



# Cabinet

<b>Date:</b>	<b>Thursday, 17 March 2011</b>
<b>Time:</b>	<b>6.15 pm</b>
<b>Venue:</b>	<b>Committee Room 1 - Wallasey Town Hall</b>

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## AGENDA

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

The members of the Cabinet are invited to consider whether they have a personal or prejudicial interest in connection with any of the items on this agenda and, if so, to declare it and state the nature of such interest.

### 2. MINUTES

The minutes of the last meeting have been printed and published. Any matters called in will be reported at the meeting.

RECOMMENDATION: That the minutes be approved and adopted.

## FINANCE AND BEST VALUE

### 3. PROJECTED BUDGET 2012 - 2015 (Pages 1 - 6)

### 4. REVENUES SERVICES (Pages 7 - 10)

### 5. BANK SIGNATORIES (Pages 11 - 14)

### 6. PRINT SERVICES (Pages 15 - 18)

**7. NHS REFORM AND PUBLIC HEALTH (Pages 19 - 46)**

**CORPORATE RESOURCES**

**8. CORPORATE PLAN 2011 - 2014**

Report of the Interim Chief Executive to be circulated separately

**9. NOMINATION OF MAYOR AND DEPUTY MAYOR FOR MUNICIPAL YEAR 2011/2012**

The Cabinet is requested to make nominations for the positions of Mayor and Deputy Mayor for the municipal year 2011/2012, which will be submitted to the Annual Meeting of the Council.

**10. COMMITTEE CALENDAR FOR MUNICIPAL YEAR 2011/2012 (Pages 47 - 64)**

**11. VALE HOUSE NEW BRIGHTON - COMMUNITY ASSET TRANSFER (Pages 65 - 72)**

**12. DELAMERE COMMUNITY CENTRE - COMMUNITY ASSET TRANSFER (Pages 73 - 80)**

**13. NOCTORUM COMMUNITY CENTRE - COMMUNITY ASSET TRANSFER (Pages 81 - 88)**

**14. HESWALL HALL AND ALEXANDER HALL - COMMUNITY ASSET TRANSFER**

Report of the Director of Law, HR and Asset Management to be circulated separately

**15. OVERTON COMMUNITY CENTRE - COMMUNITY ASSET TRANSFER (Pages 89 - 92)**

**STREETSCENE AND TRANSPORT SERVICES**

**16. LOCAL TRANSPORT CAPITAL FUNDING AND THE INTEGRATED TRANSPORT BLOCK FUNDING 2011/2012 (Pages 93 - 118)**

**17. HIGHWAYS WINTER MAINTENANCE COSTS (Pages 119 - 124)**

**18. WIRRAL FLOOD AND WATER MANAGEMENT (Pages 125 - 142)**

**CULTURE, TOURISM AND LEISURE**

**19. PARKS AND COUNTRYSIDE SERVICES PROCUREMENT EXERCISE (PACSPE) - INVITATION TO TENDER (Pages 143 - 158)**

The updated business case for the project contains commercially

sensitive information and, as its disclosure could have a bearing on the forthcoming tender exercise, the information is summarised in an exempt appendix at agenda item 29.

## **HOUSING AND COMMUNITY SAFETY**

### **20. CHOICE BASED LETTINGS (Pages 159 - 214)**

## **SOCIAL CARE AND INCLUSION**

### **21. COMMITTEE REFERRAL - SCRUTINY PROGRAMME BOARD - ALCOHOL SCRUTINY REVIEW (Pages 215 - 262)**

At its meeting held on 5 January 2011 (minute 44 refers), the Scrutiny Programme Board gave consideration to the Alcohol Scrutiny Review – Final Report.

The Board supported the content and recommendations of the Review and referred it to the Cabinet for consideration and approval.

### **22. EXTENSION OF TEMPORARY TRANSPORT CONTRACTS (Pages 263 - 266)**

### **23. CONTRACTS FOR PERSONAL SUPPORT**

Report of the Interim Director of Adult Social Services to be circulated separately

### **24. DEPARTMENT OF ADULT SOCIAL SERVICES PROGRESS REPORT - INTERIM MANAGEMENT ARRANGEMENTS**

Report of the Interim Director of Adult Social Services to be circulated separately

## **CHILDREN'S SERVICES AND LIFELONG LEARNING**

### **25. CYPD CAPITAL PROGRAMME 2011/2012 (Pages 267 - 278)**

### **26. SPECIAL GUARDIANSHIP ORDER POLICY (Pages 279 - 300)**

### **27. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)**

To consider any other business that the Chair accepts as being urgent.

### **28. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

The following items contain exempt information.

RECOMMENDATION: 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.

**29. EXEMPT APPENDICES (Pages 301 - 308)**

- PACSPE Report (Agenda Item 19)

**30. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 2)**

To consider any other business that the Chair accepts as being urgent.

## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT</b>	<b>BUDGET PROJECTIONS 2012-15</b>
<b>WARD/S AFFECTED</b>	<b>ALL</b>
<b>REPORT OF</b>	<b>DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER</b>	<b>COUNCILLOR JEFF GREEN</b>
<b>KEY DECISION</b>	<b>YES</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 Following the agreement of the budget for 2011-12 at the Council meeting on 1 March 2011, this report presents the projected budget for 2012-15.

#### 2.0 RECOMMENDATION

- 2.1 That the budget projections be regularly reviewed.

#### 3.0 REASON FOR RECOMMENDATION

- 3.1 Regular reporting of the projected financial prospects is a requirement of good corporate and financial planning.

#### 4.0 BACKGROUND AND KEY ISSUES

##### 4.1 Assumptions Underpinning the Projections

- a) Inflation - Provision is made for price inflation of 2% per annum with income to continue to increase by 3% per annum. Pay awards will be limited to those employees earning less than £21,000 per annum for 2012-13 and are assumed to increase by 2% per year from 2013.
- b) Capital Financing - Cabinet on 21 February 2011 agreed a capital programme at an increased revenue cost of £1.9m in 2012-13.
- c) Pension Fund - the increase arising from the actuarial valuation including the impact of the outsourcing of the highways and engineering services contract will increase the contribution by £0.3m in 2012-13 and by £0.3m in 2013-14.
- d) Waste Disposal - Landfill Tax is increasing by £8 per ton per annum, an increase of 50% between 2010-11 and 2014-15. The levy is assumed to increase by £1.5m per year from 2013.
- e) Merseytravel - the levy is to increase in 2011-12 by £1.6m, the element of the grant receivable for concessionary travel. From 2013 it is assumed to increase by £1m per year.
- f) Schools - it is assumed that the Schools Budget will vary in line with the Dedicated Schools grant.

- g) Efficiency Investment - in order to continue to deliver efficiencies in future years it will be necessary to continue to invest and therefore £2m per annum has been provided.
- h) Other Unavoidable Growth - a number of items of unavoidable growth of less than £0.2m will arise. These usually total about £1m per annum.

## 4.2 Grant Negotiations

- 4.2.1 The Local Government Finance Settlement for 2011-12 incorporated a provisional settlement for 2012-13. The Formula Grant will be reduced by £14m.
- 4.2.2 The Spending Review 2011-15 incorporated four year projections for local government expenditure. However the Finance Settlement only provided figures for 2011-13. Figures for 2013-15 will be subject to the outcome of a Local Government Resources Review to be concluded by July 2011. Clearly this will have a major impact on the budget projections for 2013-15 included in the appendix.

## 4.3 Other Legislative Issues

- 4.3.1 Independent Public Service Pensions Commission - Due to report in March 2011.
- 4.3.2 Welfare Reform Bill – Implementation of Universal Credit due to commence in 2013.
- 4.3.3 Localism Bill - Will require a local referendum if a proposed Council Tax increase is considered to be excessive from 2012-13.
- 4.3.4 Council Tax Revaluation - This has been deferred until after 2015.
- 4.3.5 **Census** - During the course of this budgeting period the results of the Census 2011 will become available and will be incorporated into the grant distribution formulae. The Office for National Statistics has released the Mid 2009 estimated populations. The reduction for Wirral since the Census 2001 is greater than for any other metropolitan or unitary authority. If this is confirmed in the Census 2011 then the reduction in grant receivable could be significant.

#### 4.4 Balances

- 4.4.1 The budget for 2011-12 includes balances of £14m.
- 4.4.2 The final phase of the Early Voluntary Retirement/Voluntary Severance Scheme covering those staff due to depart in early 2011-12 is projected to utilise £4.4m of the balances.
- 4.4.3 The budget for 2011-12 will utilise £2.8m of the balances to fund one-off expenditure.
- 4.4.4 Therefore the balances are projected to be £6.8m at 31 March 2012.

#### 4.5 Savings

- 4.5.1 Cabinet has previously agreed to the following savings:-

	2012-13	2013-14	2014-15
	£000	£000	£000
Human Resources IT System	474	100	20
Integrated Transport	340	250	
Family Group Conferencing	130		
IT Services	400	400	400
Benefits	<u>1,200</u>	<u></u>	<u></u>
	2544	750	420

- 4.5.2 The full year effect of the Early Voluntary Retirement/Voluntary Severance scheme savings totalling £24m will be achieved in 2012/13. This will increase to £27m after the cost of the pensions have been met.

#### 5.0 RELEVANT RISKS

- 5.1 Any projections carry risks. For 2012-13 the Government has indicated the provisional Formula Grant and so the risks are primarily with the expenditure projections which will be influenced by changes to Government policies, inflation, and delivery against budgets in 2011-12.
- 5.2 For 2013-15 the Government proposes significant changes to the grant distribution system which could cause major changes to these projections.

#### 6.0 OTHER OPTIONS CONSIDERED

- 6.1 All of these projections represent my assumptions of the most likely outcome from a wide range of available options.

#### 7.0 CONSULTATION

- 7.1 The Government is consulting on a number of issues which will impact on the budget projections. I respond to all consultation exercises to try to ensure the best outcome for Wirral.

#### 8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 8.1 There are no direct implications arising from this report.

## **9.0 RESOURCE IMPLICATIONS – FINANCIAL**

9.1 The assumptions outlined above are reflected in the budget projections in the Appendix.

## **10.0 LEGAL IMPLICATIONS**

10.1 There are none arising directly from this report.

## **11.0 EQUALITIES IMPLICATIONS**

11.1 There are none arising directly from this report.

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are none arising directly from this report.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are none arising directly from this report.

FNCE/40/11

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## **APPENDICES**

Budget Projections 2012-15

## **REFERENCE MATERIAL**

Budget - HM Treasury - March 2010 and June 2010  
Independent Public Service Pensions Commission Interim Report - October 2010  
Spending Review - HM Treasury - October 2010  
Medium Term Financial Strategy 2011-14 - November 2010  
Local Government Finance Settlement 2011-13 - DCLG - January 2011  
Council Budget 2011-12 - March 2011

## **SUBJECT HISTORY**

<b>Council Meeting</b>	<b>Date</b>
Budget Cabinet	21 February 2011
Cabinet	13 January 2011
Cabinet	9 December 2010
Cabinet	25 November 2010
Cabinet	4 November 2010
Cabinet	14 October 2010
Cabinet	23 September 2010
Cabinet	2 September 2010
Cabinet	22 July 2010



**Wirral Council  
Budget Projections 2012-15**

	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
Base Budget	293.9	279.5	265.7
Increased Requirements			
Pay Inflation	1.0	3.5	3.5
Price Inflation	4.2	4.2	4.2
Capital Financing	1.9	2.0	2.0
Pension Fund	0.3	0.3	2.5
Waste Disposal	-	1.5	1.5
Merseytravel	-	1.0	1.0
Other Unavoidable Growth	1.0	1.0	1.0
Efficiency Investment	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>
	304.3	295.0	283.4
Reduced Requirements			
Income Inflation	-1.0	-1.0	-1.0
Savings Agreed	<u>- 2.5</u>	<u>-0.7</u>	<u>-0.4</u>
	300.8	293.3	282.0
Resources			
Formula Grant	144.8	131.0	117.0
Council Tax Grant	3.3	3.3	3.3
Council Tax	131.4	131.4	131.4
Forecast Resources	279.5	265.7	251.7
Shortfall	21.3	27.6	30.3

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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>REVENUES SERVICES</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR JEFF GREEN</b>
<b>KEY DECISION</b>	<b>YES</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report details the changes being made within the Finance Department that will result in the creation of a Revenues Section which will be responsible for the billing and collection of: Council debts, Non Domestic Rates and Council Tax. The report details the timescales and the likely savings that will be realised by these changes.

#### 2.0 RECOMMENDATIONS

- 2.1 That Cabinet agree to the creation of a Revenues Section from the merger of the Council Tax and Miscellaneous Income Sections in Finance with the Personal Finance Section in Adult Social Services.
- 2.2. That Cabinet agree the saving of £398,400 from the merger.
- 2.3. That Cabinet note the continued delivery of services with a reduction of 22.6 FTE.

#### 3.0 REASON FOR RECOMMENDATIONS

- 3.1 To comply with the decision of the Cabinet on 14 October 2010 to transfer the responsibility for the Personal Finance Team from Adult Social Services to Finance.

#### 4.0 BACKGROUND AND KEY ISSUES

- 4.1 Since the abolition of General Rates in 1990 the billing and collection of domestic and commercial taxes have been the responsibility of two separate sections. The collection of what is known as Sundry Debtors or Miscellaneous Income has been based in the Income Section alongside National Non Domestic Rates. The Income Section collects on behalf of many Council services while some services within departments retain direct billing and collection roles. Cabinet on 14 October 2010 agreed to integrate Personal Finance from the Department for Adult Social Services into the Finance Department.

- 4.2. The opportunity to look at a wider amalgamation arose from the outcome of the Early Voluntary Retirement/Severance exercise which will result in staff from both the Council Tax and Income Sections departing. This includes both the Principal Income Officer (the Section Head) and the Income Manager.
- 4.3. The team of six fte that administer National Non Domestic Rates and collect over £67m per annum will reduce to 2.5 fte by July 2011. This reduced level of staffing needs to be subsumed into a larger section and allow their knowledge and functions to be supported by a wider pool of staff. This is most effectively achieved by a merger with Council Tax. This is also true of the Income Control functions which ensure proper and timely banking and reconciliation of Council income and as there are similar functions within Council Tax these will also merge.
- 4.4. The similarity in expertise in these two sections allows a reduction in the direct management costs of the two operations. There will also be a more centralised control of all IT systems which will bring efficiencies. Currently Miscellaneous Income and Personal Finance enquiries are handled at their own receptions and I will look to move as much of this customer contact work as possible to the Call Centre and One Stop Shops while continuing to promote the increased use of the web for self access and payment. This will be done without any detriment to service standards currently delivered.
- 4.5. As part of the asset management review Westminster House is being vacated and one of the early moves identified was of the billing and collection element of Department for Adult Social Services Personal Finance Section of 14 staff. The section moved to the Municipal Building on Cleveland Street in February 2011.
- 4.6. The initial changes to both Council Tax and Miscellaneous Income sections occurred in January 2011 with more to follow in April 2011 and these initial changes within each section have been agreed with staff representatives. The next stage will occur when more staff leave and the two sections will merge from 1 July 2011. It is vital that the changes are in place earlier so that designated staff can begin to be trained prior to staff leaving. Discussions with staff representatives are underway and all parties are aware of the timescale and the need to retain the high standards that these sections deliver.
- 4.7. As it has been possible to move the Personal Finance Section quickly I will look to see what elements of their work can be merged in the same timescale or as soon as practical thereafter.
- 4.8. Given the above I propose to rename the section as Revenues from 1 July 2011.

## **5.0 RELEVANT RISKS**

- 5.1 If the changes are not properly co-ordinated and brought in then this could affect collection in key billing areas and impact on the financial position. The work being undertaken to achieve this change should eliminate this risk.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 No other options were considered given the clear links in billing and collection requirements.

## **7.0 CONSULTATION**

- 7.1 No external consultation was undertaken as no external body should be affected. Normal staff representative discussions are ongoing on the various stages of these proposals.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 There are no implications arising directly from this report.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING AND ASSETS**

- 9.1 **FINANCIAL** – The saving from staff in Miscellaneous Income, Council Tax and Personal Finance leaving under the EVR/Severance scheme is £398,400. The combined Revenues section budget has been reduced by this amount.
- 9.2. **STAFFING** - There are 9 (6.6 fte) staff leaving the Miscellaneous Income section, 15 (11 fte) from Council Tax and 5 from Personal Finance under the EVR scheme. The initial staff discussions have agreed the changes for April 2011 which are largely re-allocating resources with each section. Discussions are ongoing in respect of the July 2011 changes. These will include a number of duties and responsibilities changing and these will be assessed through the job evaluation scheme administered by Human Resources and structure changes will be agreed under the appropriate scheme of delegation.
- 9.3. As part of this review Customer Services staff at the Call Centre and One Stop Shops will take on elements of public contact work and again staff discussions will take place on those changes.
- 9.4. **IT** - There are no implications for IT Services arising directly from this report.
- 9.5. **ASSETS** – The merging of these sections has allowed the release of further space at Westminster House.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 There are no implications arising directly from this report.

## **11.0 EQUALITIES IMPLICATIONS**

11.1 There are no implications arising directly from this report.

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are no implications arising directly from this report

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no implications arising directly from this report

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FNCE/27/11

## **APPENDICES**

NONE

## **REFERENCE MATERIAL**

NONE

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	9 December 2010
Cabinet	14 October 2010

## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT</b>	<b>BANK SIGNATORIES</b>
<b>WARD/S AFFECTED</b>	<b>ALL</b>
<b>REPORT OF</b>	<b>DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER</b>	<b>COUNCILLOR JEFF GREEN</b>
<b>KEY DECISION</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1. This report seeks approval to amend the nominated personnel on the existing bank mandates.

#### 2.0. RECOMMENDATIONS

- 2.1. That National Westminster and Santander be authorised to accept cheques and other instructions on behalf of the Council signed in accordance with existing mandates by the following:-

Director of Finance	Ian E. Coleman
Deputy Director of Finance	David L.H. Taylor-Smith
Head of Financial Services	Thomas W. Sault
Head of Benefits, Revenues And Customer Services	Malcolm J. Flanagan
Head of IT Services	Geoffrey W. Paterson
Head of Support Services	Michael J. Fowler
Chief Accountant	Peter J. Molyneux
Chief Accountant	Jenny Spick

- 2.2. That the Royal Bank of Scotland and State Street be authorised to accept cheques and other instructions on behalf of the Council signed in accordance with existing mandates by the following:-

Director of Finance	Ian E. Coleman
Deputy Director of Finance	David L.H. Taylor-Smith
Head of Financial Services	Thomas W. Sault
Head of Benefits, Revenues And Customer Services	Malcolm J. Flanagan
Head of IT Services	Geoffrey W. Paterson
Head of Support Services	Michael J. Fowler
Deputy Head of Pension Fund	Peter G. Mawdsley
Financial Controller	Gerard F. Moore
Benefits Manager	Kevin J. Greenough
Members Services Manager	Yvonne M. Caddock

### 3.0. **REASON FOR THE RECOMMENDATIONS**

3.1. To amend the bank signatories.

### 4.0. **BACKGROUND AND KEY ISSUES**

4.1. The Council currently operates bank accounts with:-

- National Westminster, Birkenhead (main accounts)
- Royal Bank of Scotland, Liverpool (Merseyside Pension Fund)
- Santander (income collection through Girobank)
- State Street (Merseyside Pension Fund international transactions).

4.2. Transactions on these accounts have to be authorised by an approved signatory, and in the main this is satisfied by cheques bearing the pre-printed signature of the Director. Larger payments (£10,000 on the main account £5,000 on the Pension Fund account) require a second signature on the cheque. Other instructions to the Banks generally require two signatures.

4.3. Copies of the list of bank and cheque signatories are usually required by all counterparties to money market transactions and often by counterparties to leasing transactions.

4.4. The current approved signatories to the National Westminster and Santander accounts are:-

Director of Finance	Ian E. Coleman
Deputy Director of Finance	David L.H. Taylor-Smith
Head of Financial Services	Thomas W. Sault
Head of Benefits, Revenues And Customer Services	Malcolm J. Flanagan
Head of IT Services	John O. Carruthers
Head of Support Services	Stephen J. Rowley
Head of Change	Jacqueline Roberts
Chief Accountant	Robert D. Neeld
Chief Accountant	Peter J. Molyneux
Chief Accountant	Jenny Spick

4.5. The current approved signatories to the Royal Bank of Scotland and State Street accounts are:-

Director of Finance	Ian E. Coleman
Deputy Director of Finance	David L.H. Taylor-Smith
Head of Financial Services	Thomas W. Sault
Head of Benefits, Revenues And Customer Services	Malcolm J. Flanagan
Head of IT Services	John O. Carruthers
Head of Support Services	Stephen J. Rowley
Head of Change	Jacqueline Roberts
Deputy Head of Pension Fund	Peter G. Mawdsley



Financial Controller  
Benefits Manager  
Members Services Manager

Gerard F. Moore  
Kevin J. Greenough  
Yvonne M. Caddock

- 4.6. John Carruthers, Stephen Rowley and Jacqueline Roberts have recently vacated the positions indicated above. Robert Neeld is currently seconded to the Director of Technical Services.
- 4.7. Geoffrey William Paterson has been appointed to the post of Head of IT Services and Michael James Fowler has transferred from the Department of Adult Social Services to the post of Head of Support Services.
- 4.8. For the National Westminster and Santander accounts approval is requested for the following signatories:-

Director of Finance  
Deputy Director of Finance  
Head of Financial Services  
Head of Benefits, Revenues  
And Customer Services  
Head of IT Services  
Head of Support Services  
Chief Accountant  
Chief Accountant

Ian E. Coleman  
David L.H. Taylor-Smith  
Thomas W. Sault  
  
Malcolm J. Flanagan  
Geoffrey W. Paterson  
Michael J. Fowler  
Peter J. Molyneux  
Jenny Spick

- 4.9. For the Royal Bank of Scotland and State Street accounts approval is requested for the following signatories:-

Director of Finance  
Deputy Director of Finance  
Head of Financial Services  
Head of Benefits, Revenues  
And Customer Services  
Head of IT Services  
Head of Support Services  
Deputy Head of Pension Fund  
Financial Controller  
Benefits Manager  
Members Services Manager

Ian E. Coleman  
David L.H. Taylor-Smith  
Thomas W. Sault  
  
Malcolm J. Flanagan  
Geoffrey W. Paterson  
Michael J. Fowler  
Peter G. Mawdsley  
Gerard F. Moore  
Kevin J. Greenough  
Yvonne M. Caddock

## 5.0 RELEVANT RISKS

- 5.1 There are none arising directly from this report.

## 6.0 OTHER OPTIONS CONSIDERED

- 6.1 No other options were considered.

## **7.0 CONSULTATION**

7.1 No consultation has been undertaken.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

8.1 There are no direct implications arising from this report.

## **9.0 RESOURCE IMPLICATIONS**

9.1 There are none arising directly from this report.

## **10.0 LEGAL IMPLICATIONS**

10.1 There are none arising directly from this report.

## **11.0 EQUALITIES IMPLICATIONS**

11.1 There are none arising directly from this report.

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are none arising directly from this report.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are none arising directly from this report.

FNCE/31/11

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## **APPENDICES**

None

## **REFERENCE MATERIAL**

None.

## **SUBJECT HISTORY**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	15 April 2010

## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>PRINT SERVICES</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>CLLR. JEFF GREEN</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to confirm the charging policy for services provided by the Print Unit and to provide an update on the progress of the policy to replace small desktop and office printers with multi-functional devices, which are capable of copying, scanning, printing and faxing.

### 2.0 RECOMMENDATION/S

- 2.1 That Members confirm the charging policy for the Print Unit and reaffirm support for the agreed policies of:
- The purchase of printers, scanners, copiers and faxes being controlled by the Print Manager.
  - Where cost effective, the replacement of desktop and small offices printers, copiers, scanners and faxes with multi-functional devices and the subsequent removal of the redundant devices.
  - The placing of all orders for printing through the Print Manager and Print Unit

### 3.0 REASON FOR RECOMMENDATION

- 3.1 To confirm the charging policy for the Print Unit and to ensure printing services are provided in a cost effective and ecologically friendly way.

### 4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Print Unit operates as a traded service within the Authority. It is wholly funded by the income it receives by providing printing services to departments, schools and a few external companies. The established policy is to charge for services on the basis of incurred cost plus 10% for all external work. Any surplus income is held in a reserve fund to offset periods of poor trading and provide capital for replacement equipment.

- 4.2 The Best Value Review of Communications, carried out by Xerox during 2002/3, identified that by taking a centralised approach to the provision of printing then significant savings could be made. One of the key recommendations was the replacement of numerous individual office printers, scanners, copiers and faxes with a much smaller number of strategically placed multi-functional devices.
- 4.3 The report produced by Xerox identified almost 2,000 separate devices in use in offices, including over 1,400 desktop and office printers. Installation of multi-function devices has reduced the number of smaller printers in use to approximately 320. Additional cost savings can be made by a further reduction of these devices.
- 4.4 Cost savings are derived from the cost difference between consumable items used on the multi-function devices and small office printers. It is estimated that production of a single side of A4 output costs between 2.5p and 4.2p on small to medium sized printers, compared with between 0.35p and 0.5p on the multi-functional devices. Some smaller printers are not capable of producing duplex output, which increases paper costs and has a corresponding impact on carbon emissions.
- 4.5 The multi-functional devices have power saving features included as standard, which are not available on some smaller printers, and consequently they tend to use less power and contribute less to carbon emissions.

## **5.0 RELEVANT RISKS**

- 5.1 That the policy is not fully implemented and the use of desktop and small office printers continues resulting in higher costs and higher carbon emissions.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 The Best Value Review of Communications considered the full range of printing options.

## **7.0 CONSULTATION**

- 7.1 Consultations will be held with departments and schools to maximise the use of multi-functional devices where cost effective. There are no implications for partner organisations.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 There are no implications for voluntary, community and faith groups.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 Savings can be made by reducing the number of smaller printers in use. This is estimated to save £500,000 over two years.
- 9.2. ICT resources will be required to install and configure devices, which can be provided from within existing resources.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 There are no legal implications.

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 There are no equalities implications. Devices will be located so as not to disadvantage staff with physical impairments.
- 11.2 Equality Impact Assessment (EIA)
- |                                       |     |
|---------------------------------------|-----|
| (a) Is an EIA required?               | No  |
| (b) If 'yes', has one been completed? | N/A |

## **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 Carbon reductions can be achieved using the power saving and duplex printing features included in the multi-functional devices.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 13.1 There are no planning and community safety implications.

FNCE/34/11

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## **APPENDICES**

There are no appendices associated with this report.

## **REFERENCE MATERIAL**

No reference material was used in the production of this report.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	10 December 2008

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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b><i>NHS REFORM AND PUBLIC HEALTH</i></b>
<b>WARD/S AFFECTED:</b>	<b><i>ALL</i></b>
<b>REPORT OF:</b>	<b><i>INTERIM CHIEF EXECUTIVE</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR JEFF GREEN</i></b>
<b>KEY DECISION?</b>	<b><i>NO</i></b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report considers the implications of significant national NHS reform and identifies a number of issues on which Wirral Council will wish to determine the local approach. These include the introduction of General Practice Commissioning Consortia, the transfer of public health into local authorities and the establishment of Public Health England, and the establishment of local Health and Wellbeing Boards.

The Council's Corporate priorities include a commitment to improving health and wellbeing, and to tackling inequalities. These reforms will reinforce and build upon the existing duty of wellbeing by transferring specific additional responsibilities to local authorities.

The Council has responded with pace to the need to understand the new architecture of the NHS, and the changed relationships that will come into place during the next two years. The recommendations contained in this paper will allow the Council to continue to build on this to ensure effective and robust partnerships for health on Wirral in the future.

A number of the implications are dependent on the outcome of consultation (for example the White Paper on Public Health, Healthy Lives, Healthy People) and on the Health & Social Care Bill which is currently in passage through Parliament. Within the Health & Social Care bill there are a number of statutory duties which will pass from the NHS to local government. The Bill contains provisions covering five themes: 1) strengthening commissioning of NHS services, 2) increasing democratic accountability and public voice, 3) liberating provision of NHS services, 4) strengthening public health services and 5) reforming health and care arms-length bodies.

## **2.0 RECOMMENDATIONS**

- 2.1 That because of the progress made to date it is recommended that the local authority moves to creating a shadow public health function at the earliest opportunity. It is recommended that the Interim Chief Executive be instructed to bring forward a report to Cabinet with proposals for appropriate milestones to be put in place, and consideration of the functions for public health in the Council.
- 2.2 That since the transfer of public health into the local authority from the NHS is a significant change it should be considered as part of the Strategic Change Programme and that the Interim Chief Executive be instructed to put in place appropriate seminars and briefings to ensure that all Members are aware of these changes and their implications for the Council.
- 2.3 That as the Council has already expressed a strong interest in becoming an early implementer for Health and Wellbeing Boards at its meeting on 4<sup>th</sup> February, the Interim Chief Executive should be instructed to bring a report to a future Cabinet on proposals for how the Health and Wellbeing Board could be established at the earliest opportunity, and at the latest by October 2011. This should include consideration of how the Health and Wellbeing Board will align with the Council's other governance arrangements. It is important that the Health and Wellbeing Board is established at the earliest opportunity so that progress can be made on the Joint Strategic Needs Assessment.
- 2.4 That the Interim Chief Executive should be instructed to build on the relationships he has already established with the GP Commissioning Consortia, and with other NHS partners to ensure that the Council is able to continue to work well on issues of shared interest in a changing environment.

## **3.0 REASON/S FOR RECOMMENDATION/S**

### **Transfer of Public Health**

- 3.1 The consultation on the public health White Paper is due to close on 31<sup>st</sup> March 2011. A response to the feedback is likely to be published in early summer giving a final view on the proposals contained within it. This will include clarification of future funding and commissioning streams, and which public health activities will transfer to local authorities from 2013. Understanding of these functions will allow the Council to determine how it might deliver them at a local level. It is recommended that enough time is given to Council members to gain a clear view of the range of responsibilities which will transfer to them so that they are able to take informed decisions, including any appropriate consultation that they may wish to undertake.
- 3.2 Within the timeline for the public health white paper it identifies that the setup of working arrangements with local authorities will take place during 2011. The current Director of Public Health role is a joint appointment between the Council and NHS Wirral. The future role of the Director of Public Health will need to be determined in the context of the Council's requirements of the role and where it will sit within the future structure of Wirral Council. The post is a statutory role and will, in future, be a joint appointment with the new public health service,



Public Health England which is being developed during 2011, and which will be in place in 2012. A description of how the role of a director of public health might operate is provided within the White Paper, and is attached as appendix A to this report

- 3.3 All transition plans for public health will be reviewed and signed off by Regional Directors of Public Health at the point when Public Health England is established in 2012, and the legislation has gone through parliament. Because this is a significant transfer of responsibilities and, therefore, an area of change for Wirral Council, it is recommended that a local transition plan be developed as part of the Strategic Change Programme, with appropriate milestones and governance. A guidance paper has been produced by the Regional Director of Public Health on the issues that will be considered when reviewing transition plans. This could be used as a framework for the development of Wirral's public health change programme.
- 3.3 Shadow budgets for public health for local authorities will be published in 2012 according to a national formula. It is recommended that the provision of Member seminars and other appropriate briefings on community needs, the evidence base for action, and currently commissioned services will create a strong basis for decisions on Council priorities for public health to be taken during 2012-13.
- 3.4 Governance and accountability for delivery of public health responsibilities within the Council currently is not formalised. The current director of public health is a joint appointment between Wirral Council and NHS Wirral and it is recommended that the period of transition is used to strengthen the existing responsibility held by that post by use of Council reporting through the corporate plan so that existing progress on public health issues is reported into Council performance processes.
- 3.5 The White Paper, Healthy Lives Healthy People, ends its consultation period on 31<sup>st</sup> March. A draft response to the White Paper is attached at Appendix B for consideration by Members so that a response from Wirral Council can be submitted by the consultation deadline.

### **Establishment of Health and Wellbeing Boards**

- 3.6 The Council has already submitted an expression of interest in becoming an early implementer for Health and Wellbeing Boards. Within a recent presentation by Andrew Larter, Deputy Director Local Government and Regional Policy at the Department of Health, he stated that the 'Majority of places will have shadow Health & Wellbeing Boards in place, by October 2011'. It is recommended that to meet this timeline, responsibilities are allocated to the Interim Chief Executive to bring a report to Cabinet in the future which will incorporate a development plan, and which will allow the Council to consider the scope of the Health and Wellbeing Board, membership, governance issues, and any supporting structures or workstreams that it would wish to have in place.

- 3.7 There is an existing responsibility for the directors of children and young people, the director of adult social services and the director of public health to produce a Joint Strategic Needs Assessment which is refreshed on an on-going basis. This responsibility is being proposed to be enacted within the responsibilities outline for Health and Wellbeing Boards within the Health and Social Care Bill. It also widens the duty to GP Commissioning Consortia to take part in developing the JSNA. Recognising that this is subject to the passage of the Bill through parliament; it would seem appropriate to recommend that those who have an existing duty to produce a JSNA undertake work to engage with the pathfinder GP Commissioning Consortia, to ensure that a refreshed and revised Joint Strategic Needs Assessment could be presented to the membership of the shadow Health & Wellbeing Board towards the end of the year.

### **Collaborative Commissioning Approach**

- 3.8 The local GP Commissioning Consortia will be responsible for the commissioning of services which currently have a value of approximately £450 million. Many of the areas of commissioning activity that they will take formal ownership of in 2013, have significant opportunities for collaborative commissioning and the development of integrated models of care. The Interim Chief Executive has already established good relationships with the new GP pathfinder consortia, and it will be important that this continues. It is recommended that the Council continue to enable good relationships between local health commissioners, which support close working between the consortia, public health, adult and children's care leadership. Over time (subject to parliamentary approval), the forum for this engagement will be in the Health and Wellbeing Board.

## **4.0 BACKGROUND AND KEY ISSUES**

### **4.1 The return of public health to the local authority**

Birkenhead was at the forefront of the early municipal response to the twin challenges of improving population health and supporting conditions for economic development. An Act was passed in 1833 to appoint 'Commissioners for the Improvement of Birkenhead, which led to the paving and cleaning of the town, the development of parks and the first docks being opened in 1847. Public health has been a central function of the core mission of Wirral Council since its incorporation in 1877, when the Medical Officer for Health was a Dr Francis Vacher. The earliest reports of the Medical Officer for Health are held in the Archives Service and make fascinating reading. The proposed transition of public health back to local authorities is linked very closely to the acknowledgement that local authorities have always played a significant role in health, both in terms of the wider determinants of health and environmental health responsibilities.

The publication of the White Paper on Healthy Lives, Healthy People, and two other consultation papers: one on public health outcomes, the other on funding and commissioning routes for public health outline the intention to create a public health system where:

- Local authorities assume responsibility for local public health improvements
- Public Health England, a department within the Department of Health will be set up to bring together all health protection and improvement functions under one body.
- The budget for public health will be ring-fenced from within the overall NHS budget.

The intention is to strengthen the role of communities, ensure the effective use of good evidence and to strengthen health protection. Reducing health inequalities, improving health at different stages of life and working in partnership with business and the voluntary sector are all key features of the white paper proposals. Proposed outcomes for public health are considered under five 'domains': health protection and resilience; tackling the wider determinants of health; health improvement; prevention of ill health; and healthy life expectancy and preventable mortality. The proposed funding and commissioning streams for public health activities are outlined in the table in Appendix C.

The legislation which would enable the delivery of these intentions, is contained within the Health and Social Care Bill currently making its passage through parliament. It transfers responsibility for public health activities from Primary Care Trusts to local authorities and to the Department of Health, which will exercise its functions through a new dedicated public health service within the department to be known as "Public Health England".

#### *Duties placed directly on local authorities*

The Bill sets out a new duty on local authorities, to **"take such steps as it considers appropriate for improving the health of the people in its area"**.

The steps that may be taken by the local authority under the section 2B duty (or by the Secretary of State under his identical duty) are specified in the Bill as including:

#### Providing information and advice

- Providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way)
- Providing services or facilities for the prevention, diagnosis or treatment of illness
- Providing financial incentives to encourage individuals to adopt healthier lifestyles
- Providing assistance (including financial assistance) to help individuals to minimise any risks to health arising from their accommodation or environment
- Providing or participating in the provision of training for persons working or seeking to work in the field of health improvement

- Making available the services of any person or any facilities
- Providing grants or loans on such terms as the local authority considers appropriate

Other specific duties are also being passed to local authorities from PCTs and central government, including:

- The Secretary of State's existing responsibilities for the medical inspection and treatment, dental inspection and treatment, and the weighing and measuring of school children, including school nursing services (at present usually commissioned or performed by PCTs)
- PCTs' duties in respect of dental public health
- Responsibility to co-operate with health bodies and the prison service in relation to securing and maintaining the health of prisoners

Authorities will retain existing statutory duties under the Public Health (Control of Disease) Act 1984.

The stated rationale for the shift in functions is that "Local government is best placed to influence many of the wider factors that affect health and wellbeing". The government describes the changes as being about "significantly empowering local government to do more" through giving it "real freedoms, dedicated resources and clear responsibilities".

#### *Delegation of additional public health duties to local authorities by the Secretary of State*

The Bill imposes on the Secretary of State a "health improvement" duty in relation to the people of England, which is identical to the new local authority health improvement duty described above. The Bill also places another public health duty on the Secretary of State to take steps to protect the public from disease or other dangers to health. The Bill gives the Secretary of State powers to delegate the performance of these functions to local authorities. The true extent of the role to be played by local authorities in this area is, therefore, as yet unknown, but it could certainly be much greater than just the duties given directly to them in the Bill.

#### *Guidance and directions from the Secretary of State*

The Secretary of State will retain considerable overview and control of those public health functions which are to be performed by local authorities including the power to set out prescribed steps that authorities must take to fulfil either their own duties or any of the Secretary of State's functions which have been delegated to them. In addition, when performing their public health functions authorities would be required to have regard to Secretary of State guidance – this appears to be linked to requiring local authorities to have regard to the Department's public health outcomes framework, which is also the subject of consultation.

## *Funding*

Overall, funding for public health is to be funded by a new public health budget, ring-fenced within the overall NHS budget. As regards funding for local authorities, in the current consultations on the proposed arrangements, the government has given two assurances.

First, the government has stated that ring-fenced funding will be provided to cover local authorities' new duties. This is not reflected in the Bill itself, as the funding would come in the form of a grant under the general grant-making powers in section 31 of the Local Government Act 2003. This additional funding will only cover new duties imposed by the Bill. The government acknowledges that local authorities are already carrying out a number of activities which could be regarded as falling under a "public health" banner, and indicates that there is no barrier to integrating the operational management of these existing activities with the new duties. However the funding will be ring-fenced and only apply to the new duties. The level of funding provided within the ring-fence will be determined by a nationally applied formula, and may result in variation to the current local spend on the activities described in the funding and commissioning consultation document. Work is ongoing to describe the current funding flows locally, and the associated activity resulting from these investments.

Second, the government has stated that any additional public health duties delegated by the Secretary of State to authorities under the Bill will be covered by additional funding. This assurance is reflected in clause 18 of the Bill, which provides for payment to be agreed for any arrangement under which a local authority is to perform the Secretary of State's duties.

In addition to the ring-fenced funding, the Department also proposes a new public health premium payable to local authorities on top of their public health budget allocation "to incentivise action to reduce health inequalities". This premium would be weighted towards areas with the worst health outcomes and would refer to the Department's public health outcomes framework to identify progress made in improving the health of the local population.

The DH consultation on funding for public health (Healthy Lives, Healthy People: consultation on the funding and commissioning routes for public health) is open until 31 March.

## *Directors of Public Health*

To ensure appropriate performance of local authorities' new public health duties, the Bill requires each local authority to appoint a Director of Public Health [DPH]. This will replace the existing requirement on PCTs to employ a person as director of public health to provide local leadership and co-ordination of public health activity. The director will have responsibility for all of the local authorities' public health duties under the Bill and other legislation. DsPH will also be required to publish annual reports on the health of their local population – the explanatory notes to the Bill state that these reports "are intended to help DsPH account for their activity and to chart progress over time".

The Secretary of State will have considerable powers to influence and intervene in the work of the DPH. The authority must consult with the Secretary of State about both appointment and termination of appointments to the post, and the Secretary of State can ask the authority to review/investigate the director's performance if it appears that they are not properly performing their duties.

Concepts and practice relating to public health is given in Appendix D which provides a description of the various domains of public health, the skills and competencies required in carrying out public health duties and examples of public health activities.

#### **4.2 Development of Health and Wellbeing Boards.**

The Health and Wellbeing Bill will expand local authorities' responsibilities for ensuring integration in the approach to health and social care provision in its area, and (subject to legislation) will require the establishment of a formal Board.

The Bill would transfer to local authorities and the commissioning consortia in their area the existing duty in the NHS Act 2006 requiring local authorities and PCTs to produce a Joint Strategic Needs Assessment. To this is added a further duty requiring the local authority and the commissioning consortia to prepare a joint health and wellbeing strategy, which is a "strategy for meeting the needs included in the [JSNA] by the exercise of functions of the authority, the NHS Commissioning Board or the consortia". In preparing this strategy consideration must be given to the extent to which the needs could be met more effectively by arrangements under s.75 of the NHS Act 2006 [arrangements between local authorities and NHS bodies] rather than in any other way.

The JSNA and the joint health and wellbeing strategy are then given effect by another new requirement that local authorities and the commissioning consortia must have regard to the JSNA and the strategy when exercising any relevant functions and by a power on local authority Health and Wellbeing Boards to give their local authority an "opinion" on whether the authority is fulfilling the requirement to have regard to the JSNA and the strategy when performing its functions.

The Health and Wellbeing Board [HWB] is the new body which will carry out the local authority functions in relation to the JSNA and the joint health and wellbeing strategy. It will be a committee of the local authority, but its membership is broad and determined in the Bill.

In addition to the functions already described, HWBs will have further functions in relation to encouraging integrated working, including a duty to encourage those arranging for the provision of health or social care services in their area to work in an integrated manner, and in particular provide advice, assistance etc. to encourage the making of arrangements under section 75 of the NHS Act 2006.

In addition the local authority would have power to pass other functions to the HWB. This reflects the message from the government that, while the HWB functions expressly set out in the Bill are reasonably limited and largely strategic in nature, it is anticipated that they will develop a wider key role in the area in relation to health and

social care. The Healthy Lives, Healthy People white paper states that the Bill gives "sufficient flexibility... for health and wellbeing boards to go beyond their minimum statutory duties to promote joining-up of a much broader range of local services for the benefit of their local populations' health and wellbeing". It refers to the wider localism agenda in setting out a vision of local government taking "innovative approaches to public health by involving new partners", which might put HWBs as the central co-ordinating point of a network of services commissioned from different types of provider.

The accountability arrangements for HWBs will need to be clarified. For example there is no means to formally require consortia or the local authority to comply with the joint strategy, and their other powers are framed as being to encourage, advise etc. If the authority were to pass additional powers to them, as a committee of the local authority then accordingly they may exercise wider powers than are set out in the Bill.

The membership of the HWB reflects the breadth of perspective needed for the preparation of the JSNA and the strategy, and to facilitate integrated working. In addition to at least one councillor of the local authority (Cabinet at its meeting on 4<sup>th</sup> February agreed that the Wirral HWB would include all three party leaders) and its directors of public health, adult social services and children's services, it must include a representative of each commissioning consortia and a representative of the Local Healthwatch organisation (see section 3 of this report). In addition the HWB itself and the local authority (in consultation with the HWB) will have powers to include additional members. Authorities will need to think carefully about the composition of their HWB to ensure that it balances the need for other perspectives with ensuring appropriate levels of control over the body's activities. The role of provider organisations will be one area where, as a commissioning-focussed body, the HWB will need to ensure transparency and appropriate methods of inclusion.

#### **4.3 Development of GP Commissioning Consortia**

In Wirral, at the time of writing this report, there are three GP Commissioning Consortia which have formed, all three of which have been recognised nationally as 'pathfinders' for GP commissioning. The three consortia are:

- Wirral Health Commissioning Consortium (population covered 153,233)
- Wirral GP Commissioning Consortium (population covered 134,899)
- Wirral NHS Alliance (population covered 36,629)
- Practices not yet in a consortia (population covered 8,071)

(Note: the population figures for the consortia are built from the practice list sizes and will not equate to the resident population figures)

The GP consortia are in the process of agreeing appropriate transitional governance arrangements. At the same time, PCTs are required to form cluster arrangements, and NHS Wirral has proposed that it should form part of a cluster with Central and Eastern Cheshire, Western Cheshire and Warrington PCTs. The cluster will be in place by June, and GP consortia will be accountable for the activity to the Cluster board.

#### **4.4 Formation of Wirral Community NHS Trust**

Members might wish to note that progress is being made on establishment of the new community NHS Trust. Details to facilitate the production of the Establishment Order have been submitted to the Department of Health on 7 February 2011. This includes the property and contracts to be transferred to the Trust. The shadow Board is in place – with the exception of the Director of Finance post which is out to advertisement. All staff who are transferring have been notified. The Trust is ready to become operational from 1<sup>st</sup> April 2011. Work is already in hand regarding preparation of financial, workforce and activity information for the Foundation Trust application.

#### **5.0 RELEVANT RISKS**

- 5.1 If the Council does not effectively create a means of delivering it's public health functions it will potentially create harm through failure to deliver activities which reduce risks to ill-health.
- 5.2 Failure to gain a clear understanding of the responsibilities and budgets transferred may mean that the Council is not in a position to deliver value for money health improvement programmes.
- 5.3 If the Health and Wellbeing Board is not established early, the local commissioning arrangements could lose synergy and opportunities to work in partnership may be lost.

#### **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 Not relevant to this report, however a number of options would be proposed for Cabinet decision in future reports subject to the agreement of the recommendations in section 2.0.

#### **7.0 CONSULTATION**

- 7.1 None required for this report

#### **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 Currently there is good involvement of the voluntary, community and faith sectors in existing public health programmes. This could be enhanced under the proposals in the White Paper.

#### **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 There are no immediate financial, IT, staffing or assets resource implications. However these issues will need to be addressed within arrangements put in place in relation to the transfer of public health responsibilities to the local authority.



## 10.0 LEGAL IMPLICATIONS

10.1 There are a number of statutory functions which will transfer to Local Authorities subject to the passage of the Health and Social Care Bill.

## 11.0 EQUALITIES IMPLICATIONS

11.1 None identified in this report.

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required?

No

(b) If 'yes', has one been completed?

Yes (specify date) / No (*delete as applicable*)

## 12.0 CARBON REDUCTION IMPLICATIONS

12.1 Not directly applicable

## 13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 Not applicable

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## APPENDICES

*Appendix A: Suggested role of the Director of Public Health (from the Public Health White Paper*

*Appendix B: Suggested response to the White Paper*

*Appendix C: Proposed funding and commissioning routes (from the PH consultation paper)*

*Appendix D: Public Health: Concepts and Practice*

## REFERENCE MATERIAL

*Healthy Lives, Healthy People: Our strategy for public health in England. Department of Health 2010.*

*Healthy Lives, Healthy People, Transparency in Outcomes. Proposals for a Public Health Outcomes Framework, Department of Health 2010.*

*Healthy Lives, Healthy People: consultation on the funding and commissioning routes for public health. Department of Health 2010.*

*(Include background information referred to or relied upon when drafting this report, together with details of where the information can be found. There is no need to refer to publicly available material: e.g. Acts of Parliament or Government guidance.)*

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

## **Appendix A: Taken from the White Paper: Healthy Lives, Healthy People**

This is offered as a framework for exploring what role is required on Wirral and how it should be delivered.

### **Annex: A vision of the role of the Director of Public Health**

1. This Annex sets out a vision for the role of the Director of Public Health (DPH) developed in discussions between the Department of Health and public health professionals, local government and the NHS over recent months. DsPH have a critical leadership role in the new system – at the centre of improving the health and wellbeing of local communities across England. This role is subject to passage of the Health and Social Care Bill.

#### **Principal adviser**

2. We envisage that the DPH will be the principal adviser on all health matters to the local authority, its elected members and officers, on the full range of local authority functions and their impact on the health of the local population, including identifying health inequalities and developing and implementing local strategies to reduce them.
3. He or she will play a key role in the proposed new functions of local authorities in promoting integrated working; contribute to the development of the local Joint Strategic Needs Assessment (JSNA) and the joint health and wellbeing strategy; be an advocate for the public's health within the community; and produce an authoritative independent annual report on the health of their local population.

#### **Provision and use of evidence**

4. The DPH will be responsible for ensuring that the local authority, and its key partners, have access to the high-quality analysis and evidence needed to inform the JSNA, the Annual Health Report, emergency preparation and response, and all public health services for which they are responsible. In tight financial times, it will be incumbent only to support effective interventions that deliver proven benefits, and to evaluate innovative approaches.

#### **Population healthcare**

5. Although the DPH will be employed by local authorities, it will be vital to ensure a high-quality public health input into NHS services. DsPH will need to work closely with GP consortia to help identify, prevent and manage a range of conditions, such as mental ill health, cardiovascular disease, diabetes and cancer, across the population, to support people to take care of their own health. This includes Service personnel, their families and veterans. DsPH will also need to have input into commissioning services for people with established diseases and long-term conditions, supported by high-quality community services provided by a wide range of health professionals.

6. In addition to offering support to GP commissioners, the DPH will wish to engage in a range of regular informal and formal mechanisms for public health experts to advise other NHS colleagues. The DPH will work with NHS colleagues locally in:
  - advising on commissioning and effective operation of population health services;
  - ensuring the provision of services for diverse and potentially excluded groups (for example, people with mental health problems and with learning disabilities; the homeless; people in prisons and ex-offenders; children with special educational needs or disability and looked after children; and travellers);
  - advising on how to ensure equal access and equity of outcome across the population; and
  - working with and supporting health and social care colleagues to increase opportunities for using contacts with the public and service users to influence behaviours positively and thereby improve health.

### **Health protection and emergency preparedness and response**

7. Where the Secretary of State enters into arrangements with local authorities in relation to health protection and emergency preparedness, we envisage that the DPH will play an important role in local emergency planning and response to public health threats that affect their communities. They will be supported in this by the Health Protection Units (HPUs), which will provide specialist advice and access to the national resources of the public health service.
8. DsPH will work closely with local HPUs across the full range of health protection issues and ensure they are appropriately reflected in the Annual Health Report and the JSNA and that co-ordinated action can be taken where necessary.
9. The 'proper officer' for the purposes of the Public Health (Control of Disease) Act 1984 will continue to be appointed by the local authority (at the lower tier in a two-tier regime).
10. Authorities (including port health authorities) will continue to provide health protection interventions according to existing legislation such as the Public Health (Control of Disease) Act 1984, Food Safety Act 1990, Environmental Protection Act 1990 and others.
11. DsPH and HPUs will contribute to Local Resilience Forums according to local need and expertise. DsPH will ensure that there are sufficient qualified and appropriately trained public health staff to maintain a robust and resilient on-call rota for major incidents, infectious disease outbreaks and port health at the local level.
12. DsPH and HPUs will work together to undertake local horizon scanning and risk management, health surveillance and, working with local partners, will develop plans and mitigation strategies for the threats and hazards that might affect health – supported by Public Health England as appropriate.

13. Local and National Resilience Forums will continue to play a vital role, working together with a range of organisations to ensure that we are prepared for and can respond to significant threats and emergencies.

### **Health improvement and inequalities**

14. The DPH will be responsible for health improvement, addressing local inequalities in health outcomes, and addressing the wider determinants of health. He or she will work in partnership with other local government colleagues, and partners such as GP consortia, the wider NHS, early years services, schools, business, voluntary organisations and the police, to achieve better public health outcomes for the whole of their local population. This may also include working with other DsPH and Public Health England across a wider geographical area as appropriate. We would expect this to include personal public health services such as smoking cessation, alcohol brief interventions, weight management and work to address the wider determinants of health.

