call-in procedure be waived so that a response can be sent to the Department of Health by 1 March 2011.**
- (c) **Referral from Council Excellence and Scrutiny Committee meeting on 31 January 2011 – Minute No. 114 Budget Projections 2011-2013. (Minute No. 300 (c) refers).**

The Council Excellence Overview and Scrutiny Committee had considered a report by the Director of Finance which had provided an update in relation to the projected budgets for 2011/2012 and 2012/2013, taking into account the Comprehensive Spending Review presented on 20 October 2010 and the provisional Local Government Finance Settlement, presented to the Cabinet on 13 January 2011 (Minute No. 276 refers).

Consequently, the Committee had resolved:

- "(1) That this Committee recognises the difficult financial challenges faced by the Council.
- (2) That Committee notes that Wirral Council will lose over £52m in the form of central government funding in 2011/2012, which will impact on the Council's ability to deliver high quality services.
- (3) That the Cabinet be requested to make vigorous representations to the Government, to reconsider the scale of savings which Wirral is being asked to achieve, given the level of need in Wirral which must be met.
- (4) That this Committee recognises the considerable difficulties facing this and other local authorities. It considers that the Local Government Association (LGA) and the Government must assess the consequences of front loading and recognise that, without dialogue and a deeper understanding, the ability of local Councils to deliver services and respond to localism agenda can only be compromised."

The Cabinet considered resolution (3) above and it was

RESOLVED:

That the Council Excellence Overview and Scrutiny Committee be thanked for its thoughts which were given due consideration.

322 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.

323 PROGRESS REPORT ON THE PAN MERSEYSIDE CONNEXIONS CONTRACT

The Cabinet had received a report at its meeting on 15 October 2009 that set out the outcome of the Competitive Dialogue Process that resulted in Greater Merseyside Connexions Service (GMCS) being awarded the contract for the provision of Connexions Services to the six Merseyside Authorities for the period January 2010 to 31st March, 2012. (Minute No 173 refers) The current agreement with GMCS was that by 31 March 2011 the six authorities, must give notice as to whether the contract would be extended up to March 2014. A report by the Interim Director of Children's Services provided details about the changing Policy Context and an up-date on the current negotiations that had been led by Halton Borough Council as lead Authority with GMCS.

The report was Exempt and not for publication under paragraph 3(b) of Part 1 of Schedule 12A to the Act as it was being considered by the respective Cabinets of the six Merseyside authorities, it dealt with contractual negotiations with the Greater Merseyside Connexions Partnership and disclosure would prejudice the efficiency and effectiveness of the Council's resources.

RESOLVED: That

- (1) the current position in respect of the Connexions Service, including contract deadlines be noted;**
- (2) officers be authorised on behalf of the Council to continue to negotiate with Greater Merseyside Partnership in respect of the 2011/2012 contract and service specification, together with the five Local Authority areas in the Liverpool City Region (LCR);**
- (3) officers be authorised to seek Counsel's advice, as required, to determine the capacity of Local Authorities to reduce the core value of the contract (to be undertaken on a shared cost basis across the 6 Local Authorities); and**

- (4) at this stage it be noted that officers from all LCR Councils are indicating that they will not recommend to Elected Members that the contract should continue (in its current form) if notice has to be given by 31 March 2011.

324 **EXEMPT APPENDICES**

Further to Minute Nos 311, and 312 and 321(a), the Cabinet considered appendices to the reports on the agenda for the meeting that contained exempt information that, if disclosed, may provide information relating to the financial/business affairs of a third party.

RESOLVED:

That the contents of the Appendices containing exempt information that cannot be considered in the presence of the press and public be noted.