### **Accountability**

15. DsPH will have a professional duty to keep their skills up to date and to ensure their staff are similarly well trained. This is to ensure there is a competent local multi-disciplinary public health workforce, with strong professional leadership at its heart.
16. The primary accountability for local government will be to their local populations through transparency of progress against outcomes and their local strategy. There will also be a relationship between Public Health England and local councils through the allocation of the ring-fenced budget, for which the Chief Executive will be the Accountable Officer; through transparency of progress against the outcomes framework; and through the incentives available to reward progress against health improvement outcomes.
17. DsPH will be jointly appointed by the relevant local authority and Public Health England. While councils will have the power to dismiss DsPHs for serious failings across the full spectrum of their responsibilities, the Secretary of State for Health will have the power to dismiss them for serious failings in the discharge of their health protection functions. They will be accountable to the Secretary of State for Health and professionally accountable to the Chief Medical Officer.

## **Appendix B: Suggested response to the White Paper**

### **1. Introduction and context**

The launch of the NHS White Paper Equity and Excellence: Liberating the NHS issued in July 2010 signalled major changes for public health. These changes are set out in more detail in the Public Health White Paper, “Healthy Lives, Healthy People” published on the 30<sup>th</sup> of November 2010. The consultation period for the Public Health White Paper has been extended to the 31<sup>st</sup> of March 2011. This date coincides with the end of the consultation period for related documents, i.e. “Healthy Lives, Healthy People: Transparency in outcomes” (outlining the proposals for a public health outcomes framework); and “Healthy Lives, Healthy People: consultation on the funding and commissioning route for public health”.

### **2. Summary of the White Paper**

The Government has expressed a commitment to achieve a high standard in public health. At the centre of this commitment is the Health and Social Care Bill which was presented to Parliament on the 19<sup>th</sup> of January 2011. The Bill describes a reformed public health service, embedded within a system of local democratic accountability, working alongside a newly formed body called “Public Health England”.

There are many welcome assertions contained within the White Paper, particularly:

- the recognition that health is determined by wider social influences which have an impact throughout the ‘life course’
- the commitment of the Government to improving the health and wellbeing of the population, to protect the population from serious threats to their health and the emphasise on improving the health of the poorest at the fastest rate
- local government becoming the responsible body for the health and wellbeing of their local population
- the creation of Health and Wellbeing Boards to ensure all partners are delivering their organisation’s contribution to health and wellbeing
- the creation of Public Health England (PHE) to bring together the health protection functions of the Health Protection Agency, the National Treatment Agency and other arms length bodies
- that there is to be a Director of Public Health for each top tier local authority – accountable to their local authority and to Public Health England

### **3. Response to the Consultation**

The Public Health White Paper contains a number of consultation questions and our response to these is given below.

**Question 1: Are there additional ways in which we can ensure that GPs and GP practices will continue to play a key role in areas for which Public Health England will take responsibility?**

GPs have a particular responsibility for the needs of their registered population. Strong working relationships between the local public health system and GP

Consortia will be crucial to addressing these population needs and may be achieved by:

- Providing incentives for GP practices who promote primary prevention and who actively seek patients who are most at risk of poor health
- Investing resource to achieve wellbeing outcomes that are equally shared and delivered by the NHS and the local public health system
- Supporting GP commissioners with public health data and intelligence accessible at practice, neighbourhood and super-output area level – for both health needs and healthcare.
- Directors of Public Health collaborating with GP Consortia to ensure that local commissioning plans, primary care strategies, specific needs assessments, care pathway redesign, etc are consistent with local health and wellbeing priorities as identified in the Joint Strategic Needs Assessment (JSNA)
- Directors of Public Health working in partnership with GP Consortia to develop forms of community-oriented primary care appropriate to under-served communities with poor health outcomes

**Question 2: What are the best opportunities to develop and enhance the availability, accessibility and utility of public health information and intelligence?**

We need to measure and so address what is important to the population we serve, taking account of existing resources, capacity and assets within the population. At the core of the new local public service will be the need for more efficient and effective use of evidence and evaluation.

- The Joint Strategic Needs Assessment (JSNA) needs to be driven by the various functions of local government in order to give a more comprehensive picture of the local community. The JSNA must augment the Health and Wellbeing Strategy and the annual report of the Director of Public Health
- Evidence needs to focus upon what is effective and what is cost effective, drawing on nationally disseminated best practice as well as local insight. The current (often disparate) body of evidence around the impact of early intervention (e.g. from specific pilots, models and evaluations) should be reviewed, extended and applied to the new system – we need to avoid starting from square one
- Wherever possible, evidence should include principles of co-production, that is, the population as partners in evidence generation and application. This requires clear public accessibility and understanding of information collected
- A relevant level of transparent evaluation for programmes and services should be built in at the outset
- Surveillance and monitoring of environmental hazards, risk factors and communicable and non-communicable diseases needs to be included in the assessment of need
- Health impact assessments and health equity audits are essential components of any health and wellbeing strategy.

The establishment of the local Public Health Service provides the opportunity to effectively collate, appraise, present and disseminate local intelligence, evidence

and data to support the development of local networks to improve the efficient use of skills and resources. It also allows the interpretation and application of evidence from elsewhere to the local context.

**Question 3: How can Public Health England address current gaps such as using the insights of behavioural science, tackling wider determinants of health, achieving cost effectiveness, and tackling inequalities?**

We support the creation of a new National Institute for Health Research (NIHR) and the School for Public Health Research and a Policy Research Unit of Behaviour and Health recently announced by the Minister for Public Health.

In the recent past, Wirral has benefited from the evidence based support tools and effective approaches used by the National Support Team on health inequalities and the lessons learnt from the assistance offered by the NST should be maintained

It would be beneficial to understand how Public Health England and Local Government will share responsibility for defining and monitoring public health outcomes and over what timescale will the successes of the local public health service be measured?

**Question 4: What can wider partners nationally and locally contribute to improving the use of evidence in public health?**

We would wish to see effective networks and dissemination of the evidence base for public health from all partners. We would support the need for consistent and continued investment to build a strong evidence-base for public health. This requires building in of evaluative research for all new innovative interventions. The evidence-base should be able to capture local innovation, research and evaluation.

**Question 5: We would welcome views on Dr Gabriel Scally's report. If we were to pursue voluntary registration, which organisation would be best suited to provide a system of voluntary regulation for public health specialists?**

We welcome the intention of the Government to build on the achievements and skills of the current public health workforce. Maintaining a well trained public health workforce will be critical to the success of the public health system. We understand that there are divergent views in the public health community as how best this should be delivered. In principle, we believe that standards and processes for regulation must be made consistent across all registering bodies.

**Cross cutting issues**

Additionally we would wish to comment on a number of issues not directly addressed in the consultation questions.

We believe the success of the proposed reforms for public health will be dependent to a large extent on the clarity of guidance provided on the division of functions between Local Government, Public Health England, the NHS Commissioning Board and the GP Commissioning Consortia.



We are concerned that the commissioning of the health visitor services are not being devolved to local public health services sooner. The Health Visitor service is a local service and is pivotal for the management of services for children and families in accordance with the life-course approach described by the White Paper.

A key concern with the fragmentation of public health funding and about what level of funding will ultimately be with local authorities especially if local authorities are held to account for some of the public health indicators proposed in the public health outcomes paper.

It will be beneficial to understand how the inequality premium will be allocated and whether there is any intention to ring-fence any aspect of it.

The division of commissioning responsibility may inadvertently allow public health and general practice commissioning consortiums to commission the appropriate services but in an inconsistent manner. For example splitting the commissioning of the Healthy Child Programme between the NHS Commissioning Board (0 to 5 years) and the local authority (5-19 years) may generate some risks concerning the provision of the correct service in the correct place at the correct time. This may also have implications for children who are looked after and our safeguarding procedures.

Council would welcome further clarity regarding the development of 'Healthwatch' and its relationship with the overview and scrutiny functions of the within the Council.

## Appendix C

### Extracted from Healthy Lives, Healthy People: consultation on the funding and commissioning routes for public health.

Public health funded activity	Proposed activity to be funded from the new public health budget (provided across all sectors including NHS)	Proposed commissioning route/s for this activity (including direct provision in some cases)	Examples of proposed associated activity to be funded by the NHS budget (including from all providers)
Accidental injury prevention	Local initiatives such as falls prevention services	Local authority	-
Public mental health	Mental health promotion, mental illness prevention and suicide prevention	Local authority	Treatment for mental ill health
Physical activity	Local programmes to address inactivity and other interventions to promote physical activity, such as improving the built environment, and maximising the physical activity opportunities offered by the natural environment	Local authority	Provision of brief advice during a primary care consultation e.g. Lets Get Moving
Obesity programmes	Local programmes to prevent and address obesity, e.g. delivering the National Child Measurement Programme and commissioning of weight management services	Local authority	NHS treatment of overweight and obese patients, e.g. provision of brief advice during a primary care consultation, dietary advice in a healthcare setting or bariatric surgery.
Drug misuse	Drug misuse services, prevention and treatment	Local authority	Brief interventions
Alcohol misuse	Alcohol misuse services, prevention and treatment	Local authority	Alcohol health workers in a variety of healthcare settings
Tobacco control	Tobacco control local activity, including stop smoking services, prevention activity, enforcement and communications	Local authority	Brief interventions in primary care, secondary, dental and maternity care
NHS Health Check Programme	Assessment and lifestyle interventions	Local authority	NHS treatment following NHS Health Check assessments and ongoing risk management
Health at work	Any local initiatives on workplace health	Local authority	NHS occupational health
Prevention and early presentation	Behavioural/lifestyle campaigns/services to prevent cancer, long-term conditions, campaigns to prompt early diagnosis via awareness of symptoms	Local authority	Integral part of cancer services, outpatient services and primary care. Majority of work to promote early diagnosis in primary care

Public health funded activity	Proposed activity to be funded from the new public health budget (provided across all sectors including NHS)	Proposed commissioning route/s for this activity (including direct provision in some cases)	Examples of proposed associated activity to be funded by the NHS budget (including from all providers)
Children's public health for 5-19s	The Healthy Child Programme for school-age children, including school nurses and including health promotion and prevention interventions by the multiprofessional team	Local authority	All treatment services for children (other than those listed above as public health funded, e.g. sexual health services or alcohol misuse)
Community safety and violence prevention and response	Specialist domestic violence services in hospital settings and voluntary and community sector organisations that provide counselling and support services for victims of violence including sexual violence, and non-confidential information sharing activity	Local authority	Non-confidential information sharing
Social exclusion	Support for families with multiple problems, such as intensive family interventions	Local authority	Responsibility for ensuring that socially excluded groups have good access to healthcare
Seasonal mortality	Local initiatives to reduce excess deaths	Local authority	-
Sexual health	Contraception, testing and treatment of sexually transmitted infections, fully integrated termination of pregnancy services, all outreach and prevention	Local authority to commission all sexual health services apart from contraceptive services commissioned by the NHS Commissioning Board (via GP contract)	HIV treatment and promotion of opportunistic testing and treatment
Reduction and preventing birth defects	Population level interventions to reduce and prevent birth defects	Local authority and Public Health England	Interventions in primary care such as pre-pregnancy counselling or smoking cessation programmes and secondary care services such as specialist genetic services.
Dental public health	Epidemiology, and oral health promotion (including fluoridation)	Local authority supported by Public Health England in terms of the coordination of surveys	All dental contracts

Public health funded activity	Proposed activity to be funded from the new public health budget (provided across all sectors including NHS)	Proposed commissioning route/s for this activity (including direct provision in some cases)	Examples of proposed associated activity to be funded by the NHS budget (including from all providers)
Children's public health for under 5s	Health Visiting Services including leadership and delivery of the Healthy Child Programme for under 5s, prevention interventions by the multiprofessional team, and the Family Nurse Partnership	NHS Commissioning Board	All treatment services for children (other than those listed above as public health funded)
Public health care for those in prison or custody	e.g. all of the above	NHS Commissioning Board	Prison healthcare
All screening	Public Health England will design, and provide the quality assurance and monitoring for all screening programmes	NHS commissioning Board (cervical screening is included in GP contract)	-
Immunisation against infectious disease	Universal immunisation programmes and targeted neonatal immunisations	Vaccine programmes for children and flu and pneumococcal vaccines for older people, via NHS Commissioning Board (including via GP contract). Targeted neonatal immunisations via NHS. Local authority to commission school programmes such as HPV and teenage booster	Vaccines given for clinical need following referral or opportunistically by GPs
Standardisation and control of biological medicines	Current functions of the HPA in this area	Public Health England	-
Infectious disease	Current functions of the Health Protection Activity in this area, and public health oversight of prevention and control, including co-ordination of outbreak management	Public Health England with supporting role for Local Authorities	Treatment of infectious disease (see sexual health below) Co-operation with Public Health England on outbreak control and related activity
Radiation, chemical and environmental hazards, including the public health impact of climate change	Current functions of the HPA in this area, and public health oversight of prevention and control, including coordination of outbreak management	Public Health England supported by local authorities	-

Public health funded activity	Proposed activity to be funded from the new public health budget (provided across all sectors including NHS)	Proposed commissioning route/s for this activity (including direct provision in some cases)	Examples of proposed associated activity to be funded by the NHS budget (including from all providers)
Nutrition	Running national nutrition programmes including Healthy Start. Any locally-led initiatives.	Public Health England, some local authority activity	Nutrition as part of treatment services, dietary advice in a healthcare setting, and brief interventions in primary care
Emergency preparedness and response and pandemic influenza preparedness	Emergency preparedness including pandemic influenza preparedness and the current functions of the HPA in this area	Public Health England, supported by local authorities	Emergency planning and resilience remains part of core business for the NHS. NHS Commissioning Board will have the responsibility for mobilising the NHS in the event of an emergency.
Health intelligence and information	Health improvement and protection intelligence and information, including: data collection and management; analysing, evaluating and interpreting data; modelling; and using and communicating data. This includes many existing functions of the Public Health Observatories, Cancer Registries and the Health Protection Agency	Public Health England and local authority	NHS data collection and information reporting systems (for example, Secondary Uses Service)

## **Appendix D: Public health: concepts and practice**

**Health:** Health is defined by the World Health Organisation as “a state of complete physical, mental and social wellbeing not merely the absence of disease or infirmity (WHO 1946). **Public Health:** Public Health has been defined as “the science and art of preventing disease, prolonging life and promoting health through the organised efforts of society, organisations public and private, communities and individuals.” (Acheson Report quoted in Wanless Report 2003).

**Function/System/Service:** Resources to improve public health outcomes can be defined as ‘public health relevant’ such as early years spending, housing improvement etc and ‘public health directed’ such as the Public Health Service or NHS prevention spend. Thus, in making the broad concept of public health operational, it is helpful to separate out the concepts of public health function, system and service as follows:

<b>Public Health</b>	<b>Descriptor</b>	<b>Includes</b>
<b>Public Health Function</b>	The ‘distributed’ capacity to deliver improved health outcomes for the population	All those services , agencies, systems , networks, institutions, professionals, organisations and communities that have a role to play in improving health outcomes within a given population.
<b>Public Health System</b>	The organisational arrangements through which the public health function is mobilised	Systematic and specific collaborative duties placed on the ‘public health relevant’ capacities of all partners in the public health function. In practice this will mean management, governance and accountability arrangements for all public sector investment will need to have their contribution to health outcomes defined and specified.
<b>Public Health Service</b>	The directly managed unit with the skills, knowledge and responsibility to direct the public health function and system.	The Specialist Public Health Service under the statutory direction of a Director of Public Health accountable to the Chief Executive and elected members of a specific Local Authority. This service is established jointly with the National Public Health Service accountable to the Secretary of State for Health

		and will work collaboratively with a professional public health network.
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**Domains:** Delivering the public health function is traditionally defined in three key domains of focus:

Domain	Exemplified by:
Health Protection	Emergency Planning, Communicable Disease Control (Health Protection Agency/Food Standards Agency functions etc), health surveillance, epidemiology
Health Improvement	Prevention spend, public health partnerships, investment for health approaches, early detection, screening, public engagement, social marketing.
Health Services	Evaluating the effectiveness and efficiency of health care system expenditure, evidence based practice and application of NICE guidance, health care system policy and strategy, ethics, secondary prevention (chronic diseases management etc), patient safety, Serious Untoward Incidents management, improved treatment outcomes etc.

#### 4.1.2 Public Health Service:

A systematic classification of the functions of a Public Health Service can be defined as follows:

1. health surveillance, monitoring and analysis
2. investigation of disease outbreaks, epidemics and risks to health
3. Establishing designing and managing health promotion and disease prevention programmes
4. Enabling and empowering communities and citizens to promote health and reduce inequalities
5. Creating and sustaining cross-governmental and inter-sectoral partnerships to improve health and reduce inequalities
6. Ensuring compliance with regulations and laws to protect and promote health
7. Developing and maintaining a well-educated and trained multi-disciplinary workforce
8. Ensuring the effective performance of NHS Services to meet goals in improving health, preventing disease and reducing inequalities
9. Research, development. Evaluation, innovation
10. Quality assuring the public health function

### 4.1.3 Professional Competencies:

Professional public health competencies for specialists and consultants in Public Health who are required to be accredited by the Faculty of Public Health include the following key areas (required for safe public health practice).

#### Summary of the key areas for public health competence

(defined by the FPH Standards Committee and agreed by the Board)

Key areas of public health competence	
1	Surveillance and assessment of the population's health and well-being
2	Assessing the evidence of effectiveness of health and healthcare interventions, programmes and services
3	Policy and strategy development and implementation
4	Strategic leadership and collaborative working for health
5	Health improvement
6	Health protection
7	Health and social service quality
8	Public health intelligence
9	Academic public health
10	Ethical management of self/others/resources

### 4.1.4 Wellbeing and Quality of Life

In recent years, the concepts of wellbeing and quality of life have gained importance in public health practice. The determinants of health and wellbeing in communities can be defined as in the diagram below. Public health services, along with others, have a central role to play in directing both the societal resources and political debate required to deliver improved community wellbeing.

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### 4.1.5 Prevention Services

Before 1974, the Director of Public Health had a direct role in commissioning and managing 'prevention services'. Since 1974 many of these functions transferred from Local Government to community health services systems within the NHS where the DPH role has ranged from direct responsibility for commissioning to a professional influence on other commissioners. These services can include budgets and programmes commissioned from a range of providers such as those identified below:

Affordable warmth	public health intelligence
prevention of communicable disease	infection control



on-call rota	infection control
blood-bourne viruses services	sexual health services
contraception services	mental wellbeing
health at work	healthy eating/nutrition
physical activity	breastfeeding support
alcohol (tier 1 and 2)	tobacco control
smoking cessation	drugs
falls prevention	healthy child programme e.g. sure start
healthy schools	prison health promotion
health development	health emergency planning
Screening (including: breast screening, chlamydia screening, vascular checks, cervical screening, bowel cancer screening, ante-natal screening, newborn blood spot, neo-natal hearing, diabetic retinopathy)	cancer awareness
school nursing	health visiting
health trainers	self care
immunisation	community dental services
oral health promotion	prison health service

[note: this list is illustrative and not exhaustive]

#### 4.1.7 Primary Care

Primary care is a major setting for public health action and a key part of the wider public health function. In its 2008 World Health Report 'Primary Health Care: Now More Than Ever'

the World Health Organisation has identified five key elements of reform essential to achieving the public health focussed goal of "better health for all". These are identified as:

- Reducing exclusion and social disparities in health (reforms to achieve universal coverage)
- Organising health services around peoples needs and expectations (service delivery reforms)
- Integrating health into all sectors (public policy reforms)
- Perusing collaborative models of policy dialogue (public policy reforms)
- Increasing stakeholder participation

Various recent reviews of primary care models show that the Community Oriented Primary Care Model (COPC) is particularly appropriate for underserved communities with poor health outcomes such as those experienced in parts of Wirral. One of the key criticisms of the model is that although it does deliver improved and accelerated health outcomes by addressing wider social determinants

this has caused significant implementation and uptake problems because of the increased costs involved. This barrier could be overcome through taking a place based budgeting approach to integration of primary care services with existing Council (and third sector) neighbourhood service delivery. The interventions of the latter are already funded and designed to meet non clinical social and economic needs of communities.

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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>COMMITTEE CALENDAR FOR MUNICIPAL YEAR 2011/12</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR JEFF GREEN</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### **1.0 EXECUTIVE SUMMARY**

- 1.1 This report recommends dates for Council, Cabinet and committee meetings for the municipal year 2011/12. The proposed calendar is set out in Appendix A. The report also describes various issues that have been taken into account in compiling it.

#### **2.0 RECOMMENDATION/S**

- 2.1 That the calendar of meetings for the municipal year 2011/12, attached as Appendix A, be approved.

#### **3.0 REASON/S FOR RECOMMENDATION/S**

- 3.1 The calendar has been prepared on the basis that in 2011/12 there will be the same number of Regulatory Committees and Overview and Scrutiny Committees. As in previous years these would meet in 5 cycles through the year. A date has also been set aside for the Youth Parliament / Council meeting (11 October). The dates for Cabinet meetings have already been agreed with the Leader in accordance with Executive Procedure Rule 1.6.
- 3.2 In addition to the Council, Cabinet and Standing Committees, as many other meetings of which I have been made aware have been included, such as those of the Local Strategic Partnership Executive Board, as well as dates set aside for pre-Council group meetings and Area Forums.
- 3.3 Dates have been included in the calendar for Member training, for which a programme will be drawn up by the Member Training Steering Group.

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 The attention of all Members of the Council is being drawn to this report. They will be asked to let me have any comments that they might have, particularly if they believe there are strong reasons for making any changes to the calendar.
- 4.2 With regard to requests to change dates of meetings during the course of the municipal year, members will be aware that they can cause difficulties. Under

the scheme of delegation, I have authority to approve amendments to the calendar after consultation with the leaders of the political groups. In practice, changes are usually left to the relevant committee officer in consultation with the spokespersons, and he/she can be put in an invidious position in trying to explain why a change is being requested by a single member. Every Committee has a panel of deputies, and also should have appointed a Vice-Chair.

## **5.0 RELEVANT RISKS**

- 5.1 There is a requirement under the Council's Constitution that the Cabinet, Regulatory Committees and Overview and Scrutiny Committees meet a certain number of times in the year to discharge the Council's functions.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 No other options were considered beyond those outlined in the report.

## **7.0 CONSULTATION**

- 7.1 As referred to in paragraph 3.1, the Leader of the Council has been consulted and agreed the Cabinet dates. The draft calendar has also been circulated to Chief Officers and all Party Leaders and all Members' attention will be drawn to this report in advance of the Cabinet meeting.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 There are no implications arising directly from this report

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 There are no implications arising directly from this report.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 There are no implications arising directly from this report.

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 The scheduling of meetings may have implications for carers and families, depending upon individual circumstances (and for that reason a carer's allowance has been included in the Members' Allowances Scheme), but none specifically for older people, people with disabilities and those from ethnic minorities.

- 11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

## **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 There are no implications arising directly from this report.

## 13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no implications arising directly from this report.

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## APPENDICES

Draft Calendar of Meetings

## REFERENCE MATERIAL

Previous reports on the draft Committee Calendar and previous calendars of meetings.

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet (minute 360)	18 March 2010
Cabinet (minute 414)	19 March 2009
Cabinet (minute 499)	7 February 2008

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**APRIL****2011**

Friday	1	
Saturday	2	
Sunday	3	
Monday	4	
Tuesday	5	
Wednesday	6	
Thursday	7	
Friday	8	
Saturday	9	
Sunday	10	
Monday	11	Group Meetings
Tuesday	12	
Wednesday	13	
Thursday	14	Cabinet
Friday	15	
Saturday	16	
Sunday	17	
Monday	18	COUNCIL
Tuesday	19	
Wednesday	20	
Thursday	21	
Friday	22	Good Friday
Saturday	23	
Sunday	24	Easter Day
Monday	25	Easter Monday
Tuesday	26	Planning
Wednesday	27	
Thursday	28	
Friday	29	Public Holiday
Saturday	30	

**MAY****2011**

Sunday	1	
Monday	2	Bank Holiday
Tuesday	3	
Wednesday	4	
Thursday	5	Local Elections
Friday	6	
Saturday	7	
Sunday	8	
Monday	9	
Tuesday	10	
Wednesday	11	
Thursday	12	
Friday	13	
Saturday	14	
Sunday	15	
Monday	16	ANNUAL COUNCIL (Part 1)
Tuesday	17	
Wednesday	18	
Thursday	19	
Friday	20	
Saturday	21	
Sunday	22	
Monday	23	ANNUAL COUNCIL (Part 2)
Tuesday	24	
Wednesday	25	Licensing Act 2003; Licensing, Health & Safety and GP
Thursday	26	Planning
Friday	27	
Saturday	28	
Sunday	29	
Monday	30	Bank Holiday
Tuesday	31	



Wednesday	1	Children and Young People O&S
Thursday	2	Cabinet
Friday	3	
Saturday	4	
Sunday	5	
Monday	6	Economy and Regeneration O&S
Tuesday	7	Sustainable Communities O&S
Wednesday	8	Area Forums (Reserve)
Thursday	9	Scrutiny Programme Board; Employment & Appointments
Friday	10	
Saturday	11	
Sunday	12	
Monday	13	
Tuesday	14	Area Forums (Reserve)
Wednesday	15	Area Forums (Reserve)
Thursday	16	Area Forums (Reserve)
Friday	17	
Saturday	18	
Sunday	19	
Monday	20	
Tuesday	21	Planning; Area Forums (Reserve);
Wednesday	22	Area Forums (Reserve); LSP Executive Board
Thursday	23	Cabinet
Friday	24	
Saturday	25	
Sunday	26	
Monday	27	Pensions; Health and Well Being O&S
Tuesday	28	Area Forums (Reserve)
Wednesday	29	Area Forums (Reserve)
Thursday	30	Audit and Risk Management

**JULY****2011**

Friday	1	
Saturday	2	
Sunday	3	
Monday	4	Standards
Tuesday	5	
Wednesday	6	
Thursday	7	
Friday	8	
Saturday	9	
Sunday	10	
Monday	11	Group Meetings
Tuesday	12	Council Excellence O&S
Wednesday	13	Members' Training
Thursday	14	
Friday	15	
Saturday	16	
Sunday	17	
Monday	18	COUNCIL
Tuesday	19	Planning
Wednesday	20	
Thursday	21	Cabinet
Friday	22	
Saturday	23	
Sunday	24	
Monday	25	
Tuesday	26	
Wednesday	27	
Thursday	28	
Friday	29	
Saturday	30	
Sunday	31	

# AUGUST

2011

Monday	1	
Tuesday	2	
Wednesday	3	LSP Executive Board
Thursday	4	
Friday	5	
Saturday	6	
Sunday	7	
Monday	8	
Tuesday	9	Planning
Wednesday	10	
Thursday	11	
Friday	12	
Saturday	13	
Sunday	14	
Monday	15	
Tuesday	16	
Wednesday	17	
Thursday	18	
Friday	19	
Saturday	20	
Sunday	21	
Monday	22	
Tuesday	23	
Wednesday	24	
Thursday	25	
Friday	26	
Saturday	27	
Sunday	28	
Monday	29	Bank Holiday
Tuesday	30	
Wednesday	31	

**SEPTEMBER****2011**

Thursday	1	Cabinet
Friday	2	
Saturday	3	
Sunday	4	
Monday	5	Economy and Regeneration O&S
Tuesday	6	Planning
Wednesday	7	Members' Training
Thursday	8	Scrutiny Programme Board
Friday	9	
Saturday	10	
Sunday	11	
Monday	12	
Tuesday	13	Health and Well Being O&S
Wednesday	14	LSP Executive Board
Thursday	15	Council Excellence O&S
Friday	16	
Saturday	17	
Sunday	18	
Monday	19	Pensions
Tuesday	20	Children and Young People O&S
Wednesday	21	Licensing, Health & Safety and GP
Thursday	22	Cabinet
Friday	23	
Saturday	24	
Sunday	25	
Monday	26	Sustainable Communities O&S;
Tuesday	27	Planning
Wednesday	28	Audit and Risk Management
Thursday	29	Standards; Employment & Appointments
Friday	30	

# OCTOBER

2011

Saturday	1	
Sunday	2	
Monday	3	
Tuesday	4	
Wednesday	5	Area Forums (Reserve)
Thursday	6	Area Forums (Reserve)
Friday	7	
Saturday	8	
Sunday	9	
Monday	10	Group Meetings
Tuesday	11	COUNCIL (Youth Parliament)
Wednesday	12	Area Forums (Reserve)
Thursday	13	Cabinet
Friday	14	
Saturday	15	
Sunday	16	
Monday	17	COUNCIL
Tuesday	18	Area Forums (Reserve)
Wednesday	19	Area Forums (Reserve)
Thursday	20	Area Forums (Reserve)
Friday	21	
Saturday	22	
Sunday	23	
Monday	24	
Tuesday	25	Planning
Wednesday	26	LSP Executive Board
Thursday	27	
Friday	28	
Saturday	29	
Sunday	30	
Monday	31	Scrutiny Programme Board

# NOVEMBER

2011

Tuesday	1	Members' Training
Wednesday	2	
Thursday	3	Cabinet
Friday	4	
Saturday	5	
Sunday	6	
Monday	7	Economy and Regeneration O&S
Tuesday	8	Health and Well Being O&S
Wednesday	9	
Thursday	10	Licensing Act 2003, Licensing, Health & Safety and GP
Friday	11	
Saturday	12	
Sunday	13	
Monday	14	
Tuesday	15	Planning
Wednesday	16	Children and Young People O&S
Thursday	17	Council Excellence O&S
Friday	18	
Saturday	19	
Sunday	20	
Monday	21	Pensions
Tuesday	22	Employment & Appointments
Wednesday	23	Sustainable Communities O&S
Thursday	24	Cabinet
Friday	25	
Saturday	26	
Sunday	27	
Monday	28	
Tuesday	29	Audit and Risk Management
Wednesday	30	Standards

**DECEMBER****2011**

Thursday	1	Members' Training
Friday	2	
Saturday	3	
Sunday	4	
Monday	5	Group Meetings
Tuesday	6	Planning
Wednesday	7	LSP Executive Board
Thursday	8	Cabinet
Friday	9	
Saturday	10	
Sunday	11	
Monday	12	COUNCIL
Tuesday	13	
Wednesday	14	
Thursday	15	
Friday	16	
Saturday	17	
Sunday	18	
Monday	19	
Tuesday	20	
Wednesday	21	
Thursday	22	
Friday	23	
Saturday	24	Christmas Eve
Sunday	25	Christmas Day
Monday	26	Boxing Day
Tuesday	27	Bank Holiday
Wednesday	28	
Thursday	29	
Friday	30	
Saturday	31	

# JANUARY

2012

Sunday	1	New Years Day
Monday	2	Bank Holiday
Tuesday	3	Planning
Wednesday	4	Scrutiny Programme Board
Thursday	5	
Friday	6	
Saturday	7	
Sunday	8	
Monday	9	
Tuesday	10	
Wednesday	11	
Thursday	12	Cabinet
Friday	13	
Saturday	14	
Sunday	15	
Monday	16	Economy and Regneration O&S
Tuesday	17	Pensions
Wednesday	18	LSP Executive Board
Thursday	19	Health and Well Being O&S
Friday	20	
Saturday	21	
Sunday	22	
Monday	23	Licensing, Health & Safety and GP
Tuesday	24	Planning
Wednesday	25	Audit and Risk Management
Thursday	26	Children and Young People O&S; Standards
Friday	27	
Saturday	28	
Sunday	29	
Monday	30	Sustainable Communities O&S; Employment & Appointments
Tuesday	31	Council Excellence O&S



# FEBRUARY

2012

Wednesday	1	Area Forums (Reserve)
Thursday	2	Cabinet
Friday	3	
Saturday	4	
Sunday	5	
Monday	6	Group Meetings
Tuesday	7	Area Forums (Reserve)
Wednesday	8	Area Forums (Reserve)
Thursday	9	Members' Training
Friday	10	
Saturday	11	
Sunday	12	
Monday	13	COUNCIL
Tuesday	14	Area Forums (Reserve)
Wednesday	15	Area Forums (Reserve)
Thursday	16	Planning
Friday	17	
Saturday	18	
Sunday	19	
Monday	20	Cabinet (Budget Meeting)
Tuesday	21	
Wednesday	22	
Thursday	23	
Friday	24	
Saturday	25	
Sunday	26	
Monday	27	
Tuesday	28	Scrutiny Programme Board
Wednesday	29	Area Forums (Reserve); LSP Executive Board

# MARCH

2012

Thursday	1	BUDGET COUNCIL
Friday	2	
Saturday	3	
Sunday	4	
Monday	5	
Tuesday	6	Planning
Wednesday	7	BUDGET COUNCIL (RESERVE)
Thursday	8	Economy and Regeneration O&S
Friday	9	
Saturday	10	
Sunday	11	
Monday	12	Health and Well Being O&S; Standards
Tuesday	13	Audit and Risk Management
Wednesday	14	Members' Training
Thursday	15	Cabinet
Friday	16	
Saturday	17	
Sunday	18	
Monday	19	Licensing, Health & Safety and GP
Tuesday	20	Pensions
Wednesday	21	Children and Young People O&S
Thursday	22	Employment & Appointments
Friday	23	
Saturday	24	
Sunday	25	
Monday	26	Council Excellence O&S
Tuesday	27	Planning
Wednesday	28	Sustainable Communities O&S
Thursday	29	
Friday	30	
Saturday	31	

# APRIL

2012

Sunday	1	
Monday	2	
Tuesday	3	
Wednesday	4	
Thursday	5	
Friday	6	Good Friday
Saturday	7	
Sunday	8	Easter Day
Monday	9	Easter Monday
Tuesday	10	Group Meetings
Wednesday	11	LSP Executive Board
Thursday	12	Cabinet
Friday	13	
Saturday	14	
Sunday	15	
Monday	16	COUNCIL
Tuesday	17	
Wednesday	18	
Thursday	19	
Friday	20	
Saturday	21	
Sunday	22	
Monday	23	
Tuesday	24	Planning
Wednesday	25	
Thursday	26	
Friday	27	
Saturday	28	
Sunday	29	
Monday	30	

**MAY****2012**

Tuesday	1	
Wednesday	2	
Thursday	3	Local Elections
Friday	4	
Saturday	5	
Sunday	6	
Monday	7	Bank Holiday
Tuesday	8	
Wednesday	9	
Thursday	10	
Friday	11	
Saturday	12	
Sunday	13	
Monday	14	ANNUAL COUNCIL (PART 1)
Tuesday	15	
Wednesday	16	
Thursday	17	
Friday	18	
Saturday	19	
Sunday	20	
Monday	21	ANNUAL COUNCIL (PART 2)
Tuesday	22	
Wednesday	23	
Thursday	24	
Friday	25	
Saturday	26	
Sunday	27	
Monday	28	
Tuesday	29	
Wednesday	30	
Thursday	31	

## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>COMMUNITY ASSET TRANSFER – VALE HOUSE COMMUNITY CENTRE</b>
<b>WARD/S AFFECTED:</b>	<b><i>NEW BRIGHTON</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR HOLBROOK</i></b>
<b>KEY DECISION?</b>	<b><i>NO</i></b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks approval for a transfer by lease of Vale House Community Centre, New Brighton, in accordance with the Council's Community Asset Transfer Policy.
- 1.2 The transfer will promote a number of the Council's Corporate Policies including: Increasing enterprise and promotion of greater independence and choice.
- 1.3 There will be a small saving in the Council's budget as a consequence of this transfer.
- 1.4 The transfer is not a Statutory duty.

### 2.0 RECOMMENDATIONS

- 2.1 That a transfer by lease of the Vale House 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 this report.
- 2.2 That the building works and the transitional costs for the first two years of the business plan be funded from the Community Fund.

### 3.0 REASON FOR RECOMMENDATIONS

- 3.1 Vale House Community Centre is operated by a dedicated team of volunteers who take a very active role in the running of the centre. The proposal submitted by the JMC is considered to show, with the financial support described in this report, a viable and sustainable business plan which is considered to be the best way to achieve a successful transfer.

## **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 Cabinet, at its meeting on 15th January 2009, identified a number of facilities, including Vale House Community Centre, which should be transferred to community management, where the community expressed an interest.
- 4.2 Cabinet, at its meeting on 19th March 2009, approved the Community Asset Transfer policy. The policy sets out the mechanism to pass over the ownership and control of assets to community based groups and explains in detail the key principles and basis for transfer. The minute also resolved that Community Centres first be offered to the established and viable Joint Management Committees.

### **VALE HOUSE COMMUNITY CENTRE**

- 4.3 Vale House Community Centre is located in Vale Park, New Brighton and is shown edged black on the attached plan.
- 4.4 Vale House was built around 1830 as a private dwelling. The Council acquired the property in 1898 and used it for residential purposes until 1989, after which it has been used as a Community Centre. The Joint Management Committee (JMC) has operated the centre and developed a range of services including:

Luncheon Club  
Playgroup  
Café  
West African Drumming  
Wallasey Amateur Photographic society  
Wirral mind  
Pyjama Drama  
Wallasey Interact Computer Club

### **TRANSFER PROPOSAL**

- 4.5 The JMC of Vale House Community Centre wish to take a transfer of the community centre building from the Council and has established the Vale House Community Centre Limited (VHCCL), a Company Limited by Guarantee, to secure the transfer.
- 4.6 In order to satisfy the Community Asset Transfer process, the JMC considered a number of business models to develop and progress with transfer. The model which they believe gives them the best chance of success involves the sub-letting of the first floor to a private company in order to generate an income which they would then use to develop their community aims and objectives. The JMC has produced a five year business plan on this basis which has been assessed and is considered to be sustainable. However, in order to achieve a sustainable position, the business plan identifies the need for support in the first two years of operation, post transfer, to cover the operating deficit for the period. The business plan then shows that the Centre would produce a small profit in Year 3, rising again in Years 4 and 5.

- 4.7 Independent property condition surveys of the Centre have been undertaken and identify a number of items requiring repair. The most significant repairs relate to the external fabric, including roof, window repairs and external decoration. In addition, to enable the implementation of the business plan, a number of alterations will need to be made to the premises to allow separation of use of the ground and first floor. This mainly includes additional disabled access and separation of alarms and electricity supply.
- 4.8 The Community Asset Transfer policy advises that the Council will not normally seek payment of rent under a lease from community based groups, unless substantial commercial use of buildings generates large profits in excess of the running costs of the property. However, the Council will normally expect community based groups to be responsible for the running costs of the building, including repairs, maintenance and all insurance. In light of the business plan and the community benefits described later in this report, the main terms of the proposed lease are as follows:
- Term: 99 years
  - Rent: Peppercorn
  - Liabilities: The lessee to be responsible for all outgoings and maintenance.
  - User clause: Community Activities
- 4.9 Members will be aware of the Council's obligation to obtain the best price reasonably obtainable on the disposal of its land and property. However, under the General Consent, the Council does have the power to restrict the value of land by imposing restrictions as to its use on the grounds that to do so is in the interest of the economic and / or environmental and / or social well being of the inhabitants of the Borough and provided also that any such restriction in value does not exceed two million pounds, per transaction.

## **COMMUNITY BENEFITS**

- 4.10 The JMC has identified the following benefits which will arise after transfer:

The transfer will:

- Retain a locally managed facility, that will further build capacity and the empowerment of community members
- Promote and increase the accessibility of local services
- Meet the needs and demands of the local community
- Promote social inclusion
- Improve a key community facility and services
- Develop the capacity of local community groups to work in partnership to create an environment of positive engagement
- Raise and meet local aspirations
- Identify and address gaps in current service provision
- Demonstrate best practice by providing accessible good quality services or activities that meet the needs of local people
- Contribute to maximising the opportunity to positively change the 'neighbourhood' for the benefit of local people

- Promote employment by creating new posts where appropriate
- Develop and maintain networks and links
- Increase income & rental space

4.11 The members of the JMC have run Vale House Community Centre for many years. It is the view of officers who have worked with the Committee that their proposals are very focused and dedicated to the local community.

## **5.0 RELEVANT RISKS**

5.1 The business plan has been assessed and it is considered to rely heavily on achieving projections from the income of the café. However, the group is aware of the need to increase profitability of the café and are confident of achieving them over the course of the plan and accordingly, with financial support in the first two years, is considered to show viability and sustainability. Should the centre not achieve the income needed to produce the profits predicted from year three onwards, the centre would have difficulty operating. Under these circumstances the Council's Community Asset Transfer Policy advises that the Council will normally be willing to accept a transfer back of a building, without any payment or penalty, if the community based group no longer wishes to manage the facility. In these circumstances the building would then normally be sold on the open market, unless another community based group expressed an interest in its management.

## **6.0 OTHER OPTIONS CONSIDERED**

6.1 The proposed transfer is in accordance with the resolution of Cabinet of 15 January 2009 which resolved that the facility should be transferred to community management, where the community expressed an interest. As the JMC is willing to proceed with a transfer, no other options have been considered.

## **7.0 CONSULTATION**

7.1 The Joint Management Committee has received support from the Council in developing its proposals for transfer. As part of its business planning process the JMC has consulted with users and the community.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

8.1 The Joint Management Committee is a voluntary group. To satisfy the transfer process, it will form the Vale House Community Centre Limited, a company limited by guarantee, which will employ staff to support the running of the facility. The facility will however, still be reliant on voluntary support to continue to provide this community facility.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

### **9.1 FINANCIAL IMPLICATIONS**

9.2 The Council will support use of Community Fund monies for a grant for the following items:

The repairs identified have an estimated cost of £80,000 (ex VAT) plus fees and contingencies.



The deficit in year one in the sum of £67,774 and the deficit in year two in the sum of £55,364 totalling £123,138 over two years.

- 9.3 The transfer of this asset on the terms described will result in revenue savings to the Council budgeted at £13,100 per annum.
- 9.4 If the Council retained Vale House Community Centre it would have to address the Backlog maintenance estimated at £35,000 from its own resources. Future life cycle maintenance costs are estimated at £70,000 over the next 10 years, which the Council will no longer be responsible for after transfer.

#### IT IMPLICATIONS

- 9.5 None arising directly from this report.

#### STAFFING IMPLICATIONS

- 9.6 The Council employs a part time janitor at the centre. Post transfer Vale House Community Centre Ltd will make their own arrangements for janitorial services and the Council will manage the staff under existing HR policies.

#### ASSET IMPLICATIONS

- 9.7 If the Council were to sell the property with vacant possession it could achieve a capital receipt. The actual amount would be determined by a marketing exercise, but would be expected to be in the region of £100,000.

### **10.0 LEGAL IMPLICATIONS**

- 10.1 Approval of the recommendations will require the Council to prepare appropriate legal documentation to enable the transfer to proceed.

### **11.0 EQUALITIES IMPLICATIONS**

- 11.1 The transfer lease will require the group to adhere to current legislation including equal opportunities.
- 11.2 Equality Impact Assessment (EIA)
  - (a) Is an EIA required? Yes
  - (b) If 'yes', has one been completed? An assessment has been undertaken in respect of the wider Community Asset Transfer process. In assessment in respect of this transfer is currently being undertaken.

### **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 Post transfer, the company will need to operate the facility in a cost effective manner and will need ensure that energy bills are kept to a minimum.
- 12.2 The transfer will result in a saving in the Council's CO2 emissions which have been calculated at 35 tonnes for the year 2011/12.

### **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 Any material change in the use or external appearance of the building will require planning permission. .

13.2 The building is located in an area designated as Urban Greenspace in the Unitary Development Plan and is within the Magazines Conservation Area. There is provision for re-use of existing buildings within UDP Policies GR1 and CH2.

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### **APPENDICES**

A location plan is attached identifying the building.

### **REFERENCE MATERIAL**

Reference has been made to the Council's Community asset Transfer Policy which can be viewed through the Council's website.

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet – Transforming Wirral	15 January 2009
Cabinet – Asset Management Update	19 March 2009

# Vale Park House Community Centre



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Licence Number: 100019803

Scale 1/1250  
Centre = 331231 E 393467 N

Date 28/2/2011

Dept:  
Section:

Page 71

Phone:  
Fax:

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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>COMMUNITY ASSET TRANSFER – DELAMERE COMMUNITY CENTRE, EASTHAM</b>
<b>WARD/S AFFECTED:</b>	<b><i>EASTHAM</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR HOLBROOK</i></b>
<b>KEY DECISION?</b>	<b><i>NO</i></b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks approval for a transfer by lease of Delamere Community Centre, Eastham, in accordance with the Council's Community Asset Transfer Policy.
- 1.2 The transfer will promote a number of the Council's Corporate Policies including: Increase enterprise and promote greater independence and choice.
- 1.3 There will be a small saving in the Council's budget as a consequence of this transfer.
- 1.4 The transfer is not a Statutory duty.

#### 2.0 RECOMMENDATIONS

- 2.1 That a transfer by lease of Delamere 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 this report.
- 2.2 That the building works and the transitional costs for the first two years of the business plan be funded from the Community Fund.

#### 3.0 REASON FOR RECOMMENDATIONS

- 3.1 Delamere Community Centre is operated by a dedicated team of volunteers who take a very active role in the running of the centre. The proposal submitted by the Users is considered to show, with the financial support described in this report, a viable and sustainable business plan which is considered to be the best way to achieve a successful transfer.

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 Cabinet, at its meeting on 15th January 2009, identified a number of facilities, including Delamere Community Centre, which should be transferred to community management, where the community expressed an interest.
- 4.2 Cabinet, at its meeting on 19th March 2009, approved the Community Asset Transfer policy. The policy sets out the mechanism to pass over the ownership and control of assets to community based groups and explains in detail the key principles and basis for transfer. The minute also resolved that Community Centres first be offered to the established and viable Joint Management Committees.

#### **DELAMERE COMMUNITY CENTRE**

- 4.3 Delamere Community Centre is located in Eastham's Mill Park estate and is shown edged black on the attached plan.
- 4.4 Delamere Community Centre is a purpose built facility which is operated by the Eastham Community Group committee, which operates the facility to provide the following activities:

Pipes and drums  
Age Concern exercise group  
Line Dancing  
Bingo  
Community sports development  
After school club  
Dance group

#### **TRANSFER PROPOSAL**

- 4.5 The Eastham Community Group committee wish to take a transfer of the community centre building from the Council and will establish an appropriate organisation to enable the transfer to proceed.
- 4.6 In order to satisfy the Community Asset Transfer process, the group has produced a five year business plan which has been assessed and is considered to be sustainable. However, in order to achieve a sustainable position, the business plan identifies the need for support in the first two years of operation, post transfer, to cover the operating deficit for the period. The business plan then shows that the Centre would produce a small profit in Year 3, rising again in Years 4 and 5.
- 4.7 An independent property condition survey of the centre has been undertaken and identified a number of items requiring repair. The most significant repairs relate to the replacement of windows.
- 4.8 The Community Asset Transfer policy advises that the Council will not normally seek payment of rent under a lease from community based groups, unless substantial commercial use of buildings generates large profits in excess of the running costs of the property. However, the Council will normally expect community based groups to be responsible for the running costs of the building,

including repairs, maintenance and all insurance. In light of the business plan and the community benefits described later in this report, the main terms of the proposed lease are as follows:

- Term: 99 years
- Rent: Peppercorn
- Liabilities: The lessee to be responsible for all outgoings and maintenance.
- User clause: Community Activities

- 4.9 Members will be aware of the Council's obligation to obtain the best price reasonably obtainable on the disposal of its land and property. However, under the General Consent, the Council does have the power to restrict the value of land by imposing restrictions as to its use on the grounds that to do so is in the interest of the economic and / or environmental and / or social well being of the inhabitants of the Borough and provided also that any such restriction in value does not exceed two million pounds, per transaction.

### **COMMUNITY BENEFITS**

- 4.10 The users have developed a business plan which identifies how benefits which will be achieved after transfer, it summarises these as follows:
- By working with partners in particular Wirral Partnership Homes and Wirral Youth Service we can focus on Children and Young People, Developing Peer Educators to deliver sessions warning of the dangers associated with drinking alcohol or taking drugs, thus generating additional income.
  - By working with other partners, Tranmere Community Project bringing the Young Mums programme to the Delamere Centre will help to educate young people and reduce the number of conceptions.
  - Improving health and fitness through exercise and encouraging smoking cessation.
  - Reinforcing personal responsibility for resident's behaviour through positive encouragement .Provision of debt and benefit advice for residents.
  - By working with the five Wirral Development Trusts using the Delamere Centre to deliver personal development programmes for the Director of Works and Pensions (DWP) work Programme thus generating additional income.
  - By encouraging partners to use the centre as an outreach location for encouraging business start up and developing a social enterprise.
  - By encouraging the promotion of the Big Society and embracing the Localism Bill. Local solutions are frequently very effective, as they reflect the needs of specific communities and engage residents in taking positive action. They are often cost-effective, since they provide a conduit for the resources of residents' charities or social enterprises to complement those of the state. Given the growing pressure on government finances, these are important benefits. In particular recruiting and training community organisers.

- By using a costing formula that will ensure full cost recovery from all users of the centre. By liaising with other centres that have taken the asset transfer offer to make purchases of equipment and services that will be discounted because of a consortia approach.

## **5.0 RELEVANT RISKS**

- 5.1 The business plan has been assessed and is considered to have little risk in achieving its targets and is therefore, with financial support in the first two years, is considered to show viability and sustainability. However, should the centre not achieve the income needed to produce the profits predicted from year three onwards, the centre would have difficulty operating. Under these circumstances the Council's Community Asset Transfer Policy advises that the Council will normally be willing to accept a transfer back of a building, without any payment or penalty, if the community based group no longer wishes to manage the facility. In these circumstances the building would then normally be sold on the open market, unless another community based group expressed an interest in its management.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 The proposed transfer is in accordance with the resolution of Cabinet of 15 January 2009 which resolved that the facility should be transferred to community management, where the community expressed an interest. As the users are willing to proceed with a transfer, no other options have been considered.

## **7.0 CONSULTATION**

- 7.1 The user groups have received support from the Council in developing the proposals for transfer. As part of its business planning process the group has consulted with the community.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 The users are a voluntary group, which will remain a voluntary group after transfer. The facility will however, still be reliant on voluntary support to continue to provide this community facility.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

### **9.1 FINANCIAL IMPLICATIONS**

- 9.2 The Council will support use of Community Fund monies for a grant for the following items:

- 9.3 The repairs identified in the report have an estimated cost of £40,000 (ex VAT) plus fees and contingencies.

- 9.4 The deficit in year one in the sum of £42,014 and the deficit in year two in the sum of £28,316 totalling £70,330 over two years.

- 9.5 The transfer of this asset on the terms described will result in revenue savings to the Council budgeted at £16,800 per annum.



- 9.6 If the Council retained Delamere Community Centre it would have to address the Backlog maintenance estimated at £40,000 from its own resources. Future life cycle maintenance costs are estimated at £105,000 over the next 10 years, which the Council will no longer be responsible for after transfer.
- 9.7 IT IMPLICATIONS
- 9.8 None arising directly from this report.
- 9.9 STAFFING IMPLICATIONS
- 9.10 The group currently makes its own arrangements for cleaning and janitorial services. There are therefore no staffing implications arising directly from this report.
- 9.11 ASSET IMPLICATIONS
- 9.12 If the Council were to sell the property with vacant possession it could achieve a capital receipt. The actual amount would be determined by a marketing exercise, but would be expected to be in the region of £100,000.
- 10.0 LEGAL IMPLICATIONS**
- 10.1 Approval of the recommendations will require the Council to prepare appropriate legal documentation to enable the transfer to proceed.
- 11.0 EQUALITIES IMPLICATIONS**
- 11.1 The transfer lease will require the group to adhere to current legislation including equal opportunities.
- 11.2 Equality Impact Assessment (EIA)
- |                                       |     |
|---------------------------------------|-----|
| (a) Is an EIA required?               | Yes |
| (b) If 'yes', has one been completed? | Yes |
- 12.0 CARBON REDUCTION IMPLICATIONS**
- 12.1 The works which will be funded by the Council as part of the transfer process will improve the energy efficiency of the building and reduce its carbon footprint. Post transfer, the company will need to operate the facility in a cost effective manner and will need ensure that energy bills are kept to a minimum.
- 12.2 The transfer will result in a saving in the Council's CO2 emissions which have been calculated at 8 tonnes for the year 2011/12.
- 13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**
- 13.1 There are no planning implications arising directly from this report.

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## **APPENDICES**

A location plan is attached identifying the building.

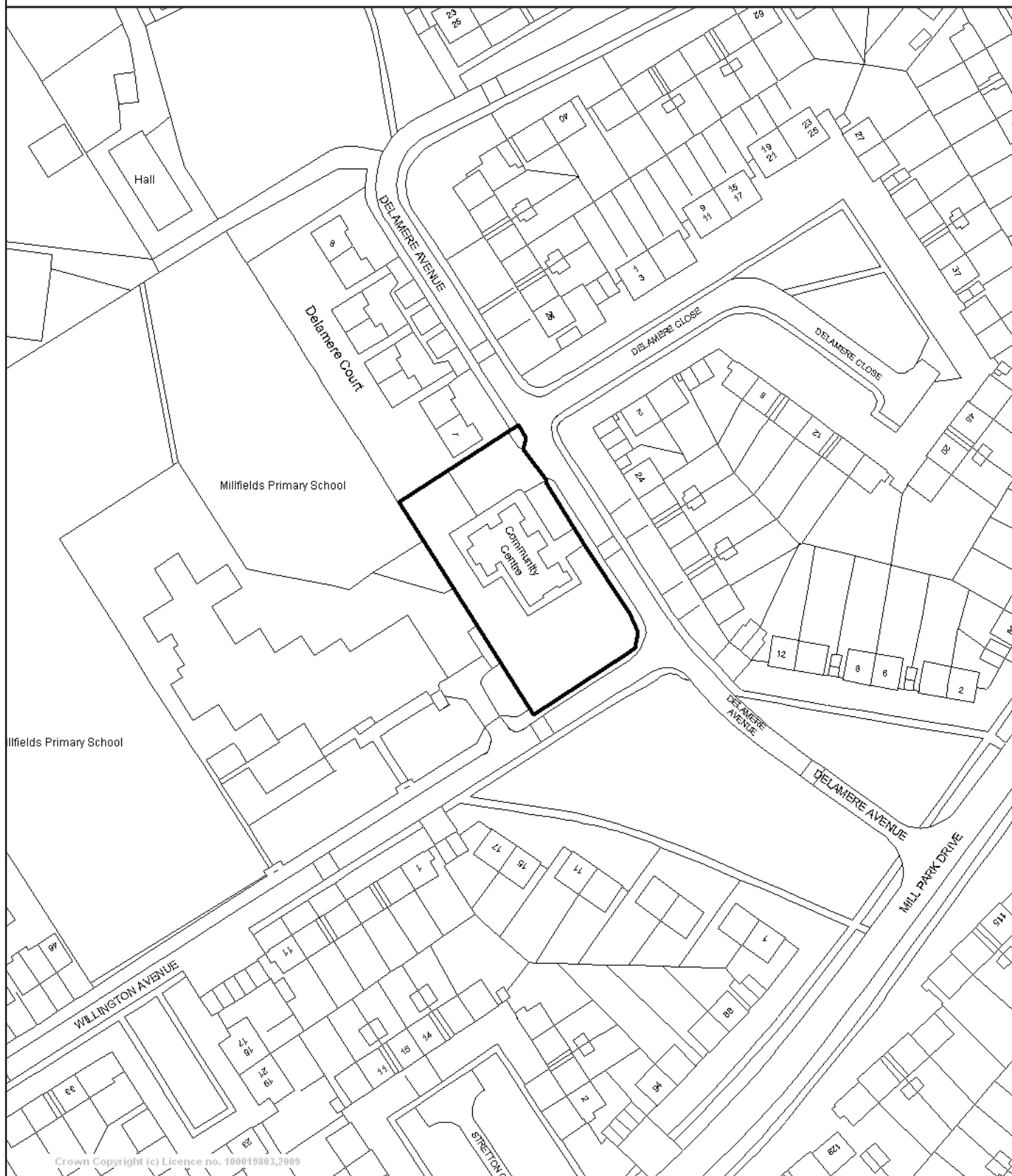
## **REFERENCE MATERIAL**

Reference has been made to the Council's Community asset Transfer Policy which can be viewed through the Council's website.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet – Transforming Wirral	15 January 2009
Cabinet – Asset Management Update	19 March 2009

# Delamere Community Centre



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Dept:  
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Page 79

Phone:  
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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>COMMUNITY ASSET TRANSFER – NOCTORUM COMMUNITY CENTRE</b>
<b>WARD/S AFFECTED:</b>	<b><i>CLAUGHTON</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR HOLBROOK</i></b>
<b>KEY DECISION?</b>	<b><i>NO</i></b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks approval for a transfer by lease of Noctorum Community Centre, Noctorum, in accordance with the Council's Community Asset Transfer Policy.
- 1.2 The transfer will promote a number of the Council's Corporate Policies including: Increased enterprise and promotion of greater independence and choice.
- 1.3 There will be a small saving in the Council's budget as a consequence of this transfer.
- 1.4 The transfer is not a Statutory duty.

#### 2.0 RECOMMENDATIONS

- 2.1 That a transfer by lease of the Noctorum 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 this report.
- 2.2 That the repair works and the transitional costs for the first year of operation be funded from the Community Fund.

#### 3.0 REASON FOR RECOMMENDATIONS

- 3.1 Noctorum Community Centre is located within the grounds of Ridgeway High School. It is operated by a team of volunteers who are unwilling to take a transfer of the facility on their own, but support a proposal by Ridgeway High School to operate the building with community activities. The School already promotes a number of community activities and is keen to develop this area and to take a transfer of the building to retain and develop the existing community activities. This proposal is considered to be the most suitable way of securing the community activities at this facility for the long term.

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 Cabinet, at its meeting on 15th January 2009, identified a number of facilities, including Noctorum Community Centre, which should be transferred to community management, where the community expressed an interest.
- 4.2 Cabinet, at its meeting on 19th March 2009, approved the Community Asset Transfer policy. The policy sets out the mechanism to pass over the ownership and control of assets to community based groups and explains in detail the key principles and basis for transfer. The minute also resolved that Community Centres first be offered to the established and viable Joint Management Committees.

#### **NOCTORUM COMMUNITY CENTRE**

- 4.3 Noctorum Community Centre is situated within the grounds of Ridgeway High School, Noctorum and is shown edged black on the attached plan.
- 4.4 The Centre is a purpose-built single storey community centre, and has been operated by a group of volunteers who have developed a range of activities at the centre including:

Bingo  
Line Dancing  
Play Scheme  
Majorettes  
Morris Dancers  
Lunch club  
Parties

#### **TRANSFER PROPOSAL**

- 4.5 The users have not formed a Joint Management Committee, but were given the opportunity to pursue a transfer of the centre. They were unwilling to take a transfer on their own, but support a proposal developed by Ridgeway High School to incorporate the building in to the school complex and operate the centre as community facility.
- 4.6 The school elected to become a Foundation school which required the transfer of ownership of the land and buildings from the Council to the school, the documentation for which is yet to be completed, however, the community centre does not form part of this transfer.
- 4.7 The school's proposal to operate the facility is to incorporate a management board for the Community Centre into its established Governance and management framework. Existing community volunteers will be invited to be members of this board. Members of the volunteer group have already developed a strong collaborative approach to community partnership work as evidenced through the recent highly successful Bonfire and Fireworks event. Further collaborative work can be evidenced through the partnership work which was jointly undertaken by pupils and members of the community to identify suitable activities and colour schemes for the proposed refurbishment of the centre.

- 4.8 To develop this proposal the school has requested support for one year to cover the cost of employing a centre manager/caretaker and all outgoings, in the sum of £41,500. After year one the school would operate the centre within its wider business model for the school.
- 4.9 An independent property condition survey of the Centre has been undertaken and identifies a number of essential items of repair. Even after addressing these repairs, the school has identified further works which it believes are necessary for it to operate the facility, which include a few new windows, an upgrade of the CCTV system, improved lighting and an upgrade of toilets which are considered appropriate for a transfer of this nature.
- 4.10 The Community Asset Transfer policy advises that the Council will not normally seek payment of rent under a lease from community based groups, unless substantial commercial use of buildings generates large profits in excess of the running costs of the property. However, the Council will normally expect community based groups to be responsible for the running costs of the building, including repairs, maintenance and all insurance. In light of the proposal and the community benefits described later in this report, the main terms of the proposed lease are as follows:
- Term: 99 years
  - Rent: Peppercorn
  - Liabilities: The lessee to be responsible for all outgoings and maintenance.
  - User clause: Education and Community Activities
- 4.11 Members will be aware of the Council's obligation to obtain the best price reasonably obtainable on the disposal of its land and property. However, under the General Consent, the Council does have the power to restrict the value of land by imposing restrictions as to its use on the grounds that to do so is in the interest of the economic and / or environmental and / or social well being of the inhabitants of the Borough and provided also that any such restriction in value does not exceed two million pounds, per transaction.

## **COMMUNITY BENEFITS**

- 4.12 The School has identified the following benefits which will arise after transfer:

The transfer will:

- Enable the premises to be more effectively and efficiently managed under the shared leadership and management of the school
- Generate further inward investment in the local area
- Provide a hub for further development of a wider range of activities and services which meet the needs of the users and stakeholders
- Raise and meet local aspirations of the pupils and wider community
- Contribute to the commitment to promoting a more positive community based neighbourhood

- Build further capacity of the local community to deliver a wider range of community activities
- Widen access by all members of the local community to a wider range of leisure and lifelong learning activities for all users
- Provide an additional 'safe space' for pupils of the school to use during the school day when not being used by established users
- Promote and extend further community cohesion, parental engagement and partnership work
- Reduce anti-social behaviour in the area
- Provide an ideal location for the extended Health in schools initiative
- Promote social inclusion
- Promote and increase the accessibility of local and mainstream services for members of the local community
- Promote employability by creating a new post
- Demonstrate best practice by providing high quality, accessible services and activities for all users.

## **5.0 RELEVANT RISKS**

- 5.1 In light of the Centre's location within Ridgeway High School and the School's commitment to community cohesion, the risks involved in the transfer are low.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 The proposed transfer is in accordance with the resolution of Cabinet of 15 January 2009 which resolved that the facility should be transferred to community management, where the community expressed an interest. As the school is willing to proceed with a transfer, incorporating the activities of the existing users, no other options have been considered.

## **7.0 CONSULTATION**

- 7.1 The school is very active in the community having achieved an 'Outstanding' judgement for community cohesion in its recent Ofsted inspection. In addition the school has recently won a National Award called Accord which recognises inclusion and demonstrates the school's commitment to Community engagement. Additionally the school has consulted with the users.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 The centre is currently operated by volunteers who will be encouraged to remain active in the centre and to broaden its use.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

### **9.1 FINANCIAL IMPLICATIONS**

- 9.2 The Council will support use of Community Fund monies for a grant for the following items:

The repairs identified in the report, together with the additional works described, have an estimated cost of £49,000 (ex VAT) plus fees and contingencies.



The support required to cover the first year's running costs is £42,000.

- 9.3 The transfer of this asset on the terms described will result in revenue savings to the Council in running costs of approximately £7,000 per annum, although no specific budget exists for this property.
- 9.4 If the Council retained Noctorum Community Centre it would have to address the Backlog maintenance estimated at £40,000 from its own resources. Future life cycle maintenance costs are estimated at £51,000 over the next 10 years, which the Council will no longer be responsible for after transfer.

#### IT IMPLICATIONS

- 9.5 None arising directly from this report.

#### STAFFING IMPLICATIONS

- 9.6 The user groups currently make their own arrangements for cleaning and janitorial services. There are therefore no staffing implications arising directly from this report.

#### ASSET IMPLICATIONS

- 9.7 Given the location of the property, within the grounds of Ridgeway High school, it is unlikely to be of any interest if offered for sale on the open market. The centre is therefore unlikely to have any significant alternative value.

### **10.0 LEGAL IMPLICATIONS**

- 10.1 Approval of the recommendations will require the Council to prepare appropriate legal documentation to enable the transfer to proceed. The School is now a Foundation School which requires the transfer of ownership from the Council to the school. The legal documentation for this will also need to be completed.

### **11.0 EQUALITIES IMPLICATIONS**

- 11.1 The transfer lease will require the group to adhere to current legislation including equal opportunities.
- 11.2 Equality Impact Assessment (EIA)  
(a) Is an EIA required? Yes  
(b) If 'yes', has one been completed? An assessment has been undertaken in respect of the wider Community Asset Transfer process. An assessment in respect of this transfer is currently being undertaken.

### **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 The works which will be funded by the Council as part of the transfer process will improve the energy efficiency of the building and reduce its carbon footprint. Post transfer, the School will need to operate the facility in a cost effective manner and will need ensure that energy bills are kept to a minimum.
- 12.2 The transfer will result in a saving in the Council's CO2 emissions.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no planning implications arising directly from this report.

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## **APPENDICES**

A location plan is attached identifying the building.

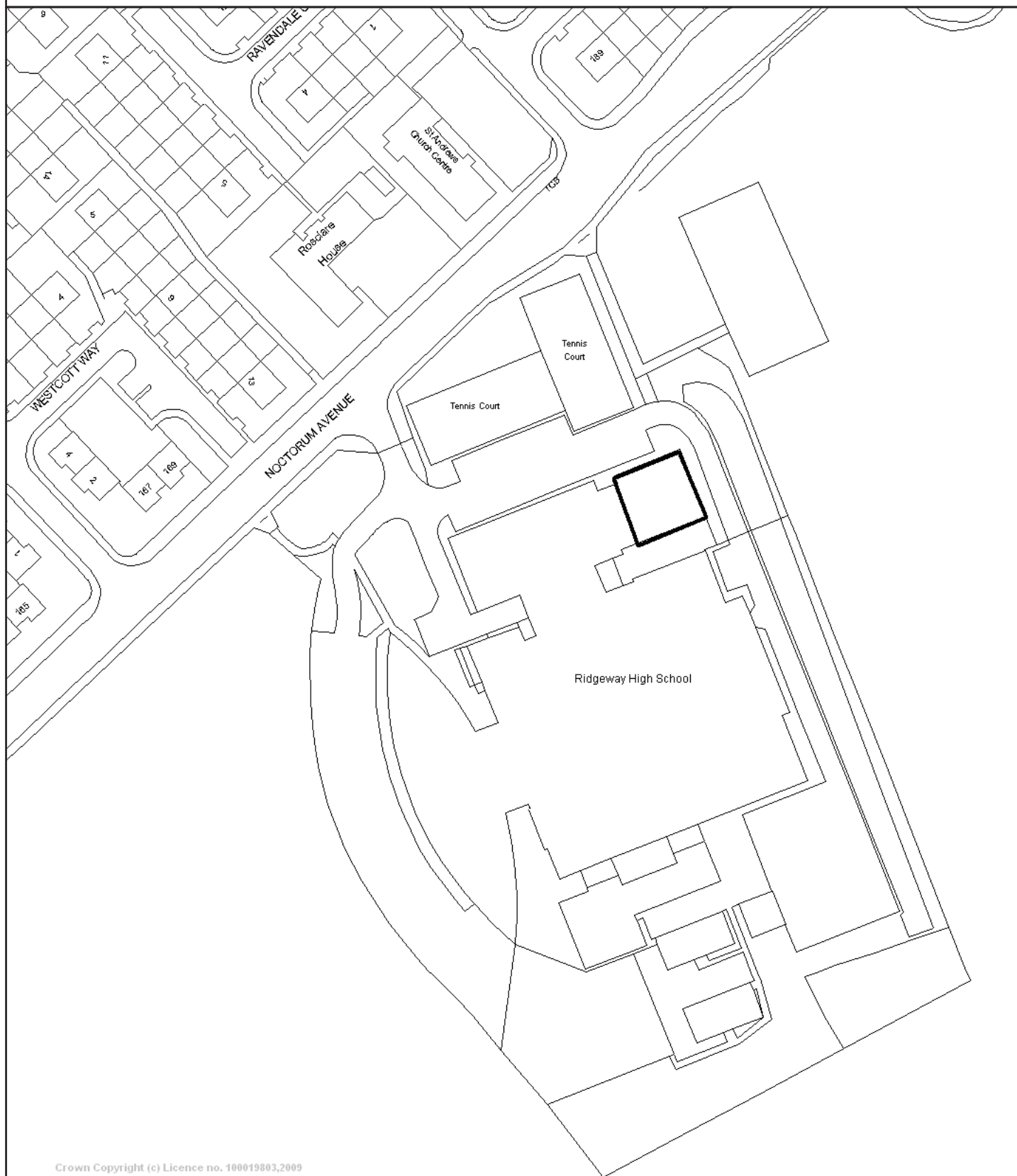
## **REFERENCE MATERIAL**

Reference has been made to the Council's Community asset Transfer Policy which can be viewed through the Council's website.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet – Transforming Wirral	15 January 2009
Cabinet – Asset Management Update	19 March 2009
Cabinet - School Categories and Characteristics	13th March 2008
Cabinet - Foundation and Trust Schools - Update	12th June 2008

# Noctorum Community Centre



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Section:

Page 87

Phone:  
Fax:

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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>COMMUNITY ASSET TRANSFER – OVERTON COMMUNITY CENTRE</b>
<b>WARD/S AFFECTED:</b>	<b><i>UPTON</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR HOLBROOK</i></b>
<b>KEY DECISION?</b>	<b><i>NO</i></b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report advises Members of changes to the business plan which was prepared to inform the Community Asset Transfer process and to an amendment to the amounts required from the Community Fund as a result of these changes.
- 1.2 The transfer will promote a number of the Council's Corporate Policies including: Increase enterprise and promote greater independence and choice.
- 1.3 There will be a saving in the Council's budget as a consequence of this transfer.
- 1.4 The transfer is not a Statutory duty.

#### 2.0 RECOMMENDATIONS

- 2.1 That the additional monies required to secure the transfer of Overton Community Centre be approved.

#### 3.0 REASON FOR RECOMMENDATIONS

- 3.1 Overton Community Centre is operated by a dedicated team of volunteers who take a very active role in the running of the centre, without direct staffing support from the Council. Consequently the financial savings to the Council as a result of a transfer in terms of annual running costs are relatively low. However, even with the additional funding, the proposal submitted by the JMC is considered to show, with the additional financial support, a viable and sustainable business plan, which is considered to be the best way to achieve a successful transfer and to achieve the community benefits which will derive from it.

#### 4.0 BACKGROUND AND KEY ISSUES

- 4.1 Cabinet, at its meeting on 14 October 2010 considered a report seeking approval to the transfer of Overton Community Centre in accordance with the Council's Community Asset Transfer policy. Members were advised of the proposed terms

of the transfer, the financial implications and the benefits arising from the transfer. Members approved the transfer on the terms described and approved use of the Community Fund to provide Capital and Revenue funding support.

- 4.2 The decision to transfer was informed by a five year business plan which was developed to meet the requirements of the transfer process. The plan was assessed and considered to show viability and sustainability following a transitional two year period which required support in the sum of £86,500. The business plan included a regular income from a private nursery provider which would ensure its viability and sustainability in the long term.
- 4.3 Use of the centre by the nursery provider is now not possible and the Joint Management Committee has had to revise its business plan to achieve viability without the secure income of the nursery provider. The JMC has therefore developed its plan retaining the nursery use, but operating it within its existing members. Once again the business plan has been assessed and is considered to show viability and sustainability, but requires revenue support in the first two years in the sum of £163,771. This is £77,271 more than previously approved.

## **5.0 RELEVANT RISKS**

- 5.1 The business plan has been assessed and it has been observed that the main income risk is the Nursery which is forecast to provide 88% of the overall income. Clearly the viability of the plan hinges on the success of the Nursery. Expenditure is realistically forecast and projected for the future with commercially driven decisions on future staffing requirements. Subject to the volunteers maximising the revenue from the Nursery or taking remedial steps to mitigate shortfalls, the business plan is considered to show viability and sustainability. However, there is the risk that without continued financial support from the Council, the centre could fail. Under these circumstances the Council's Community Asset Transfer Policy advises that the Council will normally be willing to accept a transfer back of a building, without any payment or penalty, if the community based group no longer wishes to manage the facility. In these circumstances the building would then normally be sold on the open market, unless another community based group expressed an interest in its management.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 The proposed transfer is in accordance with the resolution of Cabinet of 15 January 2009 which resolved that the facility should be transferred to community management, where the community expressed an interest. As the JMC remains committed following changes in the business model, no other options have been considered.

## **7.0 CONSULTATION**

- 7.1 The Joint Management Committee has received support from the Council in developing its proposals for transfer. As part of its business planning process the JMC has consulted with users and the community.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 The Joint Management Committee is a voluntary group. To satisfy the transfer process, it will form the Overton Community Centre Ltd, a company limited by guarantee, which will employ some staff to run the facility. The facility will however, still be reliant on voluntary support.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

### **FINANCIAL IMPLICATIONS**

- 9.1 In addition to the monies previously approved, the Council will support use of Community Fund monies for additional revenue support in the sum of £77,271.

### **IT IMPLICATIONS**

- 9.2 None arising directly from this report.

### **STAFFING IMPLICATIONS**

- 9.3 None arising directly from this report.

### **ASSET IMPLICATIONS**

- 9.4 None arising directly from this report.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 None arising directly from this report.

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 The transfer lease will require the group to adhere to current legislation including equal opportunities.

- 11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? Yes

(b) If 'yes', has one been completed? An assessment has been undertaken in respect of the wider Community Asset Transfer process. An assessment in respect of this transfer is currently being undertaken.

## **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 The works which will be funded by the Council as part of the transfer process will improve the energy efficiency of the building and reduce its carbon footprint. Post transfer, the company will need to operate the facility in a cost effective manner and will need ensure that energy bills are kept to a minimum.
- 12.2 The transfer will result in a saving in the Council's CO2 emissions which have been calculated at 13 tonnes for the year 2011/12.

### **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no planning implications arising directly from this report.

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### **APPENDICES**

A location plan is attached identifying the building.

### **REFERENCE MATERIAL**

Reference has been made to the Council's Community asset Transfer Policy which can be viewed through the Council's website.

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet – Transforming Wirral	15 January 2009
Cabinet – Asset Management Update	19 March 2009
Cabinet – Community Asset Transfer – Overton Community Centre	14 October 2010



## WIRRAL COUNCIL

### CABINET

17<sup>TH</sup> MARCH 2011

<b>SUBJECT:</b>	<b><i>LOCAL TRANSPORT CAPITAL FUNDING &amp; THE INTEGRATED TRANSPORT BLOCK (ITB) PROGRAMME 2011/12</i></b>
<b>WARD/S AFFECTED:</b>	<b><i>ALL</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF TECHNICAL SERVICES</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>STREETSCENE AND TRANSPORT SERVICES COUNCILLOR LESLEY RENNIE</i></b>
<b>KEY DECISION?</b>	<b><i>YES</i></b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 On 13 January 2011, Cabinet received a report that set out the Local Transport Plan Capital Programme settlement for 2011/12 to 2014/15, and approved the LTP budget for 2011/12. At that time, it was anticipated that Wirral's Integrated Transport Block (ITB) allocation would be in the region of £1,149,000, however, since January, further discussions with Merseytravel have confirmed that Wirral's ITB allocation is now expected to be £1,155,000 (subject to final ratification by the Integrated Transport Authority (ITA)).
- 1.2 At its meeting of 21<sup>st</sup> February 2011, Cabinet approved an addition to the Capital Programme of £600,000 specifically for schemes which aim to address identified road safety problems. This funding will be used to implement engineering schemes to reduce accidents and create safe environments for all classes of road user - including the more vulnerable modes such as pedestrians and cyclists. Schemes to be implemented will be selected through a prioritisation of those that will deliver effective road safety improvements (road casualty reductions).
- 1.3 This Report presents the proposed breakdown of the combined ITB and Capital Bid funding (totalling £1,755,000) and the detailed Capital programmes, for Cabinet approval.
- 1.4 The determination of suitable schemes and projects within the proposed 2011/12 Capital programme and the budget allocation for the ITB outlined in this report are prioritised in line with Council Key Priorities and Corporate Objectives, LTP3 Objectives and the results of the recent 'Living in Wirral Task Force' public consultation.

- 1.5 The schemes detailed within this report that form the ITB directly address the Council's Statutory Duties as set out in the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act 2000 and the Traffic management Act 2004.

## **2.0 RECOMMENDATION**

### **2.1 That Cabinet:**

- Approve proposed allocation of the Local Transport Plan Capital programme 2011/12 Integrated Transport Block between the five identified headings of 'Improving Road Safety', 'Promoting Active Travel & Health', 'Promoting Economy & Accessibility', 'Reducing Congestion & Carbon Emissions' and 'Advance Design & Forward Planning' as detailed in this report.
- Approve detailed programmes of schemes and projects under each of the five identified headings of the combined Integrated Transport Block - Capital Bid programme for 2011/12 set out in Sections 5 to 9 (and summarised in **Appendix 'A'**) of this report.
- Delegate authority to the Director of Technical Services, in conjunction with the Cabinet Member for Streetscene and Transport Services and Party Spokespersons, to make any necessary adjustments to the priorities within the programme should the need arise due to financial conditions or other factors.

## **3.0 REASON/S FOR RECOMMENDATION/S**

- 3.1 To ensure that the transport capital programme reflects Corporate and LTP3 short-term implementation priorities, and has the flexibility to ensure delivery of the most effective schemes within the financial year.

## **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 Members will already be aware of the Council Key Priorities and Corporate Objectives, therefore, this section provides Members with a brief overview of the priorities and objectives in the third Local Transport Plan (LTP3), which is effective from the start of April 2011.
- 4.2 Following the Local Transport Act 2008, the Merseyside Integrated Transport Authority (ITA) has formal statutory responsibility for producing the next LTP, however, in keeping with the established partnership working in Merseyside, it has been produced in collaboration with all of the Merseyside local authorities. The LTP Strategy document is a crucial policy/statutory framework for future transport provision and the ITA will approve the final version of LTP3 on 17<sup>th</sup> March 2011, prior to its submission to Department for Transport.
- 4.3 The new LTP has been developed to ensure that the Merseyside transport system aids economic growth whilst, at the same time, playing its part in

reducing carbon emissions and addressing climate change. The strategy aims to deliver other local priorities of improving health and well-being, so that health inequalities, social exclusion, improved accessibility and safety can be addressed.

4.4 However, the new LTP has been developed in a climate of reduced funding and challenging economic circumstances. Local forecasts for the future, based on the best information available, including development forecasts, show a largely flat projected traffic growth in the short term. Longer-term forecasting at the present time is uncertain, but in line with national projections, forecasts show demand will increase again from about 2014/15.

4.5 On this basis, it is anticipated that the existing transport networks will largely be able to cope with forecast demands over the first 3 or 4 years. Key actions over the short-term, therefore, have been identified that:

- Prioritise maintenance programmes;
- Provide a robust framework linking transport and future developments in a way that can reduce long distance travel and carbon emissions, and improve accessibility;
- Expand the range of public transport services;
- Begin to implement the next generation of technology;
- Develop and enhance the freight and logistics network;
- Reduce carbon emissions and reliance on oil, improve air quality and improve health;
- Increase sustainable and safe travel; and
- Continue to reduce road traffic accidents.

4.6 Each of the Merseyside LTP partner authorities has developed their own capital programme which, when combined, form a Merseyside-wide Implementation Plan. Wirral's LTP programme has been constructed under the following headings to reflect the above key actions and complement the Council's Key Priorities and Corporate Objectives and the results of the recent '*Living in Wirral Task Force*' public consultation:

- Improving Road Safety
- Promoting Active Travel & Health
- Promoting Economy & Accessibility
- Reducing Congestion & Carbon Emissions
- Transportation - General

## **5.0 IMPROVING ROAD SAFETY (£710,000)**

5.1 The LTP Capital programme block allocation for 'Improving Road Safety' may be summarised as;

**'IMPROVING ROAD SAFETY' (Block Allocation)**

<b><u>Sub-Block</u></b>	<b><u>Allocation</u></b>
Local Safety Schemes (LSS)	£ 450,000
School Travel Improvements (SRTS)	£150,000
Area Forums	£110,000
<b>Total 'IMPROVING ROAD SAFETY'</b>	
	<b>£710,000</b>

**5.2 Local Safety Schemes (LSS) (£450,000)**

5.2.1 The recent *Wirral's Future - Be Part Of It* consultation resulted in a recommendation by the Living in Wirral Task Force that the Council should *"Continue to deliver essential and statutory services"*.

5.2.2 The Living in Wirral Task Force also recommended that the Council should *"The Council should review how resources are used to support road safety, reflecting what has most impact whilst also considering public priorities"*.

5.2.3 Both recommendations were adopted by Cabinet at its meeting on 9 December 2010 [minutes 242 and 248 refer] and approved by the Council at its meeting on 13 December 2010 [minutes 65 (iii) and 66 refer].

5.2.4 The Local Safety Scheme programme allocation contains scheme(s) that address the obligations required as part of the Council's Statutory Duties (as set out in the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act 2000 and the Traffic management Act 2004) and are proven with evidential information (e.g. DfT Road Safety Research Report no.108 'Contribution of Local Safety Schemes to Casualty Reduction') to reduce road accident casualties.

5.2.5 The list below identifies schemes totalling £450,000 for inclusion within the 2011/12 LSS programme based upon the results of preliminary investigations by my Accident Investigation Unit into the accident records for each location, together with an overall initial assessment of the suitability for suggested remedial measures that can be economically justified based on the expected accident cost savings.

<b><u>Sub-Block:</u></b>	<b><u>Allocation:</u></b>
<b>Local Safety Schemes:</b>	
Bidston Road / Kingsmead Road, Bidston ( <i>Road Markings &amp; Signing</i> )	£30,000
Carr Bridge Road, Woodchurch ( <i>Traffic Calming Measures</i> )	£20,000
Poulton Road & Dibbinsdale Road, Spital	£50,000

<i>(Road Markings, Cats-eyes, Marker Posts, Signing)</i>	
Saughall Massie Road, Saughall Massie <i>(Road Markings &amp; Signing)</i>	£10,000
St Hilary's Brow - Wallasey Village, Wallasey <i>(Road Markings &amp; Signing)</i>	£50,000
Townfield Lane / Backford Way, Nocturum <i>(TRO, Road Markings)</i>	£30,000
Town Link Viaduct, Birkenhead <i>(Road Markings &amp; Signing)</i>	£40,000
The Weind / Mount Road, Tranmere <i>(Traffic Signals)</i>	£150,000
Bebington Rd (Kings Lane to Mount Rd r'bt) <i>(Route Improvements)</i>	£70,000

<b>Total 'Local Safety Schemes' (Sub-Block Allocation)</b>	<b>£450,000</b>
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### 5.3 School Travel Improvements - Safer Routes To School (£150,000)

5.3.1 The recent "Wirral's Future - Be Part Of It" consultation resulted in a recommendation by the Living in Wirral Task Force that the Council should "Continue the commitment to reduce Wirral's carbon footprint." which was adopted by Cabinet at its meeting on 9th December 2010 [minutes 242 and 248 refer] and approved by the Council at its meeting on 13 December 2010 [minutes 65 (iii) and 66 refer].

5.3.2 SRTS scheme(s) help teachers, parents/carers and children to reduce car use on the school journey and adopt a more sustainable approach to getting to school by walking and cycling thereby increasing their independence, health and fitness. Such schemes by their very nature also help to contribute to a reduction in Wirral's carbon footprint.

#### **Sub-Block:**

#### **Allocation:**

<b>School Travel Improvements (SRTS):</b>	
St Bridget's School (cycle access ramp to Wirral Way)*	£35,000
Poulton Road, Bromborough (Toucan crossing)**	£30,000
Manor Lane, Wallasey (TRO, Signing & Road Markings)	£8,000
'Bike - It'	£8,000
Grange Road, West Kirby (links to proposed Toucan crossing)***	£30,000
Bebington Rd-Bedford Ave (ped refuge/kerb improvement/rd mkgs)	£24,000
School Crossing Patrols (safety enhancements – various)	£10,000
SRTS Promotional Activities	£5,000

<b>Total 'School Travel Improvements' (Sub-Block Allocation)</b>	<b>£150,000</b>
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\* Part funded together with £35,000 contribution from 'Sustrans'

\*\* Part funded with £45,000 contribution from the Walking Strategy 'Pedestrian Signals' programme & a £45,000 Cycling Strategy contribution. (Potential Sustrans 'Links to Schools' grant application TBC).

\*\*\* Part funded together with £20,000 contribution from the 'cycling Strategy' programme & a £60,000 Pedestrian Signals contribution.

## **5.4 Area Forum Improvements (£110,000)**

5.4.1 The remaining allocation of £110,000 under the 'Improving Road Safety' heading is available for the 11 Area Forums. Apportioned equally across the eleven Area Forums this equates to £10,000 per Area Forum.

5.4.2 A further £110,000 allocation is available for the 11 Area Forums under the 'Promoting Active Travel & Health' heading (para 6.3 refers), resulting in a total of £20,000 per Area Forum.

### **Sub-Block:**

### **Allocation:**

<b>Area Forum Improvements:</b>	
Liscard & Seacombe	£10,000
Leasowe, Moreton & Saughall Massie	£10,000
Birkenhead, Tranmere & Rock Ferry	£10,000
New Brighton & Wallasey	£10,000
Bebington & Clatterbridge	£10,000
Oxton & Prenton	£10,000
West Wirral	£10,000
Greasby, Frankby, Irby, Upton & Woodchurch	£10,000
Bromborough & Eastham	£10,000
Bidston & Claughton	£10,000
Heswall, Pensby & Thingwall	£10,000

**Total 'Area Forum' (Sub-Block Allocation) £110,000**

## **6.0 PROMOTING ACTIVE TRAVEL & HEALTH (£610,000)**

6.1 The LTP Capital programme block allocation for 'Promoting Active Travel & Health' may be summarised as;

### **'PROMOTING ACTIVE TRAVEL & HEALTH' (Block Allocation)**

### **Sub-Block**

### **Allocation**

Walking Strategy	£ 250,000
Cycling Strategy	£ 250,000
Area Forums	£110,000

**Total 'PROMOTING ACTIVE TRAVEL & HEALTH' £610,000**

## **6.2 Walking Strategy (£250,000)**

6.2.1 The recent *Wirral's Future - Be Part Of It* consultation resulted in a recommendation by the Living in Wirral Task Force that the Council should

“Continue the commitment to reduce Wirral’s carbon footprint” which was adopted by Cabinet at its meeting on 9th December 2010 [minutes 242 and 248 refer] and approved by the Council at its meeting on 13 December 2010 [minutes 65 (iii) and 66 refer].

- 6.2.2 The Walking Strategy programme comprising of pedestrian signal controlled crossings, dropped kerb crossings, pedestrian refuges and public rights of way, are proposed to encourage walking through better environments where it is safe and attractive to do so and thereby promoting a carbon friendly, sustainable and healthy alternative mode of transport. The programmes have been determined against agreed Council criteria and take account of ideas for schemes from Local Area Forums and through receipt of petitions.
- 6.2.3 In formulating the programme for 2010/11, a site inspection has been carried out at potential Pedestrian Crossing sites including all those for which requests have been received. A number of sites are not considered suitable for the provision of a puffin crossing because of physical constraints. These locations have not been assessed against the approved weighting system. All previous requests have been re-assessed using the most recent surveys and accident records. A list of the 10 highest scoring sites from previous years together with all new potential sites is shown in **Appendix B** together with the weighted PV<sub>2</sub> figures where appropriate. (‘P’ being the number of pedestrians crossing and ‘V’ being the vehicle flow ‘squared’).
- 6.2.4 A programme of improvements will also continue to be identified, prioritised and implemented to compliment the Public Rights of Way Improvement Plan.
- 6.2.5 The Walking Strategy deals with the following specific programmes and recommends works/allocations for each of the following headings: The schemes proposed are also designed to compliment the terms of reference adopted by the Wirral Pedestrian Forum that advocate and promote safe, accessible and usable facilities and routes across the borough, making walking more attractive and accessible to residents, visitors, employees and businesses.

**Sub-Block:**

**Allocation:**

<b>Walking Strategy:</b>	
Pedestrian Signals:	
• Poulton Road, Bromborough (Toucan crossing)*	£45,000
• Belvidere Road / Broadway (Toucan crossing) **	£70,000
• Townfield Lane / Bidston Rd (Pedestrian Signal Phase)	£30,000
• Birkenhead Pedestrian Audit (Town Centre/Rail links)	£10,000
• Grange Road, West Kirby (Toucan crossing)***	£60,000
Pedestrian Improvements:	
• Pedestrian Dropped Crossings (refer to appendix ‘A’)****	£20,000
Public Rights Of Way:	
• Public Rights Of Way - Improvements Plan	£15,000

<b>Total 'Walking Strategy' (Sub-Block Allocation)</b>	<b>£250,000</b>
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\* Part funded together with £30,000 contribution from the 'Safer Routes To School' programme & a £45,000 Cycling Strategy contribution. (Potential Sustrans 'Links to Schools' grant application TBC.)

\*\* Part funded together with £20,000 contribution from the 'Cycling Strategy' programme

\*\*\* Part funded - £20,000 contribution from the 'Cycling Strategy' programme & a £20,000 School Travel Improvements 'Safer Routes To School' programme.

\*\*\*\* **Appendix 'C'** lists requests for dropped crossings recommended as prioritised for action in consultation with Wirral Information Resource for Equality & Disability (WIRED) & the Wirral Pedestrian Forum.

### 6.3 Cycling Strategy (£250,000)

6.3.1 The recent *Wirral's Future - Be Part Of It* consultation resulted in a recommendation by the Living in Wirral Task Force that the Council should *"Continue the commitment to reduce Wirral's carbon footprint."* which was adopted by Cabinet at its meeting on 9 December 2010 [minutes 242 and 248 refer] and approved by the Council at its meeting on 13 December 2010 [minutes 65 (iii) and 66 refer].

6.3.2 Opportunities to draw on external funding, to complement the LTP programme, are also being applied for, including new applications to Sustrans 'Links to Schools' Fund. Such schemes by their very nature help to promote a healthy lifestyle and contribute to a reduction in Wirral's carbon footprint.

6.3.3 The proposed Cycling Strategy programme can be summarised as follows:

#### **Sub-Block:**

#### **Allocation:**

<b>Cycling Strategy:</b>	
Poulton Road, Bromborough (Toucan crossing)*	£45,000
Broadway / Claremount Rd (part funding / Section 278 Agreement)	£20,000
Wallasey Network cycle route signing (various locations)	£30,000
Belvidere Road / Broadway (cycle-link to proposed Toucan)	£5,000
St Paul's Road / Kelvin Road	£30,000
Grange Rd / Orrysdale Rd, West Kirby (links to proposed Toucan crossing / Wirral Way)**	£30,000
Bebington-B'boro-E'ham/Pensby/Thingwall (District Cycle Plans)	£90,000

<b>Total 'Cycling Strategy' (Sub-Block Allocation)</b>	<b>£250,000</b>
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\* Part funded - £30,000 contribution from the 'Safer Routes To School' programme & a £45,000 Pedestrian Signals contribution (Potential Sustrans 'Links to Schools' grant application TBC).

\*\* Part funded together with £20,000 contribution from the School Travel Improvements 'Safer Routes To School' programme & a £60,000 Pedestrian Signals contribution.

### 6.3 Area Forum Improvements (£110,000)



6.3.1 The remaining allocation of £110,000 under the 'Promoting Active Travel & Health' heading is available for the 11 Area Forums. Apportioned equally across the eleven Area Forums this equates to £10,000 per Area Forum.

6.3.2 A further £110,000 allocation is available for the 11 Area Forums under the 'Improving Road Safety' heading (para 5.3 refers), resulting in a total of £20,000 per Area Forum.

**Sub-Block:**

**Allocation:**

<b>Area Forum Improvements:</b>	
Liscard & Seacombe	£10,000
Leasowe, Moreton & Saughall Massie	£10,000
Birkenhead, Tranmere & Rock Ferry	£10,000
New Brighton & Wallasey	£10,000
Bebington & Clatterbridge	£10,000
Oxton & Prenton	£10,000
West Wirral	£10,000
Greasby, Frankby, Irby, Upton & Woodchurch	£10,000
Bromborough & Eastham	£10,000
Bidston & Claughton	£10,000
Heswall, Pensby & Thingwall	£10,000

**Total 'Area Forum' (Sub-Block Allocation)** **£110,000**

**7.0 PROMOTING ECONOMY & ACCESSIBILITY (£65,000)**

7.1 The LTP Capital programme block allocation for 'Promoting Economy & Accessibility' may be summarised as;

**'PROMOTING ECONOMY & ACCESSIBILITY' (Block Allocation)**

**Sub-Block**

**Allocation**

Accessibility	£ 65,000
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**Total 'PROMOTING ECONOMY & ACCESSIBILITY' £65,000**

7.2 Accessibility is one of the 4 "*shared priorities*" that were agreed by Government to be delivered as part of the second Local Transport Plan (LTP2). The Accessibility block of the LTP Capital Allocation has been used in recent years to help break down barriers to people using public transport, and deliver schemes and initiatives to improve access to jobs, healthcare, education and life opportunities. In LTP3, improving levels of accessibility continues to be a key aspect of the strategy to ensure that transport supports equality of travel opportunities, which forms part of the short-term implementation plan up to 2014/15.

7.3 A key success of the accessibility programme in Wirral has been the Travel Training scheme, originally set up in November 2007 and to date has

received over 300 referrals. Following the successful pilot of the travel training scheme originally supported with European funding, the travel-training scheme has been expanded to 3 full-time travel trainers. The travel trainers work closely with several local special schools, department of adult social services and numerous local voluntary and community sector organizations.

- 7.4 This scheme supports individuals aged 14+, by providing one to one training to help those who need extra support to make journeys on their own using public transport. Travel training can help those who are not familiar with using public transport, those having to make new or unfamiliar journeys or people who are experiencing difficulties after a recent disability or illness. Once completed travel training reduces reliance on car journeys, saves money by reducing reliance on taxis and most importantly improves the client's independence, enabling them to travel independently with confidence.

## **8.0 REDUCING CONGESTION & CARBON EMISSIONS (£100,000)**

- 8.1 The LTP Capital programme block allocation for 'Reducing Congestion & Carbon Emissions' may be summarised as;

### **'REDUCING CONGESTION & CARBON EMISSIONS' (Block Allocation)**

<b><u>Sub-Block</u></b>	<b><u>Allocation</u></b>
Traffic Management	£ 55,000
UTC / Telematics / CCTV	£30,000
TRO Review	£10,000
Travel Plan Measures	£5,000
<b>Total 'REDUCING CONGESTION &amp; CARBON EMISSIONS'</b>	<b>£100,000</b>

## **8.2 Traffic Management – General (£55,000)**

- 8.2.1 Effective traffic management is essential in order to support the efficient movement of people and goods. The economic success of Wirral and the city region relies on the effective movement of freight and service vehicles, people want to connect easily with employment, services and social activities, and communities seek minimal [unnecessary] vehicular intrusion to improve their local environments.

- 8.2.2 In order to continue the work to improve traffic management during the last LTP periods, it is proposed to allocate £55,000 towards schemes that compliment these aims such as Strategic Signing on the Borough's principal road network.

## **8.3 UTC / Telematics / CCTV (£30,000)**

- 8.3.1 Implementation of the 'next generation' technology is identified as one of the short-term key actions for LTP3, to improve information systems and help maintain free-flowing networks, increase journey opportunities and integrate a

wide range of transport uses. Examples include the use of smart cards, which are being introduced by Merseytravel to improve ticketing for public transport users, and the use of intelligent telematic systems on the highway network to improve traffic management.

- 8.3.2 An allocation of £30,000 is proposed for such as the provision of variable message signing and CCTV for traffic monitoring purposes and improved traffic management linked to the Council's Urban Traffic Control Centre.

#### **8.4 Traffic Regulation Order (TRO) Review (£10,000)**

- 8.4.1 An allocation of £10,000 is required to complete a number of Traffic Regulation Orders (TRO's) originally proposed as part of the 2010/11 TRO review, delayed due to objections being received.

#### **8.5 Travel Plan Measures (£5,000)**

- 8.5.1 In order to support the Council's Travel Plan, which complements the Merseyside TravelWise initiative to promote sustainable travel, a sum of £5,000 has been allocated to implement measures to encourage employees and visitors to Council buildings to reduce single occupancy car trips.

### **9.0 TRANSPORTATION - GENERAL (£270,000)**

- 9.1 The LTP Capital programme block allocation for 'Transportation' may be summarised as;

#### **'TRANSPORTATION - GENERAL' (Block Allocation)**

<b>Sub-Block</b>	<b>Allocation</b>
Advance Design	£ 75,000
Research & Monitoring	£195,000

<b>Total 'TRANSPORTATION - GENERAL'</b>	<b>£270,000</b>
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- 9.2 The Transportation – General block allocation covers expenditure aimed at meeting the constantly evolving range of demands linked to LTP delivery. This budget allocation allows for Advanced Design, Land & Forward Planning, and Research & Monitoring. Particular projects including highway scheme development, associated land acquisition, LTP partnership working, studies, traffic modelling and monitoring systems.

### **10.0 RELEVANT RISKS**

- 10.1 Failure to undertake the identified programme of works could result in the Council not meeting its Statutory Duties as set out in the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act 2000 and the Traffic management Act 2004.

- 10.2 Failure to undertake the identified programme of works would also result in a failure to address the Council's Key Priorities and Corporate Objectives, LTP3 Objectives and the results of the recent '*Living in Wirral Task Force*' public consultation.

## **11.0 OTHER OPTIONS CONSIDERED**

- 11.1 None. The proposed programmes and projects identified within this report enable the Council to comply with its Statutory Duties as set out in the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act 2000 and the Traffic management Act 2004 and address the Council's Key Priorities and Corporate Objectives, LTP3 Objectives and the results of the recent '*Living in Wirral Task Force*' public consultation.

## **12.0 CONSULTATION**

- 12.1 The development of LTP3 has undergone two major consultation exercises in March 2010 and November 2010, in addition to a number of officer and stakeholder workshops. The first major consultation sought views from stakeholders and the general public on the 'Challenges and Opportunities' that had been identified during previous research undertaken by the LTP partnership. The second consultation exercise focused on the 'Preferred Strategy' and sought responses on the various aspects of the draft Plan.

## **13.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 13.1 LTP3 strives to promote the concept of a new mobility culture and how transport provision is planned, provided and promoted. Pooling of resources and expertise across a number of policy areas and embracing as many partners and stakeholders as possible will make the best use of resources for the maximum benefit for the people of Merseyside.
- 13.2 To this end, one key action within the short-term implementation plan is to expand the range of public transport services by examining the role of other providers, backed up by a network of neighbourhood based information services, which may have implications for voluntary, community and faith groups.

## **14.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 14.1 Existing staff resources will be used for the detailed investigation, design and supervision of these schemes. Future maintenance costs will be met from the Highway Maintenance Revenue Budget.

## **15.0 LEGAL IMPLICATIONS**

- 15.1 As defined by the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act 2000 and the Traffic management Act 2004.

## **16.0 EQUALITIES IMPLICATIONS**

- 16.1 As part of the development of LTP3, a comprehensive Integrated Assessment (IA) was carried out in accordance with Government LTP Guidance. The IA included a number of assessments, including an Equality Impact Assessment dated October 2010.

## **17.0 CARBON REDUCTION IMPLICATIONS**

- 17.1 The greater majority of schemes under the 'Improving Road Safety', 'Active Travel & Health' and 'Reducing Congestion & Carbon Emissions' headings will help to improve the efficiency of travel on the road network, reducing CO<sub>2</sub> emissions and support achievement against the following indicators:

- NI 186 Per capita reduction in CO<sub>2</sub> emissions in the LA area
- NI 194 Air Quality reduction in NO<sub>x</sub> and primary PM<sub>10</sub> missions through LA's estate and operations

## **18.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 18.1 There are no specific planning implications arising from this report.

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## **APPENDICES**

**Appendix 'A'** Local Transport Capital Funding & The Integrated Transport Block (ITB) Programme 2011/12 - SUMMARY

**Appendix 'B'** Walking Strategy - Priority List of Requests and Assessments for Pedestrian Crossings

**Appendix 'C'** Walking Strategy - Pedestrian Improvements: Dropped Crossing Requests

## REFERENCE MATERIAL

### SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
<b>CABINET</b> (Council Capital Programme 2011/12)	<b>21<sup>st</sup> February 2011</b>
<b>CABINET</b> (Provisional Local Government Finance Settlement)	<b>13<sup>th</sup> January 2011</b>
<b>CABINET</b> (2010/11 Local Transport Capital Programme - Environment / Air Quality)	<b>4<sup>th</sup> February 2010</b>
<b>CABINET</b> (2010/11 Local Transport Capital Programme - Road Safety Block)	<b>4<sup>th</sup> February 2010</b>

## LTP CAPITAL PROGRAMME - 2011/12

	Scheme	£ (,000'S)
<b>IMPROVING ROAD SAFETY</b>		
	<b>LOCAL SAFETY SCHEMES</b>	<b>450</b>
	<b>Local Safety Schemes</b>	
	Bidston Road / Kingsmead Road, Bidston (Road Markings & Signing)	30
	Carr Bridge Road, Woodchurch (Traffic Calming Measures)	20
	Poulton Road, Spital (Road Markings, Cats-eyes, Marker Posts, Signing)	50
	Saughall Massie Road, Saughall Massie (Road Markings & Signing)	10
	St Hilary's Brow - Wallasey Village, Wallasey (Road Markings & Signing)	50
	Townfield Lane / Backford Way, Nocturum (TRO, Road Markings)	30
	Town Link Viaduct, Birkenhead (Road Markings & Signing)	40
	The Weind / Mount Road, Tranmere (Traffic Signals)	150
	Bebington Rd (Kings Lane to Mount Road r'bt), Bebington-Tranmere (route improvements)	70
	<b>SAFER ROUTES TO SCHOOL / ETP</b>	<b>150</b>
	<b>Safer Routes To School / ETP</b>	
	St Bridget's C of E School, West Kirby (Cycle Access Ramp to Wirral Way) - + £35k Sustrans Grant	35
	Poulton Road / Dibbins Hey, Spital (Toucan & Cycleway)	30
	(part funded with £45k Ped Sigs contribution & £30k Cycling Strategy. Sustrans 'Links to Schools' grant application* TBA)	
	Manor Lane, Wallasey (TRO, Signing & Road Markings)	8
	Bike-it' Officer	8
	Grange Road, West Kirby (links to proposed Toucan)	30
	(part funded with £30k Cycling Strategy contribution & £60k Pedestrian Signals contribution.	
	Bebington Rd/Bedford Ave/Bedford Dv, Tranmere (ped drop kerbs/minor kerblane improvements)	24
	School Crossing Patrols (dropped kerbs/signing improvements)	10
	SRTS Promotional Activities	5
	<b>AREA FORUM IMPROVEMENTS</b>	<b>100</b>
	<b>Area Forums (£10,000 each) + £110,00 (£10,000 each) from 'Promoting Active Travel &amp; Health' Block</b>	
	Liscard & Seacombe	10
	Leasowe, Moreton & Saughall Massie	10
	Birkenhead, Tranmere & Rock Ferry	10
	New Brighton & Wallasey	10
	Bebington & Clatterbridge	10
	Oxton & Prenton	10
	West Wirral	10
	Greasby, Frankby, Irby, Upton & Woodchurch	10
	Bromborough & Eastham	10
	Bidston & Claughton	10
	Heswall, Pensby & Thingwall	10
<b>IMPROVING ROAD SAFETY - TOTAL:</b>		<b>710</b>

	<b>Scheme</b>	<b>£ (,000'S)</b>
<b>PROMOTING ACTIVE TRAVEL &amp; HEALTH</b>		
	<b>WALKING STRATEGY</b>	<b>250</b>
	<b>Pedestrian Signals</b>	<b>215</b>
	Poulton Road / Dibbins Hey, Spital (Toucan & Cycleway) (part funded with £30k SRTS contribution & £45k Cycling Strategy. Sustrans 'Links to Schools' grant application* TBA)	45
	Belvidere Road / Broadway Avenue (Toucan)	70
	Townfield Lane / Bidston Road (Ped Phase - 1 leg)	30
	Grange Road, West Kirby (Toucan & cycle links) (part funded with £30k SRTS contribution & £30k Cycling Strategy.	60
	Birkenhead Town Centre - Rail link; pedestrian audit	10
	<b>Pedestrian Improvements</b>	<b>20</b>
	Pedestrian Dropped Crossings	20
	<b>Public Rights Of Way Improvement Plan</b>	<b>15</b>
	Public Rights Of Way Improvement Plan	15
	<b>CYCLING STRATEGY</b>	<b>250</b>
	<b>Cycling Strategy</b>	<b>250</b>
	Poulton Road (Toucan - Cycle Route) (part funded with £30k SRTS contribution & £45k Ped Signals. Sustrans 'Links to Schools' grant application* TBA)	45
	Broadway/Claremont Rd, Wallasey (part funded via Section 278 Agreement)	20
	Wallasey Network (cycle route signing - various routes)	30
	Belvidere Road / Broadway Avenue (cycle-links to proposed Toucan)	5
	St Pauls Road / Kelvin Road	30
	Grange Road, West Kirby (cycle links to proposed Toucan) (part funded with £30k SRTS contribution & £60k Pedestrian Signals contribution.	30
	Bebington, Bromborough & Eastham / Prenton / Thingwall District Cycle Plans (various locations)	90
	<b>AREA FORUMS</b>	<b>110</b>
	<b>Area Forums (£10,000 each) + £110,00 (£10,000 each) from 'Improving Road Safety' Block</b>	<b>110</b>
	Liscard & Seacombe	10
	Leasowe, Moreton & Saughall Massie	10
	Birkenhead, Tranmere & Rock Ferry	10
	New Brighton & Wallasey	10
	Bebington & Clatterbridge	10
	Oxton & Prenton	10
	West Wirral	10
	Greasby, Frankby, Irby, Upton & Woodchurch	10
	Bromborough & Eastham	10
	Bidston & Claughton	10
	Heswall, Pensby & Thingwall	10
	<b>PROMOTING ACTIVE TRAVEL &amp; HEATH – TOTAL:</b>	<b>610</b>



	Scheme	£ (,000'S)
<b>PROMOTING ECONOMY &amp; ACCESSIBILITY</b>		
	<b>ACCESS TO JOBS &amp; SERVICES</b>	<b>65</b>
	<b>Accessibility</b>	<b>65</b>
	<b>PROMOTING ECONOMY &amp; ACCESSIBILITY - TOTAL:</b>	<b>65</b>

<b>REDUCING CONGESTION &amp; CARBON EMISSIONS</b>		
	<b>TRAFFIC MANAGEMENT</b>	<b>95</b>
	<b>Traffic Management Measures</b>	<b>55</b>
	Traffic Management Measures	55
	<b>UTC / Telematics / CCTV</b>	<b>30</b>
	UTC / Telematics / CCTV	30
	<b>(Speed) Network Management Review</b>	<b>10</b>
	(Speed) Network Management Review	10
	<b>TRAVEL PLANS &amp; TRAVELWISE</b>	<b>5</b>
	Council's Travel Plan Measures	<b>5</b>
	<b>REDUCING CONGESTION &amp; CARBON EMISSIONS - TOTAL:</b>	<b>100</b>

<b>TRANSPORTATION - GENERAL</b>		
	<b>ADVANCE DESIGN</b>	<b>75</b>
	<b>Advance Design</b>	<b>75</b>
	<b>RESEARCH &amp; MONITORING</b>	<b>195</b>
	<b>Transportation</b>	<b>10</b>
	Transportation Studies etc	
	<b>LTP Monitoring</b>	<b>15</b>
	LTP Monitoring	
	<b>Forward Planning</b>	<b>170</b>
	Forward Planning	
	<b>TRANSPORTATION GENERAL - TOTAL:</b>	<b>270</b>

**LTP CAPITAL PROGRAMME 2011/12 - TOTAL:** **1755**

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## Appendix B:

### WALKING STRATEGY

#### PRIORITY LIST OF REQUESTS AND ASSESSMENTS FOR PEDESTRIAN CROSSINGS

No.	Location	Ward	Weighted PV <sup>2</sup> (x 10 <sup>8</sup> )	Remarks
1	Poulton Road / Dibbins Hey, Bromborough	Clatterbridge	1.79E+08	Proposed prioritised location within 'Walking Strategy' programme for implementation during 2011/12
2	Poulton Road / Poulton Royd Drive, Bromborough	Clatterbridge	1.48E+08	
3	Bebington Road / Parkside Road, Bebington	Bebington	1.03E+08	
4	Column Road / Grammar School Lane, West Kirby	West Kirby & Thurstaston	1.03E+08	
5	Belvidere Rd / Broadway Avenue, Wallasey	Wallasey	9.33E+07	Proposed prioritised location within 'Walking Strategy' programme for implementation during 2011/12
6	Birkenhead Road / Roman Road, Meols	Hoylake & Meols	9.33E+07	
7	Telegraph Road / Quarry Road East, Heswall	Heswall	9.10E+07	
8	Torrington Road / Eric Road, Liscard	Liscard	8.06E+07	
9	Frankby Road / Greasby Road, Greasby	Greasby, Frankby, Irby	7.91E+07	
10	Wheatland Lane / St Paul's Road, Seacombe	Seacombe	7.85E+07	

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**WALKING STRATEGY****PEDESTRIAN IMPROVEMENTS - DROPPED CROSSINGS****NEW REQUESTS**

<b>Location</b>	<b>Ward</b>	<b>No of Crossings</b>
Church Road / Highcroft Avenue	Bebington	2
Kirket Lane / Highcroft Avenue	Bebington	2
Kings Road @ Kings Close	Bebington	2
Exmouth Street (at entrance across fire station)	Birkenhead & Tranmere	2
Mount Grove / Braidwood Court	Birkenhead & Tranmere	2
Legion Lane (at end of road where it meets car park)	Bromborough	1
Stanhope Drive, Bromborough (Across 2no. entrances to Meadowcroft)	Bromborough	4
Wharfedale Drive, Eastham (Outside No 53 to provide access across the road to entry leading to shops)	Eastham	2
Hambledon Drive / Retford Close	Greasby, Frankby & Irby	2
Hambledon / Beauworth Avenue	Greasby, Frankby & Irby	2
Greasby Road / Rylands Hey	Greasby, Frankby & Irby	2
Park Road @ Buffs Lane	Heswall	2
Westbourne Road at Ashton Drive	Hoylake & Meols	2
Westbourne Road at Church Road	Hoylake & Meols	2
Berrylands Road (rear entrance to Harvest Court)	Moreton West & Saughall Massie	2
S/O 20 Maryland Lane	Moreton West & Saughall Massie	1
Atherton Street / Victoria Road	New Brighton	2
Rowson St junction of Wellington Road (tactile kerb)	New Brighton	u/k
Bidston Road at entrance to West Knowe	Oxton	2
Entrance to church car park, Church Road	Upton	2
Outside 4 Holm Lane (redundant vehicle crossing)	Oxton	u/k
Outside 38 Holm Lane (redundant vehicle crossing)	Oxton	u/k
Outside 40a Holm Lane (vehicle crossing)	Oxton	u/k
Holm Lane at entrance to Holm Cottages	Oxton	u/k
Olivia Close (opposite sheltered housing bungalows)	Upton	1
Ormond Way its junction with Ossett Close	Upton	u/k
Ormond Way its junction with Ollerton Close	Upton	u/k
Ormond Way its junction with Orlando Close	Upton	2
Olivia Close (Opposite sheltered housing bungalows)	Upton	u/k
Noctorum Avenue at its junction with Ormond Way	Upton	u/k
Whitewell Drive at junction with Sunny Bank	Upton	2
Grove Road / Keswick Road	Wallasey	2
Warren Drive / Zetland Road	Wallasey	2
Leasowe Road (2no entrances to Wallasey Van Hire)	Wallasey	4
Westbourne Road at Eaton Road	West Kirby & Thurstaston	2
Side of No.83 Westbourne Rd at service ent to Ashton Park	West Kirby & Thurstaston	2

## **PREVIOUS REQUESTS**

<b>Location</b>	<b>Ward</b>	<b>No of Crossings</b>
Broadway @ Kingsway	Bebington	2
Higher Bebington Road @ vehicle crossing o/s 156 - Dropped Kerbs	Bebington	1
Kings Lane / Woodburn Boulevard - Dropped Kerbs	Bebington	1
Kings Lane / Kingswood Boulevard - Dropped Kerbs	Bebington	1
Kings Lane / Queenswood Avenue - Dropped Kerbs	Bebington	1
Kings Lane / Service Road (o/s 139 Kings Lane) - Dropped Kerbs	Bebington	1
Kings Road @ first entrance into Christ Church - Dropped Kerbs	Bebington	1
Millfield Close, Bebington (Junction School Lane)	Bebington	2
Mount Road (Access outside 47a)	Bebington	2
Mount Road ( Access outside 49)	Bebington	2
Mount Road @ Mount Avenue	Bebington	2
Mount Road @ Mount Drive	Bebington	2
Mount Road @ Mill Road	Bebington	2
Village Road @ Acorn Close (Corner Closest to Acorn PH)	Bebington	1
Bidston Moss (Either side of entrance into MFI car park)	Bidston & St James	2
Delamere Close @ Forth Avenue	Bidston & St James	2
Chester Street (refuge near Market Street)	Birkenhead & Tranmere	3
Cleveland Street (Locations to be confirmed)	Birkenhead & Tranmere	nk
Duncan Street	Birkenhead & Tranmere	4
Duncan Street @ Gertrude Street	Birkenhead & Tranmere	2
Duncan Street @ Albion Street	Birkenhead & Tranmere	2
Entrance bet30 & 36 Olive Mount	Birkenhead & Tranmere	2
Gamlin Street (O/S No 1 & 29)	Birkenhead & Tranmere	4
Grange Road East @ Argyle Street	Birkenhead & Tranmere	2
Market Street (Between Argyle Street & Adelphi Street)	Birkenhead & Tranmere	20
Olive Mount @ Holborn Hill,	Birkenhead & Tranmere	2
Olive Mount @ Olive Crescent,	Birkenhead & Tranmere	2
Olive Mount @ Frodsham Street,	Birkenhead & Tranmere	2
O/S 25 Gilbrook Square	Birkenhead & Tranmere	1
Side of 56 Thompson Street,	Birkenhead & Tranmere	1
Shore Road	Birkenhead & Tranmere	9
St Anne Street either side of the entrance to Finch Court	Birkenhead & Tranmere	2
St Pauls Road J/O Alison Ave	Birkenhead & Tranmere	2
St Mary's Gate @ Chester Street	Birkenhead & Tranmere	2
Thomas Street @ non-public entrance to M53 Ford	Birkenhead & Tranmere	2
Thompson Street @ Warrington St	Birkenhead & Tranmere	2
Waterloo Place	Birkenhead & Tranmere	4
Whitfield Street (Access adjacent to 17)	Birkenhead & Tranmere	2
Brookhurst Avenue, Bromborough	Bromborough	nk
Brookhurst Avenue, Bromborough	Bromborough	nk
King Georges Drive (Opp Lady Lever o/s former girls club)	Bromborough	2

King Georges Drive (Opp Lady Lever o/s former girls club)	Bromborough	2
O/S Telephone Exchange - Croft Avenue East, Bromborough.	Bromborough	2
O/S Bromborough Hotel, Mark Rake, Bromborough.	Bromborough	1
Opposite 89 Acre Lane	Bromborough	1
S/O no. 2 Marquis Street, New Ferry	Bromborough	2
Pool Bank, Port Sunlight	Bromborough	2
S/O no. 2 Marquis Street, New Ferry	Bromborough	2
Sunningdale/Brookhurst Ave	Bromborough	2
Welton Road off Caldbeck Road	Bromborough	1
Wentworth Drive/Brookhurst Avenue.	Bromborough	2
Church Road, Bebington (@ vehicle entrance to St Andrews Vicarage)	Clatterbridge	2
Bromborough Road @ entrance to Raffa Social Club	Clatterbridge	2
Bidston Road @ Vyner Road South	Claughton	2
St Peters Way @ Norris Close	Claughton	2
St Peters Way @ Newark Close	Claughton	2
St Peters Way @ Norfolk Close	Claughton	2
St Peters Way (vehicle access to St Peters Church)	Claughton	2
Adaston Avenue / Glenburn Avenue, Eastham	Eastham	2
Greasby Road @ Norwood Road	Greasby, Frankby & Irby	2
Greasby Road o/s 249 near shops	Greasby, Frankby & Irby	4
Greasby Road (Outside number 185) Highfield Drive	Greasby, Frankby & Irby	2
Greasby Road @ Hambledon Drive	Greasby, Frankby & Irby	2
Greasby Road @ Wood Lane	Greasby, Frankby & Irby	4
Irby Road @ Woodlands Road, Irby	Greasby, Frankby & Irby	2
Mill Lane @ Thorns Drive	Greasby, Frankby & Irby	2
Mill Hill Road @ Heathbank Avenue	Greasby, Frankby & Irby	2
Pump Lane @ Kinloss Road	Greasby, Frankby & Irby	2
Thingwall Road at Coombe Road	Greasby, Frankby & Irby	2
Thorns Drive @ Sycamore Rise	Greasby, Frankby & Irby	2
Thorns Drive @ Elmdene Court	Greasby, Frankby & Irby	2
Thorns Drive @ Chesnut Close	Greasby, Frankby & Irby	2
Thorns Drive @ Oakdale Drive	Greasby, Frankby & Irby	2
Wood Lane	Greasby, Frankby & Irby	40 +
Car Park adjacent to Silverdale Medical (Mount Avenue)	Heswall	1
Disabled slope requested for pavements, corner by Lister Lodge across to Cottage Lane (Gayton Farm Road)	Heswall	
Fairview Way, Pensby	Heswall	2
Old Wood Road, Pensby	Heswall	1
Pensby Road @ Radnor Avenue	Heswall	2
Pensby Road @ Poll Hill Road	Heswall	2
Pensby Road @ Florence Avenue	Heswall	2
Telegraph Road, Heswall (s/o Heswall Methodist Church) Opp. Police Station.	Heswall	2
Telegraph Road, Heswall (@ Entrance to Greek Taverna no. 108)	Heswall	2
Telegraph Road , Heswall @ Beacon Lane	Heswall	2

Telegraph Road/Strathallen Close	Heswall	1
Telegraph Road J/O West Drive	Heswall	2
Station Road, Heswall (junction Rectory Close)	Heswall	4
Barton Road – Penrhos Road to Service Road r/o Kings Gap	Hoylake & Meols	12
Chapel Road, Hoylake	Hoylake & Meols	8
Elwyn Road @ Entrance to Great Meols Primary School	Hoylake & Meols	2
Elwyn Road @ Newlyn Road	Hoylake & Meols	2
Graham Road (Adjacent to Applegarth)	Hoylake & Meols	1
Greenwood Lane, Meols	Hoylake & Meols	1
Guffitts Rake @ Elwyn Road	Hoylake & Meols	2
Guffitts Rake @ Bennet's Lane	Hoylake & Meols	2
Market Street, Hoylake ( Hoyle Road to Shaw Street)	Hoylake & Meols	22
Melrose Avenue	Hoylake & Meols	1
North Parade / Meols Parade, Meols	Hoylake & Meols	nk
Rycroft Road @ Birkenhead Road, Meols	Hoylake & Meols	2
Leasowe Road (at slip road to north Wallasey approach)	Leasowe & Moreton East	8
Cameron Road @ service rd (rear of Oyster Catcher PH)	Leasowe & Moreton East	2
Cameron Road @ Mackenzie Road	Leasowe & Moreton East	2
Leasowe Road, Leasowe (Pasture Road to Twickenham Drive)	Leasowe & Moreton East	10
Twickenham Dv, Leasowe (Drake Rd to Twickenham Dv side rd)	Leasowe & Moreton East	4
Eaton Street @ Grosvenor Street, Liscard	Liscard	2
Liscard Crescent at entrance to Shopmobility Centre	Liscard	2
Martins Lane o/s The Primrose	Liscard	2
Martins lane / Greenwood Lane	Liscard	2
Ruskin Avenue, Wallasey	Liscard	nk
Seaview Road - Access between Kwik Fit & Stanley Public House	Liscard	2
St Albans Road, Liscard	Liscard	16
Torrington Road and Rullerton Road	Liscard	2
Water Street, Egremont	Liscard	2
Withens Lane, Wallasey (o/s Saddlers Pub & British Legion)	Liscard	2
Pasture Road (Either side of entrance to cycle path running adjacent to The Birket)	Moreton West & Saughall Massie	4
Berrylands Road o/s no. 2. Ramp required for elderly residents	Moreton West & Saughall Massie	1
Borrowdale Road (Burrell Drive to Hoylake Road)	Moreton West & Saughall Massie	
Douglas Drive At Francis Avenue	Moreton West & Saughall Massie	2
Coastal Drive, New Brighton	New Brighton	nk
Nursery Close	Oxton	1
Shrewsbury Road, Oxton (Palm Hill to Alton Road)	Oxton	8
Spurstow Close, Oxton (junction Calveley Close)	Oxton	2
Talbot Road, Oxton (Townfield Lane to Holm Lane)	Oxton	6
Village Road/Claughton Firs, Oxton	Oxton	4
Woodchurch Road @ Woodhurch Court (Opp Oakdene Rd)	Oxton	2
Kentmere Drive (@ Derwent, Rusland, Gleneagles & s/o 60)	Pensby & Thingwall	6
Kentmere Drive (@ Langdale, Rosemead and Ashlea	Pensby & Thingwall	6



Kentmere Drive (Entrance to Pensby Infants School)	Pensby & Thingwall	2
Oldwood Road @ Nicholls Drive	Pensby & Thingwall	2
Old Wood Road, Pensby (o/s no.55)	Pensby & Thingwall	1
Pensby Road @ Wimbourne Avenue	Pensby & Thingwall	2
Ryland Park, Pensby (o/s Emmanuel Church)	Pensby & Thingwall	1
98/100 Prenton Village Road	Prenton	1
Bramwell Avenue – Entrance to school (opp. No. 67)	Prenton	1
Garrick Road @ Prenton Dell Road	Prenton	2
O/S 1 Mount Road, Prenton	Prenton	1
Outside 98 Prenton Village Road - Dropped Kerbs.	Prenton	1
Prenton Village Road/Prenton Dell Road	Prenton	2
Bedford Road @ Corinthian Street	Rock Ferry	2
Gothic Street (Access adjacent to no. 36)	Rock Ferry	2
Gothic Street (Access adjacent to no. 47)	Rock Ferry	2
Grenville Way / Grenville Road, Rock Ferry	Rock Ferry	3
King Street at its junction with Sefton Road	Rock Ferry	2
King Street at its junction with Acton Road	Rock Ferry	2
King Street at its junction with Wilton Road	Rock Ferry	2
King Street at its junction with Queens Road.	Rock Ferry	2
Nelson Road (Access adjacent to Derby Arms Public House)	Rock Ferry	2
Nelson Road at entrance to Nelson Court	Rock Ferry	2
New Chester Road at its junction with Nelson Road	Rock Ferry	2
New Chester Road at its junction with King Street	Rock Ferry	2
Southdale Road (2 entries o/s 2 and 42)	Rock Ferry	4
Woodward Road (Outside 126)	Rock Ferry	1
Matthew Street, Wallasey	Seacombe	6
2 Ford Close,	Upton	1
Arrowe Park Road (o/s 165)	Upton	2
Arrowe Park Road (o/s 149 Beech Lodge)	Upton	2
Arrowe Park Road (at entrance to the Stirrup PH)	Upton	2
Upton Road / 1. Torwood. 2. Interbene Lodge	Upton	4
Arrowe Park Road, Upton between 17 & 19	Upton	2
Ferry Brow Road @ Carr Bridge Road	Upton	2
Fleet Croft Road at its junction with Archers Way	Upton	1
Fleet Croft Road at its junction with Goodakers Meadow	Upton	1
Fleet Croft Road at its junction with Troutbeck Close	Upton	1
Fleet Croft Road at its junction with Crewe Garden	Upton	1
Fleet Croft Road at its junction with Eltham Green	Upton	1
Fleet Croft Road at its junction with Childwall Green	Upton	1
Leeswood Road, Woodchurch (junction with Arrowe Park Road)	Upton	2
Noctorum Avenue @ Ormond Way	Upton	2
Noctorum Way @ St Peters Way	Upton	2
Noctorum Way @ Pine Tree Avenue	Upton	2
Noctorum Way @ Beryl Road	Upton	2
Noctorum Way @ Windermere Road	Upton	2
Ormond Way @ Ossett Close	Upton	2
Ormond Way @ Ollerton Close	Upton	2

Orrets Meadow @ Carr Bridge Road	Upton	2
o/s 4 Kiln Road,	Woodchurch	1
Salacre Lane @ Slingsby Drive	Upton	2
Slingsby Drive at entrance to St Mary's Court	Upton	2
Wallingford Road @ Old Greasby Road	Upton	2
Claremount Road at the junction of Taunton Road	Wallasey	2
Claremount Road at 2no. Entrances to Claremount Methodist Church	Wallasey	4
Marshlands Road, Wallasey	Wallasey	4
Claremount Road and Harrow Road	Wallasey	2
Claremount Road and Church Hill	Wallasey	2
Grove Road @ The Leas, The Willows, Conniston Ave	Wallasey	8
Wallasey Village at its junction with Sandiways Road	Wallasey	2
Wallasey Village. Entrance adjacent to The Farmers Arms PH	Wallasey	2
Wallasey Village. Entrances fronting Classic Cars of Wirral	Wallasey	4
Bridge Road / Meols Drive, West Kirby	West Kirby & Thurstaston	2
Grange Road / Gerard Road, West Kirby	West Kirby & Thurstaston	2
Grange Road / Homestead Mews, West Kirby	West Kirby & Thurstaston	2
South Parade, West Kirby (Disabled bays opp. Salisbury Ave)	West Kirby & Thurstaston	3
South Parade, West Kirby (@ Coronation Gardens)	West Kirby & Thurstaston	2
Sandy Lane / Village Road (2 Entrances into Moby Dick)	West Kirby & Thurstaston	4
Village Road / Abbey Road, West Kirby	West Kirby & Thurstaston	2
Village Road / The Kirkland's, West Kirby	West Kirby & Thurstaston	2
Village Road / The Oatlands, West Kirby	West Kirby & Thurstaston	2
Village Road / St Bridget's Lane, West Kirby	West Kirby & Thurstaston	2
Vehicle Access o/s 3 Village Road, West Kirby	West Kirby & Thurstaston	2
Vehicle Access r/o Moby Dick Public House, Village Road, West Kirby	West Kirby & Thurstaston	2

## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>HIGHWAYS WINTER MAINTENANCE COSTS</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF TECHNICAL SERVICES</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR LESLEY RENNIE, STREETSCENE AND TRANSPORT SERVICES</b>
<b>KEY DECISION?</b> <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	YES

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This Report is prepared in accordance with Minute 262 of the Cabinet meeting of 9 December 2010, and is intended to inform Cabinet of the expected adverse financial position resulting from the impact of the recent prolonged spell of severe winter weather on the highway winter maintenance services provided by the Council; comprising gritting operations, salt procurement and ice and snow clearance. The Report further confirms that repairs to the damage to the road surface (potholes) caused by the effects of the severe weather can be accommodated within approved budgets [Minute 262 (9), (10) and (11) refer].
- 1.2 The Report also provides assurance that highway winter maintenance services continue to be provided in accordance with the priorities established in the Council's policy, regardless of the adverse financial position which has resulted.
- 1.3 The Council has a statutory duty to keep highways clear of ice and snow.

#### 2.0 RECOMMENDATION/S

- 2.1 That the increased cost of winter maintenance in 2010/11 of £358, 000 be met from Balances.
- 2.2 That the Cabinet note, despite extensive pothole repairs to the highway network; caused by the effects of the severe weather, that such repairs as instructed to be carried out will be able to be met from the approved budget.

#### 3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The Council has a statutory duty to keep highways free of ice and snow, and has adopted a policy to meet this duty. The particularly severe weather conditions have resulted in a need for increased operations to meet this duty through the purchase of additional salt stocks and continued gritting operations; the likelihood of which was recognised by Cabinet at its meeting on 9 December 2010 [minute 262 refers].
- 3.2 At that meeting, Cabinet also recognised the damage which was likely to result to the highway network as a result of the weather and the continued application of salt to the road surfaces, and instructed the Director of Technical Services to repair the resulting potholes and report back should the costs of doing so exceed the available budget provision.

#### **4.0 BACKGROUND AND KEY ISSUES**

##### **4.1 Severe winter weather conditions**

Icy weather conditions initially arrived in the Borough on 9 November 2010, with the first full gritting run being required on 15 November. Members will recall that prior to their meeting on 9 December approximately 60% of salt stock levels had been used, with representations being made to the Secretary of State for Transport requesting that the national salt cell be activated to enable the Council to replenish its depleted salt supplies. The weather prevailing at the time of the Cabinet meeting of 9 December 2010 continued; albeit with a short thaw during the second full week in December; with freezing temperatures, frost, occasional snow and freezing road surfaces until 27 December 2010.

##### **4.2 Winter gritting and snow clearing operations**

Gritting of the primary routes has been required on 36 of the 77 days between 14 November 2010 and the most recent gritting run on 29 January 2011, including two gritting operations on 17 December due to the considerable snowfall on that day.

To date, since winter weather commenced in November, more than 2,800 tonnes of rock salt have been spread on the highway network. A further 175 tonnes of this material was spread on the Borough's shopping areas between 17 and 24 December. Over 200 grit bins have been filled and re-filled over the period; using more than 400 tonnes of a salt/sand mixture.

##### **4.3 Damage to Highways (potholes)**

At its meeting on 9 December Cabinet resolved [Minute 262 (10) and (11) refer] that the Director of Technical Services be instructed to take appropriate action to continue to maintain the safety of the Borough's roads and repair all resulting potholes and to report back to a future meeting should it not be possible to contain costs within Departmental budgets; and, that any such costs over and above those that cannot be contained from the existing budgets will be met from Council balances.

Since the thaw which started on 27 December, highways inspectors and managers have been able to assess the damage to highways caused by the continuing road salt applications and the impact of continuous freeze and thaw processes. New potholes are continuing to become apparent to inspectors on a daily basis.

On 10 January 2011 a road surfacing team commenced repairs to road surfaces where a number of potholes have occurred. In some cases it is not practical to undertake individual pothole repairs in locations where there are multiple potholes and so this surfacing team will be taking out a larger area of road surface, encompassing the multiple potholes, and completely resurfacing the affected area.

To date, over 470 potholes have been repaired by the additional resources employed for this task. Whilst a large number of potholes have required attention, it is notable that the damage has been less than might have been envisaged; largely due to preventative maintenance carried out on the network which has prevented the ingress of water into the road construction in many cases.

#### **4.4 Ongoing highway resilience for the remaining winter season**

The Council presently holds 2470 tonnes of rock salt; a satisfactory stock level which is sufficient to carry out full treatment over 60 nights during a normal (non-snow) winter freeze. Despite the severity of the conditions across the country, the Council continued to receive periodic salt deliveries from its supplier and then, through January and February, the Council has recovered its stock levels to close to those held at the beginning of winter; and has essentially already secured the quantities of salt which would normally be acquired in the summer of 2011.

### **5.0 RELEVANT RISKS**

The continued provision of the highway winter maintenance service allows the Council to meet its duty to maintain safe passage on the highway during periods of ice and snow.

The financial projection for the total cost of the winter service for 2010/11 is based on a number of assumptions about weather events during the second half of February and through March.

The costs already expended from 2010/11 budgets includes the purchase of salt as described in paragraph 4.4 above. Accordingly, the risk of not being able to secure sufficient salt stock in advance of the 2011/12 winter is significantly reduced.

The presence of potholes presents hazards to road users and also allows the entry of water into the road construction layers, accelerating the further deterioration of the road.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 None. Keeping the highway safe during ice and snow is a statutory service provided in accordance with Council policies. Repairs to the potholes which have arisen due to the effects of severe weather have been carried out in accordance with instructions from Cabinet.

## **7.0 CONSULTATION**

- 7.1 None.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 This Report has no direct impact on such groups.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 Financial: the duration and severity of the recent severe weather has impacted significantly on the winter gritting service. The approved Highway Winter Service Plan refers to the financial impact of an extreme winter and the potential for exceeding existing budgets [Minute 179 refers]. The severity of the winter has had a detrimental impact on the condition of the road network. Cabinet considered these aspects at their meeting of 9 December 2010 and resolved to meet pothole repair and gritting costs that cannot be contained within existing budgets from Council balances [Minute 262 refers], as reported in paragraph 4.3 above.
- 9.2 The total projected costs for carrying out salt purchase and all aspects of gritting operations throughout the winter of 2010/11 are £627,660. This is £357,660 in excess of the amount contained in the approved budget. It is proposed, as agreed by Cabinet on 9 December 2010, that this additional cost be met from Council Reserves.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 The Council has a duty as the Highway Authority for Wirral to maintain the highway under the Highways Act 1980. Section 111 of the Railways and Transport Safety Act 2003 imposes an additional duty to ensure that, where reasonably practicable, safe passage along a highway is not endangered by snow or ice.

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 There are none.

- 11.2 Equality Impact Assessment (EIA)  
(a) Is an EIA required? No

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are no carbon reduction implications within this Report.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no planning implications arising directly from this report.

13.2 The safety of all users of Council services is a Council priority and the highway maintenance arrangements applied during severe weather ensure that available resources are applied in the most safe and effective way.

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## **APPENDICES**

There are no appendices to this report.

## **REFERENCE MATERIAL**

There is no reference material used in the preparation of this report.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	13 January 2011
Cabinet	9 December 2010
Cabinet	14 October 2010
Sustainable Communities Overview and Scrutiny	21 June 2010

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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>WIRRAL FLOOD &amp; WATER MANAGEMENT</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF TECHNICAL SERVICES</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR LESLEY RENNIE STREETSCENE AND TRANSPORT SERVICES</i></b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The Flood & Water Management Act 2010 and the Flood Risk Regulations 2009 create Lead Local Flood Authorities at Unitary or County Council Level. Lead Local Flood Authorities (LLFA) are required to lead the strategic management of local flood risk (arising from surface water, groundwater and ordinary watercourses) and to approve and adopt Sustainable Urban Drainage Systems (SUDS).
- 1.2 Wirral is at risk of local flooding, with approximately 14000 domestic properties identified as 'at risk from flooding'. These new powers place a substantial new burden on Wirral Council to manage these risks. This report provides an introduction to these new responsibilities and details initial work on their implementation.

#### 2.0 RECOMMENDATIONS

##### 2.1 Cabinet is requested to:

- (1) Note the significant new burdens that have been placed on LLFAs under the Flood & Water Management Act 2010 and the Flood Risk Regulations 2009 and the corresponding financial allocation made to Wirral Council from DEFRA for this purpose.
- (2) Recognise the work of the Wirral Flood Group and endorse the establishment of a Wirral Flood & Water Management Partnership.
- (3) Request the Wirral Flood & Water Management Partnership scrutinise the Preliminary Flood Risk Assessment (PFRA) prior to its submission to the Environment Agency in June 2011.

### 3.0 REASONS FOR RECOMMENDATION/S

- 3.1 The Flood and Water Management Act 2010 requires each LLFA to develop, maintain, apply and monitor, a strategy for local flood risk management in its area and also be responsible for ensuring that the strategy is put in place. Local flood risk, which the LLFA is responsible for managing, includes surface runoff, groundwater and ordinary watercourses (including lakes and ponds). The Environment Agency (EA) is responsible for managing flood risk from main rivers, the sea and reservoirs.
- 3.2 The Act sets out the minimum amount that a local strategy must contain, and the LLFA is required to consult with risk management authorities and the public. Risk management authorities are identified as district councils, internal drainage boards, highways authorities, water companies and the EA. LLFAs need to consider the full range of measures consistent with a risk management approach in developing their local flood risk strategy. Resilience and other approaches which minimise the impact of flooding are expected to be a key aspect of the measures proposed.
- 3.3 The Flood Risk Regulations 2009 implement the requirements of the European Floods Directive, which aims to provide a consistent approach to managing flood risk across Europe. The approach consists of a six-year cycle of planning based on a four-stage process of:
- i Undertaking a Preliminary Flood Risk Assessment (PFRA).
  - ii Identifying flood risk areas.
  - iii Preparing flood hazard and risk maps.
  - iv Preparing flood risk management plans.
- 3.4 The PFRA process represents the first stage in delivering community specific flood risk management and action plans. The Environment Agency has a key role in delivering an array of data sets, which will enhance our understanding of local flood risk and contribute to the PFRA process. The LLFA (Wirral Council) will be required to verify these data sets based upon the best local knowledge, assess significant risk and the interactions of the different flood types and submit the PFRA to the Environment Agency by June 2011.
- 3.5 Wirral is in an advantageous position in that ongoing contact with local partner organisations is already well established via the Wirral Flood Group. In order to meet the full duties of the new legislation and following the advice set out by the Head of Legal and Democratic Services in **Appendix 1**, the Wirral Flood Group agreed to a revision of their terms of reference. To fully reflect true partnership working it was also agreed to request a re-designation to the ***Wirral Flood and Water Management Partnership***. A copy of the terms of reference and strategy document is attached at **Appendix 2**.

### 4.0 PROGRESS ON FLOOD AND WATER MANAGEMENT ISSUES

- 4.1 The first parts of the Act commenced on 1 October 2010. These included new definitions of flooding, the requirement to develop national and local flood risk management strategies and amendments to sewer adoption processes. Currently DEFRA anticipate that the remainder of the Act will commence in

April 2011. The exception being the SUDS section, for which there is no clear timetable for implementation (anticipated late in 2012).

4.2 In May 2010, Wirral Council created and appointed a new Drainage Team Leader to coordinate the implementation of the Act and regulations. Below is a summary of progress that Wirral Council have made to date in implementing the Act and Regulations:

- Wirral established a Wirral Flood Group, with cross party representation that reports into the Sustainable Communities Overview & Scrutiny Committee.
- Wirral established an operational flood working group with representation from United Utilities, EA and Council, which reports into the Wirral Flood Group.
- Commenced data collection for the PFRA.
- Wirral Council has been liaising with all risk management authorities to explain the implications of the Act and to establish working relationships.

4.3 A copy of the Wirral Flood & Water Management Partnership Action Plan is attached at **Appendix 3**. This Action Plan captures the key activities that will be undertaken by the Partnership over the coming two years.

## **5.0 BACKGROUND AND KEY ISSUES**

5.1 LLFAs are responsible for carrying out their PFRA and are required to produce an approved and scrutinised report and accompanying data to the EA by the 22<sup>nd</sup> June 2011. The EA has a duty to review, collate and publish the required reports by the 22<sup>nd</sup> December 2011. In order to ensure compliance with this mandatory schedule Cabinet are being asked to delegate the scrutiny of the PFRA to the Elected Members of the Wirral Flood & Water Management Partnership.

## **6.0 RELEVANT RISKS**

6.1 Wirral faces a significant risk of flooding. The EA have indicated some 14,000 domestic properties rest in at risk flood zones. Learning from recent national floods have demonstrated what a devastating psychological impact flooding can have on affected communities. Wirral continues to lead the way in proactively managing the risk of flooding and the members of the Flood & Water Management Partnership will continue to work together to eradicate the risk of property flooding here on Wirral.

## **7.0 OTHER OPTIONS CONSIDERED**

7.1 Not relevant.

## **8.0 CONSULTATION**

8.1 There is no consultation required as a result of this work.

## **9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

9.1 Flooding affects all voluntary, community and faith groups whether it be directly with their properties being flooded, or in a responder or recovery capacity.

## **10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

10.1 There are no specific financial implications as DEFRA have begun the funding for these new duties. An allocation of £20,000.00 was made on the 5<sup>th</sup> October 2010 to begin the work on the PFRA.

10.2 In addition to this initial grant, DEFRA have indicated that nationally some £36million has been allocated to fund the significant new burdens that have been placed on LLFA's. Wirral Council have been notified that it will receive £122,800 in 2011/12 and a subsequent £167,900 annually in years 2012/13, 2013/14 and 2014/15.

10.3 These costs have been calculated based on a model of the significance of the risk to the LLFA and the level of resource required to address that risk.

## **11.0 LEGAL IMPLICATIONS**

11.1 There are no legal implications other than the duties imposed under the new legislation.

## **12.0 EQUALITIES IMPLICATIONS**

12.1 There are no Equality implications.

## **13.0 CARBON REDUCTION IMPLICATIONS**

13.1 There are no specific carbon reduction implications although there are significant links with carbon reduction and sea level rises and increases in extreme weather patterns. As a result the Council's Climate Change Officer is a member of the Wirral Flood and Water Management Partnership.

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

14.1 There will be significant planning implications in relation to this new legislation. As a result of which relevant officers from the Forward Planning and the Development Control sections are members of the Flood and Water Management Partnership.

**REPORT AUTHOR:** **Mark Camborne**  
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## APPENDICES

- Appendix 1 Briefing Note on the Flood and Water Management Act 2010:  
Discharge of Duty and Functions
- Appendix 2 Wirral Flood and Water Management Partnership Strategy and Terms  
of Reference.
- Appendix 3 Wirral Flood and Water Management Partnership Action Plan

## REFERENCE MATERIAL

- The Governments Response to Sir Michael Pitt's Review of the 2007 Floods  
<http://www.defra.gov.uk/environment/flooding/documents/risk/govtresptopitt.pdf>
- The Flood & Water Management Act  
[http://www.legislation.gov.uk/ukpga/2010/29/pdfs/ukpga\\_20100029\\_en.pdf](http://www.legislation.gov.uk/ukpga/2010/29/pdfs/ukpga_20100029_en.pdf)
- The Flood & Water Management Act explanatory notes  
<http://www.legislation.gov.uk/ukpga/2010/29/notes/contents>
- The Flood Risk Regulations  
<http://www.legislation.gov.uk/uksi/2009/3042/contents/made>
- What does the Flood & Water Management Act mean for Local Authorities, Defra.  
<http://www.defra.gov.uk/environment/flooding/documents/policy/fwmb/fwma-lafactsheet.pdf>

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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## BRIEFING NOTE

**Flood and Water Management Act 2010: Discharge of Duty and Functions****Scope**

The briefing note seeks to provide guidance on possible mechanisms to assist Council to discharge the duties and obligations arising under the Flood and Water Management Act 2010 ('the Act').

**Summary of the Act**Lead Local Flood Authority

Under the Act, Wirral Metropolitan Borough Council is the Lead Local Flood Authority for the Borough of Wirral.

Local Flood Risk Management Strategy

Under Part 1, Section 9(1) of the Act, a **lead local flood authority** must develop, maintain, apply and monitor a strategy for local flood risk management in its area (a "local flood risk management strategy").

A "local flood risk" under the Act means flood risk from:

- (a) surface runoff,
- (b) groundwater, and
- (c) ordinary watercourses.

The lead local flood authority will be responsible for ensuring the strategy is put in place but local partners can and should assist with its development.

The Act sets out the minimum that a local strategy must contain, and the lead local flood authority is required to consult on the strategy with risk management authorities and the public.

Flood Risk Management Function

The flood risk management function is defined under Part 1, Section 4 of the Act as:

- (1) ... a function listed in subsection (2) [detailed below] which may be exercised by a risk management authority for a purpose connected with flood risk management.
- (2) The functions are:
  - (a) a function under this Part [which therefore includes the provision of a flood risk management strategy under Section 9(1) of the Act – see above],
  - (b) a function under section 159 or 160 of the Water Resources Act 1991,
  - (c) a flood defence function within the meaning of section 221 of that Act,

- (d) a function under the Land Drainage Act 1991,
- (e) a function under section 100, 101, 110 or 339 of the Highways Act 1980, and
- (f) any other function, under an enactment, specified for the purposes of this section by order made by the Minister.

### Co-operation

There is a specific duty under Part 1, Section 13 of the Act for co-operation, which states:

- (1) A relevant authority must co-operate with other relevant authorities in the exercise of their flood and coastal erosion risk management functions.
- (2) A relevant authority may share information with another relevant authority for the purpose of discharging its duty under subsection (1).
- (3) In subsections (1) and (2) “relevant authority” means—
  - (a) **a risk management authority** [ Wirral Council – see definition below], and
  - (b) the Welsh Ministers.

Under Section 13(13) **“Risk management authority” means—**

- (a) the Environment Agency,
- (b) **a lead local flood authority** [Wirral Council],
- (c) a district council for an area for which there is no unitary authority,
- (d) an internal drainage board,
- (e) a water company, and
- (f) a highway authority.

### Power to Request Information

Under Part 1, Section 14 of the Act:

- (1) An authority listed in subsection (2) [which would include Wirral Council - see below] may request a person to provide information in connection with the authority's flood and coastal erosion risk management functions.
- (2) The authorities are—
  - (a) the Environment Agency, and
  - (b) lead local flood authorities [which includes Wirral Council].
- (3) ...
- (4) Information requested under subsection (1) or (3) must be provided—
  - (a) in the form or manner specified in the request, and
  - (b) within the period specified in the request.



## Role of Overview and Scrutiny Committee

Para 54 of Schedule 2 to the Act amends the Local Government Act 2000 to include a specific obligation concerning flood risk management.

A new clause “21F” has been inserted into the 200 Act.

Under clause 21F, there must be arrangements in place to review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.

The Act intentionally enables the relevant overview and scrutiny committee to hold all the risk management authorities to account. This is considered to be an effective way for the public to be actively involved in ensuring authorities perform.

Clause 21F specifically imposes an obligation upon a risk management authority [defined under 13 of the Act and includes Wirral Council – see above] to comply with a request made by the relevant overview and scrutiny committee for:

- (a) information;
- (b) a response to a report.

The Council, under clause 21F, must have regard to reports and recommendations of the relevant overview and scrutiny committee [in this case the Sustainable Communities O&S Committee] responsible for reviewing and scrutinising the exercise of flood risk management functions.

## **Options**

### 1. Maintain the informal working group

A working group already exists which specifically focuses on flood risk issues.

The working group has no constitutional status but is a cross-party working group that works well in seeking to develop a co-ordinated approach to flood risk management. There is an intention or desire to create a Wirral Council Flood Action Group designed to assist the working group implement agreed measures and approved actions.

There is no legal or statutory bar preventing a working or action group assisting the Administration discharge the functions arising under the Act. The Administration is generally free to seek advice and support from various sources as it considers appropriate in helping it to discharge the duties and functions arising under the Act.

However, should the working group be the preferred model to assist the Council discharge its functions under the Act, clarity will be required in relation to lines of responsibility, who would be the lead member, membership and frequency of meetings.

The working group would not be a decision making body, but could through the Cabinet Portfolio Member or relevant Chief Officer make recommendations to the Council's Cabinet for consideration and approval.

### *Terms of Reference*

Any working or action group should be underpinned by clear Terms of Reference.

A robust Memorandum of Understanding and where possible a Protocol should also be agreed with all key partners/stakeholders. The Memorandum of Understanding and Protocol would set out what is expected from all parties and would provide a mechanism for the dissemination and sharing of critical information between the Council and partners/stakeholders so that informed recommendations can be made by the working group.

The Memorandum of Understanding and Protocol could be reviewed in 3 or 6 months time to assess how effective the new arrangements are working in practice.

### *Working Group falling under the remit of an Overview and Scrutiny Committee?*

The current working group, as I understand, is aligned, albeit informally, to the Sustainable Communities Overview and Scrutiny Committee. The working group could remain part of the Sustainable Communities O&S Committee and assist with the review and scrutiny of the Council as the lead local flood authority. [See also point 4 below].

The jurisdiction of any such working group would be limited to assisting the Committee to discharge its obligations to review and scrutinise the discharge of the functions arising under the Act rather than develop any strategies or plans under the Act.

## 2. Create a Wirral Flood and Water Management Partnership

This would essentially be a formal model of the working group mentioned above.

As with the working group, clear terms of reference, a protocol, membership, frequency of meetings, etc would need to be defined.

A partnership model would raise the profile and importance of the duties and obligations arising under the Act, and therefore may lead to better co-operation and knowledge sharing with relevant partners/stakeholders.

Key stakeholders/partners would of course need to be willing to become members of the partnership and allocate resources accordingly.

The Council would need to lead and there would be an expectation that the Council provides the necessary administrative support to the partnership. The resources implications should therefore be considered.

Political membership to the partnership could be made through Council (although there is no specific requirement). However, it would reinforce the cross-party working arrangement that currently exists.

The partnership could be recognised in the Council's Constitution and would be referred to in any event if Council agrees the member appointments (annual appointments to an outside body at the AGM).

As with the working group, the partnership would not be a decision making body but would make recommendations to the Council's Cabinet for consideration and approval.

3. Create a Cabinet sub-committee/panel

This can be done by the Cabinet without any constitutional change or Council approval being necessary.

As with options 2 and 3 clear terms of reference, a protocol, membership, frequency of meetings, etc would need to be defined.

The Cabinet sub-committee/panel could be lead and chaired by the Leader or relevant Cabinet Portfolio Member. How formal the meeting should be is a discretionary point but the administrative and resource implications should be considered.

Whilst it is hoped that cross-party working would continue, membership of any Cabinet sub-committee/panel should exclude members of the Sustainable Communities O&S Committee.

This option does not however prevent the Leader or Cabinet requesting the Sustainable Communities O&S Committee to consider how the functions under the Act could be effectively discharged as part of the development of any strategies/plans.

Whilst recommendation can be made to Cabinet approval of any strategy required under the Act should be approved by Council.

4. Create a 'sub-committee/panel' of the Sustainable Communities O & S Committee (Constitutional change required)

Any sub-committee/panel of the Sustainable Communities O&S committee would exclude any Cabinet Member from its membership.

A sub-committee/panel could provide specific focus and help develop knowledge and understanding in relation to technical issues which would assist the Council ensure it discharges its duties and responsibilities.

There is no power under the Constitution for an O&S Committee to create a formal sub-committee/panel. Should this option be preferred, Constitutional change would be required.

Whilst the Leader/Cabinet Portfolio Member could be given the right to make representations to the sub-committee/panel, he/she could not take part in any deliberations or decision making.

This would be a formal committee of the Council and all legal and constitutional requirements applicable to a committee would apply (i.e. formal agendas, minutes, etc). This option would involve more resources to administer.

Detailed Terms of Reference would need to be drafted setting out the role of the sub-committee/panel. Under the Act there is a need for the Council's overview and scrutiny committee to review and scrutinise how effectively the Council discharges its flood risk management functions or coastal erosion risk management functions under the Act.

Should no sub-committee/panel be established, the role of review and scrutiny under the Act would be undertaken by the Sustainable Communities O&S Committee.

For clarity and the avoidance of any doubt, the terms of reference for the Sustainable Communities O&S Committee should be amended to include the duty to review and scrutinise arising under the Act.

**Surjit Tour**  
Head of Legal & Member Services

**18 November 2010**  
Revised 28 February 2011

## WIRRAL FLOOD AND WATER MANAGEMENT PARTNERSHIP

### STRATEGY AND TERMS OF REFERENCE

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#### 1. LOCAL PARTNERSHIP

The Flood and Water Management Act 2011 enables the development of local partnerships to be formed between the Lead Local Flood Authority (Wirral MBC) and Risk Management Authorities (RMAs) – defined in the Act as the Environment Agency, District Councils, Internal Drainage Boards (ITBs), Highway Authorities and Water Companies (United Utilities).

The Act does not stipulate the form that these arrangements should take. Wirral was already in a favourable position in so much that there was an existing Flood Working Group, of which many of the agencies and organisations suggested by the Act to form a local partnership were already represented.

The Act requires the relevant authorities to co-operate with each other and also empowers the LLFA (or the Environment Agency) to acquire information from others that may be needed for their flood and coastal erosion risk management (FCERM) functions.

#### 2. FLOOD RISK MANAGEMENT STRATEGY

The Act requires the LLFA to develop, maintain, apply and monitor a strategy for local flood and coastal erosion risk management. The LLFA will be responsible for ensuring the local strategy is put in place but it will be developed in agreement with relevant local partners. The Act sets out the minimum that a local strategy must contain:

- The risk management authorities in the relevant area.
- The FCERM functions that may be exercised by those authorities in relation to the area.
- The objectives for managing local flood risk and the measures proposed to achieve those objectives.
- How and when the measures are expected to be implemented.
- The costs and benefits of those measures, and how they are to be paid for.
- The assessment of local flood risk for the purpose of the strategy.
- How and when the strategy is to be reviewed.
- How the strategy contributes to the achievement of wider environmental impacts.

Any strategy must be consistent with the national flood and coastal erosion risk management strategy for England (under development by the Environment Agency) and the LLFA must consult with the RMAs that may be affected by the strategy and the public. The local strategy will be the key means to harnessing all flood and coastal erosion risk management powers and creating coherent planning in surface water management across the country.

# **WIRRAL FLOOD AND WATER MANAGEMENT PARTNERSHIP**

## **TERMS OF REFERENCE**

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### **1. Purpose of the Wirral Flood and Water Management Partnership**

The main purpose of the partnership is to achieve through joint working an effective response to flooding and coastal erosion incidents on Wirral; to take such collective measures in order to minimise the potential impact of such incidents; and to seek the implementation of more permanent and sustainable solutions to the mitigation or alleviation of flooding and coastal erosion.

### **2. Objectives**

- 2.1 This partnership has been developed to provide the Wirral response to the Flood and Water Management Act, the Flood Risk Regulations and ensure that the strategy development for flood and coastal erosion risk management on Wirral is coordinated and integrated.
- 2.2 The Partnership will strive to ensure that effective flood and coastal erosion risk management and resilience is built into service delivery in a manner which delivers better protection from flood risk for the communities and key infrastructure of Wirral.
- 2.3 The Partnership will involve providing a single voice on Wirral's flood and coastal erosion risk management matters across all levels – local, sub-national and national; providing the key point of contact for local authority scrutiny; and providing strategic oversight of all flood and coastal erosion risk and drainage matters in the Borough.

### **3. Wirral Flood and Water Management Partners**

The principal partners of the Partnership are:

Wirral MBC	(LLFA) Chairperson, Mark Camborne, Health, Safety & Resilience Operations Manager
Wirral MBC	Cross Party Working Group Representatives x 3 Councillor John Hale (Conservative Group) Councillor David Mitchell (Lib Dem Group) Councillor Harry Smith (Labour Group)
Wirral MBC	Cabinet Member for Streetscene and Transportation Services Councillor Leslie Rennie
Wirral MBC	Technical Services, Mark Smith, Interim Head of Technical Services
Wirral MBC	Highways Shaun Brady Highways Asset Manager
Wirral MBC	Coastal Protection, Neil Thomas, Principal Assistant Engineer
Wirral MBC	Development Control, Matthew Rushton, Principal Planning Officer
Wirral MBC	Forward Planning, John Entwistle, Principal Planning Officer (Fwd Planning)
Wirral MBC	Investment Strategy Richard Lewis, Investment Strategy Manager
Wirral MBC	Drainage, John Baker, Drainage Team Leader, Chair of Operational Flood Group
Wirral MBC	Building Control, Paul Grey, Assistant Director, Building Control
Wirral MBC	Emergency Planning, Aimee Conroy, Emergency Planning Officer,
Wirral MBC	PR, Marketing & Community Engagement, Laura Furlong.
Wirral MBC	Climate Change Officer, Hazel Edwards
Wirral MBC	Legal Section, Surjit Tour, Head of Legal & Member Services
Voluntary and Community Action Wirral (VCAW)	tbc

United Utilities Scott Green, Wastewater Network Manager  
Emma Dennett, Catchment Manager ( Asset Management & Delivery).  
Welsh Water Roger Cragg  
Environment Agency Ian Hale  
Merseyside Fire & Rescue Service tbc  
Merseyside Police tbc  
Wirral NHS tbc

The Partnership will allow for representation of other agencies, organisations and community and third sector representatives on an 'as and when' basis.

#### **4. Aims of the Partnership**

- 4.1 Funding and skills – to identify new funding opportunities, more cost effective methods of joint working and ensure the core skills, competencies and resources are safeguarded.
- 4.2 Cooperation – to share data, skills and best practice throughout Wirral to ensure that flood and coastal erosion risk management delivery is feasible, proportionate and sustainable.
- 4.3 Lobbying – to provide a unified voice for flood and coastal erosion risk and drainage matters on national policy and funding matters.
- 4.4 Awareness – to ensure that the general public is aware of the flood risk responsibilities and that partner organisations are familiar with their respective roles, responsibilities and duties and that work programmes are aligned accordingly.
- 4.5 Oversight – to receive reports on and provide strategic input and direction to the development of plans, policies and programmes of work developed to manage flood and coastal erosion risk across the Borough.
- 4.6 Conflict Resolution – addressing specific issues affecting delivery or collaborative working as they arise.
- 4.7 Reporting – to assist in the reporting of flood and coastal erosion risk management activity and programmes to respective Partners' Oversight and Scrutiny Committees (or equivalent).
- 4.8 Delivery – to establish suitable working groups to deliver flood and coastal erosion risk management measures and provide advice to Local Planning Authorities, developers and other bodies as needed. As a body representing all Risk Management Authorities (RMAs) in the area, the Partnership will identify strategic priorities and risks and opportunities for funding.
- 4.9 Communication – to promote activities engaging and educating the communities of Wirral on flood and coastal erosion risk issues, including the responsibilities of landowners and tenants in flood and coastal erosion risk management.

#### **5. Organisation of Meetings**

- 5.1 The meeting will be chaired and administered by Wirral MBC as the LLFA.

- 5.2 Meetings will be held twice a year in April and October to best fit with reporting and budget cycles and seasonal issues (Spring and Winter)
  - 5.3 The Operational Flood Group will continue to meet on a monthly basis driving forward any actions or plans and will provide a status report to each meeting of the Partnership.
-



## **WIRRAL FLOOD & WATER MANAGEMENT PARTNERSHIP DEVELOPMENT ACTION PLAN AS AT 17 MARCH 2011**

<b>Ref No</b>	<b>Action</b>	<b>Target Date</b>	<b>Comments</b>
01	Distribute for discussion Surjit Tour paper re options with the Wirral Flood Group	Jan 2011	Option 2 of Surjit's paper the preferred option.
02	Review and revise existing Term's of Reference to be suitable for the new Wirral Flood & Water Management Partnership	Jan 2011	To be circulated with papers for next Wirral Flood Group meeting
03	Produce Cabinet Report to inform and gain approval for Wirral Flood Prevention Partnership	17 March 2011	Papers ready by 28 Feb 2011
04	Draft a suitable Wirral Flood & Water Management Partnership Strategy document – acting as an umbrella document over all existing flood protection documents for Cabinet	17 March 2011	Papers ready by 28 Feb 2011
05	Inaugural meeting of the new Wirral Flood & Water Management Partnership	Week commencing 18 Apr 2011	Coordinate figurative signing of Partnership Document between all agencies.
06	Review draft PFRA from EA, compare with data gathered and consult with partners on areas of significant risk	May 2011	
07	Continue to build on the success of the Wirral Flood Group with the new Wirral Flood Prevention Partnership	17 Mar 2011	Upon receipt of Elected Members approval Cabinet 17 March 2011
08	Establish a SUDS Approval Board, including agreeing guidance and protocols for the design and construction of SUDS and appropriate mechanisms to provide guidance and approval to all stakeholders	Late 2012	Consultation expected late 2011
09	Continue to review Defra guidance as it is published and implement it as appropriate	On-going	

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## WIRRAL COUNCIL

CABINET – 17<sup>TH</sup> MARCH 2011

<b>SUBJECT:</b>	<b>PARKS &amp; COUNTRYSIDE SERVICES PROCUREMENT EXERCISE (PACSPE) – INVITATION TO TENDER</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF TECHNICAL SERVICES</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR DAVID ELDERTON, LEISURE &amp; CULTURAL SERVICES</b>
<b>KEY DECISION?</b> <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	YES

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek approval to proceed with the proposed Invitation To Tender for the Parks & Countryside Services Procurement project based on the Select List of Tenderers described in the report.
- 1.2 As part of this approval, this report provides Members with an updated business case for the project, a proposed Benefits Management Strategy for the new contract and seeks endorsement in relation to a number of key contract issues.
- 1.3 The updated business case for the project contains commercially sensitive information and the disclosure of such information could have a bearing on the forthcoming tender exercise hence this information has been classed as Exempt Information under the Environmental Information Regulations 2004 by the Council's Director of Law, HR and Asset Management. For this reason the updated business case is summarised in a Press/ Public Exempt Appendix to this report.

### 2.0 RECOMMENDATION/S

- 2.1 Cabinet is requested to:

- (1) Note and endorse the updated business case for the project described in section 5.0;
- (2) Approve the proposed Outline Benefits Management Strategy for the new contract outlined in section 6.0;
- (3) Approve the recommendation to proceed with the Invitation To Tender based on the Select List of Tenderers referred to in section 7.0;

- (4) Endorse the proposed way forward in relation to a number of key contract issues described in section 8.0;
- (5) Approve the proposed extension of existing highway related contracts as described in section 9.0.

### **3.0 REASON/S FOR RECOMMENDATION/S**

- 3.1 The reason for these recommendations is to seek Cabinet approval to proceed with the Invitation To Tender for the new Parks & Countryside Services contract commencing in January 2012.
- 3.2 Members are asked to note and endorse the updated business case as this confirms the project is still justified following further work to clarify the detailed scope of the project since the Outline Business Case was approved last year.
- 3.3 Cabinet approval is also sought for the proposed Benefits Management Strategy for the new contract which will be used to ensure that the proposed high-level benefits to be achieved by the new contract identified at the outset are realised throughout the life of the contract.
- 3.4 As part of the approval to proceed with the Invitation To Tender, Cabinet are specifically requested to approve the Select List of Tenderers described in the report.

### **4.0 BACKGROUND**

- 4.1 Cabinet considered a revised Outline Business Case prepared by Capita Symonds at its meeting of 22<sup>nd</sup> July 2010 (Minute 84 refers) and approved the recommendation to proceed with Option 3 (Total Service with Single Provider) based on the greater potential for improvements in efficiency and consistency of service delivery using the Restricted Procedure procurement route.
- 4.2 The decision was subject to 'Call In' and was ratified by the Sustainable Communities Overview & Scrutiny Committee on 31<sup>st</sup> August 2010 on the basis that officers ensure that extensive consultation takes place during the period in which the tender document is prepared, in particular with trade unions and user groups.
- 4.3 A further progress report was considered by Cabinet at its meeting on 13<sup>th</sup> January 2011 which clarified the detailed scope for the project as agreed by the majority of Members of the PACSPE Member Steering Group. The report also sought approval for the proposed form of contract (NEC3 Term Service Option A).
- 4.4 This decision was also subject to 'Call In' and was considered by the Sustainable Communities Overview & Scrutiny Committee on 17<sup>th</sup> February 2011. The resolution of the Committee by a 7:3 majority was that the recommendations to Cabinet on 13<sup>th</sup> January 2011 be endorsed but also an additional unanimous resolution that 'the Director of Technical Services make every endeavour in his negotiations with the successful tenderer to try and ensure that existing staff transferred under the TUPE arrangements are admitted to the Merseyside Pension Fund' (Minute 123 refers).

## **5.0 UPDATED BUSINESS CASE FOR THE PROJECT**

- 5.1 Based on the exclusions from the PACSPE procurement exercise approved by Cabinet on 13<sup>th</sup> January 2011, the current 2010/11 gross budgets (less recharges) for the services to be included in the new contract total £8.1M (this figure excludes the net effect of EVR). These services include grounds maintenance functions for all parks and open spaces, golf courses and cemeteries (including Birkenhead Park) and the Ranger Service. This also includes the highway verge and arboriculture functions that are already delivered by external contracts.
- 5.2 The current 2010/11 gross budgets (less recharges) for the services to be excluded from the new contract total £4.7M. These services include buildings repair and renewal, the Beach Lifeguard Service, the management and administration of golf courses, the Parks Client/ Development Team and the management of Landican Crematorium.
- 5.3 The Outline Business Case approved by Cabinet on 22<sup>nd</sup> July last year has subsequently been updated by the Council's Director of Finance to reflect the refined scope of services to be included in the new contract and this work has been externally validated by consultant Capita Symonds who were responsible for preparing the original Outline Business Case.
- 5.4 This updated business case confirms that Option 3 (Total Service with Single Provider) still provides significantly greater efficiency savings than Option 1 (In-house plus External Support) or Option 2 (Separate Lots with Service Providers). For the 'base case scenario', it is anticipated that Option 3 will generate efficiency savings more than £1.39M greater than Option 2 and £3.48M greater than Option 1 over the ten year contract term.
- 5.5 Analysis of the out-of-scope services suggests that further to the recent EVR exercise, efficiency savings in the region of £200k per annum can be achieved from the re-engineering of the Beach Lifeguard Service and the Parks Client/ Development Team. Based on this prediction, the total efficiency saving over the ten year term for the services included in the scope of the new contract plus those excluded still exceeds the £7.841M total in the Outline Business Case approved by Cabinet last July.
- 5.6 This work is set out in more detail in the Press/ Public Exempt Appendix to this report and Cabinet is requested to note and endorse this updated business case for the project.

## **6.0 PROPOSED OUTLINE BENEFITS MANAGEMENT STRATEGY**

- 6.1 The development and implementation of a Benefits Management Strategy for the procurement project and the new contract is recognised as being an important tool to help ensure the procurement project delivers the desired outcomes set out in the business case and also to monitor the extent to which the proposed high-level benefits to be achieved by the new contract identified at the outset are delivered throughout the life of the contract.

- 6.2 This work has built upon the approach to Benefits Management adopted for the Streetscene Environmental Services (Biffa) and Highways & Engineering Services (Colas) contracts which has been recognised as examples of best practice by the external Local Partnerships Organisation as part of the Office of Government Commerce (OGC) 'Gateway' process.
- 6.3 The PACSPE Member Steering Group has endorsed a draft Benefits Management Strategy which includes an emerging Contract Performance Management Framework and Tender Method Statements. In summary, the Benefits Management Strategy recognises a series of early benefits arising from the Outline Business Case and the progress of the procurement project so far and most importantly sets out a number of key benefits to be achieved based on an emerging Parks & Countryside Services Business Plan.
- 6.4 As part of the development of the Outline Business Case and progress of the procurement project so far, the following anticipated benefits have been identified:

#### Quantitative Benefits

- Financial efficiency savings based on Option 3 Total Service with Single Provider (as described in section 5.0)

#### Qualitative Benefits

- Flexibility and capacity of resource
  - Ability to deliver or facilitate additional funding streams outside of traditional capital and revenue sources
  - Increased staff development, recruitment and retention
  - Streamlined internal management
  - Scope for innovation, added value and continuous improvement
  - Potential for increased investment in IT, offices, depots, machinery and equipment
  - Potential partnering opportunities
  - Maximise use of integrated teams and supply chains
  - Benchmark services
  - Offer services and collaborate beyond the borough
  - Realise shared services
  - Effective risk management
  - Improved customer engagement
  - Improved engagement with friends and user groups
- 6.4 Based on the emerging medium to long-term Parks & Countryside Services Business Plan, an overall vision for the service with a series of high-level service outcomes/ benefits under three broad themes have been identified:

#### Vision for the Service

*To provide and maintain high quality parks and open spaces in partnership with the local community.*

## Theme 1 – People and Community Involvement

*We will encourage the development of Friends and voluntary groups, undertake regular consultation with users and promote community involvement in Parks and Open Spaces.*

- Improve perception of safety and security in parks (BR1).
- Increase community involvement including volunteering and social enterprises (BR2).
- Provide a varied programme of park events (BR3).
- Develop a programme to promote healthy activities in parks (BR4).

## Theme 2 – Quality and Maintenance Standards

*We will improve the quality and maintenance standards at all sites by developing a range of indicators and quality standards.*

- All parks maintained to a minimum agreed standard (BR5).
- Agreed staff training programme and qualification standard (BR6).
- Improved maintenance of buildings and infrastructure including heritage features (BR7).
- Accessible and safe to use parks and play areas (BR8).
- Habitats and wildlife species within designated sites protected and enhanced (BR9).
- Provision of a dignified Bereavement service that includes burial, crematorium and memorialisation (BR10).

## Theme 3 - Use of Resources

*We will ensure value for money from existing expenditure and viewing provision and seeking additional funding from external sources.*

- Deliver agreed efficiency savings (BR11).
- Attract external investment/grants (BR12).
- Environmental sustainability including carbon reduction and waste minimisation (BR13).

6.5 Cabinet is requested to approve the outline Benefits Management Strategy set out in this report consisting of a vision for the service and 13 headline service outcomes/ benefits under three strategic themes.

## **7.0 PROPOSED INVITATION TO TENDER INCLUDING SELECT LIST OF TENDERERS**

7.1 Following the formal OJEU advertisement, the Council has attracted significant interest from the market in relation to the proposed new contract and in total 13 Pre-Qualification Questionnaires (PQQs) were returned by the closing date of 21<sup>st</sup> February 2011.

- 7.2 These PQQs have been evaluated in a controlled PQQ Evaluation Exercise led by the Corporate Procurement Team and due to the tight timescales for evaluation and reporting, the proposed short-list of Select Tenderers to be invited to tender for the new contract will be circulated at the Cabinet meeting.
- 7.3 Cabinet is requested to approve this proposed short-list as part of the recommendation to proceed with the Invitation To Tender.
- 7.4 Subject to Cabinet approval, it is proposed to go out to tender on or shortly after Friday 15<sup>th</sup> April. This date allows for further scrutiny or information to be reported to the next Cabinet meeting in April as necessary.
- 7.5 The latest programme for the project assumes a 12 week tender period followed by tender evaluation and award of contract by Cabinet in September 2011. This is then followed by a 12 week contract mobilisation period and commencement of the new contract on 2<sup>nd</sup> January 2012.
- 7.6 Members will be familiar with the OGC 'Gateway' process and it is proposed that the findings of the most recent Gateway 2 Procurement Strategy Review undertaken on 14/15<sup>th</sup> March 2011 will be reported verbally at the Cabinet meeting to provide external validation of the process to give confidence in the recommendation to proceed with the Invitation To Tender.

## **8.0 KEY CONTRACT ISSUES**

- 8.1 As part of the Invitation To Tender Preparation phase, a number of key contract issues have been highlighted on which Cabinet endorsement/ views are sought on the proposed way forward:

### **8.2 Draft Tender Evaluation Method Statements**

- 8.3 It is proposed that the evaluation of tenders is based on a 70%/30% cost/ quality split and the draft list of Tender Evaluation Method Statements for the 30% quality score which will then be incorporated into the contract are as follows:

#### Section A: Service Provision and Ability To Perform (40%)

- A1. Experience and Track Record of Similar Contracts
- A2. Proposed Approach to Contract Management including skills/ experience/ capacity of key staff and arrangement of site-specific or area teams
- A3. Proposed Approach to Service Mobilisation
- A4. Proposed Depot and Plant Arrangements including investment in facilities and machinery/ equipment
- A5. Proposed Approach to Supply Chain Management and Sub-contracting
- A6. Proposed Approach to Developing Relationships with Local Communities and Capacity-building with the Community and Voluntary Sector



- A7. Proposed Approach to Improving Actual and Perceived Security in Parks
- A8. Proposed approach to the Planning/ Management of Outdoor Education and Events Programmes
- A9. Proposed Approach to the Maintenance of Bowling Greens and Golf Courses
- A10. Proposed Approach to the Assessment/ Monitoring of the Condition of Hard Infrastructure including Emergency/ Out-of-hours Work
- A11. Proposed Approach to the Maintenance of Planting Areas
- A12. Proposed Approach to the Inspection/ Monitoring of Childrens Play Areas
- A13. Proposed Approach for the survey of tree stock and active management of highway/ street trees including highway database
- A14. Proposed Approach to the Co-ordination of Work with other agencies/ contractors on the highway network and other locations
- A15. Proposed Approach to the Management/ Maintenance of Beaches including unforeseen events

#### Section B: Policy Matters including Compliance with Legislation (30%)

- B1. Proposed Approach to Workforce Transfer
- B2. Proposed Approach to Employee Development, Training, Recruitment and Retention
- B3. Proposed Approach to Health and Safety
- B4. Proposed Approach to Environmental Management/ Sustainability including carbon reduction and waste minimisation
- B5. Proposed Approach to Quality Management including Customer Focus/ Marketing and Attracting External Grants/ Funding
- B6. Proposed Approach to Ecology/ Nature Conservation including habitats and wildlife species within designated sites

#### Section C: Management Approach and Vision for the Service (30%)

- C1. Proposed Approach to Business/ Service Planning
- C2. Proposed Approach to Partnering and Achieving Added Value
- C3. Proposed Approach to Performance Management and the Development/ Achievement of Local Quality Standards
- C4. Proposed Approach to Driving Continuous Improvement through Innovation and Use of ICT

C5. Proposed Approach to Risk Management and Business Continuity

C6. Proposed Contract Exit Strategy

8.4 Even though it is anticipated that the relative percentage weighting between the three sections A, B and C will be as described, there may be further modifications to the draft list of detailed Method Statements set out in this report. Even so, Cabinet is requested to endorse or provide views on this draft list of Tender Evaluation Method Statements at this stage.

**8.5 Pension Rights of Council Employees transferring to the New Contractor**

8.5.1 The Sustainable Communities Overview & Scrutiny Committee at its meeting on 17 February 2011 unanimously agreed that “the Director of Technical Services make every endeavour in his negotiations with the successful tenderer to try to ensure that existing staff transferred under the TUPE arrangements are admitted to the Merseyside Pension Fund”.

8.5.2 The TUPE Regulations apply to this contract. This means that a successful tenderer must offer to transferred employees:

- Membership of the Merseyside Pension Fund (under an Admission Agreement), or
- Membership of a broadly comparable occupational pension scheme.

8.5.3 Should the contractor opt to provide a broadly comparable scheme, then future pensions costs arising from the date of transfer will be met by the contractor and will be priced into his bid.

8.5.4 Should the contractor seek an admission agreement to MPF the contractor will be liable to pay for future pensions costs from the date of transfer at a rate set by MPF’s actuary. The rate will depend on the individual officers who transfer, and the nature of the admission agreement. The costs may be different from the contribution rate which the actuary sets for the Council and may rise or fall during the contract period. These costs will need to be included during the bid evaluation process.

8.5.5 Options are available to the Council through the tender process to mitigate the costs of the pension scheme to the contractor, by the Council retaining some of the risks: however, this does not mean that costs overall to the Council are reduced, some would just be directly met by the Council.

8.5.6 The Board has considered a number of options including:

- The Contractor takes all the risks and meets all fluctuations in pensions costs
- The Contractor is asked to meet the implications of variations in pensions costs which are within his control (this means the Council retains some of the risks and has to meet any associated costs). Elements deemed to be within his control would have to be agreed with the actuary and may include:
  - Early retirements or redundancies

- Dismissals on ill health grounds
  - Flexible retirements
  - Increases in pay beyond the actuarial estimate
- ‘Cap and Collar’ variants – these can be complex arrangements whereby upper and lower limits on the contractor’s pensions costs are agreed between the Council and contractor based on relative rises and falls in the contribution rates. The Council would meet any excess costs or receive a refund of excess contributions. The Board rejected this option in the interests of simplicity.

8.5.7 It is recommended therefore that should tenderers wish to seek admission to the Merseyside Pension Fund, they should be invited to tender on the following basis:

- All pension risks be transferred to the successful contractor, and
- Only those risks which are within his control (but with a provision that he should give a rebate to the Council if the contribution rate falls below the initial rate for reasons outside his control).

Importantly this approach allows Cabinet to decide on the preferred option at contract award rather than having to make a decision on this key issue before going out to tender.

8.5.8 There is a deficit within MPF attributable to the employees who will transfer with past service. The Fund’s actuary will calculate the amount at the point of transfer: the amount depends on the individual officers who transfer. It is likely that the Council will choose to meet the costs of the deficit going forward, because it would be unreasonable to ask a contractor to meet costs which arose prior to his winning the contract. Whilst the Council meeting the deficit will reduce the cost of the contract, the cost of the deficit needs to be included in calculation of savings arising from the contract.

## **8.6 Contract Pricing and Inflation**

### **8.6.1 Introduction**

The Council is proposing to enter into a long-term contract at a time when the resources available to the Council are forecast to reduce significantly. The resources which the Council wishes to dedicate to the contract must be seen within this context.

The Council needs to assure itself that its interests are protected by the contractual process, ensuring that appropriate flexibilities are built in. In simple terms, the Council needs to consider the resources it wishes to commit to the contract and also the standards of service it requires from the contract.

### **8.6.2 Inflation**

How the contract addresses inflation is a key part of this process. There are a number of options, varying in complexity and in their risk and financial impact on the Council. The following table illustrates some of the issues.

<b>Option</b>	<b>Advantages</b>	<b>Disadvantages</b>
Council does not grant an inflationary increase (risk remains with the contractor)	<ul style="list-style-type: none"> <li>• Fixed price</li> <li>• Council protected from cost increases due to inflation</li> </ul>	<ul style="list-style-type: none"> <li>• Bidders potentially overestimate effect of inflation</li> <li>• Lack of transparency</li> <li>• Increases in cost would need to be met from increased efficiency if service standards were to be maintained</li> </ul>
Council commits to inflationary increase	<ul style="list-style-type: none"> <li>• Contractor protected from cost increases due to inflation</li> </ul>	<ul style="list-style-type: none"> <li>• Cost of inflation is uncertain</li> <li>• The compounding effect of inflation increases could be significant over the 10 year lifespan of the contract.</li> </ul>

Notes:

- The effect of 2% inflation per annum on a contract of an initial value of £1m increases the cost of that contract to approximately £1.2m after ten years. Accordingly a contract of an initial value of £5m rises to £6.1m.
- Inflation as measured by CPI was 4% in January 2011 (Office of National Statistics).

Contractors will take a view of both the competition and inflation over the period of the contract.

A way of mitigating risk to both parties is to commit to a fundamental review of pricing/costs after a reasonable period. Members may consider that three years is an appropriate period:

- This reflects the Government's spending review period – the Council may therefore have a clearer view over the resources it will have available going forward.
- The Council and contractor will have formed a clear view about the strengths and weaknesses of the relationship which could be addressed at this time.

Until such a review point is reached, the Council could choose to commit to meeting inflation, or not.

### 8.6.3 Efficiencies

Cabinet has agreed that one of the potential benefits of the PACSPE approach is the potential to drive efficiencies and innovation. The Council therefore, also needs to take a view as to the financial impact of such matters, and how they are measured.

One view may be that any financial benefits thus derived will have been built in by the contractor in his pricing proposal – particularly in the short term – and therefore no further action is needed from the Council. This approach could be reviewed at appropriate points in the contract

Alternatively, the Council may wish to build in an annual efficiency target – as has been done in the HESPE contract, where a reduction equivalent to 1.5% of the value has been applied as part of the annual inflation calculation. Such a target could be subject to review at appropriate points during the lifetime of the contract.

Members are requested to endorse the proposal that an additional annual efficiency target (figure and duration to be agreed) will be built into the contract to drive efficiencies and innovation.

### 8.6.4 Potential Measures of Inflation

There are a number of indices which represent measures of inflation. The headline measure used by the government is the Consumer Prices Index (CPI). Other indices, such as Baxter (used as part of the HESPE contract), are indices which measure inflation in a specific context – in this case, construction.

Given the nature of the proposed PACSPE Contract, the PACSPE Board considers that CPI is more appropriate than Baxter. However, whether or not it will accurately measure any inflationary increase (particularly when 70-80% of contract costs are likely to be around salaries), cannot be guaranteed.

### 8.6.5 Financing the Contract

It is important to note that the financial implications of inflation over the ten year contract term are significant and sample calculation is set out in the Press/Public Exempt Appendix.

## **9.0 PROPOSED EXTENSION OF EXISTING HIGHWAY CONTRACTS**

9.1 Members will recall that on 18<sup>th</sup> March 2010, Cabinet extended the existing external contracts for the maintenance of highway verges and trees until 30<sup>th</sup> November 2011 (Minute 347 refers). However, based on the latest programme for the procurement project it is anticipated that the new contract arrangement will not now commence until 2<sup>nd</sup> January 2012 and it would be prudent to allow for some additional slippage and a contract commencement of 1<sup>st</sup> February 2012 at the latest.

9.2 The details of the contracts are as follows:

### Contract 1

Contractor: Continental Landscapes Ltd

Start Date: 1<sup>st</sup> April 2003

Period: Five years plus option to extend yearly for 5 years (last end date 31<sup>st</sup> March 2013)

Covers: Highway verges, shrub beds and some areas of public open space

Value: £1.14M p.a.

### Contract 2

Contractor: Amenity Tree Care Ltd

Start Date: 1<sup>st</sup> April 2008

Period: Two years plus option to extend yearly for further 2 years (last end date 31<sup>st</sup> December 2012)

Covers: Tree pruning, felling, surveying

Value: £217,000 p.a.

9.3 Cabinet is therefore requested to approve a further extension of both of these contracts under the existing terms and conditions until 31<sup>st</sup> January 2012 at the latest.

## **10.0 RELEVANT RISKS**

10.1 Key risks relating to the successful completion of the procurement project and proposed contract award are described in the Project Risk Register and monitored and reported to each Project Board meeting.

## **11.0 OTHER OPTIONS CONSIDERED**

11.1 A robust appraisal of alternatives to Option 3 Total Service with Single Provider were considered by consultant Capita Symonds and reported to Cabinet at the Outline Business Case stage. The business case has been updated as outlined in section 5.0 and this provides confirmation that Option 3 is still the preferred approach following confirmation of the services to be included within the scope of the new contract.

## **12.0 CONSULTATION**

12.1 Extensive consultation and engagement has been undertaken with employees, user groups and other stakeholders and the record of past and proposed consultation and engagement is set out in the Project Communications and Engagement Plan. This includes a series of special Consultation Workshops for Parks, Sports, Golf and Bereavement Services users and stakeholders which took place before Christmas and a second round of Workshops during March.

12.2 In addition, a Communications Register has been created which records all feedback in relation to the ongoing procurement exercise, summarises key themes and links to proposed benefits and importantly how this feedback has been reflected in the development of the Invitation To Tender.

### **13.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

13.1 A key objective of the new contract arrangements is to facilitate the development of relationships with the community and voluntary sector and this is reflected in one of the high-level benefit themes (Theme 1 – People and Community Involvement refer paragraph 6.4).

### **14.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

#### **14.1 Financial Implications**

14.2 The current 2010/11 gross budget (less recharges) for the services to be included in the new contract total £8.1M. The current 2010/11 gross budget (less recharges) for the services to be excluded from the new contract total £4.7M.

14.3 The proposed efficiency savings from the new contract and the re-engineering of out-of-scope services are set out in detail in section 5.0 and the Press/ Public Exempt Appendix to this report.

#### **14.4 Staffing Implications**

14.5 Before the recent EVR exercise, the 2010/11 staffing establishment consisted of 196 employees relating to in-scope services and 31 employees relating to out-of-scope services. This does not include approximately 40 employed by external contractors to which TUPE Regulations may apply.

14.6 The Council's EVR exercise has resulted in the loss of 36 employees from in-scope services and 7 from out-of-scope services. Therefore, following the EVR exercise there are now 160 employees relating to in-scope services that are anticipated to TUPE transfer to the new service provider and 24 relating to out-of-scope services.

14.7 Proposals for a new Parks Client/ Development Team have been endorsed by the PACSPE Member Steering Group and of the 24 employees relating to out-of-scope services it is proposed that the majority will perform similar duties in the new Client/ Development structure. In addition to these existing posts, a new Parks & Countryside Services Manager was approved by Cabinet last July and will be occupied shortly.

#### **14.8 Asset Management Implications**

14.9 It has now been confirmed that Building Repair and Renewal sits outside the scope of the new contract and these functions and associated budgets will transfer to the Director of Law, HR and Asset Management.

14.10 It is proposed that a number of suitable Council-owned operational buildings and depot facilities will be made available to the successful contractor and tenderers will be invited to set out their proposals for depot arrangements as part of a specific Tender Evaluation Method Statement (refer paragraph 8.4 Method Statement A4).

## **15.0 LEGAL IMPLICATIONS**

15.1 The Director of Law, HR and Asset Management is represented on the Project Board and ITT Preparation Workstream and plays a key role in the development of the Invitation To Tender contract documentation.

## **16.0 EQUALITIES IMPLICATIONS**

16.1 A detailed Equality Impact Assessment is being undertaken as part of the procurement project.

## **17.0 CARBON REDUCTION IMPLICATIONS**

17.1 Environmental Sustainability is an important high-level benefit for the Parks & Countryside Service and proposed new contract (refer Theme 3, Benefit BR13 paragraph 6.4).

## **18.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

18.1 Community safety in parks has been highlighted as an important benefit/ service outcome to be achieved through the new contract arrangements (refer Theme 1, Benefit BR1 paragraph 6.4).

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## **APPENDICES**

Summary of Updated Business Case (Press/ Public Exempt).

## **REFERENCE MATERIAL**

Papers and Minutes of PACSPE Project Board and Member Steering Group meetings.



**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Sustainable Communities O&amp;S Committee – Call In</b>	<b>17<sup>th</sup> February 2011</b>
<b>Cabinet (PACSPE – ITT/ Project Scope Definition)</b>	<b>13<sup>th</sup> January 2011</b>
<b>Sustainable Communities O&amp;S Committee – Call In</b>	<b>31<sup>st</sup> August 2010</b>
<b>Cabinet (PACSPE – Outline Business Case)</b>	<b>22<sup>nd</sup> July 2010</b>
<b>Cabinet (PACSPE)</b>	<b>3<sup>rd</sup> September 2009</b>
<b>Cabinet (Parks &amp; Countryside Gateway Review)</b>	<b>5<sup>th</sup> February 2009</b>

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## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	APPROVAL OF THE SUB-REGIONAL CHOICE BASED LETTINGS JOINT ALLOCATIONS SCHEME
<b>WARD/S AFFECTED:</b>	ALL
<b>REPORT OF:</b>	KEVIN ADDERLEY, INTERIM DIRECTOR OF CORPORATE SERVICES
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	CLLR CHRIS BLAKELEY
<b>KEY DECISION</b>	YES

#### 1.0 EXECUTIVE SUMMARY

- 1.1 At it's meeting on 9 December 2010, Cabinet approved the recommendation of the Living in Wirral Task Force and instructed the interim Director of Corporate Services to develop a sub-regional Choice Based Lettings Scheme in Merseyside. This report outlines the proposed Sub Regional Choice Based Lettings Allocations Scheme (attached as Appendix 1), to be known as Property Pool Plus, for approval by Cabinet following a widespread consultation on the draft with stakeholders.
- 1.2 The 1996 Housing Act (as amended by the 2002 Homelessness Act) requires local housing authorities to make all it's housing allocations and nominations in accordance with an Allocations Scheme. The Allocations Scheme includes the criteria that the Authorities use to assess eligibility and to prioritise housing applicants for the social housing the Council has available through nominations to its partner landlords. The Housing Act 1996 and the Homelessness Act 2002 state that local authority allocation schemes must afford reasonable preference to certain categories of persons over those with no reasonable preference.
- 1.3 The proposed scheme for adoption by Halton, Knowsley, Liverpool, Sefton and Wirral Councils seeks to ensure that housing is allocated to those in greatest need and also to contribute to the development of balanced communities and sustainable regeneration, including encouraging current and future social housing tenants into employment. It has been designed to offer a simple, accessible service for customers as well as creating efficiencies for partner organisations. Efficiencies in particular for Wirral will be realised through the purchase of a new shared IT system to take advantage of technologies introduced since choice based lettings was originally developed in Wirral in 2004.

#### 2.0 RECOMMENDATIONS

- 2.1 That Cabinet approves the proposed sub-regional allocations scheme for implementation by the sub-regional authority partners

#### 3.0 REASONS FOR RECOMMENDATIONS

- 3.1 The proposed scheme is a result of widespread consultation with stakeholders and will make the best use of housing stock in Wirral ensuring that housing is available to those in housing need whilst providing an incentive to work.

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 Since the previous report to Members (virtual Cabinet report 27 May 2010) detailing the draft allocation scheme for consultation, which was approved by each of the partner Councils, officers have continued to work with Merseyside partners on the proposals to develop a sub-regional Choice Based Lettings (CBL) scheme and carried out a widespread consultation. This was following the award of £100,000 in 2008 by Department of Communities and Local Government (DCLG) from the Regional Choice Fund for the development of such a scheme by Liverpool, Knowsley and Wirral Councils. In December 2009, DCLG awarded a further £67,000 to enable Halton and Sefton to join the Merseyside scheme.
- 4.2 Approximately 2,000 social housing lets per year are made in Wirral and the Wirralhomes partner landlords let at least 90% of their vacancies through the Wirralhomes CBL service. In December 2010 there were 13,822 applicants on the Wirralhomes register, a reduction from 22,430 at the peak in 2010 after a renewal process had been carried out. This compares with 12,978 applications following the previous renewal exercise in 2008, and represents a 6.5% increase in applications on the register in two years.
- 4.3 Currently in Wirral, urgent need priority is awarded to applicants in the reasonable preference groups – medical and welfare needs, overcrowding, displacement due to regeneration, violence and harassment and under occupation. In December 2010, only 897 applicants, that is 6.5%, were registered with an urgent need priority. The vast majority (93.5%) of the applicants on the Wirral housing register therefore have no priority award but are considered for housing according to the length of time they have been waiting. These households do not necessarily have a housing need but want to move for other reasons such as affordability, security of tenure or type of property.
- 4.4 In Wirral two thirds of properties are advertised giving preference to applicants with urgent need priority, but due to the choice exercised by those applicants, less than 40% of tenancies are currently granted to applicants who have urgent need priority; most properties (64% in 2008-09) are allocated to applicants outside the urgent need groups according to the length of time they have been waiting. Waiting times across Wirral vary according to the type of accommodation on offer and the area in which it is located.
- 4.5 Applicants who have been accepted by Wirral Council as homeless and to whom the Council owes a full housing duty are currently housed outside the Wirralhomes service, by way of direct nominations. Fewer than 2% of allocations in 2009-10 were to such homeless applicants. Because of the preventative approach now taken to homelessness in Wirral, the number of homeless acceptances fell by 89% from 496 in 2007-07 to 51 in 2009-10. The 2007 independent Wirral Homeless Review and the 2008 Wirralhomes

Review by Heriot Watt University both recommended that Homelessness is brought within the CBL system, for equality reasons and to give more choice to homeless applicants about where they live thereby leading to greater tenancy sustainability. The government is intending that in future Councils will be able to discharge their duty to homeless applicants through an offer in the private rented sector.

### **The Proposed Policy**

4.6 In general the consultation has resulted in minor changes being applied to the draft policy. However there are two areas which generated detailed debate and have led to two changes in the policy from the draft presented to Cabinet in May 2010. These are:

- the effect that a poor tenancy history of rent arrears or anti-social behaviour should have on a person's housing application and
- the award of a priority for housing to people who are working but otherwise not in housing need.

4.7 These changes have resulted in the number of priority Bands for applicants on the Housing Register changing from four (A, B, C and D) in the policy which was consulted upon, to six (A, B, C, D, E and F) in the proposal presented for approval by the five partner local authorities now. This is a change from the current Wirralhomes policy which in effect has 3 priority need bands. The proposed bands are given in table 1:

**Table 1: Proposed banding in sub-regional choice based lettings scheme**

<b>BAND</b>	<b>REASON FOR HOUSING NEED</b>
<b>BAND A</b> URGENT PRIORITY	Health/Welfare (Urgent) Statutory Homeless (Priority Need and Unintentional) Regeneration Overcrowded (2 or more bedrooms)
<b>BAND B</b> HIGH PRIORITY	Health / Welfare (High) Overcrowded (1 bedroom) Disrepair Under occupation
<b>BAND C</b> MEDIUM PRIORITY	Health/Welfare (Medium) Homeless (No priority need) Homeless (Priority Need and Intentional) Living with family and friends
<b>BAND D</b> LOW PRIORITY	No assessed housing need and in employment
<b>BAND E</b> NO PRIORITY	No assessed housing need and not in employment
<b>BAND F</b> REDUCED PRIORITY	Reduced preference status due to unacceptable behaviour

Ineligibility due to unacceptable behaviour and reduced preference

- 4.8 In Wirral 88% of respondents felt that rent arrears or anti social behaviour should result in applicants being given reduced opportunity for rehousing: with 48% saying they should and 40% saying they should but only in severe cases. This response was replicated in the other local authority areas.
- 4.9 In order to comply with the statutory guidance on the treatment of applicants with a poor tenancy history, the local authority partners are now proposing that applicants with a poor tenancy history will be treated in two different ways according to the severity of their previous unacceptable behaviour.
- 4.10 Firstly, the local authority can decide that an applicant is to be treated as ineligible for an allocation of housing (Section 160 (7) Housing Act 1996) if they are satisfied that the applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, and at the time their application is considered, the applicant or a member of their household is unsuitable to be a tenant by reason of that behaviour. In this case the applicant will be classed as ineligible to join the housing register. There will be the right to appeal and review which is detailed in the draft policy.
- 4.11 Secondly, for less serious behaviour such as lower rent arrears or a history of minor anti social behaviour which was not serious enough to warrant their exclusion from the register, the applicant will be afforded “Reduced Preference” and placed into priority Band F until they have addressed their rent arrears or can demonstrate that their behaviour has improved. In the meantime they will be able to apply for properties but will have very little preference for those properties compared with other applicants. Whilst they are in Band F, they will be able to accrue waiting time on the register.

Preference to applicants in employment

- 4.12 The other area in which the proposed policy has changed from the consultation draft is with respect to the employment status of applicants. This was consulted on initially following a request from Knowsley and the attitude of stakeholders towards giving preference to households who are working and on a low income was measured. In Halton, Liverpool and Wirral, 90%, 63% and 76% of respondents respectively felt that additional priority should be given to applicants who are employed on a low income and this proposal was also well-liked by the stakeholders. This policy is in accordance with the previous Government’s Fair and Flexible guidance and the ongoing agenda to encourage applicants and tenants into employment. The Government is currently consulting on the future of social housing tenancies and it is felt that this proposed policy is in accordance with any plans for flexible social tenancies according to the housing need and employment status of applicants and tenants. This can be seen as particularly appropriate in Wirral where currently over 60% of properties are allocated to applicants who are not in a housing need category.
- 4.13 The proposal for the sub-regional scheme is that the employment status of applicants will only be taken into consideration for those with no housing need. This will give first preference to those in housing need, but then give

preference to applicants and tenants who are not in housing need but are working, over applicants and tenants who are not in housing need but who are not working. This will ensure that those in housing need get first preference for housing but then give preference to applicants and tenants who are working and contributing to the regional economy and encourage people who can, to work. This is to encourage applicants and tenants into employment, to help create mixed and sustainable communities and to acknowledge applicants and tenants who are contributing to the sub-regional economy. Applicants with no housing need but who are employed will be placed into Band D (Low Priority) and applicants with no housing need who are not working will be placed in Band E (No Priority).

- 4.14 For the purpose of the scheme, employment will mean paid employment of over 16 hours per week which has been carried out for the last 9 months. This proposal has been considered against equality requirements and will be closely monitored. It was felt that the proposal could adversely affect older people or those with a disability. In mitigation, there is a high availability of accommodation designated for older people in Wirral. For people with a disability they are likely to be in urgent need groups for health and welfare reasons.
- 4.15 In order to reduce running costs it is proposed that a limit of earnings will not be applied to this preference group in the first instance, but this will be monitored and may be affected by future legislation. An earnings limit is not currently applied to Wirralhomes applicants however Scheme Landlords may take the financial circumstances of applicants into account and decline a nomination through the scheme if they consider that the applicant has the financial means to resolve their own housing situation.
- 4.16 The option to give preference to applicants making a community contribution through unpaid work or on employment training was less popular with respondents and also due to the need to reduce ongoing staffing costs and bureaucracy and the difficulty in distinguishing between different types voluntary activity and training courses, it is not proposed to give priority to such applicants in the scheme.

#### Bedroom standard

- 4.17 To bring the bedroom standard for overcrowding into line with the CLG bedroom standard and the standard for Local Housing Allowance, the age at which children of the opposite sex can share a bedroom has been raised from 8 to 9. In Wirral there are currently 110 applicants with urgent need status for overcrowding but no distinction is made on whether they are overcrowded by 1 or 2 or more bedrooms. In the proposed policy, households which are overcrowded by 2 or more bedrooms will be placed in the top priority band and therefore it is not expected that this change will disadvantage those most severely overcrowded.

#### Cross Boundary moves and Local Connection

- 4.18 The proposed scheme, whilst running on one shared computer system and a common allocations policy, will allow each local authority to operate sub-

regional CBL in a way which suits each local authority's mode of operation and needs.

- 4.19 Scheme Partners have agreed that a maximum of 5% of all properties advertised through the Scheme will be let to applicants living in another partner Local Authority Area. Wirralhomes currently operates an open register which anyone can join, Priority is normally only awarded to applicants who can demonstrate a local connection and need to move to Wirral for family support. In the year 2009-10 a total of 3.9% of lettings were to households from outside the Wirral area. Only 1.6% of lettings were to people from other parts of Merseyside.
- 4.20 In order to give reasonable preference to local residents, in the sub-regional scheme, priority for rehousing within each Local Authority Area will take into consideration any local connection within that area.
- 4.21 To demonstrate a local connection with a Local Authority Area, an applicant must satisfy at least one of the following criteria;
- Have lived in the Local Authority Area for 6 months out of the last 12 months or 3 years out of the last 5 years;
  - Have a permanent job in the Local Authority Area;
  - Have a close family association (parent, adult child or adult brother/sister) who is currently living in the Local Authority Area and have done so for more than 5 years;
  - Have a need to be in a specific Local Authority Area to be near to a particular health facility for long term treatment;
  - Have a need to be in a specific Local Authority Area to give or receive support;
- 4.22 Unless an applicant needs to move to another area for safety reasons, priority due to Statutory Homeless (Unintentionally) and Regeneration in Band A will be awarded for the applicant's current Local Authority Area only. With these exceptions applicants in Bands A, B, C and D will be awarded that priority for the Local Authority Areas for which they can demonstrate a local connection. Applicants in Bands E and F may apply for vacancies in all Scheme Areas and local connection will not be taken into consideration. Those applicants with a housing need who live outside the combined Scheme Area may be considered for a priority Band but only if they can demonstrate a local connection with one of the Local Authority areas and the priority will apply only to vacancies in that Local Authority Area.
- 4.23 Applicants in Bands A, B, C and D may apply for vacancies in Scheme Areas other than those with which they have a local connection, but their housing need will not be taken into consideration and they will be considered to be in Band E when bidding for those vacancies. Those applicants who do not have a local connection with any Local Authority in the Scheme Area will be placed in Band E. An exception to this would be a need to move to another area for safety reasons.



- 4.24 A summary of the areas where the policy has changed from the one presented to Cabinet in May are as follows:

	<b>Changes</b>
Chapter 1	Greater clarity to the legal wording and partnership arrangements
Chapter 2	Improved wording regarding sheltered, extra care and adapted accommodation
Chapter 3	<ul style="list-style-type: none"> <li>• Ineligibility divided into immigration status and unacceptable behaviour making one unsuitable to be a tenant</li> <li>• Unacceptable behaviour explained more fully</li> <li>• Section on 16/17 year olds amended</li> <li>• Section on offenders/ex-offenders added</li> <li>• Renewal procedure explained more fully</li> </ul>
Chapter 4	Suspensions for unacceptable behaviour changed to ineligibility and reduced preference and greater clarity on all aspects of this
Chapter 5	<ul style="list-style-type: none"> <li>• Banding altered from 4 to 6 Bands to take into account applicants without housing need who are working and those with Reduced Preference status</li> <li>• Details of date of entry into Bands amended and clarified</li> <li>• Under-occupation separated from Health/Welfare</li> <li>• Homeless not in Priority Need and Intentional homeless Priority Need added to Band C</li> <li>• Band D Changed to general needs and working</li> <li>• Band E Added for general needs not working</li> <li>• Band F Added for Reduced Preference status</li> <li>• Wording for Cross Boundary mobility amended for clarity</li> <li>• Bedroom standard altered to CLG standard</li> </ul>
Chapter 6	<ul style="list-style-type: none"> <li>• A guide indicating the size and type of property an applicant can apply for has been added</li> <li>• The number of reasonable offers an applicant can receive has been made into a table</li> </ul>
Chapter 7	None
Chapter 8	Slight changes in wording

## **5.0 RELEVANT RISKS**

- 5.1 The current Wirralhomes service is relatively expensive for member RSLs and does not represent value for money. Without a new system, there is a high risk that member RSLs will seek a service elsewhere.
- 5.2 If one or more Councils decide not to join the sub regional scheme, the costs to Wirral will be higher. Members have agreed that Wirral go ahead with the scheme if 3 other Merseyside authorities commit to the scheme. If approval is not gained from this many authorities, a further report will be brought to Cabinet. Approval of the proposed sub-regional allocation scheme is to be sought from each local authority through their respective decision making processes with the following scheduled dates for decision:

- Halton 3<sup>rd</sup> March 2011
- Sefton 3<sup>rd</sup> March 2011
- Knowsley 9<sup>th</sup> March 2011
- Liverpool 9<sup>th</sup> March 2011
- Wirral 17<sup>th</sup> March 2011

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 The Wirralhomes review carried out by Heriot Watt University in 2008 considered several options for the service. A sub-regional approach brings benefits in terms of reduced initial capital costs and a more accessible and transparent service for customers.

## **7.0 CONSULTATION**

- 7.1 Since May 2010, the 5 local authorities in the partnership Halton, Knowsley, Liverpool, Sefton and Wirral have focussed on the consultation on the draft shared allocations policy in accordance with statutory guidance. Each local authority has carried out consultation with its stakeholders according to local practice. In Wirral that consultation ran from 23 August to 15 November 2010 and included:

- A letter sent to 20,477 applicants on the Wirralhomes housing register (as part of the annual renewals process) explaining the consultation and how to take part
- A notice on the Wirralhomes advert advising applicants that a consultation was taking place and how to be involved
- A questionnaire on the Council website
- A consultation event in Wallasey Town Hall attended by 48 stakeholders from a list of 64 invitees
- A questionnaire sent to 120 stakeholders including other Council Departments, the PCT, voluntary and community groups, landlords and accommodation, advice and support agencies
- A letter sent to all Wirral Councillors and MPs explaining the consultation and how to take part

- 7.2 The other partner local authorities also undertook widespread consultation exercises; in Halton and Knowsley these included consultation on choice based lettings itself which is new to those areas.

- 7.3 The Wirral consultation document and questionnaire outlined the aims and objectives of the proposed scheme and how it would be operated in each local authority area including advertising, bidding, support for vulnerable applicants and local connection criteria. It included a list of frequently asked questions and answers. It outlined the proposal to have 4 Priority bands and which housing need category would be in each band. The questionnaire asked if respondents agreed that the banding system gave priority to those in housing need and whether that priority was at the right level. It asked stakeholders what effect a poor tenancy history with respect to rent arrears or anti social behaviour should have on an applicant's priority. Following

Government statutory guidance on social housing allocations in England “Fair and Flexible” issued in December 2009, it also asked respondents whether they thought that additional priority should be given to applicants who were working and on a low income, on employment training or doing community voluntary work.

- 7.4 The Wirral consultation event held in Wallasey Town Hall asked more detailed questions through 4 focus groups on
- the proposed priority banding scheme,
  - reduced opportunity for housing due to a history of rent arrears or anti-social behaviour,
  - practical details about the scheme including setting quotas for different priority bands including those with no priority, the number of bids and refusals applicants can make, local connection and cross boundary mobility
  - homelessness, moving on from supported accommodation (hostels) and time-limiting the award of priority need status

#### Consultation Responses

- 7.5 The detailed results of the consultation in all the local authority areas can be found on the Wirral website. The Wirral consultation resulted in 127 completed questionnaires: 42 of these were completed on line and 85 were submitted on paper; 103 were from Wirralhomes applicants and 12 were from stakeholders or organisations with an interest in choice based lettings. The respondents were nearly equally split between males and females, 90% were heterosexual, 30% considered themselves to have a disability, 95% were White British, 11% were aged 16 to 17 and one third were in the age group 18 to 24 compared with 14% aged 35 to 44 and 14% aged 45 to 54. The 48 attendees at the stakeholder event represented at least 25 different organisations and included social landlords, tenants, Councillors and support agencies.

### **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 Voluntary, community and faith groups advocating for and supporting applicants will find the new scheme provides a more accessible and clearly defined service.

### **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 The proposed system will require a contribution for IT acquisition and set-up costs from the Council of £51,100 if 5 local authorities take part and £60,100 if 4 local authorities take part in the sub-regional scheme. This can be met from an existing provision set aside for this purpose and is significantly less than would be required if the Council proceeded independently outside the sub-regional framework.
- 9.2 The annual running costs for Wirralhomes are currently in the order of £387,000. The projected budget for the proposed system is £330,900 giving a saving of £56,100. At present the RSLs pay 77% of the Wirralhomes costs and the Council pays 23% but this is based on historical charging rather than

function. A number of cost sharing options have been considered and sharing the total costs of operating a housing register equally between the Council and the RSLs, and assigning all the costs associated with letting properties to the RSLs, has resulted in a division of the overall costs as 74% for the RSLs and 26% to the Council. The new system will therefore bring a small saving in annual running costs to the Council, reducing the Council contribution from £90,000 per annum to approximately £86,000. The saving to the RSLs will be greater and bring their annual charges in line with modern, efficient systems elsewhere.

- 9.3 In addition the new web based system is expected to bring savings to the One Stop Shops (OSSs) through greater use of technology. These savings are expected to grow as internet penetration and user knowledge of the system increase. This has been experienced by other areas where web-based systems have already been introduced. Annual benchmarking shows that where on-line bidding is available, the percentage of bids placed in this way ranges from 40% to 78%, while the percentage of bids taken face-to-face is typically 10% or fewer. Currently, around 38% of Wirralhomes bids are made face to face at OSSs
- 9.4 The proposed system, once fully implemented, will bring staffing savings of 2 posts from the existing team of 9.5 full time equivalent staff. This would be dealt with through existing Council procedures. The staff savings will be possible due to the increased level of automation (automatic telephone and on-line bidding and registrations) of the proposed system compared with the current labour intensive, more manual system (as detailed above in item 9.2). It is envisaged that these savings will be made within 3 months of the implementation of the new system to allow for a transition period. The current project plan has a go-live target for Wirral of December 2011.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 The scheme has been designed to comply with the 1996 Housing Act (as amended by the 2002 Homelessness Act) which requires that local authority allocation schemes must afford reasonable preference to certain categories of persons over those with no reasonable preference

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 Wirralhomes provides a service for all members of the community regardless of age, gender, disability, ethnic background, faith or sexual orientation and monitors clients in these groups. A new IT system is needed for Wirralhomes to improve customer access to the service for all members of the community. The Wirralhomes lettings policy aims to let affordable social housing primarily to those in need and secondly to those with an aspiration to move. The new draft policy for Merseyside aims to do the same with the addition that it will encourage people who can to become economically active by awarding some preference for an allocation to those who are in employment, but only after those in housing need have been considered.

- 11.2 An Equality Impact Assessment on the proposed scheme has been undertaken and an action plan developed to mitigate any possible areas of concern. The draft scheme was sent to a wide range of organisations representing minority and ethnic groups for their comments during the consultation period, and these were taken into account in amending the proposals for the scheme. Once implemented the scheme will be monitored and reviewed to ensure no adverse consequences to minority groups arise.

## **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 The proposed scheme is a web based system with automatic telephone options which will reduce the need for customers to travel to our offices and will reduce the use of paper based forms. However face to face and paper based forms will still be available for customers who prefer these methods of engagement.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 13.1 CBL has been shown to contribute to sustainable communities through reducing turnover and increasing tenants' commitment to their property through their exercise of choice, when compared with a traditional officer led "allocation" process.

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## **APPENDICES**

Attached: PROPERTY POOL PLUS Sub Regional Choice Based Lettings Allocations Scheme

## **REFERENCE MATERIAL**

Review of Wirralhomes by Heriot Watt University 2008 can be found in the Members' library

## **SUBJECT HISTORY**

<b>Council Meeting</b>	<b>Date</b>
Cabinet: DEVELOPMENT OF SUB-REGIONAL CHOICE BASED LETTINGS SCHEME	September 2009
Cabinet: DEVELOPMENT OF SUB-REGIONAL CHOICE BASED LETTINGS SCHEME	May 2010

# **PROPERTY POOL PLUS**

## **Sub Regional**

## **Choice Based Lettings**

## **Allocations Scheme**

January 2011



# CONTENTS

## CHAPTER 1

1.1	Introduction	6
1.2	Aims and principles of the sub regional scheme	7
1.3	Statement of choice	8
1.4	The legal framework	9
1.5	Equality and diversity	9
1.6	Information sharing, confidentiality and data protection	10

## CHAPTER 2

2.1	Allocations and nominations	11
2.2	Local letting plans	11
2.3	Housing association direct lets	11
2.4	Sheltered accommodation	12
2.5	Extra care housing	12
2.6	Adapted Properties	12
2.7	Target setting and quotas	13

## CHAPTER 3

3.1	Registration on the Property Pool Plus scheme	14
3.2	Assistance for vulnerable applicants	14
3.3	Who can apply for accommodation?	14
3.4	Ineligibility (Immigration status)	14
3.5	Ineligibility (Unacceptable behaviour)	15
3.6	16 and 17 year olds	16
3.7	Councillors, board members, employees and close relatives	17
3.8	Offenders and ex-offenders	17
3.9	The Property Pool Plus register	17
3.10	Assessment of an application	18
3.11	Change in circumstances	19
3.12	Renewal of applications	19
3.13	Cancelled applications	20



## **CHAPTER 4**

4.1	Applicants with a history of unacceptable behaviour	21
4.2	Applications which are ineligible due to unacceptable behaviour	21
4.3	Notifying applicants who are classed as ineligible due to unacceptable behaviour	23
4.4	Reduced Preference Status	23
4.5	Modifying unacceptable behaviour including rent arrears	24

## **CHAPTER 5**

5.1	Assessment of housing need	26
5.2	Prioritising applications within bands	27
5.3	Date of entry into Band	27
5.4	Band A – Urgent Priority	29
5.5	Band B – High Priority	31
5.6	Band C – Medium Priority	32
5.7	Band D – Low priority	33
5.8	Band E – No priority	33
5.9	Band F – Reduced Priority	33
5.10	Local Connection	33
5.11	Cross Boundary Mobility	34
5.12	Bedroom Standard	35
5.13	Staying contact with children	35

## **CHAPTER 6**

6.1	Advertising vacant properties	36
6.2	Bidding for vacancies	36
6.3	Short listing of applications	37
6.4	Reasons why an applicant may be bypassed for an offer	38
6.5	Number of offers	39
6.6	Feedback on Lettings	40

## **CHAPTER 7**

7.1	Information and advice	41
7.2	Contact details	41
7.3	Support services	41
7.4	To prevent homelessness	42
7.5	Independent advice	42

## **CHAPTER 8**

8.1	Review of decisions	43
8.2	Request for a review of a Registration Decision	43
8.3	Request for a review of a selection process decision	44

## **CHAPTER 1**

### **1.1 Introduction**

- 1.1.1 The following Councils are members of a Sub Regional Choice Based Lettings Scheme, known as Property Pool Plus, and have adopted this common allocations scheme (as required by the Housing Act 1996 amended by the Homelessness Act 2002):

Halton Borough Council  
Knowsley Metropolitan Borough Council  
Liverpool City Council  
Sefton Metropolitan Borough Council  
Wirral Metropolitan Borough Council

The five Councils are known as the Scheme Councils.

- 1.1.2 The scheme applies to all properties available to the Scheme Councils for nomination purposes.
- 1.1.3 The Scheme Councils also endorse the use of this policy by Housing Associations for lettings for which the Scheme Councils do not have nomination rights.
- 1.1.4 The Housing Associations, known as the Scheme Landlords, who have agreed to participate are listed below.

Arena Housing Association  
Beechwood and Ballantyne Community Housing Association  
Cobalt Housing  
Cosmopolitan Housing  
Contour Housing  
Crosby Housing Association  
Guinness Northern Counties  
Halton Housing Trust  
Knowsley Housing Trust  
Leasowe Community Homes  
Liverpool Mutual Homes  
Liverpool Housing Trust  
One Vision Housing  
Pierhead Housing Association  
Plus Dane Group  
RegendaFirst  
Riverside/ECHG  
South Liverpool Housing  
Venture Housing Association  
Villages Housing  
Wirral Methodist Housing Association  
Wirral Partnership Homes

- 1.1.5 The Scheme Councils and Scheme Landlords are collectively known as the Scheme Partners who operate in the Scheme Area.
- 1.1.6 The Councils of Halton, Knowsley and Sefton have each agreed to contract out the function to administer the scheme to Scheme Landlords. In Wirral the scheme will be administered through the Council and in Liverpool the scheme will be administered through the City Council in partnership with the Scheme Landlords in their area. The organisation which administers the Scheme in a particular Scheme Council area is known as the Administering Scheme Partner.
- 1.1.7 The Administering Scheme Partners for the Scheme Council areas are as follows:
- Halton: Halton Housing Trust  
Knowsley: Knowsley Housing Trust  
Liverpool: Liverpool City Council and Scheme Landlords  
Sefton: One Vision Housing  
Wirral: Wirral Council
- 1.1.8 To improve the service to applicants and to avoid duplication an applicant can apply to any of the Administering Scheme Partners or through the scheme website. Applicants who apply to the Scheme Partners will be assessed on a consistent basis and can apply for vacancies across the whole Scheme Area.
- 1.1.9 Property Pool Plus features a common application form, a common housing register, a common allocations policy and a shared IT system. It is intended that this approach will offer a simple, accessible service for customers as well as creating efficiencies for Scheme Partners.
- 1.1.9 The scheme will be subject to periodic review. Where this results in a significant change it will be approved through each participating Scheme Council approval process.

## **1.2 Aims and principles of the Property Pool Plus Scheme**

- 1.2.1 The overall aim of this Scheme is to ensure that all social housing in the Scheme Area is allocated fairly and objectively to those most in need, having regard to any law, official guidance and good practice.
- 1.2.2 The aims of the Property Pool Plus Scheme are to:
- Contribute to the development of balanced communities and sustainable regeneration, including encouraging current and future social housing tenants into employment;
  - Stimulate new markets and interest in social housing in the Scheme Area;
  - Contribute to the strategic objectives outlined in the Scheme Councils' Housing and Regeneration strategies;

- Improve the quality of service to customers and ensure that applicants have ready access to information on their prospects of housing through the scheme;
- Increase customer choice and broaden housing options by facilitating cross boundary movement within the constraints of the availability of accommodation throughout the Scheme Area;
- Work sub-regionally in partnership to achieve efficiencies of scale and extend opportunities to meet people's housing demands, needs and aspirations across the Scheme Area.

### 1.2.3 The principles of the Scheme are to:

- Operate a lettings policy based on housing need, which is simple, easy to understand, transparent, open and fair reflecting local priorities;
- Ensure that every application is dealt with fairly and consistently in accordance with Equal Opportunities;
- Give adequate priority to people who fall within the Government's 'Reasonable Preference' categories;
- Prevent homelessness and give adequate priority to homeless people to reduce the use of temporary accommodation, whilst maintaining a balance between the needs of the homeless and other applicants ;
- Empower applicants by giving them more opportunity to express choice and preferences about where they want to live, whilst having regard to the availability of housing resources and the high demand for housing;
- Make best use of housing stock by minimising re-let times and by the marketing of 'difficult to let' properties;
- Reduce under-occupation of social housing and therefore assist in the re-housing of overcrowded applicants and other priority need applicants;
- Ensure that supported housing goes to those for whom this type of housing is most suitable and who are in the greatest need of the support;
- To make best use of public funds.

## 1.3 Statement on Choice

- 1.3.1 The Scheme Partners are fully committed to enabling applicants to play an active role in choosing where they live, whilst continuing to house those people in the greatest need, making the best use of the available housing stock and complying with all relevant legislation.
- 1.3.2 It is important to realise that the demand for accommodation is higher for some types of property and for some areas than others. In making a decision about the options available, applicants need to consider their housing need priority against the availability of properties in any given area.
- 1.3.3 Applicants can determine whether they are likely to be successful when placing a bid as they will be informed of their position on the shortlist for that vacancy at the time of making the bid. This enables an applicant to make an informed choice when deciding which property to apply for and whether social housing is a realistic option in their circumstances.

## 1.4 The Legal Framework

- 1.4.1 The Housing Act 1996 and the Homelessness Act 2002 state that local authority allocation schemes must afford reasonable preference to certain categories of person over those with no reasonable preference. These reasonable preference categories include:
- people who are homeless (within the meaning of Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002);
  - people owed a duty by any local housing authority under section 190(2), 193(2), or 195 (2) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3). These sections relate to people who are homeless or threatened with homelessness;
  - people occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
  - people who need to move on medical or welfare grounds (including grounds relating to disability);
  - people who need to move to a particular locality in the district of the authority where failure to meet that need would cause hardship (to themselves or to others).
- 1.4.2 However, there is no requirement to give equal weight to each of the reasonable preference groups, and Councils may identify additional preference groups providing they do not dominate the Scheme at the expense of those in the statutory reasonable preference groups. The prioritisation scheme set out at 5.1.1 reflects this approach.
- 1.4.3 This Scheme has been framed to address these requirements, and with due regard to the requirements of the 'Allocation of Accommodation Code of Guidance for Local Authorities' November 2002, supplementary guidance 'Allocation of Accommodation: Choice Based Letting' August 2008, and 'Fair and flexible: statutory guidance on social housing allocations for local authorities in England' December 2009.
- 1.4.4 Every application for housing received will be considered according to the facts unique to that application, as every applicant's individual circumstances will vary.

## **1.5 Equality and Diversity**

- 1.5.1 The Scheme Partners are committed to promoting equality of opportunity within the housing allocation process and eliminating unfair and unlawful discrimination in its policies, procedures and practices.
- 1.5.2 The aim of the Scheme is to deliver a quality service without prejudice and discrimination to all its customers, regardless of age, ethnicity, disability, gender, marital status, religious or political persuasion, sexual orientation or culture and lifestyle choice.
- 1.5.3 The Scheme Partners will continue to improve their service to all their customers including addressing the needs of disadvantaged and under-

represented groups. This will be achieved by monitoring of the Scheme Register, routine analysis of letting outcomes and regular consultative meetings with stakeholders to ensure that the operation of the Scheme meets the needs of all customers.

- 1.5.4 All Scheme Partners have in place corporate policies and action plans aimed at eliminating discrimination and valuing diversity.

## **1.6 Information Sharing, Confidentiality and Data Protection**

- 1.6.1 The Scheme Partners will share information in accordance with their existing protocols which will be further developed across the sub region to ensure consistency in sharing information with other statutory and voluntary organisations.
- 1.6.2 The information which an applicant provides relating to their housing application will be treated as confidential in accordance with guidelines on handling personal data. These guidelines relate to the Data Protection Act 1998 that covers both electronic and manual records and governs what can be done with the data, including collecting, storing, using and disposing of it.

## **CHAPTER 2**

### **2.1 Allocations and nominations**

- 2.1.1 This Scheme constitutes the nominations agreement between the Scheme Councils and the Scheme Landlords. The Scheme Landlords will be required to allocate at least 50% of their lettings through the Scheme. However, the Scheme Landlords will be encouraged to exceed this proportion in agreement with their Scheme Council.
- 2.1.2 All properties owned by Scheme Landlords that become vacant will be recorded on the Property Pool Plus Scheme. Those properties that the Scheme Landlord wishes to allocate as Direct Lets (see Section 2.3) will not be advertised through the Scheme. However, information concerning these properties will be made available through the Property Pool Plus feedback mechanism.

### **2.2 Local Letting Plans**

- 2.2.1 There may be occasions when Scheme Landlords will want to adopt Local Letting Plans for a limited period of time to address issues in particular neighbourhoods such as severe anti-social behaviour. This would involve the temporary use of revised allocations criteria for the affected area. Such plans will be developed and agreed with the relevant Scheme Council to ensure they do not unduly disadvantage those in reasonable preference groups. Local Lettings Plans will be published by the Scheme Partners and properties affected by such plans will be clearly identified when they are advertised.

### **2.3 Housing Association Direct Lets**

- 2.3.1 In certain circumstances a Scheme Landlord will allocate properties directly to applicants outside the Choice Based Letting Scheme. Illustrative examples of Direct Lets are as follows:
- Where an allocation is required to ensure protection of the public for example following a decision made by a multi agency public protection panel meeting;
  - Where a customer has been referred as part of the Witness Protection Scheme;
  - Where a sensitive let is required for a particular property because of issues such as drug dealing, violence, public protection or anti-social behaviour;
  - Where a Scheme Landlord tenant's home is being repaired and they need to be moved from the property on a temporary or permanent basis;
  - Where an applicant from outside the Scheme Area needs to move due to extenuating circumstances e.g. where life is at risk. In this instance, the applicant may be considered for a direct let even when there is no local connection with the area;
  - Where accommodation is required following emergencies, such as fire, flood, serious harassment or other major incidents;



- Where a targeted offer is made to an applicant who is statutory homeless;
- Where a targeted offer is made to a young person leaving the Care of the local authority;
- Where a targeted offer is made to an applicant living in a Scheme Council clearance area;
- Any other reason as supported by the Scheme Landlord's policies and procedures.

## **2.4 Sheltered Accommodation**

- 2.4.1 Sheltered housing is designed for older applicants, generally those over the age of 55 years, as a way of providing independent living with added security and support. Scheme Landlords may have differing eligibility criteria for this type of accommodation and this will be made clear in the labelling of properties when advertised. Occasionally, a vacancy may be allocated to younger applicants who have identified support needs.
- 2.4.2 Sheltered accommodation will be included in the Property Pool Plus scheme in all the Scheme Areas except in the Liverpool City Council area, where there are separate arrangements using Access Liverpool Service. Applicants who wish to move to sheltered accommodation in the Liverpool area are advised to contact Access Liverpool Service for more information.

## **2.5 Extra Care Housing**

- 2.5.1 Extra Care Housing offers accommodation for older applicants who may need additional care and support services and there are specific assessment criteria to ensure an appropriate balance of residents with high/medium/low care needs.
- 2.5.2 Extra Care housing vacancies may be advertised as part of the Property Pool Plus scheme, but Scheme Landlords will directly match vacant properties to applicants who meet their qualifying criteria following a detailed assessment of their need for this type of accommodation. Applicants are advised to contact the relevant Administering Scheme Partner for more information.

## **2.6 Adapted Properties**

- 2.6.1 Some properties are adapted, for example there may be a stair lift or level access shower. To meet the needs of disabled applicants, preference for adapted vacancies will be given to those applicants whose needs best match the particular adaptations. In general, the suitability of a property must be supported by the applicant's Occupational Therapist.
- 2.6.2 Adapted accommodation will be included in the Property Pool Plus scheme with the exception of the Liverpool City Council area where there are separate arrangements using Access Liverpool Service.

## **2.7 Target Setting and Quotas**

- 2.7.1 It is important that priority for accommodation goes to those in greatest housing need. However, this does not mean that, in operating a choice based lettings scheme, every property which is advertised will be open to bids from households in all Bands. An allocation scheme may include other objectives, such as:
- ensuring a balance between meeting the housing needs of existing tenants and new applicants;
  - promoting more sustainable and balanced communities;
  - the need to meet a Scheme Council's legal responsibilities to homeless and vulnerable applicants, people living in overcrowded and insanitary conditions and people with an urgent need to move for reasons such as harassment, domestic violence etc;
  - the need to meet strategic responsibilities, for example in relation to applicants being displaced through the clearance scheme.
- 2.7.2 To achieve these objectives, Scheme Councils may choose to target a percentage of lettings to applicants in particular Bands or Sub Bands. Bands and Sub Bands are described in Section 5.1.1.
- 2.7.3 Where such percentage targets are set, they will be published annually on the Property Pool Plus website and at Scheme Partners' offices so that applicants may see what proportion of properties will be allocated to different Bands, helping them to identify how long they might expect to wait before making a successful bid.

## **CHAPTER 3**

### **3.1 Registration on the Property Pool Plus Scheme**

- 3.1.1 The Property Pool Plus Scheme is a way of presenting housing options to applicants within the Scheme Area. Scheme Partners will normally no longer use the traditional method of 'matching' applicants to properties. Instead applicants will be encouraged to choose the property in the area in which they wish to live.
- 3.1.2 Applicants who wish to apply for social housing owned by the Scheme Landlords must register on the Property Pool Plus Register.

### **3.2 Assistance for Vulnerable Applicants**

- 3.2.1 Applicants indicating the need for support to take part in the Property Pool Plus Scheme will be offered help and assistance by the Administering Scheme Partners. This need may be due to a physical disability, learning disability, illness, language difficulty or for any other reason that may make it harder for someone to participate in the Scheme.
- 3.2.2 The support may include proxy bidding on behalf of applicants who are unable to access the scheme, mailing copies of the advert to those people who are housebound and have no internet access, adverts and other documents in large print and other languages and formats.

### **3.3 Who can apply for accommodation?**

- 3.3.1 The Property Pool Plus Register is open to anyone aged 16 years or over, unless they are specifically ineligible as outlined in Sections 3.4 and 3.5.
- 3.3.2 The Scheme Councils do not intend to restrict access to the Property Pool Plus Scheme on the basis of financial means. However Scheme Landlords may take the financial circumstances of applicants into account and decline a nomination through the scheme if they consider that the applicant has the financial means to resolve their own housing situation.

### **3.4 Ineligibility (Immigration status)**

- 3.4.1 Under the Housing Act (1996), Local Authorities must consider whether applicants are eligible for housing assistance. An applicant may be ineligible due to their immigration status.

- 3.4.2 Persons from abroad who are subject to immigration control under the Asylum and Immigration Act 1996 are not eligible for housing assistance unless they:
- Have refugee status;
  - Have exceptional leave to remain provided there is no condition that they shall not be a charge on public funds;
  - Have Indefinite leave to remain under certain conditions;
  - Are Nationals of a country that has ratified the European Convention on Social and Medical Assistance or the European Social Charter, providing they are habitually resident in the Common Travel Area.
- 3.4.3 Similarly Persons from abroad who are not subject to immigration control but who are not habitually resident in the Common Travel Area (the UK, Channel Islands, Isle of Man, Republic of Ireland) are not eligible for housing assistance.
- 3.4.4 If it has been established by the Administering Scheme Partner that an applicant is ineligible on the grounds of their immigration status then their application will be removed from the housing register and no waiting time on the register will be accrued. This decision will be made by an appropriate Senior Officer from the Administering Scheme Partner.
- 3.4.5 Any applicant who has been found to be ineligible on the grounds of immigration status has the right to a review of this decision (see Chapter 8).

### **3.5 Ineligibility (Unacceptable behaviour)**

- 3.5.1 In addition a Scheme Council can decide that an applicant is to be treated as ineligible for an allocation of housing by them (Section 160 (7) Housing Act 1996) if they are satisfied that:
- the applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, and
  - at the time their application is considered, the applicant or a member of their household is unsuitable to be a tenant by reason of that behaviour.
- 3.5.2 The only behaviour which may be regarded by the Scheme Council as unacceptable for the purposes of the Act is;
- behaviour of the person concerned which would, if they were a secure tenant of the Scheme Council at the time, entitle the Scheme Council to a possession order under section 84 of the Housing Act 1985 in relation to any of the grounds in Part 1 of Schedule 2 (other than Ground 8). The Scheme Council must be satisfied that a court would decide that it was reasonable to grant a possession order and that the possession order would not be suspended
  - behaviour of a member of their household which would (if they were a person residing with a secure tenant of the authority) entitle the Scheme Council to such as possession order.

3.5.3 If the Administering Scheme Partner has reason to believe that Section.160A (7) may apply they must consider all of the following:

- That they are satisfied that there has been unacceptable behaviour that would lead to a possession order being granted both in terms of the grounds for possession, and the 'reasonableness' of the order in regard to the interest of the parties, and the public. In taking a view on whether it would be entitled to a possession order, the Administering Scheme Partner will need to consider fully all the factors that a court would take into account in determining whether it was reasonable for an order to be granted, and
- Having concluded there would be entitlement to an order, the Administering Scheme Partner will need to satisfy itself that the behaviour is serious enough to make the person unsuitable to be a tenant. They will also consider whether if the possession order was granted, that it would not be suspended by the court. The basis for this suspension of order will be factors beyond the applicant's control rather than behaviour that is deemed to be wilful or deliberate, and
- The Administering Scheme Partner will need to satisfy itself that the applicant is unsuitable to be a tenant by reason of the behaviour in question – in the circumstances at the time the application is made. Where previous unacceptable behaviour is being considered, the Administering Scheme Partner will be required to take into account behaviour that can be shown to have improved. In making this decision the Administering Scheme Partner will consider recommendations from appropriate panels, for example the Knowsley High Priority Resettlement Panel, where they confirm that the applicant is engaging with support providers and is demonstrating an ongoing commitment to resolve any behavioural issues.

3.5.4 If it has been established that an applicant is ineligible on the grounds of unacceptable behaviour then their application will be classed as ineligible and no waiting time on the register will be accrued.

3.5.5 The application will remain ineligible until such time as the applicant can provide evidence of mitigation or modification of their behaviour (see Section 4.5)

### **3.6 16/17 year olds**

3.6.1 Applicants aged 16 or 17 years may register on Property Pool Plus but will not normally be offered a tenancy before they reach 18 years of age. If a pressing need to house such individuals is established by either the Housing Options Service or Children and Young People's Service, the Scheme Landlord may require a rent guarantor and a support plan.

### **3.7 Councillors, Board Members, employees and close relatives**

- 3.7.1 People who are Councillors, Board Members, employees and their close relatives (this would include partner / spouse, parent, brother, sister or child) of the Scheme Partners (see Chapter 1) may register on the Property Pool Plus Scheme but this must be declared at the point of registration. Failure to do so may be considered as withholding relevant information and may affect any future tenancy.

### **3.8 Offenders and ex-offenders**

- 3.8.1 When registering on the Property Pool Plus scheme all applicants are required to state whether they have any unspent criminal convictions. In most cases, a conviction will be 'spent' when the rehabilitation period has expired.
- 3.8.2 The existence of criminal convictions will not prevent an applicant from being included on the Property Pool Plus register unless this conviction was as a result of unacceptable behaviour serious enough to make them unsuitable to be a tenant (see section 3.5 on ineligible applicants).
- 3.8.3 Applicants who are in custody may register on the Property Pool Plus scheme but will be unable to bid for vacancies until two weeks prior to their release date.
- 3.8.4 Ex-offenders will be offered advice and assistance by the Housing Options service when released from custody or whilst in custody if it is sought.

### **3.9 The Property Pool Plus Register**

- 3.9.1 There are several ways that an applicant may register on the Property Pool Plus Register:
- on line by visiting the Property Pool Plus website;
  - by returning an application form which can be requested by telephone;
  - in person by visiting a Scheme Partner office or Scheme Council One Stop Shop.
- The full list of access points and phone numbers is available on the Property Pool Plus website.
- 3.9.2 The Scheme Partner with whom the applicant is registered is known as the Administering Scheme Partner for that application. The Administering Scheme Partner will be the point of contact responsible for registering, amending, renewing and assessing that application, and dealing with any requests for review of a decision.
- 3.9.3 Applicants will be asked to provide current information to confirm the circumstances of all household members before the application can be checked and assessed. Applicants should be aware that it is a criminal offence to provide false information or deliberately withhold information upon which their application will be assessed.

- 3.9.4 Applicants may be asked to provide references at initial registration by some Administering Scheme Partners. These may be from a current or previous landlord or someone who knows the applicant in an official capacity such as local community representative, advice worker, health visitor, social worker or probation officer. It is appreciated that some applicants have difficulty in providing a reference and these will be considered on an individual basis. In addition Scheme Landlords will normally request references if an applicant is being considered for an offer (see Section 6.3.3)
- 3.9.5 The information that an applicant has provided will be verified before an applicant can apply for vacancies. Following verification, some applicants may be found to be ineligible due to their immigration status as explained in Sections 3.4 or on the basis of unacceptable behaviour as explained in Section 3.5. In these instances, their application will be classed as ineligible.

### **3.10 Assessment of an application**

- 3.10.1 Applications will be assessed to ensure that people with the greatest housing need are given the greatest opportunity to move to more suitable accommodation. The assessment will be undertaken by authorised officers of the Administering Scheme Partner.
- 3.10.2 For some assessments, the views of assessment panels will be taken into consideration. Such panels may contain representatives from relevant organisations including other Housing Associations, support agencies, social Services and Probation who are in a position to provide a broader understanding of the circumstances relating to a particular applicant. An example of such a panel would be the Knowsley High Priority Resettlement Panel.
- 3.10.3 The assessment will be based on the household's current circumstances and the type of accommodation they currently live in. Assessments of need will be carried out initially at registration but also later if there is a change in circumstances. Applicants may be required to provide supporting evidence from appropriate agencies such as Health or Social Services, Police or Probation.
- 3.10.4 The assessment will take into account the applicant's recent housing history and, if it is considered that they have moved in order to deliberately worsen their housing situation, then they may be placed in Band E (No Priority) for a period of 12 months.
- 3.10.5 The application of any applicant who knowingly provides false information in support of their application will be given Reduced Preference and placed in Band F for a period of 12 months. If as a result of false information being provided a tenancy is created, then the tenant may be subject to possession proceedings on the grounds of misrepresentation.
- 3.10.6 Applicants will be placed in a Band according to their housing need (See Chapter 5). Applicants who have more than one housing need, for example

health need and overcrowding, will be placed in the Band which affords greatest priority.

- 3.10.7 Applicants whose current or previous behaviour is considered to be unacceptable, but which is not deemed serious enough to justify a decision to treat them as ineligible, may be given Reduced Preference status. This includes applicants with current or former rent arrears and is explained in Chapter 4.

### **3.11 Change in Circumstances**

- 3.11.1 If an applicant's circumstances change it is the responsibility of the applicant to inform the Administering Scheme Partner promptly in order that their application can be reassessed. Examples of changes of circumstances could include:

- change of address or name;
- increase in household size due to the birth of a child or addition of household member;
- decrease of household size due to bereavement or person leaving the household;
- relationship breakdown;
- the serious deterioration of, or improvement in, a health condition
- threat of homelessness;
- rent arrears in their private or social tenancy;
- a change in employment status
- a change in local connection with an area.

- 3.11.2 Applicants' date of registration will not be affected if they change address providing they have not been re-housed to a social housing tenancy. However, their housing need priority may be affected (see Chapter 5).

- 3.11.3 It is also important that the applicant advises the Administering Scheme Partner of any changes to their contact details as this may affect the ability of the Scheme Landlord to contact them.

### **3.12 Renewal of applications**

- 3.12.1 To ensure that accommodation is allocated fairly, and to take account of any change in circumstances affecting an applicant's eligibility or current or future housing need, applicants are required to renew their application every 12 months.

- 3.12.2 The renewal procedure will be the responsibility of the applicant's Administering Scheme Partner who will issue an invitation to renew an application either by letter or email. This will take place annually on the anniversary of the registration date. Applicants will be required to respond within 4 weeks, after which their application will be cancelled.

- 3.12.3 However, if an applicant contacts their Administering Scheme Partner within 6 months of the cancellation their application will be reinstated and they will



retain their original registration date. After the 6 month period, applications will remain permanently cancelled.

### **3.13 Cancelled Applications**

3.13.1 Applications will be cancelled in the following circumstances:-

- the applicant has been re-housed to social housing;
- the applicant has successfully moved under a mutual exchange scheme;
- a request to cancel an application has been received from an applicant (or their Advocate);
- there is no reply to renewal letters;
- letters to the applicant are returned by the Post Office;
- notification has been received that the applicant is deceased.

3.13.2 Applications which are cancelled will not accrue any waiting time on the register except for applications which are cancelled and then reinstated as part of the renewal process as described in Section 3.12.3.

## **CHAPTER 4**

### **4.1 Applicants with a history of unacceptable behaviour**

- 4.1.1 Applicants with a history of unacceptable behaviour, by the applicant, member of their household or any other person who would reasonably be expected to live and be re-housed with them, may be given reduced opportunity to be considered for an offer of accommodation through the Property Pool Plus Scheme, if it is considered proportionate and reasonable to do so.
- 4.1.2 The aim of this is to project a clear message to current and future applicants for re-housing that partners of the Property Pool Plus Scheme are committed to achieving stable, balanced and sustainable neighbourhoods, tackling anti-social behaviour and promoting good tenancy conduct.
- 4.1.3 Depending upon the seriousness of the unacceptable behaviour, including rent arrears, the application may be;
- Assessed as ineligible to be included on the Register due to unacceptable behaviour (See Section 3.5)
  - Given Reduced Preference status and placed in Band F (see Chapter 5)

### **4.2 Applications which are ineligible due to unacceptable behaviour**

- 4.2.1 The criteria for ineligibility due to unacceptable behaviour have been developed on specific grounds and are structured to facilitate a period of time where the applicant will be given an opportunity to demonstrate that they are committed to addressing any previous or current unacceptable behaviour.
- 4.2.2 The decision that an applicant is ineligible due to unacceptable behaviour will be made by an appropriate Senior Officer from the Administering Scheme Partner.
- 4.2.3 The grounds upon which the Administering Scheme Partners may rely on include (though not exclusively):
- Rent lawfully due that has not been paid (current or former tenancy)
  - Conduct likely to cause nuisance and annoyance within the locality (anti-social behaviour)
  - Any conviction relating to allowing the property to be used for immoral purposes, or an indictable offence committed within the locality of the dwelling-house
  - Domestic Violence
  - Condition of the property due to neglect
  - Condition of the property due to ill-treatment
  - Grant of the tenancy by misrepresentation

4.2.4 When making the decision to assess an application as ineligible due to unacceptable behaviour, the following factors will be taken into consideration:

- when the unacceptable behaviour took place;
- the length of time that has elapsed;
- what subsequent steps the applicant has taken to address the unacceptable behaviour
- whether there has been any change in circumstances including health, dependents and the individual circumstances of the applicant.

Each application will be considered on its individual merit and any previous or current extenuating circumstances will be taken into account. Administering Scheme Partners will give necessary credence to balancing the individual's housing needs with the unacceptable behaviour that warrants consideration for classifying the application as ineligible.

4.2.5 Where the individual needs of an applicant or their household are deemed to outweigh the unacceptable behaviour being considered, then the application will not be classed as ineligible. However the Administering Scheme Partner may still rely on setting agreed conditions to ensure the unacceptable behaviour is addressed. The application will be awarded the appropriate priority according to their housing need.

4.2.6 In such circumstances where an applicant, by default or refusal, fails to address the unacceptable behaviour, then the Administering Scheme Partner may withhold an offer of accommodation until such time as the unacceptable behaviour is addressed.

4.2.7 The assessment of an application as ineligible due to unacceptable behaviour will normally occur at initial registration. However, this may be applied at any stage during the application and lettings process if tenancy breaches occur or previous unacceptable behaviour is later identified.

4.2.8 The length of time the application is held to be ineligible will initially be for a 12 month period and will be subject to an annual review. If after this period there has been no satisfactory attempt to address the unacceptable behaviour; or there has been a repetition of this behaviour; or another ground has been breached, then the application may be held to be ineligible for a further 12 month period. There is no limit to the number of times that the application can be assessed as being ineligible.

4.2.9 As indicated, all ineligible applications will be reviewed after 12 months, or earlier on request from the applicant if they can provide satisfactory evidence of mitigation or modification of their unacceptable behaviour.

4.2.10 Applications which are classed as ineligible do not accrue waiting time. Therefore the registration date for a previously determined ineligible application will be the date at which the applicant has demonstrated that they have addressed or modified their behaviour and are no longer assessed as ineligible due to unacceptable behaviour.

- 4.2.11 An applicant whose unacceptable behaviour is not deemed to be serious enough to make them ineligible may have their application re-designated to Reduced Preference Status (see Section 4.4).

### **4.3 Notifying applicants who are classed as ineligible due to unacceptable behaviour**

- 4.3.1 All applicants will be notified in writing of a decision to assess their application as ineligible. This notification will include:

- reasons why the application has been assessed as ineligible, and
- length of time for which the application will be assessed as ineligible, and
- steps they must take to address the grounds that make them ineligible, and
- the date by when the decision will be reviewed, and
- a right of review of the decision to deem the application ineligible.

- 4.3.2 Applicants who have had their application deemed as ineligible due to unacceptable behaviour have a right to ask for a review of the decision (see Chapter 8 Review of decisions).

- 4.3.3 If the applicant is able to demonstrate they were not guilty of unacceptable behaviour sufficient to result in their being ineligible to register on the Property Pool Plus Scheme, then their application will be registered from their original date of registration and placed in the appropriate band.

- 4.3.4 If an applicant, who has previously been assessed as ineligible because of unacceptable behaviour, considers that this should no longer apply they must submit information demonstrating that they have modified or mitigated their behaviour.

- 4.3.5 If the Administering Scheme Partner then considers the applicant to be suitable to be a tenant, the applicant will no longer be considered ineligible and the applicant will be registered from the date of this latest decision, not the original date of application.

- 4.3.6 If the Administering Scheme Partner does not consider that the applicant is now suitable to be a tenant, the applicant will remain ineligible.

### **4.4.2 Reduced Preference Status**

- 4.4.1 Applicants whose current or previous behaviour is considered to be unacceptable but which is not deemed serious enough to justify a decision to treat the applicant as ineligible will be given Reduced Preference Status.

- 4.4.4 This less serious unacceptable behaviour may relate to the same grounds set out in 4.2.3 above but where a possession order would not reasonably be sought or granted. It will also include other forms of unacceptable

behaviour such as previous poor tenancy conduct, threatening behaviour towards staff or evidence of property abandonment

- 4.4.5 Rent arrears which will be taken into consideration include current arrears for both social and private sector tenancies and arrears from former social and private sector tenancies which were terminated in the past 6 years. Checks will be made as to the reason the arrears have accrued and extenuating circumstances will be taken into account.
- 4.4.6 As a general guide, the level of rent arrears which will result in Reduced Preference Status is 4 weeks' gross rent unpaid by the applicant where the rent is due weekly. Rent owed due to delays in payment of Housing Benefit will not be taken into account.
- 4.4.7 If appropriate, Reduced Preference Status will be given to applicants who have otherwise been assessed and placed in Bands A, B, C D, and E. However, each application will be considered on its individual merit and any extenuating circumstances will be taken into account. Administering Scheme Partners will give necessary credence to balancing the individual's housing needs and the unacceptable behaviour or level of rent arrears that warrants consideration for Reduced Preference Status.
- 4.4.8 Applicants with Reduced Preference Status will be placed in Band F until such time as the applicant can either provide evidence of mitigation or modification of their behaviour or reduction of the rent arrears, (see Section 4.5).
- 4.4.9 All applications with Reduced Preference will be formally reviewed every 12 months but an applicant can request a review of their Reduced Preference Status at any stage (see Chapter 8).

#### **4.5 Modifying Unacceptable Behaviour including rent arrears**

- 4.5.1 If as a result of an applicant's unacceptable behaviour, they are considered to be ineligible or they are awarded Reduced Preference Status, then the applicant will be required to provide evidence that they have taken the necessary steps to modify this behaviour. Their application will then be reviewed and their status amended if appropriate.
- 4.5.2 The applicant will be required to reach agreement with the Administering Scheme Partner as to what is acceptable to enable their application to be re-instated.
- 4.5.3 In all instances, the applicant will be required to demonstrate they are able to satisfactorily maintain a tenancy. The following indicative criteria may apply:
- 4.5.3.1 In the case of outstanding debts owed:
- Debt is cleared, or
  - Debt is reduced to an agreed level, or

- Regular periodic payments are maintained to reduce the debt over an agreed period of time, and
- Applicant is able to demonstrate they have been able to satisfactorily maintain a tenancy since, where applicable.

#### 4.5.3.2 In the case of anti-social behaviour:

- Signed authority under the Data Protection Act to allow supporting information to be gathered.
- Evidence of satisfactory non-offending history, (where applicable)
- Evidence of co-operation with professional support agencies, (where applicable)
- Evidence of treatment for any substance dependency issues (where applicable)
- Co-operation in any multi-agency risk assessment process (where applicable)
- Applicant is able to demonstrate they have been able to satisfactorily maintain a tenancy (where applicable).

## CHAPTER 5

### 5.1 Assessment of housing need

5.1.1 Once an application has been assessed it will be categorised in one of the following Bands according to the relevant housing need that exists;

<b>BAND</b>	<b>REASON FOR HOUSING NEED</b>
Band A Urgent Priority	Health/Welfare (Urgent) Statutory Homeless (Unintentionally with priority need) Regeneration Overcrowded (2 or more bedrooms)
Band B High Priority	Health / Welfare (High) Overcrowded (1 bedroom) Disrepair Under occupation
Band C Medium Priority	Health/Welfare (Medium) Homeless (no priority need) Homeless (intentional with priority need) Living with family and friends
Band D Low Priority	No assessed need and in employment
Band E No Priority	No assessed need and not in employment
Band F Reduced Priority	Reduced preference status due to unacceptable behaviour

5.1.2 The assessment of housing need will be made by appropriate designated officers from the Administering Scheme Partner.

### 5.2 Prioritising applications within bands

5.2.1 Applicants in Band A are prioritised in order of the reasons for housing need as listed in the table above. However some properties may be targeted for specific housing needs when a property is advertised (see Section 2.7)

5.2.2 There are some important differences in the way applications in Bands B and C are prioritised for accommodation in different Scheme Council areas.

5.2.3 For Halton, Knowsley, Sefton and Wirral applications in Bands B and C are prioritised within each Band by date of entry into the Band and there is no distinction between the different housing need reasons.

- 5.2.4 For Liverpool, applicants in Bands B and C are prioritised in the order set out in the table above and by date of entry within each Band. For example, applicants in Band B Health and Welfare (High) will receive priority over those in Band B Overcrowded (1 Bed) even though an applicant in Overcrowded (1 Bed) may have an earlier date of entry into the Band. However preference may be given to a particular reason for housing need when a property is advertised to meet local priorities.
- 5.2.5 For all Scheme Council areas applicants in Bands D to F are prioritised within each Band by date of entry into the Band.
- 5.2.6 When applicants are prioritised for a property, if there is more than one applicant with the same date of entry into the Band, the applicants will be further prioritised in order of date of registration.

### **5.3 Date of entry into Band**

- 5.3.1 The initial date of entry into a Band following assessment is shown in the table below;

<b>Initial Band</b>	<b>Date of entry</b>
A	Date the reason for housing need has been fully assessed and confirmed
B	Date the reason for housing need has been fully assessed and confirmed. For applicants in hostel or supported accommodation it will be the date at which they first moved into the accommodation or date of registration whichever is the later
C	Date the reason for housing need has been fully assessed and confirmed
D	Date the employment status has been confirmed
E	Registration date
F	Date the Reduced Preference status has been fully assessed and confirmed



- 5.3.2 If an applicant is subsequently reassessed and is placed in a higher Band, the date of entry into the Band is shown below;

Higher Band	Date of entry
A However if an applicant's priority is reduced to Band A, the date of entry into the Band is shown below;	Date the reason for higher housing need has been fully assessed and confirmed
5.3.4 If an applicant is subsequently reassessed and is placed in a higher Band, the date of entry into the Band is shown below;	Date the reason for higher housing need has been fully assessed and confirmed. For applicants in hostel or supported accommodation it will be the date at which they first moved into the accommodation or date of registration whichever is the later
C	Date the reason for higher housing need has been fully assessed and confirmed
D	Date the employment status has been confirmed
E	Registration date
Lower Band	Date of entry
B	Date the reason for higher housing need was fully assessed and confirmed
C	Date the reason for higher housing need was fully assessed and confirmed
D	Date the reason for higher housing need was fully assessed and confirmed
E	Registration date
F	Date the Reduced Preference status has been fully assessed and confirmed

- 5.3.4 If an applicant loses a priority due to a change in circumstances, but is later reassessed for a further higher priority, the date of entry into the Band is the date that the reason for the most recent priority is fully assessed and confirmed.

## 5.4 Band A – Urgent Priority

### 5.4.1 Health and Welfare (Urgent)

- 5.4.1.1 Responsibility for carrying out assessments, banding and inclusion into this Sub Band will be the Scheme Council or an appropriate Senior Officer from the Administering Scheme Partner and monitored by the Scheme Council.

- 5.4.1.2 These will include;

- applicants with severe long term health conditions causing substantial disabilities that are unable to access any essential facilities in their current accommodation.
- applicants with an exceptional welfare need, including severe incidents of violence where other temporary resolutions are not possible and

where continued occupation of their current dwelling could place lives at risk.

- applicants ready to be discharged from hospital or residential care where they are unable to access any essential facilities within their home
- applicants temporarily or permanently displaced from their accommodation through the intervention of Private Sector Housing/Environmental Health teams of the Scheme Councils using the Housing Act 2004 and/or 1985 to deal with Category 1 and/or 2 Hazards in the premises or Public Health legislation to deal with conditions which are prejudicial to health
- applicants temporarily or permanently displaced from their living accommodation through the intervention of Fire and Rescue Services using Fire Safety Legislation to deal with conditions which pose an imminent risk to occupiers safety
- applicants who need to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she or a member of their household has sustained as a result of service in the Armed Forces.

5.4.1.3 Applicants need to move urgently and therefore they will be expected to be actively bidding for suitable vacancies. Help and assistance in the bidding process will be available including the placing of bids on their behalf if required. Applications will be reviewed regularly to ensure that applicants are actively bidding for suitable vacancies and are being realistic in their choice.

5.4.1.4 Applicants who are not actively bidding for suitable accommodation will be given one reasonable offer of accommodation, refusal of which will prompt a reassessment of the application. This may result in the applicant remaining in the same Band but with a revised date of entry into the Band which will be the date of refusal of the offer. Responsibility for this will be the Scheme Council or a Senior Manager within the Administering Scheme Partner. When considering the "reasonableness" of an offer, it should be recognised it may not be possible to provide an offer in the applicant's specific area of choice, but every effort will be made to meet this request.

#### 5.4.2 Statutory Homeless (unintentionally)

5.4.2.1 This will include applicants who are accepted by the Homeless Service as being owed a full housing duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002).

5.4.2.2 Applicants need to secure housing urgently and therefore they will be expected to be actively bidding for vacancies. This would mean that they will be expected to check the advert each week and apply each week for vacancies in their own Scheme Council area which are suitable for their household in terms of size and type, but not necessarily in the area they would prefer. Help and assistance in the bidding process will be available including the placing of bids on their behalf if required. Applications will be reviewed regularly to ensure that applicants are actively bidding for suitable vacancies and are being realistic in their choice.

5.4.2.3 Applicants who are not actively bidding for suitable accommodation will be given one reasonable offer of accommodation, unreasonable refusal of which will prompt a reassessment of the application. The applicant will be placed in the appropriate Band; this may result in the applicant being placed in Band D or Band E. When considering the "reasonableness" of a refusal, it should be recognised that it may not be possible to provide an offer in the applicant's specific area of choice, but every effort will be made to meet this request.

#### 5.4.3 Regeneration

5.4.3.1 This will include residents being displaced as a result of their home being included in a Regeneration Area for clearance or redevelopment by the Scheme Council or by a Scheme Landlord in partnership with the Scheme Council. Only those schemes approved by the Scheme Council will be included in this Sub-Band.

5.4.3.2 This housing need is given urgent priority to ensure Scheme Council regeneration programmes can proceed. Applicants are prioritised in accordance with the identified priority order for the Scheme Council Clearance areas.

5.4.3.3 Because of the need to re-house residents in a programmed manner, some may receive targeted offers outside the arrangements for the scheme. For example, but not exclusively, when;

- the applicant's land/property is urgently needed for redevelopment, or the remaining residents are at risk, or existing funding is at risk; or
- it can be demonstrated the needs of the resident are more urgent than those other applicants who are currently placed in this Sub Band.

This reason for housing need does not include those applicants who are required to move temporarily as a result of an improvement scheme and will later return to their original home or scheme.

#### 5.4.4 Overcrowded by two or more bedrooms

5.4.4.1 This will include applicants who, by the application of the bedroom standard outlined in Section 5.12, are overcrowded in their current property and require two or more additional bedrooms.

### 5.5 **Band B – High Priority**

#### 5.5.1 Health / Welfare (High)

5.5.1.1 This will include:

- victims of harassment, domestic violence, victims of hate crime
- people with a severe long term health condition that causes a permanent and substantial disability who are unable to access some of the facilities within the home
- applicants living in an area/community that has a serious detrimental effect on their mental health issues
- young people leaving the Care of the Local Authority
- applicants from hostel and supported accommodation where funding is provided by the Supporting People Programme or adult social services and where the residents are expected to move on within two years or where the support is no longer required. (Applicants will only be included if they have been assessed as ready to move on from such schemes and where their continued support needs have been assessed and, if required, are in place. The assessment procedure may vary in different Scheme Council areas and may include the use of an assessment panel)
- members of the Armed Forces who will be discharged within 3 months and who have no medical needs
- formal referrals from Social Services under the Children Act where it is confirmed the applicants have an urgent need to move
- applicants who are tenants of adapted properties owned by the Scheme Landlords where the adaptations are no longer required and where the property is designated by the Scheme Council as being in demand by other priority cases.

5.5.1.2 Applicants living in hostel or supported accommodation which are funded by the Supporting People programme or adult social services will be awarded a priority and placed in Band B when they have been assessed as ready to move on from the scheme. The date of entry into the Band will be the date they moved into the hostel or the date of registration, whichever is the later. This is to enable a swift move-on from the accommodation so releasing a bed space which can be used by another person.

## 5.5.2 Overcrowded by one bedroom

5.5.2.1 This will include applicants who, by the application of the bedroom standard outlined in Section 5.12, are overcrowded in their current property and require one additional bedroom.

### 5.5.3 Disrepair

5.5.3.1 This will include applicants whose accommodation has been inspected by Private Sector Housing/Environmental Health Teams of the Scheme Councils under the Housing Act 2004 to deal with Category 1 and/or 2 Hazards in the premises or Public Health legislation to deal with conditions which are prejudicial to health and where: -

- enforcement action is considered appropriate to remove the hazards/threats to health, and
- the time scales for undertaking the improvement works are such that it is reasonable for the applicant to seek alternative accommodation.

### 5.5.4 Under-occupation

5.5.4.1 Applicants who are tenants of social housing in the Scheme Area who are under occupying their present home. The priority is given for a move to suitable accommodation for example, single applicants or couples under-occupying a 3 bedroom property would normally be expected to move to 1 or 2 bedroom accommodation.

## 5.6 **Band C – Medium priority**

### 5.6.1 Health/Welfare (Medium)

5.6.1.1 This will include:

- applicants whose long term health condition is made worse by their living conditions
- people whose relationship has permanently broken down and who have to leave a shared home
- people who need to move to a particular locality to give or receive care or support
- applicants from hostel or supported accommodation where funding is not provided by Supporting People Programme or adult social services.

### 5.6.2 Homeless with no Priority Need

5.6.2.1 This will include applicants who are accepted by the Homeless Service as being eligible for assistance, homeless, not in priority need in accordance with the Housing Act 1996 Part VII (as amended by the Homelessness Act 2002).

### 5.6.3 Living with Family and Friends

5.6.3.1 This band includes applicants who do not have a tenancy of their own, who are living with family/friends, are not overcrowded or with any other identified housing needs but want to secure a home of their own. This will include applications from people who live in separate addresses but are looking to secure joint re-housing. The date of application will be the date they were assessed as having this need and applicants must provide

supporting documentation of their situation to ensure they are not creating a priority need.

#### **5.6.4 Intentionally Homeless**

- 5.6.4.1 This will include applicants who are accepted by the Homeless Service as being eligible for assistance, homeless and in priority need but intentionally so, in accordance with the Housing Act 1996 Part VII (as amended by the Homelessness Act 2002). Applicants will also be assessed against Band F Reduced Preference criteria and if appropriate will be placed in Band F

### **5.7 Band D – Low priority**

- 5.7.1 We want to encourage people who can, to work and want to raise levels of aspiration and ambition. We will offer increased priority to applicants who are working and who are therefore making a contribution to the sub regional economy.
- 5.7.2 This Band will include households where at least one adult household member is in employment but who have no recognised housing need and do not satisfy the criteria to be included in one of the other bands.
- 5.7.3 For the purposes of this Allocations Scheme employment is described as having a permanent contract, working as a temporary member of staff or being self-employed. Applicants will only qualify if the worker has been employed for 9 out of the last 12 months and has been working for a minimum of 16 hours per week. Verification will be sought at point of application as well as point of offer under the same terms. Applicants must provide payslips, P60, bank statements or a verifying letter on headed paper in order to qualify.
- 5.7.4 Applicants must inform the Administering Scheme Partner of any changes to their employment status. This will also be checked at the time of any offer.

### **5.8 Band E – No priority**

- 5.8.1 This will include applicants who are not in employment, with no recognised housing need or those who do not satisfy the criteria to be included in one of the other bands.

### **5.9 Band F – Reduced Priority**

- 5.9.1 Applicants who have a Reduced Preference Status due to unacceptable behaviour (see Section 4.4)

### **5.10 Local Connection**

- 5.10.1 In order to give reasonable preference to local residents, priority for rehousing within each Scheme Council Area will take into consideration a local connection within that area.
- 5.10.2 To demonstrate a local connection with a Scheme Council Area, an applicant must satisfy at least one of the following criteria;
- Have lived in the Scheme Council Area for 6 months out of the last 12 months or 3 years out of the last 5 years;
  - Have a permanent job in the Scheme Council Area;
  - Have a close family association (parent, adult child or adult brother/sister) who is currently living in the Scheme Council Area and have done so for more than 5 years;
  - Have a need to be in a specific Scheme Council Area to be near to a particular health facility for long term treatment;
  - Have a need to be in a specific Scheme Council Area to give or receive caring support;
- 5.10.3 Unless an applicant needs to move to another area for safety reasons, priority due to Statutory Homeless (Unintentionally) and Regeneration in Band A will be awarded for the applicant's current Scheme Council Area only.
- 5.10.4 With the exception of priority due to Statutory Homelessness (Unintentionally) and Regeneration in Band A, applicants in Bands A, B, C and D will be awarded that priority for the Scheme Council Areas for which they can demonstrate a local connection.
- 5.10.5 Applicants in Bands A, B, C and D may apply for vacancies in Scheme Council Areas other than those with which they have a local connection, but their housing need will not be taken into consideration and they will be considered to be in Band E when bidding for those vacancies.
- 5.10.6 Applicants in Bands E and F may apply for vacancies in all Scheme Council Areas and local connection will not be taken into consideration.
- 5.10.7 Those applicants with a housing need who live outside the combined Scheme Area may be considered for a priority Band but only if they can demonstrate a local connection with one of the Scheme Council Areas and the priority will apply only to vacancies in that Scheme Council Area.
- 5.10.8 Those applicants who do not have a local connection with any Scheme Council in the Scheme Area will be placed in Band E. An exception to this would be a need to move to another area for safety reasons.
- 5.10.9 Applicants must inform the Administering Scheme Partner of any changes to their local connection with an area, for example a change of address of a relative. This will also be checked at the time of any offer.

## **5.11 Cross Boundary Mobility**

5.11.1 Scheme Partners have agreed that a maximum of 5% of all properties advertised through the Scheme will be let to applicants living in another Scheme Council Area. This will include applicants in Bands A, B, C and D who can demonstrate a local connection with the accepting Scheme Council Area as outlined in Section 5.10.2., and applicants in Bands E and F who have no local connection.

5.11.2 The 5% maximum does not apply to 'readily available' properties (see Section 6.1.1.5)

## **5.12 Bedroom Standard**

5.12.1 The standard to be applied is as follows;

5.12.2 One bedroom is required for the applicant and their partner. One bedroom is then added for the following people living with the applicant:

- pair of children aged under 10 years regardless of gender;
- pair of adolescents aged 10 to 20 years of the same gender;
- any single adult aged 21 years or more;
- a carer/group of full time carers as recognised by Social Services;

5.12.3 Due to the shortage of larger properties, applicants who are eligible for four bedroom properties may also be considered for larger three bedroom properties, for example a three bedroom property with two separate living rooms where one can be considered to be used as a bedroom.

5.12.4 Households with an expectant mother are treated as though the child has been born once the Pregnancy Maternity Certificate (MATB1) has been provided.

## **5.13 Staying contact with children**

5.13.1 Where an applicant has staying contact with children, the children will only be considered as part of that housing application if the applicant can provide proof they live with the customer for the majority of the time (over 50%). The proof may be documentation from the court or solicitor, or written confirmation from the child's other parent.

5.13.2 Where access has been shared equally between two partners, it is unlikely that accommodation of the same size will be made available to both parents. Usually, a parent with staying contact for children for less than 50% of the time may be allocated an additional bedroom for those children, for example a single person may be eligible for a two bedroom property.



## **CHAPTER 6**

### **6.1 Advertising vacant properties**

6.1.1 Properties will be advertised on a weekly cycle in the form of an advert and/or Newsletter which can be viewed:

- on the Property Pool Plus website
- at Council One Stop Shops
- at offices of the Scheme Landlords
- at a variety of community facilities and
- by mail to housebound applicants who do not have internet access

6.1.2 The adverts will include a description of the property, form of tenure, rental charge, property size and any disabled adaptations.

6.1.3 Properties will be advertised displaying any specific criteria or restrictions on who may bid for such properties e.g. if there is a restriction on age group or family size. Properties will be offered to applicants who meet the property criteria in order of Band and then date of entry into that Band.

6.1.4 When it has not been possible to allocate a property after the first advert, the landlord may re-advertise the property to include households who were previously excluded from applying.

6.1.5 There may be some properties which have been advertised but the Scheme Landlord has not been successful in letting the property. In these instances, the Scheme Landlord may let the property on a 'first come, first served' basis. These are known as 'readily available' properties.

### **6.2 Bidding for vacancies**

6.2.1 Applicants are required to bid for a property if they want to be considered for it and may bid for a maximum of 3 properties each week. Applicants who do not meet the eligibility criteria for a property will not be able to bid for the vacancy.

6.2.2 Applicants may bid for vacancies in a variety of ways;

- on line by visiting the Property Pool Plus website
- by telephone service
- by text message
- in person by visiting a Scheme Partner office or Council One Stop Shop.

6.2.3 The Property Pool Plus Scheme has the facility to allow applicants to view their position on the shortlist, when they make a bid for a property. This will enable applicants to make an informed choice as to whether they wish to withdraw a bid where they may be unsuccessful.

6.2.4 The type and size of property that an applicant may apply for, can vary depending upon household size and other circumstances. The following

table is a general guide only and will vary depending upon the availability of property and demands in particular areas.

<b>Household type</b>	<b>Property type</b>
Single person	Bedsit, one or two bedroom flat, maisonette or bungalow
Couple	One or two bedroom flat, maisonette or bungalow
Couple who need separate bedrooms due to medical reasons	Two bedroom flat, maisonette or bungalow
Two person household, not a couple	Two bedroom flat, maisonette or bungalow
Household with one child or baby expected	Two bedroom house or family flat/maisonette
Household with two children	Two or three bedroom house or family flat/maisonette
Household with three children	Three bedroom house or family flat/maisonette
Household with four or more children	Large three bedroom, four bedroom and larger houses
Household of adults, no children	Appropriate size flat, maisonette or house to allow one bedroom per adult or pair of partners
Households with specific requirements due to health needs relating to disability	Ground floor flat or bungalow Adapted house
Household requiring support due to old age or other vulnerability	Sheltered or supported accommodation Extra Care accommodation

6.2.5 There may be exceptions to the above guide in terms of property type, for example one or two bedroom houses may be advertised for singles or couples. This will be made clear on the property advert. The age group criteria for property will vary according to the Scheme Landlords' own rules.

6.2.6 There may be exceptions to the above guide in terms of household type, for example households requiring a full time carer or needing an extra bedroom on health or welfare grounds, including space for medical equipment, will be able to apply for a larger property. This will be considered on an individual basis and the applicant will be fully advised.

### **6.3 Short listing of applications**

6.3.1 As the advertising cycle proceeds, applicants who have bid for an advertised property will be short listed according to the Banding criteria outlined in Chapter 5 and any qualifying letting criteria or property criteria specified on the property advert.

- 6.3.2 Each Scheme Landlord may follow a different process when administering the shortlist. Applicants who are being considered for an offer following their bid will be contacted by the Scheme Landlord who owns the property
- 6.3.3 Before an offer is confirmed, all Scheme Landlords reserve the right to carry out pre-tenancy checks which may include;
- confirmation that application details are correct
  - confirmation of tenancy history including rent arrears and anti social behaviour issues
  - confirmation of employment status if applicable
  - confirmation of local connection if applicable
  - take up of references if required.
- 6.3.4 References may be from a current or previous landlord or someone who knows the applicant in an official capacity such as local community representative, advice worker, health visitor, social worker or probation officer. It is appreciated that some applicants have difficulty in providing a reference and these will be considered on an individual basis.

#### **6.4 Reasons why an applicant may be bypassed for an offer**

- 6.4.1 In some situations a property will not be offered to the highest ranked applicant who has expressed a preference for it. Short listed applicants may be bypassed for a number of reasons such as:
- if an applicant bids for a property and their household details do not match the household criteria set out in the advert
  - if an applicant bids for a property that does not meet their specified health needs. For example if an applicant has been given health priority, or a specific health recommendation has been made for level access accommodation without stairs and an applicant bids for a house with stairs
  - if there is evidence which had not been identified at initial verification, that an applicant owes money to any Housing Association, Local Authority or private landlord due to rent arrears, damage, costs through abandonment or any other identified housing related costs. In this instance the application will be reviewed and may be given Reduced Preference status (see Section 4.4)
  - if there is evidence which had not been identified at initial verification, that an applicant or a member of their household has committed serious anti social behaviour. In this case, the application will be reviewed and may be deemed ineligible due to unacceptable behaviour (see Section 3.5) or may be given Reduced Preference status (see Section 4.4)
  - if the applicant is a Council or Housing Association tenant and their current property is considered to be in a state of significant disrepair or neglect and there is evidence that disrepair/neglect/damage to the property has been directly caused by the applicant or a member of their household. In this case, the application will be reviewed and may be given Reduced Preference status (see Section 4.4)

- if an applicant's position on the shortlist is due to their employment and this status has changed
- if an applicant's position on the shortlist is due to their local connection with an area and this has changed
- if the applicant has already bid for another property and this has been offered to them
- if the property is adapted and the applicant does not need those specific adaptations
- no response has been received when the applicant has been contacted by telephone or letter, despite reasonable efforts
- the applicant's family is considered to be too small to fully occupy the property and if there are other applicants on the shortlist who would fully occupy the property.

6.4.2 This is not an exhaustive list and is a general guide as each case will be assessed individually and the personal circumstances of each applicant will be taken into account. Any short listed applicant who is bypassed can request a review of the decision, using the Review procedure in Chapter 8 of this Scheme.

## **6.5 Number of offers**

6.5.1 To ensure applicants only bid for properties in which they are genuinely interested, and in order to be as fair as possible to all applicants, the number of offers an applicant can refuse is limited. When the limit is reached, a review of their application and priority will be made by the Administering Scheme Partner.

6.5.2 When an offer is refused, an assessment will be made as to whether this was a reasonable offer. With the exception of homeless applicants (where the decision about the 'reasonableness' of a refusal will be made by the Housing Options Service in accordance with legislation), the Scheme Landlord making the offer will be responsible for deciding whether or not the reason for refusing an offer is considered to be reasonable. As a guide, the following factors may be taken into account;

- the property is in the immediate location of someone who could present a danger to the applicant;
- the property has stairs which the applicant is unable to manage and this is confirmed by the health assessment;
- the applicant needs an adapted property or the current adaptations do not satisfy the applicant's needs and this is confirmed by an Occupational Therapist.

This list is not exhaustive and each case will be assessed individually.

6.5.3 If it is considered that the offers made were reasonable, then the following will apply.

Band A - Health /Welfare (Urgent)	One reasonable offer only
Band A - Statutory Homeless (Unintentional)	One reasonable offer only
Band A - Regeneration	No limit

Band A - Overcrowded (2 or more bed)	Two reasonable offers
Band B - High Priority	Two reasonable offers
Band C - Medium Priority	Three reasonable offers
Band D - Low Priority	Three reasonable offers
Band E - No Priority	Three reasonable offers
Band F - Reduced Priority	Three reasonable offers

6.5.4 In all instances, with the exception of cases outlined in Section 6.5.4.1 below, an application is reviewed following the refusal of the stated number of reasonable offers. If the circumstances remain the same, the applicant will remain in the same Band but the entry date will be altered to the date of the latest refusal. However, if the circumstances have altered the application will be placed in the appropriate Band.

6.5.4.1 For applicants in Band A (Statutory Homeless (Unintentional)) the application is reviewed following the refusal of one offer and if the offer was reasonable, the applicant will be placed in a lower appropriate Band. .

## **6.6 Feedback on Lettings**

6.6.1 The Property Pool Plus Scheme will publish the outcome for recently advertised vacancies on the website The information provided will include:

- Property size and type
- Property location
- Number of applicants who applied for each property
- Band and effective date of successful applicant

This will allow applicants to see where properties are more likely to become available and where they may have the best chances of making a successful 'bid'. Information will also be provided for vacancies which have been allocated as a result of a direct let to applicants on the Property Pool Plus Register.

6.6.3 The Scheme Partners will also produce analytical statistics on lettings to determine demand, availability of properties and gaps in provision to inform future housing strategy.

## **CHAPTER 7**

### **7.1 Information and advice**

- 7.1.1 Information and advice on the Allocations Scheme will be provided free of charge.
- 7.1.2 The following help is available to all applicants who apply to go onto the Scheme Register:
- Help to complete a housing application form;
  - Written and verbal information to help them understand how their application will be dealt with;
  - The opportunity to contact staff to find out whether their needs can be met and, if so, guidance on how long they may have to wait for accommodation;
  - Help with reviews and complaints where appropriate (see Chapter 8).

### **7.2 Contact details**

- 7.2.1 A list of the contact details for the Scheme Partners within the Property Pool Plus scheme can be found on the website.

### **7.3 Support services**

- 7.3.1 Some applicants may need support in setting up, managing or maintaining a tenancy.
- 7.3.2 Every effort will be made by the Scheme Partners to identify applicants who need some level of support via:
- Their Scheme Register application;
  - Referrals from staff and other agencies such as Social Services, Probation and Age Concern;
  - Referrals from family members;
  - Requests from applicants themselves.
- 7.3.3 The applicant may be contacted to obtain more details of their needs to decide what type of support they need, for example:
- Advice on the Property Pool Plus scheme and assessment procedure;
  - Help to select a property;
  - Support in setting up and maintaining a tenancy.
- 7.3.4 If they need help to select a property, this can be given by a nominated relative, friend or support worker who can bid for properties on their behalf.
- 7.3.5 If the applicant needs help to set up a tenancy every effort will be made by the Scheme Partners to refer them to the most appropriate housing support service provider.

## **7.4 To prevent homelessness**

- 7.4.1 Every effort will be made to identify applicants where threatened homelessness may be prevented. Applicants' details will be forwarded to the relevant Housing Options Team who will contact the applicant giving advice and assistance e.g. dealing with an applicant's mortgage provider or landlord or referring them to the Citizens Advice Bureau.

## **7.5 Independent advice**

- 7.5.1 An applicant may wish to get independent advice about the Property Pool Plus scheme or any decisions made about their application. Shelter, Citizens Advice Bureau and local solicitors are some of the organisations operating within the Scheme Area who may offer free, independent advice to people about their housing application.

## **CHAPTER 8**

### **8.1 Review of Decisions**

8.1.1 Excluding the right to request a review of a decision made under the homelessness process which is covered under a different procedure, applicants have the right to request a review of a decision as to how their application has been dealt with. Reviews are likely to centre around 2 main areas of the process, which are:

- Issues connected with their Registration on the Scheme;
- Issues connected with the Selection Process for a particular property.

8.1.2 Requests for a review arising because the applicant has not informed the Administering Scheme Partner of any changes to their application will be dismissed, for example if an applicant has been bypassed due to no contact and the applicant has not informed the Administering Scheme Partner of a change in their contact details.

### **8.2 Request for a review of a Registration Decision**

8.2.1 The Administering Scheme Partner who registered the application will deal with all requests for a review concerning any decision in relation to an applicant's registration on the Scheme. The request for a review can be made in person, by telephone, by email or in writing within twenty one days from the date they were advised of the decision. The request for a review may cover any issue concerning their application, such as:-

- Decision to deem an applicant ineligible to register on the Scheme Register due to immigration status or unacceptable behaviour;
- How their application was processed;
- Decision not to award a priority;
- Removal or review of a priority;
- Decision to give Reduced Preference Status due to unacceptable behaviour
- Alteration of date of entry into a Band following refusal of reasonable offers.

8.2.2 The review procedure is as follows;

#### Stage 1

The review will be carried out by a Senior Officer for the Administering Scheme Partner who was not involved in the original decision. A response will be provided within 15 working days.

#### Stage 2

If the applicant is not satisfied with the response of the Stage 1 review, they may request a review of the decision by stating their reasons to their Administering Scheme Partner within 21 days of notification. An acknowledgement will be issued within 10 working days. The review will be carried out by a designated panel from the Local Board of the Property Pool



Plus scheme composed of representatives of the Scheme Council and Scheme Landlords in that Scheme Area, but not including the Scheme Partner responsible for the original decision. A meeting will be convened within 15 working days and a decision will be provided within 10 working days of the meeting.

- 8.2.3 If applicants are still dissatisfied then they may seek other forms of external redress, such as the Ombudsman or through the relevant legal process.

### **8.3 Request for a review of a Selection Process Decision**

- 8.3.1 All requests for a review of a decision concerning any aspect of the Selection Process for a particular property will be dealt with by the respective Scheme Landlord.

- 8.3.2 The request for a review can be made in person, by telephone or in writing within twenty one days from the date of publication of the outcome of the vacancy on the website.

- 8.3.3 Any issue that relates to the Selection Process for a property will be dealt with in this way. This may include: -

- The decision not to offer a particular property to an applicant
- The decision to withhold or withdraw an offer based on anti-social behaviour, neighbour nuisance or rent history
- Lettings Criteria used for a property
- The nature of Verification Checks made by the Scheme Landlord.

- 8.3.4 The review procedure is as follows;

#### Stage 1

The review will be carried out by a Senior Officer for the Scheme Landlord who was not involved in the original decision. A response will be provided within 15 working days.

#### Stage 2

If the applicant is not satisfied with the response of the Stage 1 review they may request a review of the decision by stating their reasons in writing to the Scheme Landlord within 21 days of notification. An acknowledgement will be issued within 10 working days. The review will be carried out by a designated panel from the Local Board of the Property Pool Plus scheme composed of representatives of the Scheme Council and Scheme Landlords in that Scheme Area, but not including the Scheme Landlord responsible for the original decision. A meeting will be convened within 15 working days and a decision will be provided within 10 working days of the meeting.

- 8.3.5 If applicants are still dissatisfied then they may seek other forms of external redress, such as the Ombudsman or through the relevant legal process.

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## SCRUTINY PROGRAMME BOARD

5 January 2011

### 44. ALCOHOL SCRUTINY REVIEW – FINAL REPORT

The Vice-Chair introduced the Final Report of the Alcohol Scrutiny Review that had been undertaken by a Panel of which she was a Member, together with Councillors Dave Mitchell (Chair), Sue Taylor and Ann Bridson, supported by Alan Veitch, Scrutiny Support Officer. She outlined the focus for the Review, central of which was the “access to alcohol by young people in Wirral”. She commented upon the significant work undertaken by Panel Members and highlighted the main issues that had been identified in the scope document. The Panel had used a number of methods to gather evidence for the review, including meetings with key officers, visits to local communities accompanied by Youth Outreach Workers and written evidence. The final report was presented for consideration and contained eleven recommendations, which the Panel hoped would be accepted in full by the Cabinet.

Members thanked the Panel and the Scrutiny Support Officer for such a full and informative report and commented that some of the findings of the review were disturbing, particularly having regard to Wirral being ranked as 323 out of 326 local authorities for alcohol-specific hospitable admissions for under 18's, in a study published by the North West Public Health Observatory.

Members referred to the need for resources to be allocated to address the issues highlighted in the review and commented upon the cumulative impact of the extension of openings hours and an increase in the number of licensed establishments selling alcohol, particularly in the Hoylake area, the vicinity of Victoria Park, Tranmere and low cost alcohol being sold by supermarkets across Wirral.

The Chair of the Panel, Councillor Dave Mitchell addressed the Board and thanked the officers involved for their support. He agreed that it was essential for the Council to address the problem of alcohol consumption by young people.

The Democratic Services Manager reported that the Health and Well Being Overview and Scrutiny Committee had requested a report on alcohol related hospital admissions to its March 2011 meeting.

#### **Resolved –**

- (1) That the contents and recommendations of the Alcohol Scrutiny Review be supported and it be put forward for nomination for a Good Scrutiny Award.**
- (2) That the Alcohol Scrutiny Report be forwarded to the Health & Wellbeing, Children & Young People and Sustainable Communities Overview & Scrutiny Committees.**

- (3) That the Alcohol Scrutiny Report be presented to the next appropriate Cabinet meeting.**
- (4) That the Report be presented to the Chair of Wirral Magistrates, to the Merseyside Police Chief Constable.**
- (5) That the report be referred for consideration by the Crime and Disorder Reduction Partnership (CDRP) and to each of the Area Forums.**
- (6) That further reports be presented to the Scrutiny Programme Board to update members regarding the outcomes of the recommendations.**

## **EXECUTIVE SUMMARY**

This report provides background information regarding the Final Report of the Alcohol Scrutiny Review.

### **1. Background**

- 1.1 At the meeting of the Scrutiny Programme Board, held on 14<sup>th</sup> September 2009, members agreed to undertake an in-depth scrutiny review regarding progress towards implementation of the Alcohol Strategy in Wirral. The Board members agreed that volunteers should be sought from among scrutiny members to form a Panel. It was agreed that the review should be managed by the Scrutiny Programme Board due to the cross-cutting nature of the topic and the impact on a number of areas such as health, young people, anti-social behaviour / community safety, trading standards and licensing.
- 1.2 Subsequently, the following members volunteered to be members of the Panel:
- Councillor Dave Mitchell (Chair)
  - Councillor Sue Taylor
  - Councillor Chris Meaden
  - Councillor Ann Bridson
- The panel has been supported by a Scrutiny Support Officer, Alan Veitch.

### **2. Focus for the Review**

- 2.1 The Scrutiny Programme Board agreed the Scope for the review in January 2010. Due to the enormous breadth of the topic, it was agreed to focus on specific areas, concentrating particularly on those issues which are within the direct responsibility of the Council. The panel members proposed that, due to the high profile and significance of excessive drinking among young people, the central focus of the review should be the “access to alcohol by young people in Wirral”.

2.2 The main issues for the review were identified in the Scope document as:

- What is the impact of alcohol on young people in Wirral?
- What is the impact of young people drinking alcohol having on other residents of Wirral?
- What is already being done to enable young people to make good choices regarding alcohol?
- What are the key issues relating to access and availability: Where? Price? Promotions?
- What restrictions of access to alcohol exist at present?
- What additional restrictions of access are available and which have been successfully used elsewhere?
- Can Council policies be sensibly amended relating to the access and availability of alcohol, particularly with respect to young people?

### 3. Evidence Gathering and the Report

The Panel have used a number of methods to gather evidence for the review:

- Meetings with key officers
- Visits by panel members to local communities accompanied by Youth Outreach workers
- Written evidence

The Panel expresses its thanks to all those who have assisted the review by so readily giving their time, experience and suggestions.

### 4. The Final Report

The Final Report, 'Access to Alcohol by Young People in Wirral', which includes eleven recommendations, is attached for consideration by the Committee.

## RECOMMENDATIONS

- (1) That the contents and recommendations of the Alcohol Scrutiny Review be supported;
- (2) that the Alcohol Scrutiny Report be forwarded to the Health & Wellbeing, Children & Young People and Sustainable Communities Overview & Scrutiny Committees;
- (3) that the Alcohol Scrutiny Report be presented to the next appropriate Cabinet meeting;
- (4) and that further reports be presented to the Scrutiny Programme Board to update members regarding the outcomes of the recommendations.

### Report of the Alcohol Scrutiny Panel Members:

Cllr Ann Bridson

Cllr Chris Meaden

Cllr Dave Mitchell (Chair)

Cllr Sue Taylor

(13/12/10)

**SCRUTINY REVIEW  
of  
ACCESS TO ALCOHOL BY YOUNG PEOPLE IN WIRRAL**



**A report produced by  
THE SCRUTINY PROGRAMME BOARD**

***DECEMBER 2010***

## WIRRAL BOROUGH COUNCIL

### ‘ACCESS TO ALCOHOL BY YOUNG PEOPLE IN WIRRAL’ SCRUTINY REVIEW

#### FINAL REPORT

*Page*

<b>1</b>	<b>EXECUTIVE SUMMARY &amp; RECOMMENDATIONS .....</b>	<b>3</b>
<b>2</b>	<b>ACKNOWLEDGEMENTS.....</b>	<b>7</b>
<b>3</b>	<b>PANEL MEMBERSHIP .....</b>	<b>9</b>
<b>4</b>	<b>BACKGROUND AND ORIGINAL BRIEF .....</b>	<b>10</b>
<b>5</b>	<b>METHODOLOGY FOR THE REVIEW .....</b>	<b>11</b>
<b>6</b>	<b>EVIDENCE AND RECOMMENDATIONS</b>	
<b>6.1</b>	<b>Alcohol Consumption in Wirral.....</b>	<b>12</b>
<b>6.1.1</b>	<b>The Scale of the Problem in Wirral .....</b>	<b>12</b>
<b>6.1.2</b>	<b>The Consequences of Young People Drinking.....</b>	<b>15</b>
<b>6.2</b>	<b>The Legislative Framework .....</b>	<b>18</b>
<b>6.3</b>	<b>Strategy and Resources .....</b>	<b>21</b>
<b>6.3.1</b>	<b>The Wirral Alcohol Harm Reduction Strategy .....</b>	<b>21</b>
<b>6.3.2</b>	<b>Multi-agency Working .....</b>	<b>23</b>
<b>6.3.3</b>	<b>Future Funding .....</b>	<b>23</b>
<b>6.3.4</b>	<b>Performance Management.....</b>	<b>25</b>
<b>6.4</b>	<b>Stifling the Supply of Alcohol to Young People.....</b>	<b>26</b>
<b>6.4.1</b>	<b>Trading Standards.....</b>	<b>26</b>
<b>6.4.2</b>	<b>Licensing .....</b>	<b>27</b>
<b>6.4.3</b>	<b>Minimum Pricing .....</b>	<b>30</b>
<b>6.5</b>	<b>Reducing the Demand for Alcohol by Young People .....</b>	<b>31</b>
<b>6.5.1</b>	<b>Education of Young People.....</b>	<b>31</b>
<b>6.5.2</b>	<b>Engagement of Parents / Carers.....</b>	<b>33</b>
<b>6.5.3</b>	<b>Referral and Treatment.....</b>	<b>34</b>

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#### APPENDICES

<b>1</b>	<b>Scope Document.....</b>	<b>36</b>
<b>2</b>	<b>Reports from the visits of Panel Members with the Outreach Workers.....</b>	<b>40</b>
<b>3</b>	<b>References .....</b>	<b>42</b>
<b>4</b>	<b>List of tables .....</b>	<b>44</b>



## **1. EXECUTIVE SUMMARY AND RECOMMENDATIONS**

Significant evidence of the impact of alcohol on young people in Wirral is available from the Joint Strategic Needs Assessment document, produced by Wirral NHS, which states that in the period between 2001 and 2008, there were 131 deaths of young people in the 16 to 24 age range. Of that total, 26 were specified as alcohol related deaths. “Mortality of cohorts younger than 40 years of age are related to bouts of heavy / binge drinking and end in acute consequences such as accidents rather than chronic conditions”.

Furthermore, the Local Alcohol Profiles for England (LAPE), published by the North West Public Health Observatory in September 2010, ranks Wirral as 323 out of 326 local authority areas for alcohol-specific hospital admissions for under-18s (with a rank of ‘1’ being the best performer in the country). However, it is equally significant to note that, since 2006/7, there has been a continual reduction in such hospital admissions for young people. This is to be welcomed and reflects the significant amount of work that has been done through the Wirral Alcohol Harm Reduction Strategy during this period. It was apparent during the review that a huge amount of work is taking place in an effort to both educate and guide young people away from alcohol misuse, as well as to reduce the supply of alcohol to young people wherever possible. Panel Members would like to highlight a letter regarding ‘Wirral’s Young People Specialist Substance Misuse Treatment Plan Submission’, dated 4<sup>th</sup> January 2010, sent from the National Treatment Agency for Substance Misuse to the Chair of Wirral DAAT (Drug and Alcohol Action Team). The letter is fulsome in praise for the work taking place in Wirral: “The Wirral submission is an excellent example of a fit for purpose and knowledgeable needs assessment and plan. All who have been involved in the process should be proud of their involvement and effort”. Nevertheless, although substantial progress has been made, significant challenges clearly remain.

The current Wirral Alcohol Harm Reduction Strategy was launched in 2007 to cover a period up to and including 2010. The three priorities of the existing strategy (2007-10) are:

- Young People’s Alcohol Misuse
- Alcohol Related Identification and Treatment
- Alcohol Crime, Disorder and Communities

The implementation of the overall strategy is coordinated by Wirral DAAT (Drug and Alcohol Action Team) in conjunction with a number of key partners in a multi-agency collaboration. However, with specific regard to the delivery of the element relating to young people, the Children and Young People Department of Wirral Borough Council plays a major strategic role. Key to the strategy is a recognition that long-term success is likely to rely on both a reduction in the supply of alcohol to young people as well as a decrease in the demand for alcohol among some young people by changing their behaviour patterns. A third aspect of the Action Plan is an understanding of the need to tackle some of the negative outcomes that arise from alcohol consumption among young people.

Within the context of Wirral, it also important to note that ‘Tackle alcohol harm’ is a Priority for Improvement in the Council’s Corporate Plan for 2010/11. It is hoped that this will result in the subject of alcohol and young people remaining high among the priorities of the Council in the future.

Multi-agency working is a cornerstone on which the delivery of the Wirral Alcohol Harm Reduction Strategy is built. Examples of partners working together constructively have been very impressive throughout this Scrutiny Review process and some of these are highlighted later in the report. Although the NHS proportion of the funding (£194,000) to deliver the alcohol element of the Wirral Prevention Plan is in place until 2013, due to the extensive multi-agency involvement in the alcohol

programme, funding has been provided from a number of different sources, often covering relatively short time periods. Overall, this does not promote long-term stability in service provision. In the future, longer-term budgeting would enable more long-term planning for the delivery of the service.

It is important that there is a process of measurement and performance monitoring in place to evaluate the outcomes of any programme or project. It is recognised that there is a cost associated with the collection of monitoring data and that the measurement of the outcomes of preventative work is not easy. Although some performance indicators are already in place, specific measurements of some further outcomes from the Alcohol Harm Reduction Strategy, and especially with relevance to young people, would enable the decision-makers to make better informed decisions. Further development of suitable data-sharing arrangements among the partners would be beneficial.

It is worth noting that, as with many parts of the public sector, this service area is likely to be subject to change in the coming months. The change is already underway in the form of new Government strategy, the Home Office consultation on licensing policy and subsequent publication of the Police Reform and Social Responsibility Bill, the increasing interest in the proposal for minimum pricing of alcohol as well as the drive to secure more efficient services. Separate management structures and physical locations can very easily create unintentional barriers. It is, therefore, worth noting that the Government's stated intention to transfer public health to Local Authorities may mean that, in the longer-term, opportunities could arise to consolidate some of the reporting structures to provide an even more focused unit.

Licensing for the sale of alcohol is currently governed by the Licensing Act 2003. Since the Coalition Government was formed in May 2010, the Home Office launched a review of the licensing laws pertinent to the sale of alcohol through the consultation document, 'Rebalancing the Licensing Act'. Subsequently, the Police Reform and Social Responsibility Bill has been introduced to the House of Commons on 30 November 2010.

The Scrutiny Review in Wirral revealed clear frustrations with the current legislative framework. The impact of the proposed changes to both legislation and statutory guidance, as detailed later in the report, will influence outcomes for the foreseeable future. The intention is to give local authorities and the Police stronger powers to remove licenses from, or refuse to grant licenses to, any premises that are causing problems. In addition, the proposed reforms include the option of those premises found to be persistently selling alcohol to children being fined a maximum of £20,000. Whether these proposed reforms are found to go far enough remains to be seen. For example, the British Medical Association has called for a ban on all alcohol advertising, including sports and music sponsorship as well as an end to cut-price deals on alcohol. Meanwhile, the debate on the impact of a possible minimum unit price for alcohol continues. In his Annual Report for 2008, the Chief Medical Officer, Sir Liam Donaldson, called for the introduction of minimum pricing, stating: "Cheap alcohol is killing people and it's undermining our way of life. In my report price and access are two crucial factors affecting alcohol consumption. I recommend action taken on both but particularly on price". Subsequently, the Cheshire and Merseyside Public Health Network (CHAMPs) is consulting on the proposal as is the Liverpool City Region Cabinet. The members of the Scrutiny Panel support the principle of a minimum unit price for alcohol.

A key element in the Wirral Alcohol Harm Reduction Strategy is to reduce the supply of alcohol to young people wherever possible. Both the Trading Standards and the Licensing Divisions at Wirral Borough Council play a key role in monitoring the framework within which businesses must operate. The work of Trading Standards, however, is a combination of "carrot and stick". In addition to enforcement action, the team is also involved in educating the owners / managers of off licences.

Although it may be possible to take steps to reduce the supply of alcohol to young people in the relatively short-term, it is considered to be a longer-term objective to reduce their demand for alcohol. Key to the reducing some young people's desire to consume alcohol is the role of education and parental influence and engagement. Although there is confidence that the overall education programme does produce positive outcomes, the extension of the scheme to include more primary school children would be beneficial.

It is recognised that it is very difficult to engage some parents in general, not just on issues regarding alcohol. The involvement of parents is critical as there is a need to educate children about alcohol misuse. It is obvious that parents have a very important role in this education process. However, the influence of parents goes well beyond the education of young people regarding alcohol. One alcohol worker, who works actively with young people commented directly that "many young people think that parents are hypocrites over alcohol". Therefore, it is the role of parents as role models that is just as important.

In considering the evidence found during the review, the Panel Members have formulated the recommendations identified on pages 6 and 7.

## **RECOMMENDATIONS**

### **A. Wirral Alcohol Harm Reduction Strategy as a Council priority**

It is recognised that 'Tackle alcohol harm' is a Priority for Improvement in the Council's Corporate Plan for 2010/11 and an Aim for 2008-2013. Given the statistical evidence of alcohol harm in Wirral, the Cabinet is encouraged to ensure that alcohol misuse remains a priority among the Council's objectives for the foreseeable future. Financial support for the service should follow its recognition as a priority service.

*(Reference Section 6.3.1, page 21)*

### **B. Funding**

In the past, the alcohol harm reduction services have been provided from a variety of short-term funding streams. This does not promote long-term stability in service provision. In the future, Cabinet is urged to promote long-term planning for the delivery of service by encouraging budgeting for the service over a longer time-frame.

*(Reference Section 6.3.3, page 23)*

### **C. Performance Management**

Cabinet is urged to support the implementation of a series of performance indicators which will measure the outcomes of the Alcohol Harm Reduction Strategy, including the preventative aspects of the work and the impact on young people. Further development of suitable data-sharing arrangements among the partners, using a single set of data wherever possible, would be beneficial.

*(Reference Section 6.3.4, page 25)*

### **D. Education of young people**

Council is requested to recognise the importance and continued priority of education for young people regarding the dangers of alcohol misuse. Education is recognised as a cornerstone of the Alcohol Harm Reduction Strategy. The support of all agencies, including schools, health authorities, the Police, Fire & Rescue Service and the voluntary sector, as well as Wirral Council, is fundamental to the delivery of this service. There is concern that appropriate alcohol awareness education should be available to young people in Years 5 and 6 at primary school. Research shows children aged ten and eleven are the most vulnerable age group regarding alcohol.

*(Reference Section 6.5.1, page 31)*

### **E. Legislative framework**

Wirral Council Cabinet is encouraged to lobby the Home Office for changes in the law aimed at reducing the supply of alcohol to young people by:

- Limiting the promotion of the sale of alcohol, for example, through 'happy hours'
- Restricting the use of alcohol as a 'loss leader' by supermarkets and other retail outlets
- Reducing the promotion of alcohol through advertising
- Reducing the scale of proxy sales by imposing greater fines on those purchasing alcohol on behalf of under-age drinkers

*(Reference Section 6.2, page 18)*

**F. Minimum unit pricing for alcohol**

The Review Panel supports the principle of minimum unit pricing for alcohol. Council is requested to engage positively in the process to introduce a regional minimum price for alcohol in the Merseyside region.

*(Reference Section 6.4.3, page 30)*

**G. Cumulative Impact Policy**

Council should actively seek to introduce a Cumulative Impact Policy, as has been introduced by Local Authorities such as Liverpool and Brighton, in order to tackle the increase in outlets in specific hotspot areas.

*(Reference Section 6.4.2, page 27)*

**H. Trading Standards**

The work of Trading Standards is considered an important element in combating the sale of alcohol to young people. An additional £40,000 was included in the 2010/11 budget of the Council to enable Trading Standards to continue tackling under-age sales of alcohol using a number of methods, including test purchasing, which had led to a reduction in sales to under-age young people. Cabinet is urged to retain that financial support.

*(Reference Section 6.4.1, page 26)*

**I. Alcohol-related hospital admissions**

All agencies, including Wirral DAAT, are encouraged to ensure that the excellent advice services currently available to support young people who are subject to alcohol-related hospital admissions are continued and, if necessary, expanded.

*(Reference Section 6.1.2, page 15)*

**J. Relationship with Magistrates**

The Council is encouraged to further develop a tripartite relationship with magistrates and the Police in order to cultivate a mutual understanding of issues relating to the application of licensing laws in the courts.

*(Reference Section 6.4.2, page 27)*

**K. Multi-agency working**

Wirral Council Cabinet is invited to congratulate all of the agencies and staff involved in the delivery of the Wirral Alcohol Harm Reduction Strategy. Although much progress remains to be made in tackling the problem of alcohol misuse in Wirral, the impressive partnership working already in place provides a firm foundation for future progress. The Outreach Workers are among the key front-line staff who engage directly with young people and are responsible for the delivery of the Alcohol Harm Reduction Strategy. In the current difficult financial circumstances for public services, the protection of the front-line staff should be recognised as a priority in the onward delivery of the strategy. The approach of strong multi-agency working should continue to be supported in the future.

*(Reference Section 6.3.2, page 23)*

## 2. ACKNOWLEDGEMENTS

This report presents the findings of a Scrutiny Review into the 'Access to Alcohol by Young People in Wirral'. The Review was undertaken by a Working Group which was set up by the Scrutiny Programme Board. It is hoped that the recommendations which form part of the report will further develop the good practice that exists within the Council and with our partners. It was apparent during the review that a huge amount of work is happening in both an effort to educate and guide young people away from alcohol misuse as well as to reduce the supply of alcohol to young people wherever possible.

The Panel would like to thank all those people who willingly agreed to contribute and to provide information to this review. In particular, the Panel thanks all of the staff with whom they have met and exchanged ideas. There were many varied contributions to the review process. In addition, all of the Panel Members had the opportunity to take part in visits into our streets, parks and local communities wherever young people congregate. These visits were in the company of the dedicated Outreach Workers of the Response team from the Children and Young People Department. All of the members found these visits enlightening and gave a first hand view of the challenges that alcohol misuse among young people provides for the Council and our local communities in the Borough.

It is worth noting that, as with many parts of the public sector, this service area is likely to be subject to change in the coming months. The change is already underway in the form of new Government strategy, the Home Office consultation on licensing policy and subsequent publication of the Police Reform and Social Responsibility Bill, the increasing interest in the proposal for minimum pricing of alcohol as well as the drive to secure more efficient services. The constantly changing background has, therefore, made the review more difficult.

Thank you to the Panel Members who have all contributed fully to the review, which I hope will contribute to the development of service provision in this area. In the future, it is important that the impact of all of the recommendations is reviewed and that progress is monitored.

Thank you to all for your participation and contributions to this Review.



***Councillor Dave Mitchell (Chair of the Members' Panel)***

### 3. **PANEL MEMBERSHIP**

The Alcohol Scrutiny Panel was appointed by the Scrutiny Programme Board on 14<sup>th</sup> January 2010. The purpose of the Panel is to carry out a Scrutiny Review of the impact that alcohol consumption by young people is having on those young people and the wider community. The Panel will make any relevant recommendations for changes which, in the first instance will be discussed by the Scrutiny Programme Board. The following members volunteered to be members of the Panel:

Councillor Dave Mitchell (Chair)



Councillor Chris Meaden



Councillor Ann Bridson



Councillor Sue Taylor



The Scrutiny Support Officer for this Scrutiny Review was Alan Veitch.



#### **4. BACKGROUND AND ORIGINAL BRIEF**

At the meeting of the Scrutiny Programme Board held on 14<sup>th</sup> September 2009, Members agreed to undertake an in-depth Scrutiny Review regarding progress towards implementation of the Alcohol Strategy in Wirral. The Board Members agreed that volunteers should be sought from among Scrutiny members to form a panel. It was agreed that the review should be managed by the Scrutiny Programme Board due to the cross-cutting nature of the topic and the impact on a number of areas such as health, young people, trading standards, licensing, anti-social behaviour and community safety.

Due to the enormous breadth of the topic, it was agreed to focus on specific areas, concentrating particularly on those issues which are within the direct responsibility of the Council. The Panel Members proposed that, due to the high profile and significance of excessive drinking among young people, the central focus of the review should be the “access to alcohol by young people in Wirral”.

The Scope Document for the review, attached as Appendix 1 to this report, was agreed by the Scrutiny Programme Board in January 2010. It was agreed that the review would concentrate on the following issues:

- What is the impact of alcohol on young people in Wirral?
- What is the impact of young people drinking alcohol having on other residents of Wirral?
- What is already being done to enable young people to make good choices regarding alcohol?
- What are the key issues relating to access and availability: Where? Price? Promotions?
- What restrictions of access to alcohol exist at present?
- What additional restrictions of access are available and which have been successfully used elsewhere?
- Can Council policies be sensibly amended relating to the access and availability of alcohol, particularly with respect to young people?

The Panel commenced work in attempting to find answers to these questions.



## **5. METHODOLOGY FOR THE REVIEW**

The Panel has employed a number of methods to gather evidence.

### **5.1 Meetings / Visits with Officers**

A series of individual meetings has taken place at which the Panel Members could discuss relevant issues with key Officers from each of Wirral Borough Council, Wirral NHS (PCT), Wirral Drug and Alcohol Action Team (Wirral DAAT) and Merseyside Police. Those interviewed during the course of the review were:

#### Wirral Drug and Alcohol Action Team (DAAT)

Terry White (Young Persons Programme Manager)

Gary Rickwood (Manager, Wirral DAAT)

Bev McAteer (Wirral Alcohol Strategy Manager)

#### Wirral Borough Council

John Malone (Manager, Trading Standards)

Margaret O'Donnell (Manager, Licensing)

Pat Rice (Head of Response, Children & Young Peoples Department)

Donna Callaghan (Young Persons Alcohol Intervention Worker, Response, Children & Young People Department)

Steve McGilvray (Community Safety Team)

#### Wirral NHS

Sue Drew (Deputy Director of Public Health)

Mindy Rutherford (Alcohol Programme Manager)

Anne Tattersall (Head of Health & Wellbeing, Children and Young People)

#### Merseyside Police

Sgt Dave Peers (Licensing Sergeant)

Sgt Simon Barrigan (Community Engagement Officer)

#### Third Sector

Carol Gillam (a worker from the Life Education Wirral Caravan)

### **5.2 Panel Members' visits with Outreach Workers**

During the review, each of the Panel Members undertook visits to street locations, parks and some youth clubs in order to engage directly with young people who were most likely to consume alcohol. Each of the members produced a short report, identifying relevant issues. These reports are attached as Appendix 2 to the main report.

### **5.3 Written Evidence**

Written evidence was received from a variety of sources. Details are shown in Appendix 3 to this report.

## 6. EVIDENCE AND RECOMMENDATIONS

### 6.1 Alcohol Consumption in Wirral

#### 6.1.1 The Scale of the Problem in Wirral

The World Health Organisation categorises alcohol use disorders into three categories:

- Hazardous drinking: people drinking above recognised ‘sensible’ levels (14 units a week for females or more than 21 units a week for males) but not yet experiencing harm
- Harmful drinking: people drinking above ‘sensible’ levels and experiencing harm
- Alcohol dependence: people drinking above ‘sensible’ levels and experiencing harm and symptoms of dependence

The ‘Joint Strategic Needs Assessment’ for Wirral, produced by Wirral NHS for 2009/10, estimates that in the 16+ age range, there are:

- 57,220 drinkers or 22.7% of the 16+ population who are categorised as ‘hazardous’
- 16,500 drinkers or 6.6% of the 16+ population who are categorised as ‘harmful’
- 11,852 drinkers or 4.6% of the 16+ population who are categorised as ‘dependent’

Therefore, the total number of adults (16 years+) estimated to have an alcohol use disorder in Wirral is approximately 74,000. Furthermore, it is estimated that alcohol dependence is higher in younger age groups, with in excess of 2,000 young people in the 16 to 19 age range who are dependent drinkers, with a further 2,400 in the 20 to 24 age range.

Another measure of the impact of alcohol is National Indicator 39 (NI39), which is defined as “The rate of alcohol related hospital admissions per 100,000 of the population over the age of 18”. Table 1 displays NI39 statistics for Wirral alongside a number of geographical neighbours. As can be seen, the rate of alcohol-related admissions in Wirral is currently third highest relative to the comparators; Liverpool plus Halton & St Helens being higher.

**Table 1: Alcohol related admissions to hospital per 100,000 of the adult population – historical and geographical neighbour comparisons**

PCT Name	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
Knowsley	1595	1726	1810	1985	2177	2480	2607	2803
Sefton	1215	1299	1413	1671	1771	1939	1999	2338
<b>Wirral</b>	<b>1261</b>	<b>1374</b>	<b>1630</b>	<b>1856</b>	<b>2196</b>	<b>2384</b>	<b>2427</b>	<b>2428</b>
Liverpool	1699	1833	1992	2330	2642	2613	2853	3125
Halton and St Helens	1667	1833	1804	1842	1963	2144	2399	2528
Western Cheshire	1031	1147	1262	1377	1518	1585	1667	1864
Central and Eastern Cheshire	983	1087	1180	1441	1550	1498	1611	1746

*Source: NHS Information Centre data released on 7<sup>th</sup> October 2010, as presented in the report of the Director of Public Health, ‘Alcohol related admissions to hospital’, to Wirral Council Health and Wellbeing Overview and Scrutiny Committee, 1<sup>st</sup> November 2010*

The performance of Wirral NHS is measured against a trajectory or target figure, whereby an estimate is calculated for future years. It is noteworthy that, relative to the trajectory figure, Wirral has performed well in 2008/9 and again in 2009/10. In the year 2009/10, the NI39 target rate was 2,762 admissions per 100,000 of the adult population. The actual rate was 2,428. This may well suggest that the work being done through the Wirral Alcohol Harm Reduction Strategy is having a positive impact. The report of the Director of Public Health, 'Alcohol related admissions to hospital', to Wirral Council Health and Wellbeing Overview and Scrutiny Committee, 1<sup>st</sup> November 2010, states that **“the average cost of an admission to hospital is approximately £1,200”. Therefore, based on that figure, an estimated cost of 2,428 admissions per year is approaching £3million to the NHS.**

Although this Scrutiny Review has primarily investigated the implications of alcohol for young people, it is worth noting that The Local Alcohol Profiles for England (LAPE), published by the North West Public Health Observatory in September 2010 ranked Wirral as having the poorest record in England for alcohol-specific hospital admissions among women. Professor Mark Bellis, Director of the Observatory is quoted:

“The price we pay for turning a blind eye to the real extent of alcohol abuse across England is reflected in the new Local Alcohol Profiles for England and it is a price that is paid especially by the poorest communities”.

Given the data for the adult population, it is, therefore, perhaps not surprising that Wirral records high level of alcohol misuse among young people too. The Local Alcohol Profiles for England (LAPE), published by the North West Public Health Observatory in September 2010 ranks Wirral as 323 out of 326 local authority areas for alcohol-specific hospital admissions for under-18s (with a rank of '1' being the best performer in the country). Only the Local Authority areas of Copeland, Halton and Liverpool are ranked below Wirral. However, as with the analysis of all-age alcohol-related hospital admissions discussed above, the rate of reductions for young people since 2006/7, reported in Table 4 below, is very welcome.

**Table 2: Hospital admissions for alcohol-specific conditions among young people in Wirral, North West and England – 2009/10**

Age 0 – 17	Rate per 100,000 population		
	Wirral	North West average	National average
Total	<b>158*</b>	109	65

\*Wirral's national rank = 323 out of 326

Source: North West Public Health Observatory (NWPHO)- Local Alcohol Profiles for England (LAPE)

**Table 3: Hospital admissions for alcohol-specific conditions among young people (0 – 17) in Wirral and neighbouring authorities – 2009/2010**

Local Authority Area	Rate per 100,000 population (Age 0 – 17)		Local Authority Area	Rate per 100,000 population (Age 0 – 17)
Cheshire East	98.2		Sefton	132.7
Cheshire West	88.9		St Helens	132.4
Halton	165.8		Warrington	111.6
Knowsley	136.1		<b>Wirral</b>	<b>158.4</b>
Liverpool	168.6			

Source: North West Public Health Observatory (NWPHO)- Local Alcohol Profiles for England (LAPE)

**Table 4: Hospital admissions for alcohol-related conditions among young people (0 – 17) in Wirral – Historical trend analysis**

Year	Wirral rate per 100,000 population
2006/7	181.9
2007/8	161.8
2008/9	144.6
2009/10	128.5

Source: Wirral DAAT – Young People’s Specialist Substance Misuse Needs Assessment 2009/2010 and the Hospital Episode Statistics, NHS Wirral

It is worth noting that the data shown in Table 3 (LAPE – North West Public Health Observatory) and in Table 4 (Hospital Episode Statistics, Wirral NHS) are not consistent in terms of the actual figure shown for Wirral. This is due to differing criteria that are used to compile the data. It would clearly be advantageous to have a standard form of data collection, an issue that is now under review by Wirral DAAT.

At a national level, an ICM poll conducted in August 2010 on behalf of the alcohol awareness charity, Drinkaware, found that, of 2,000 young adults aged 18 to 24, 36% of those questioned went out drinking with the specific intention of getting drunk. The survey also found that one in three young adults thought that it was acceptable to wake up without knowing how they got home after a drinking session and one in 25 believed it was acceptable to end up in hospital.

The Wirral Joint Strategic Needs Assessment (JSNA) reports the results of the School Health Education Unit Survey (SHEU), which provides information about alcohol use amongst young people and was gathered during the summer term in 2008. The survey involved 2,054 Year 8 and Year 10 pupils across ten Wirral schools. Key findings include:

- 94% of Year 10 girls have ever drunk alcohol compared to 86% of males; Year 8 boys are least likely to have ever drunk alcohol (76%).
- 16% of the sample report regular drinking (at least once per week). This includes 7% who drink enough to get drunk once a week and 2% who get drunk enough to be sick once a week.
- 33% of the sample had an alcoholic drink in the week preceding completion of the survey. This is in line with the national figure for schools completing the survey in the Spring/Summer terms.
- Of those who had an alcoholic drink in the last seven days, over half (53%) had been drunk on at least one day.
- 23% said they would probably give in and drink alcohol if at a party and encouraged to by friends. This was highest for Year 10 boys (27%).

Tellus4 is a survey of children and young people across England which asks for their views about their local area, and includes questions covering the five ‘Every Child Matters’ outcomes. The most recent survey for which data is available was undertaken in Wirral in 2009 and assessed the views of a combination of Year 6, 8 and 10 pupils. With regard to views on alcohol, the responses for Wirral, with national and statistical neighbour comparators, were as follows:

**Table 5: Results of the Tellus4 survey regarding pupil attitudes to alcohol consumption, 2009**

**Table 5a**

Response	Wirral (%)	National (%)	Statistical neighbours (%)
Have you ever had an alcoholic drink – a whole drink not just a sip?			
Yes	49	42	47
No	44	51	46
I don't want to say	7	7	7

Source: Tellus4 survey results for Wirral, 2009

**Table 5b**

Response	Wirral (%)	National (%)	Statistical neighbours (%)
In the last four weeks, how many times have you been drunk?			
None / never had an alcoholic drink	63	68	65
Once	7	6	7
Twice	5	4	5
Three or more times	7	5	6
Don't want to say	9	8	9
Don't know / can't remember	3	2	3
I have never been drunk	6	6	6

Source: Tellus4 survey results for Wirral, 2009

Within Wirral, alcohol workers report that the hotspots for young drinkers include Seacombe, Wallasey, Birkenhead and Rock Ferry. However, a senior alcohol worker did comment that, regarding alcohol misuse among young people:

“The problem is everywhere; it is not about social class or geographical area”.

### 6.1.2 The Consequences of Young People Drinking

A publication ‘What is the scale of the alcohol problem in Merseyside?’, produced in 2009 by the Centre for Public Health at Liverpool John Moores University estimated the following consequences of alcohol consumption for the United Kingdom:

- 530,000 hospital admissions
- 331,248 recorded violent crimes
- 6,514 sexual offences
- 40,940 incapacity benefits claimants
- £20billion cost to the economy in the UK

Stark evidence of the impact of alcohol on young people in Wirral is available from the Joint Strategic Needs Assessment document which states that, in the period between 2001 and 2008, there were 131 deaths of young people in the 16 to 24 age range. Of that total, 26 were specified as alcohol related deaths. “Mortality of cohorts younger than 40 years of age are related to bouts of heavy / binge drinking and end in acute consequences such as accidents rather than chronic conditions”.

Data regarding alcohol-related hospital admissions of young people under the age of 18 are detailed earlier in this report (see Section 6.1.1 – ‘The Scale of the Problem in Wirral’). As stated, the Local Alcohol Profiles for England (LAPE), published by the North West Public Health Observatory in September 2010 ranks Wirral as 323 out of 326 local authority areas for alcohol-specific hospital admissions for under-18’s (with a rank of 1 being the best performer in the country).

A recent study conducted by the charity Alcohol Concern found that, between 2002 and 2007 alcohol-related hospital admissions for under-18s increased by 32%. The report, ‘Right time, right place: Alcohol-harm reduction strategies with children and young people’, estimates that an average of 36 children a day are admitted to hospital for alcohol related conditions. Among the recommendations of that report are requests for earlier identification of young people engaged in “risky” drinking such as young people attending A&E or getting into trouble with the Police for alcohol, so they can access information, advice and support.

An innovative response to the level of alcohol-related hospital admissions among young people has been the introduction of an Alcohol Worker who delivers targeted interventions to young people who misuse alcohol. This worker takes referrals from across Wirral including the Police, schools and parents, as well as attending A&E at Arrowe Park on a Friday evening to offer advice and support, particularly to the parents / carers of young people who have been drunk. This intervention can result in referrals and home visits. The service is managed by the Youth Service’s Response team. There have been 356 alcohol-related hospital admissions of young people to Arrowe Park in 2009/10. The largest group to receive this service is 13 to 16 year-olds in Children’s A&E. Those aged 16 and over are admitted to Adult A&E. For those young people who are admitted to Children’s A&E, the vast majority of parents / carers are in attendance, which provides the opportunity to engage with them. The Alcohol Worker post has been funded through Wirral Drug and Alcohol Action Team (DAAT), supported by funding from the Area Based Grant and Wirral NHS. It provides an excellent example of the partnership working that has been delivered through the Alcohol Harm Reduction Strategy. It is also an example of the early identification of young people that is recommended in the Alcohol Concern report, ‘Right time, right place’.

In terms of long-term health consequences, a manager of the alcohol programme remarked that: “The rate of increase for cirrhosis of the liver among young people is going through the roof. Much of the access to alcohol is through adults getting it from shops for the young people. There are no consequences for the adults”.

#### **RECOMMENDATION 1    Alcohol-related hospital admissions**

**All agencies, including Wirral DAAT, are encouraged to ensure that the excellent advice services currently available to support young people who are subject to alcohol-related hospital admissions are continued and, if necessary, expanded.**

With regard to the impact of alcohol on the levels of crime and anti-social behaviour, it is generally understood that not all incidents come to the attention of agencies and are, therefore, unrecorded. However, Arresting and Custody Suite officers are able to identify those young people who they believe to be under the influence of alcohol. Therefore, an estimate can be given of the number of young people who have been arrested where alcohol has been a factor in that arrest. Table 6 shows the number of such arrests:



**Table 6: Number of arrests of young people (under 18 years of age) in Wirral, who were reported to be under the influence of alcohol 2009/2010**

Year	Number of arrests
2006 – 2007	137
2007 – 2008	131
2008 - 2009	257

*Source: Report of the Director of Regeneration, 'Young People and Community Safety', to Wirral Council Sustainable Communities Overview and Scrutiny Committee, 18<sup>th</sup> November 2009*

As with the Alcohol Intervention worker who works closely with Arrowe Park hospital, in the case of alcohol-related hospital admissions, a similar approach has been implemented for the arrest of young people. The Young Persons Alcohol Intervention Programme (YAIP) provides a full-time youth worker who operates in partnership with Merseyside Police and the Youth Offending Service (YOS) and the service is managed by the Youth Service's Response team. Funding for the YAIP, provided by Wirral NHS, is available until 2013. The strategy of the YAIP is to provide a graded response relevant to the seriousness of the initial incident.

When young people are picked up, it may result in them being taken to A&E, arrested, given a warning or taken to a place of safety. The worker provides support to those young people who have been arrested by the Police for an alcohol-related offense. Interventions take place with family members and young people in an attempt to prevent repeat arrests and a reduction in alcohol consumption. Initially, the YAIP provided interventions to those young people who were arrested or stopped by the Police for alcohol-related issues or offenses. However, due to the low number of referrals from the Police for 'Stop' incidents, it was decided in June 2010 to continue with referrals only in the case of arrests.

With regard to the YAIP project, a manager of the alcohol programme told the Members' Panel that: "The YAIP helps to coordinate a programme of work to target young people on the streets and is seen as a model of good practice".

While another commented that:

"The YAIP has been very successful at providing interventions for young people who have been arrested or stopped by the Police for an alcohol-related offence".

The YAIP provides a link between the enforcement action taken by the Police and the support / intervention services which can prevent or reduce the possibility of repetitive behaviour in the future. The apparent success of the project may be due to the double-headed role with the Police providing a fear of arrest running alongside the educational aspects of the programme. The education involves messages regarding the impact of alcohol on health, risky behaviour, the increased risk of violence or sexual behaviour and so on. However, it is essential that, for the YAIP to prosper in the future, information regarding arrests must be passed quickly to Response and, wherever possible, shared data should be used. Under these circumstances, more effective interventions may be expected. Another key issue for the future of the programme is to ensure that there is more effective work and engagement with parents and carers.

A further issue is the anti-social behaviour which excessive drinking generates, much of which goes unreported to the Police. Considerable investment has been made by Wirral Borough Council through the Community Safety Unit and the Anti-Social Behaviour Team in order to combat the impact on communities. Further consequences of young people drinking were seen by Panel Members during their visits with the Outreach Workers. There was evidence of young people aged 12 years old who

were drunk in local parks at 8.30 in the evening. It was noticeable that there were younger girls (who were drunk) in the company of older boys. Indeed, a survey of 13,000 young people aged between 14 and 17, undertaken by Trading Standards North West in 2009 revealed that one in six teenagers regretted having sex after drinking. The impact of risky behaviour can be demonstrated starkly by a case in Wirral where a group of young people were drinking heavily and concluded in a young teenage girl being raped. An officer remarked:

“The consequence is two wrecked families”.

## **6.2 The Legislative Framework**

Licensing for the sale of alcohol is currently governed by the Licensing Act 2003, which became law in November 2005. Since the Coalition Government was formed in May 2010, responsibility for licensing law relevant to the sale of alcohol (and the Licensing Act 2003) has moved from the Department of Culture, Media and Sport to the Home Office. Consequently, the Home Office began a review with a formal consultation document, ‘Rebalancing the Licensing Act’, being formally launched by the Home Office in July 2010, with the intention to review the Licensing Act of 2003. Subsequently, the Police Reform and Social Responsibility Bill has been introduced to the House of Commons on 30 November 2010.

On taking office, the Coalition Government’s programme on alcohol, as outlined by the Home Office, included commitments to:

- overhaul the Licensing Act 2003 to give local authorities and the Police much stronger powers to remove licences from, or refuse to grant licences to, any premises that are causing problems
- allow councils and the Police to shut down permanently any shop or bar found persistently selling alcohol to children
- double the maximum fine for underage alcohol sales to £20,000
- permit local councils to charge more for late night licences to pay for additional policing
- ban the sale of alcohol below cost price
- review alcohol taxation and pricing to ensure it tackles binge drinking without unfairly penalising responsible drinkers, pubs and important local industries

Some of these and other proposals form the basis of the Government’s Police Reform and Social Responsibility Bill. It is, therefore, reasonable to assume that most or all of these measures will become law at some stage in the future. Under the provisions of the 2003 Licensing Act there is a basic presumption in favour of granting an application for a licence to sell alcohol. In turn, this makes it difficult for Local Authorities to refuse applications. The Government’s consultation document and subsequent Bill proposes to alter the emphasis of the law whereby Local Authorities will be given more flexibility to decline or revoke a licence.

Among the provisions of the Police Reform and Social Responsibility Bill, the Government has signalled its intention to make provisions which include the following:

- Overhaul the Licensing Act 2003 to give local authorities and the Police much stronger powers to remove licenses from, or refuse to grant licenses to, any premises that are causing problems by:
  - giving licensing authorities the power to refuse licence applications or apply for a licence review without requiring relevant representations from a responsible authority. This will help licensing authorities to pro-actively target irresponsible businesses.
  - lowering the evidential hurdle for licensing authorities when making licensing decisions by requiring that they make decisions which are ‘appropriate’ rather than necessary for the



promotion of the licensing objectives. This will help ensure that licensing authorities are able to better reflect the needs of the local area.

- increasing the opportunities for local residents or their representative groups to be involved in licensing decisions by removing the requirement to show vicinity. This means that any person, body or business will be able to make a relevant representation, regardless of where they live.
- Enable more involvement of local health bodies in licensing decisions by designating Primary Care Trusts (PCTs or their future equivalents) in England as a responsible authority.
- Amend the Statutory Guidance to make it clear to licensing authorities that there should be a presumption that all reasonable recommendations from the Police should be accepted unless there is clear evidence to the contrary.
- Amend the Statutory Guidance to require licence applicants to give further consideration to the interests of the local community when setting out the steps they will take to promote the licensing objectives.
- Local Authorities will be permitted to charge a late-night levy to pay for policing the night-time economy and other services related to the consequences of alcohol on the night-time economy. The levy will be set at a national level and will be an annual charge. However, local authorities will be able to specify the hours (between midnight and 6.00am) during which the levy will apply.

However, on the issue of banning below cost sales, it worth noting that the Government has stated in the document 'Responses to Consultation: Rebalancing the Licensing Act', that "We are committed to taking forward proposals to implement the ban on sales below cost without delay; however they will not form part of the Police Reform and Social Responsibility Bill". It is, therefore, currently unclear how the issue of alcohol pricing will develop in the future. Section 6.4.3, later in this report, investigates the issue of minimum pricing further.

With specific regard to 'Protecting Children from the Harm of Alcohol', the Government's consultation document stated that "Despite the growing problem of children's alcohol misuse and the increasing impact on public services, not enough has been done at the local level to limit the availability of alcohol to children. The current powers do not go far enough to prevent selling alcohol to children. Although pupils' access to alcohol is typically by being given it by friends or parents, about half of pupils who have ever drunk also say that they do buy alcohol, despite being well below the age when they can legally do so". It is the Government's intention to take tougher action to penalise those premises found to be persistently selling alcohol to children. Currently, if a licence holder pleads not guilty to persistent underage selling and is prosecuted, they can face a fine of up to three months suspension of their alcohol licence.

At a national level, in 2008 there were nine prosecutions with four fines issued. The average fine issued was £1,713. However, as an alternative to prosecution, the Police can give the licence holder the option to voluntarily accept a 48 hour closure notice. The 48 hour suspension of alcohol sales was given 54 times in 2008/09. In addition, the Police can ask the licensing authority to review the licence. The Police Reform and Social Responsibility Bill therefore proposes to increase the maximum fine to £20,000 and to provide for a longer period for closure notices, with a minimum of 48 hours and a maximum closure period of two weeks. The Government is also proposing to amend the statutory guidance to encourage licensing authorities to review licenses of all premises found to be persistently selling alcohol to children.

Indeed, during this Scrutiny Review, prior to the launch of the Government's consultation document, the frustration of some of the professionals involved in delivering the Wirral Alcohol Harm Reduction Strategy was summarised by the comment:

"What is needed is for the Government to give Local Authorities the tools to do the job".

In fact, there are organisations who go further than the proposals laid out in the Government's Police Reform and Social Responsibility Bill. As an example, the British Medical Association has called for a ban on all alcohol advertising, including sports and music sponsorship as well as an end to cut-price deals on alcohol. The cost to the NHS for treating injury and illness linked to alcohol has been estimated to be anything up to £3billion a year. It is of interest to note that the Alcohol Bill recently put before the Scottish Parliament includes provisions for a ban on irresponsible drink promotions at off licences, an introduction of a "social responsibility fee" on retailers who sell alcohol while licenced premises will also be required to operate an age verification policy based on the age of 25.

Beyond legislation, there have been government guidelines on alcohol for adults for many years. They say that men should drink no more than three-four units per day and women two-three units. However, it wasn't until December 2009 that the Chief Medical Officer for England and Wales, Sir Liam Donaldson, issued guidelines on alcohol for under-18s and their parents. The 'headlines' of the guidance says:

- Children and their parents and carers are advised that an alcohol-free childhood is the healthiest and best option. However, if children drink alcohol, it should not be until at least the age of 15 years.
- If young people aged 15 to 17 years consume alcohol, it should always be with the guidance of a parent or carer or in a supervised environment.
- Parents and young people should be aware that drinking, even at age 15 or older, can put your health at risk and that not drinking is the healthiest option for young people. If 15 to 17 year olds do consume alcohol, they should do so infrequently and certainly on no more than one day a week. Young people aged 15 to 17 years should never exceed recommended adult daily limits and, on days when they drink, consumption should usually be below such levels.
- The importance of parental influences on children's alcohol use should be communicated to parents, carers and professionals. Parents and carers require advice on how to respond to alcohol use and misuse by children.
- Support services must be available for children and young people who have alcohol-related problems and their parents.

The consequences of the legislative framework can be demonstrated by the comments of a manager:

"There are a number of dimensions resulting in the number of alcohol-related hospital admissions being a significant problem in Wirral. Three key issues are Price, Promotion and Availability".

## **RECOMMENDATION 2   Legislative framework**

**Wirral Council Cabinet is encouraged to lobby the Home Office for changes in the law aimed at reducing the supply of alcohol to young people by:**

- limiting the promotion of the sale of alcohol, for example, through 'happy hours'**
- restricting the use of alcohol as a 'loss leader' by supermarkets and other retail outlets**
- reducing the promotion of alcohol through advertising**
- reducing the scale of proxy sales by imposing greater fines on those purchasing alcohol on behalf of under-age drinkers**

## 6.3 Strategy and Resources

### 6.3.1 The Wirral Alcohol Harm Reduction Strategy

The current Wirral Alcohol Harm Reduction Strategy was launched in 2007 to cover a period up to and including 2010. The three priorities of the existing strategy (2007-10) are:

- Young People's Alcohol Misuse
- Alcohol Related Identification and Treatment
- Alcohol Crime, Disorder and Communities

The implementation of the overall strategy is coordinated by Wirral DAAT (Drug and Alcohol Action Team) in conjunction with a number of key partners in a multi-agency collaboration. However, with specific regard to the delivery of the element relating to young people, the Children and Young People Department of Wirral Borough Council plays a major strategic role. The Strategy document recommended the delivery of 10 action points regarding young people. The actions, relevant to 'Young People's Alcohol Misuse' were documented in the original strategy document along with those partner organisations responsible for the delivery of that action point in the strategy:

**Table 7: Wirral's Alcohol Harm Reduction Strategy 2007-2010: Identified Actions related to 'Young People's Alcohol Misuse'**

	ACTION	RESPONSIBLE PARTNER ORGANISATION
1	To ensure that young people, families, carers and professionals are provided with clear accessible information and education, to allow them to make informed choices about alcohol	Children's and Young Peoples Department - Response, Youth Service, Anti Social Behaviour Team Churches Action on Substance Misuse, Connexions, Voluntary and Community Sector
2	To increase the number of professionals trained to address alcohol misuse amongst young people	Children's and Young Peoples Department - Response, Youth Service, Youth Offending Service
3	To tackle, address and reduce alcohol related 'youth' anti-social behaviour	Wirral Joint Community Safety Team, Children's and Young Peoples Department – Response and Wirral Outreach Team, Youth Offending Service
4	To reduce the rate of alcohol related under 18 years teenage conceptions and Sexually Transmitted Infections (STIs)	Wirral Primary Care Trust - Public Health, Children's and Young Peoples Department
5	To reduce admission and re-admission rates amongst young people presenting at Wirral Hospital Trust as a consequence of alcohol misuse	Wirral Hospital Trust, Children's and Young Peoples Department – Response, Child and Adolescent Mental Health Service, Wirral Primary Care Trust – Public Health
6	To improve access into alcohol interventions and specialist alcohol programmes for young people	Children's and Young Peoples Department – Response, Child and Adolescent Mental Health Service, Youth Offending Service Wirral Alcohol Service
7	To secure compliance with relevant legislation within the licenced trade and promote the licensing objectives with a focus on young people and alcohol misuse	Wirral Trading Standards, Wirral Primary Care Trust – Public Health, Connexions

*Continued...*

	ACTION	RESPONSIBLE PARTNER ORGANISATION
8	To address alcohol misuse amongst young people within Criminal Justice settings	Youth Offending Service, Merseyside Police, Wirral Joint Community Safety Team
9	To engage more young people in diversionary activities as an alternative to misusing alcohol	Sport and Recreation, Wirral Borough Council, Wirral Primary Care Trust – Public Health, Children’s and Young Peoples Department – Youth Service, Connexions
10	Develop and implement a multi partnership performance management framework to measure and monitor alcohol misuse amongst young people	Wirral Drug and Alcohol Action Team, National Treatment Agency, Government Office North West, Wirral Joint Community Safety Team

*Source: Wirral’s Alcohol Harm Reduction Strategy 2007 – 2010*

Key to the Strategy is a recognition that long-term success is likely to rely on both a reduction in the supply of alcohol to young people as well as a decrease in the demand for alcohol among some young people by changing their behaviour patterns. A third aspect of the action plan is an understanding of the need to tackle some of the negative outcomes that arise from alcohol consumption among young people. Indeed, a manager responsible for one of the teams delivering the Action Plan commented that:

“It is important that there are activities aimed at young people but there is also a need to stifle the supply of alcohol too”.

Before adding that:

“The issues for Wirral are consistent with other areas. However, without the hard work and effort put into reducing alcohol consumption amongst young people, Wirral could be in a lot worse position”.

Within the context of Wirral, it is also important to note that ‘Tackle alcohol harm’ is a Priority for Improvement in the Council’s Corporate Plan for 2010/11 and an Aim for 2008 – 2013. It is hoped that this will result in the subject of alcohol and young people remaining high among the priorities of the Council.

It is also worth noting that the current version of Wirral’s Alcohol Harm Reduction Strategy ends in 2010. A new strategy is currently in the process of being developed. The original planned launch was due in autumn 2010. However, it has been decided to delay the publication until 2011 due to the amount of change that is underway in the form of new Government strategy, Home Office consultation on licensing policy and the increasing interest in the proposal for minimum pricing of alcohol. It is intended that the same three priorities will be the focus for, and inform the structure of, the new strategy, namely:

- Young People
- Identification and Treatment
- Crime, Disorder and Communities

### **RECOMMENDATION 3    Wirral Alcohol Harm Reduction Strategy as a Council priority**

**It is recognised that ‘Tackle alcohol harm’ is a priority for Improvement in the Council’s Corporate Plan for 2010/11 and an Aim for 2008 – 2013. Given the statistical evidence of alcohol harm in Wirral, the Cabinet is encouraged to ensure that alcohol misuse remains a priority among the Council’s objectives for the foreseeable future. Financial support for the service should follow its recognition as a priority service.**

### 6.3.2 Multi-agency Working

As can be seen from the previous section, multi-agency working is a cornerstone on which the delivery of the Wirral Alcohol Harm Reduction Strategy is built. Examples of partners working together constructively have been very impressive throughout this Scrutiny Review process. Wirral Drug and Alcohol Action Team (DAAT), an organisation that has now existed for twelve years, is integral to the partnership. Partnership working in Wirral is seen to be very successful due to the active input of all of the partners. There has been a consistent high level of co-operation, first on drug use and, more latterly, on alcohol misuse. Historically, the major focus for Wirral DAAT was drug usage. However, during the last five years, the focus for Wirral DAAT has been increasingly on alcohol misuse. It is now estimated that fifty percent of young people who receive support from DAAT is for alcohol-related issues.

Two examples of the partnership working were detailed in Section 6.1.2 of this report in the form of the Response's alcohol worker attending A&E at Arrowe Park on a Friday evening as well as the YAIP project (Young People's Alcohol Intervention Programme), in which Merseyside Police and Response work together closely. Operation Stay Safe, tackling the issues of young people, alcohol and anti-social behaviour provides another example of Merseyside Police working alongside the Council's Community Safety team. Operation Stay Safe has been a multi-agency operation removing young people at risk from the streets to a place of safety and after school Police patrols. A further example is provided by the partnership between Merseyside Police and Wirral Council's Anti-Social Behaviour Team, which sees a dedicated patrol of Police officers specifically focused on removing alcohol from young people, under the title 'Confiscation Cops'. This initiative, which has operated at peak times particularly during the summer months, has targeted hot-spot locations of alcohol fuelled anti-social behaviour, identified by analysis of Police and partner data which includes calls from the public.

The level of positive multi-agency working is impressive. Nevertheless, separate management structures and physical locations can very easily create unintentional barriers. It is, therefore, worth noting that the Coalition Government's stated intention to transfer public health to Local Authorities may mean that, in the longer-term, opportunities could arise to consolidate some of the reporting structures to provide an even more focused unit.

#### **RECOMMENDATION 4 Multi-agency working**

**Wirral Council Cabinet is invited to congratulate all of the agencies and staff involved in the delivery of the Wirral Alcohol Reduction Strategy. Although much progress remains to be made in tackling the problem of alcohol misuse in Wirral, the impressive partnership working already in place, provides a firm foundation for future progress. The Outreach Workers are among the key front-line staff who engage directly with young people and are responsible for the delivery of the Alcohol Harm Reduction Strategy. In the current difficult financial circumstances for public services, the protection of the front-line staff should be recognised as a priority in the onward delivery of the strategy. The approach of strong multi-agency working should continue to be supported in the future.**

### 6.3.3 Future Funding

As with many areas of the public sector, uncertainty over future funding and organisation is currently a significant issue for those involved in the provision of alcohol services. There is a degree of concern regarding the impact of the likely removal of Wirral NHS (PCT). In the past, a significant amount of



core funding has come via Wirral NHS for both drug and, more latterly, alcohol services. In addition, Wirral has received substantial direct grants, ring-fenced specifically to fund drug treatment services. The level of this funding has grown over the past three years, determined by Wirral's past success at getting high numbers of drug users into treatment.

In recent years, much of this increase in funding has been used to develop services to support people out of treatment and help them avoid relapse. These services have been available to work with those recovering from both drug and alcohol misuse, so the drug funding has indirectly supported the alcohol programme in this vital area.

As the GP Commissioning role is developed, it is not yet clear whether drug and alcohol provision will be commissioned on a central basis and, if so, by whom. The future of the previously ring-fenced drug budgets is also not known and this too has major implications for the alcohol programme.

A manager working within the alcohol programme summarised some of these concerns:

"It is important that alcohol remains a priority in the Young People's Plan. If the Area Based Grant funding is diverted elsewhere (now that it is no longer ring-fenced), there is a danger that alcohol will not be seen as a high priority. In addition, alcohol also impacts on other areas of priority, for example, teenage pregnancy. Currently, both the NHS and the Police regard alcohol as a priority area. There is a risk that, if funding cannot be secured, the services available will be impacted".

Although the NHS proportion of the funding (£194,000) to deliver the alcohol element of the Wirral Prevention Plan is in place until 2013, due to the extensive multi-agency involvement in the alcohol programme, funding has been provided from a number of different sources, often covering relatively short time periods. This does not promote long-term stability in service provision. In the future, budgeting over a more extensive timeframe would enable more long-term planning for the delivery of the service. As can be implied from the previous section, due to the extensive multi-agency involvement in the alcohol programme, funding has been provided from a number of different sources, often covering relatively short time periods. The manager continued:

"We need a sense of being able to plan long-term in order to have the ability for the work to be continued.

It is important to establish the true cost of providing alcohol services. In order to do so, there is need to recognise that the preventative work on alcohol is an investment as savings are made further down the track. In terms of estimating and measuring the savings achieved in the long-term by preventative work, NI39 is the national indicator that measures a reduction in hospital admissions. Although this data is available for Wirral, in addition, research is available at a national level. As an example, based on figures obtained by Alcohol Concern relating only to ambulance call-outs, hospital admissions and visits to emergency departments by young people under the age of 18, the total estimated cost to health services is almost £19million per annum. The Alcohol Concern report, 'Right time, right place' therefore concludes that:

"In order to reduce this financial cost health services need to move collaboratively from simple 'response' towards prevention, working in partnership with local specialist services where possible".

It is this type of partnership working, delivered locally through the Wirral Alcohol Harm Reduction Strategy, that provides the long-term opportunity for these costs to be driven-down locally.

**Table 8: Estimated cost of underage drinkers to primary health care services 2007/8**

	Annual alcohol-related incidents	Average cost per incident	Total annual costs
Ambulance call-outs	23,254	£198	£4,604,292
Hospital admissions	14,501	£532	£7,714,532
Emergency Department attendances	64,750	£100	£6,475,000
Estimated Total Cost: £18,793,824			

*Source: Alcohol Concern Report, 'Right time, right place', October 2010*

### **RECOMMENDATION 5 Funding**

**In the past, the alcohol harm reduction services have been provided from a variety of short-term funding streams. This does not promote long-term stability in service provision. In the future, Cabinet is urged to promote long-term planning for the delivery of service by encouraging budgeting for the service over a longer time-frame.**

#### **6.3.4 Performance Management**

Although other Performance Indicators have been used in the past, the only indicators provided by Wirral Borough Council currently in place specifically regarding alcohol are the following:

- NI20 Number of “assaults with less serious injury” (including racially and religiously aggravated) offences per 1,000 population as a proxy for alcohol related violent offences
- NI39 Alcohol-harm related hospital admission rates
- NI115 The percentage of young people reporting either frequent misuse of drugs, volatile substances or alcohol in the Tellus survey
- L7031 Percentage of under-age sales of alcohol during test purchase exercises

Indeed, the data collected in support of these indicators has informed some of the analysis in this report. However, of these indicators, only NI115 and L7031 relate specifically to young people. As the “Tell Us” survey process has been withdrawn by the Coalition Government in September 2010, the requirement for Local Authorities to maintain NI115 data has also recently been removed and will not be updated in the future. Nevertheless, Children and Young People Department are currently devising a new method of capturing equivalent information in Wirral.

In addition, Wirral DAAT do report a number of performance indicators regarding specialist substance misuse treatment, although not specifically for alcohol misuse. Therefore, there are currently few performance indicators that appear to adequately measure the work exclusively done regarding young people and alcohol. As an example, one professional in the field commented:

“It is known that young people are committing serious violence offences, often with alcohol as a cause. However, without clear performance measures in place, it is very difficult to measure the success of specific programmes”.

The College of Emergency Medicine issued a Position Statement of Alcohol-related Harm in September 2010. While emphasising the harm attributable to alcohol, particularly those relating to short and long-term health, crime and disorder, the College noted that often the brunt fell on the ambulance service and emergency departments. As a result, the College urged policy-makers to take coordinated action to, among other activities, “improve data collection from emergency departments,

and sharing at a local level to inform and drive community action”. At a local level, an officer involved in this process commented:

“TIG information (trauma and injury) is recorded and made available to the Police. However, that information is only as good as the hospital staff are told”.

It is important that there is a process of measurement and performance monitoring in place to measure the outcomes of any programme or project. It is recognised that there is a cost associated with the collection of monitoring data and that the measurement of the outcomes of preventative work is not easy. However, specific measurements of some outcomes from the Alcohol Harm Reduction Strategy, and especially with relevance to young people, would enable the decision-makers to make better informed decisions. Otherwise, how does the Council (and other partners) know that funding is being spent effectively?

#### **RECOMMENDATION 6 Performance Management**

**Cabinet is urged to support the implementation of a series of performance indicators which will measure the outcomes of the Alcohol Harm Reduction Strategy, including the preventative aspects of the work and the impact on young people. Further development of suitable data-sharing arrangements among the partners, using a single set of data wherever possible, would be beneficial.**

### **6.4 Stifling the Supply of Alcohol to Young People**

A key element in the Alcohol Harm Reduction Strategy is to reduce the supply of alcohol to young people wherever possible. A senior manager in public health remarked that:

“Key issues regarding access to alcohol for young people relate to supermarkets and access to alcohol via adults”.

Both the Trading Standards and the Licensing Divisions at Wirral Borough Council play a key role in monitoring the framework within which businesses must operate.

#### **6.4.1 Trading Standards**

One recognisable problem is that of proxy sales on behalf of young people, whereby adults are organised as the “middle-man” to buy alcohol for young people. Indeed, a survey carried out in June 2010 on behalf of the charity, Drinkaware, found that nearly 36% of parents would give their 16 and 17-year-olds alcohol rather than them obtain it from an unknown source. A manager involved in the field in Wirral commented:

“Parents supplying young people with booze to get them out of the house is a significant problem”.

In general, ‘proxy buying’ is a serious problem and is often either conducted by:

- adults who are selected to buy for young people, for example, older brothers / sisters or neighbours
- adults who are randomly asked by young people

Work is done, alongside the Police, to identify those people involved in Proxy Sales Operations. However, ‘proxy buying’ is difficult to deal with as authority is required under the RIPA legislation (Regulation of Investigatory Powers Act) to enable a surveillance operation to be carried out. Local



evidence suggests that it is sometimes very difficult to obtain firm evidence of where the alcohol is from. Some young people will swap the carrier bags to throw the Police off the trail of the true source. Nevertheless, the Local Authority has undertaken a considerable amount of work to combat proxy sales.

One option available to combat the problem of under-age sales is that of 'test purchasing'. Volunteers, aged 15 or 16, can be used to conduct test purchases. However, evidence must be admissible in court. In addition, the volunteer young people must be kept safe. It is considered locally that the 'Test Purchasing' scheme has been a great success. In 2008, there were 184 Test Purchases carried out at off licences, of which 46 (or 25%) were failures. In the 12 months from April 2009 to April 2010, there were 175 Test Purchases carried out at off licences, of which 19 (or less than 10%) were failures. The scheme, therefore, appears to be working as shops are increasingly fearful of failing. The 'test purchasing' scheme relies on a close working relationship between Trading Standards and the Licensing Sergeant of Merseyside Police and is evidently a good example of successful partnership working. However, some obstacles to test purchasing are encountered. For instance, there may be particular off licences who will sell alcohol to young people who they know. Therefore, if young people who are unknown to the shopkeeper try to buy alcohol, the shopkeeper will become suspicious in case they are a test purchaser. In these circumstances, Test Purchasing is not successful. Nevertheless, a senior officer informed the review Panel that:

"In many ways, Wirral is seen as providing best practice, for example, in Test Purchasing".

The work of Trading Standards, however, is a combination of "carrot and stick". In addition to the enforcement action, the team is also involved in educating the owners / managers of off licences. It was reported that the vast majority of off licences are "on board with the process". Indeed, during 2009, over 180 off-licence staff received training and 46 advisory visits were carried out by the Trading Standards team. The education process encourages the off-licence operators to accept both their legal and moral responsibilities. Further activity undertaken by Trading Standards includes promoting the use of the PASS identification card to businesses so that young people can be requested to show their card when buying alcohol.

Additional resources have been provided for Trading Standards, which has enabled greater support / advice to be given to licenced premises. This financial support came initially from Wirral NHS and, more recently, from Wirral Council. This additional funding has been used specifically to enable more under-age sale detections.

#### **RECOMMENDATION 7    Trading Standards**

**The work of Trading Standards is considered an important element in combating the sale of alcohol to young people. An additional £40,000 was included in the 2010/11 budget of the Council to enable Trading Standards to continue tackling under-age sales of alcohol using a number of methods, including test purchasing, which had led to a reduction in sales to under-age young people. Cabinet is urged to retain that financial support.**

#### 6.4.2    Licensing

As a Licensing Authority, Wirral Borough Council is responsible for promoting the Licensing Objectives, which are:

- The prevention of crime and disorder
- Public safety

- The prevention of public nuisance
- The protection of children from harm

In relation to young people and the sale of alcohol, the Licensing team works closely with the Trading Standards team and with the Licensing team at Merseyside Police. In determination of a licence application, the primary principle to be used by the Licensing Authority is to determine each application on its own merits.

With specific regard to the sale of alcohol to young people, as of the first of October 2010, it is a legal requirement that all premises licenced to sell alcohol must have an “age verification” policy. Previously, premises, although encouraged to always ask for identification when selling alcohol to anyone who looked under the age of 21, were not legally required to do so. It is interesting to note that some localities, such as Blackpool, have been able to introduce a successful electronic ID scheme with the support of club owners. By contrast, it has not been possible to gain the support of the majority of club owners in Birkenhead and, therefore, a similar scheme has not been possible. In terms of generating a constructive dialogue with bar owners, there are plans to put in place conflict training for bar staff using Birkenhead as a pilot. For example, training will be given in how to avoid conflict when refusing under-age sales and how to stop selling alcohol to customers who are already drunk. It is recognised that there are very few prosecutions for selling to customers who are already drunk. The licensees can obviously side-step the issue by asking “How do I know that they are drunk?”

Under the provision of the Licensing Act 2003, it is possible for a licence to be brought into review if alcohol is sold to under-eighteens. Nine reviews were undertaken in Wirral during 2009 into the sale of alcohol to people aged under-eighteen. However, an added complication relates to young people looking older than their actual age.

In recent times, successful objections have been lodged against a number of new licenses, but it is very difficult. The onus is on the Licensing Committee to grant a licence unless there is evidence to the contrary. Without significant objections from responsible authorities, such as the Police or the Children’s Safeguarding Board, it is difficult for members to reject applications. As a senior manager rightly pointed out:

“It is a business and is therefore entitled to trade”.

A member of the Licensing Committee told Panel Members:

“If the Local Authority rejects a licence application, the Authority loses out financially on the assumption that the appellant is successful. The appeals are heard by magistrates and it is the case that they often succeed. This is a problem and is very frustrating”.

Meanwhile, an officer involved in the licensing process observed that:

“The Licensing Act assumes a clean slate for a new applicant. Therefore, any clever solicitor can ensure that it is very difficult to get conditions appended to the licence”.

Cumulative Impact Policies can be introduced as a tool for licensing authorities to limit the growth of licenced premises in a problem area. The effect of adopting a Cumulative Impact Policy is to create a presumption that applications for new licenses will normally be refused (if relevant representations are received to that effect) unless the operator of the premises will not add to the cumulative impact already being experienced. By adopting a Cumulative Impact Policy, it is, therefore, not up to the Responsible Authority to provide evidence that the new or varied licence conflicts with one or more of the four Licensing Objectives as the reasons have already been laid out in the Policy. The burden of proof of

evidence is in effect shifted from the Responsible Authority to the applicant to provide evidence that their premises will not add to the problems generated by the concentration of licenced premises in that area.

In reality, evidence shows that they are often considered to be bureaucratic for licensing authorities as the link to the licensing objectives means that there is a high evidential burden on the authority before one can be introduced. As a result, as of November 2010, the Government estimated that only 134 Cumulative Impact Policies were in place in England and Wales. It is for this reason that, despite requests for the introduction of Cumulative Impact Policies in specific parts of Wirral, for example, Hoylake, sufficient evidence relating alcohol to crime and disorder in the locality was not available. However, an alcohol strategy manager commented to the Panel Members that:

“Our experience from public consultation is that we are frequently asked the question of why a system cannot be introduced whereby a limit on the density of off-sales in a particular area can be imposed. This is a recurring issue”.

Meanwhile, a senior alcohol worker remarked:

“The amount of licenses granted should be given consideration which in turn might help reduce availability”.

The current situation was summed up by one witness who described the current situation as follows:

“The problem occurs due to possible restriction of trade, for example, where there are two potential off licences next door to each other. If there are no representations from the Police, it is likely that the application will get approved. If the Police have no record of crime, disturbance or law breaking relevant to the application, then they cannot put in a representation”.

Indeed, one of the Panel Members drew attention to a particular part of New Chester Road where there are seven outlets in close proximity. In recent months, a Cumulative Impact Policy has been introduced by Liverpool City Council in the Allerton Road area of Liverpool. The success of this and other schemes will be watched with interest.

In the longer term, the Government’s consultation document, ‘Rebalancing the Licensing Act’ proposed to simplify Cumulative Impact Policies and “make them more responsive to local needs”. The Government intends to remove the evidential burden on licensing authorities and encourage greater use of them. Therefore, the intention is to give greater weight to the views of local people as the licensing authority will no longer “be constrained by the requirements to provide detailed additional evidence where such evidence is unavailable”. On 30<sup>th</sup> November 2010, the Government announced that statutory guidance will be amended to this effect.

#### **RECOMMENDATION 8 Cumulative Impact Policy**

**Council should actively seek to introduce a Cumulative Impact Policy, as has been introduced by Local Authorities such as Liverpool and Brighton, in order to tackle the increase in outlets in specific hotspot areas.**

With respect to the appeals process, the Panel Members appreciate the distinct yet inter-connected roles of Licensing officers, Merseyside Police and the Magistrates in implementing the provisions of the Licensing Act 2003. It appears to be the case that, since Local Authorities became responsible for licensing, the relationship with the magistrates has altered. It is, therefore, considered appropriate to recommend that tripartite meetings be held, involving officers / members of Wirral Council, Merseyside Police and representatives of the magistrates. The purpose of the meetings would be to consider the most appropriate application of the Licensing legislation on behalf of the residents of

Wirral. It is important that all three parties remain actively involved in licensing matters, despite the magistrate's role having reduced following the implementation of the Licensing Act 2003.

**RECOMMENDATION 9 Relationship with Magistrates**

**The Council is encouraged to further develop a tripartite relationship with magistrates and the Police in order to cultivate a mutual understanding of issues relating to the application of licensing laws in the courts.**

**6.4.3 Minimum Pricing**

In recent years, there has been increasing recognition among health professionals of cheap alcohol as a major concern. As a result, minimum pricing of alcohol has been gaining credibility as a policy option. During this Scrutiny Review, the issue of price became stark when a particular cider product, popular with many young drinkers, was identified to the Panel Members as being sold for less than £3 for a 3 litre bottle. The cider is 7.5% volume and a bottle contains 22 units of alcohol. The price of a unit of such alcohol equates to less than 15 pence per unit. Such a product is high on the list of those readily accessible to young people.

In his Annual Report for 2008, the Chief Medical Officer, Sir Liam Donaldson, called for the introduction of minimum pricing, stating:

“Cheap alcohol is killing people and it's undermining our way of life. In my report price and access are two crucial factors affecting alcohol consumption. I recommend action taken on both but particularly on price”.

He continued:

“Introducing a minimum price of 50 pence per unit would mean that a typical bottle of wine could be sold for no less than £4.50 and a typical six-pack of lager for no less than £6. Research has shown that this would hardly impact upon those who drink at low-risk levels. It would significantly affect those who drink at high-risk levels, helping them to reduce their own drinking and reducing the harms of passive drinking. Within 10 years of introducing this 50 pence policy, there would be major benefits. We would expect to see over 3,000 fewer deaths a year, 46,000 fewer crimes, 300,000 fewer sick days and 100,000 fewer hospital admissions. The total benefit could be as high as over £1 billion per year”.

(Note: The reference to passive drinking in the above statement refers to the impact on behaviour which results in an estimated 39,000 serious sexual assaults every year and one and a quarter million instances of alcohol-related vandalism). Furthermore, it is estimated that making alcohol less affordable will have a greater impact on young people than on the rest of the population. According to Department of Health statistics, one in five young people between 11 and 15 drink more than 600 units a year. A minimum price of 50 pence would significantly affect the price of some of those drinks favoured by young people. In 2009, the University of Sheffield carried out a study, funded by the department of health, with the aim of quantifying the potential impact of policies targeting price and promotion on alcohol related harm in England. One of the many findings of the study was that, among the 11 to 18 year-old cohort, a 40 pence minimum price would be estimated to result in a 4% decrease in consumption, whereas a 50 pence minimum price would lead to a 7.3% reduction.

The issue of minimum pricing has subsequently been endorsed by a number of high profile organisations, which have included NICE (National Institute for Health and Clinical Excellence), the House of Commons Health Select Committee, the British Medical Association and NHS Public Health

Directors. Although the Coalition Government is committed to “review alcohol taxation and pricing”, it appears that there is no Government consensus in favour of a national minimum price for alcohol. However, in August 2010, the Prime Minister appeared sympathetic towards the principle of a minimum price being implemented on a regional basis if local authorities chose to do so.

Detailed work towards the implementation of minimum pricing for alcohol has taken place in Scotland, Blackpool and Oldham. In the latter case, Oldham has acted as a pilot case for the ten Greater Manchester local authorities, who acting together as the Association of Greater Manchester Authorities, are considering the introduction of a byelaw which would require pubs, restaurants, supermarkets and off-licenses to price alcoholic drinks based on the number of units they contain.

Subsequently, the Cheshire and Merseyside Public Health Network (CHAMPs) is consulting on the proposal as is the Liverpool City Region Cabinet. At Wirral Council, a report entitled ‘Consultation – Minimum Price for Alcohol’ was discussed by the Licensing, Health and Safety and General Purposes Committee on 13<sup>th</sup> September 2010. The committee resolved unanimously:

- (1) that the Council seeks views on the introduction of minimum pricing of alcohol from the public, partner agencies, those organisations that support individuals with alcohol addiction and community and voluntary groups and that the results of consultations be brought to the next meeting of the Licensing, Health and Safety and General Purposes Committee.
- (2) that Members endorse the usage of Section 235 of the Local Government Act 1972 for the introduction of a local byelaw to deal with this issue if appropriate.

#### **RECOMMENDATION 10 Minimum unit pricing for alcohol**

**The review Panel supports the principle of minimum unit pricing for alcohol. Council is requested to engage positively in the process to introduce a regional minimum price for alcohol in the Merseyside region.**

### **6.5 Reducing the Demand for Alcohol by Young People**

Although it may be possible to take steps to reduce the supply of alcohol to young people in the relatively short-term, it is considered to be a longer-term objective to reduce their demand for alcohol. Key to the reducing some young people’s desire to consume alcohol is the role of education and parental influence and engagement.

#### **6.5.1 Education of Young People**

An officer working directly with young people commented simply that:

“It is not possible to do too much publicity. It is so important to get the message across about the harm of drinking”.

The Local Authority and the partner organisations involved in the delivery of the Alcohol Harm Reduction Strategy in Wirral have made great efforts in terms of publicity aimed at both adults and young people. Much of the work with young people has been delivered through schools. The work will be reinforced shortly by the commissioning by the Children and Young People Department (Wirral Borough Council), with financial support from Wirral NHS, of an Alcohol Guidance document for use by schools. The new guidance for schools has been re-written and is due to be rolled out in December 2010.



With regard to secondary schools, the Response team is central to much of the work that is done. Wirral DAAT work very closely with Response who provide the 'Bite-size' programme or workshops. Issues such as bullying, healthy eating and alcohol are covered. The information is delivered through targeted group sessions aimed at Years 7 to 10. This work is very well received in the schools. A worker from Connexions is also commissioned to support the preventative part of the substance misuse programme. All agencies are working together in a coordinated approach. In addition, the Health Service in Schools initiative delivers services such as the clinic points in schools. These were described by a programme manager as having been "an astounding success". The issues raised are reported to have demonstrated a surprising level of need. At present, CASM (Churches Action on Substance Misuse) also attend a limited number of schools by invitation.

Outside of the schools, the Youth Crime Action Plan ensures outreach work is available on Friday and Saturday nights, supported by targeted funding. In addition, Outreach teams provide the constructive street work, which was witnessed by the Panel Members who undertook individual visits with a variety of Outreach Workers across different locations within the borough. Those visits showed the tremendous value of this work and are further documented in Appendix 2 of this report.

As part of the overall education programme provided within the umbrella of the Alcohol Harm Reduction Strategy, Life Education Wirral has been commissioned to promote healthy choices on a holistic basis to primary school children. The sessions include education on alcohol, smoking and emotional health issues. 55 infant and primary schools have been visited in the last year, aiming at children from nursery age up to Year 6. However, some schools may not participate as they have to pay for the service. An alcohol programme manager informed the Panel Members:

"Research shows that children aged ten and eleven are the most vulnerable age group regarding alcohol".

While an alcohol worker commented:

"The younger age is good as children at that age are more impressionable".

An impression of the overall impact of the alcohol education process in schools can be given by the results of a question in the Tellus4 national survey of Year 6, 8 and 10 pupils.

**Table 9: Results of the Tellus4 survey regarding pupil attitudes to alcohol advice, 2009**

Response	Wirral (%)	National (%)	Statistical neighbours (%)
How helpful is the information and advice you get in school on alcohol?			
Helpful	<b>64</b>	58	60
Not helpful	<b>17</b>	20	20
Don't know	<b>10</b>	11	10
Haven't received any	<b>8</b>	11	10

*Source: Tellus4 survey results for Wirral, 2009*

It is noteworthy that the satisfaction rate for young people in Wirral is higher than both the national average and the rate among statistical neighbours. Therefore, although there is confidence that the

outcomes from the overall education programme are positive, the extension of the scheme to include more primary school children would be beneficial.

#### **RECOMMENDATION 11 Education of young people**

**Council is requested to recognise the importance and continued priority of education for young people regarding the dangers of alcohol misuse. Education is recognised as a cornerstone of the Alcohol Harm Reduction Strategy. The support of all agencies, including schools, health authorities, the Police, Fire & Rescue Service and the voluntary sector, as well as Wirral Council, is fundamental to the delivery of this service. There is concern that appropriate alcohol awareness education should be available to young people in Years 5 and 6 at primary school. Research shows children aged ten and eleven are the most vulnerable age group regarding alcohol.**

#### **6.5.2 Engagement of Parents / Carers**

The Children and Young People's Department at Wirral Borough Council have developed a Parenting Strategy. This includes issues regarding parental engagement. However, it is recognised that it is very difficult to engage some parents in general, not only on issues regarding alcohol. The involvement of parents is critical as there is a need to educate children about alcohol misuse. It is obvious that parents have a very important role in the education process. As an example, sessions have been held on parents evenings, specifically with the aim of engaging with parents. However, interest tends to be developed with those parents who are already engaged. The frustration of one professional was apparent in the comment:

“The provision of support to parents is an arm of the strategy. However, there is an element who will refuse to engage”

Therefore, Wirral DAAT commissioned Life Education Wirral to provide workshops at eighteen schools, between October 2009 and April 2010, for parents to cover topics such as bullying, communication with children and the use of role models. The feedback from those sessions showed that it was a useful process for many of the parents who attended. The sessions were split with approximately half of the sessions being held in affluent areas and half in more deprived areas.

Further examples of specific routes for engagement, often with hard-to-reach families, include the Youth Offending Service which has a role in providing support to parents. In addition, the Family Intervention Project in Wirral, which is part of a national scheme, enables intensive work to take place with individual families who have specific issues. Further, in the past two years the DAAT, through the Children and Young People's Department, has commissioned a project that provides a senior social worker to work specifically with specialist drug and alcohol workers where they have cases where there is some degree of concern for the welfare of children due to the drug and alcohol use of their parents. The objective is to minimise the negative impact of the parental behaviour on the children. This project also includes a family support worker who focuses on the individual needs of the children and works to engage them with other projects and organisations that will enable the children to become involved with and enjoy activities and experiences that their family circumstance may otherwise not offer them. This project is aimed at reducing the incidence of trans-generational drug and alcohol use.

Panel Members were also informed by an alcohol programme manager:

“It is also important to focus on young people and general services such as education, training and employment. These services help to protect young people from alcohol tendencies, for example, a young person who is working is statistically less likely to develop alcohol problems”.

However, the influence of parents goes well beyond the education of young people regarding alcohol. One alcohol worker, who works actively with young people commented bluntly:

“Many young people think that parents are hypocrites over alcohol”.

Therefore, it is the role of parents as role models that is just as important. Another alcohol worker added:

“Often the parents drink quite heavily too. Therefore, they are more likely to be dismissive of messages given to young people”.

While another commented:

“Parents are often not aware of the impact of their own drinking behaviour. A major risk factor is permissive parenting as well as adult drinking behaviour which can transfer to children and families”.

At a national level, the impact of parental drinking on young people has given rise to graphic headlines during the last few months. It was reported that ChildLine, the 24-hour helpline, took 5,700 calls between April 2008 and March 2009 from children who were concerned and scared about their parents’ alcohol and drug use. The report, published by the National Society for the Prevention of Cruelty to Children (NSPCC) quotes one ten year-old child as telling a counselor:

“My mum drinks all the time. She leaves me alone lots of the time. I feel scared and lonely. I look after mum when she drinks and put her to bed. She shouts and hits me. I don’t want to feel pain. I want to die”.

Meanwhile, a survey undertaken by Childwise, on behalf of BBC Newsround, during April and May 2010, found that half of the 1,234 10 to 14 year-old participants said they had seen their parents drunk. Nearly a third of those children (30%) felt scared when they see adults drunk or drinking too much; whereas 47% said they were not bothered.

### 6.5.3 Referral and Treatment

Section 6.1.2 of this report (‘The Consequences of Young People Drinking’) describes the intervention work of the alcohol worker attending A&E on Friday evenings. It was reported by the alcohol worker that, for those young people who are admitted into Children’s A&E there is a considerable acceptance rate of referral to further interventions. However, for those young people admitted to Adult A&E there are many refusals. It is considered that this type of intervention is vital if the number of young people drinking heavily is to be tackled in the long-term. It appears that identification of individuals and then onward referral to the most appropriate service is a key issue. Perhaps one of the strengths of Response is the strong link between their outreach teams and the specialist alcohol workers to whom clients can be readily referred. It was reported that many of the referrals to the specialist side of Response are made via the Outreach team. In the future, it is planned to strengthen the referral processes in the Family Safety Unit to ensure that clients are referred to the correct service.

During the review, Panel Members received anecdotal evidence of the importance of timely and appropriate referral. The impact of referral on a young person can be shown by the recent example of a



thirteen year-old who had been drinking vodka for three months, which resulted in him being picked up by the Police. As a result of the incident and referral he had not drunk since. During a more recent presentation of Bite-size sessions by Response at a local High School, the thirteen year-old was confident and able to peer-educate other young people regarding alcohol-related issues.

The justice system is another source of referrals. In the near future, criminal justice pathways are to be reviewed and updated to improve the identification and treatment of offenders. Within the justice system, conditional cautioning ensures that an offender must take part in a programme. The Panel Members were informed that momentum is moving towards the provision of mandatory or compulsory referrals. Great efforts have already been made to prevent young people from entering the criminal justice system. An officer informed the Panel:

“The prospect of a criminal record is a threat; programmes could be offered as an alternative”.

Inevitably, much of the provision of the Alcohol Dependency Service is aimed at the adult population. NHS Wirral are enhancing the Alcohol Dependency service largely through commissioning additional services with Cheshire and Wirral Partnership Trust (CWP) Alcohol Services, but with some other providers too.

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***This report was produced by the Alcohol Scrutiny Panel.***

## Appendix 1 : Scope Document for the Alcohol Scrutiny Review

Date: 14<sup>th</sup> December 2009

Review Title: Access to Alcohol by Young People in Wirral

<b>Scrutiny Panel Chair:</b> Cllr Dave Mitchell	Contact details: 0151 327 2095
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<b>Panel members:</b> Cllr Ann Bridson Cllr Chris Meaden Cllr Dave Mitchell Cllr Sue Taylor	Contact details: 0151 201 7310 mobile: 07759 587597 0151 645 1729 0151 327 2095 07736 927201
<b>Other Key Officer contacts:</b>	
<b>1. Which of our strategic corporate objectives does this topic address?</b>  1.1 To create a clean, pleasant, safe and sustainable environment, in particular: <ul style="list-style-type: none"> <li>- To reduce alcohol related crime</li> <li>- To reduce levels of anti-social behaviour</li> </ul> 1.2 To Improve Health and Well-being for all, ensuring people who require support are full participants in mainstream society, in particular: <ul style="list-style-type: none"> <li>- To encourage healthy lifestyles and participation in fulfilling activities</li> <li>- To narrow the mortality gap on Wirral</li> <li>- To tackle all forms of alcohol and drug induced harm</li> </ul>	

<p><b>2. What are the main issues?</b></p> <p>2.1 What is the impact of alcohol on young people in Wirral?</p> <p>2.2 What is the impact of young people drinking alcohol having on other residents of Wirral?</p> <p>2.2 What is already being done to enable young people to make good choices regarding alcohol?</p> <p>2.3 What are the key issues relating to access and availability: Where? Price? Promotions?</p> <p>2.4 What restrictions of access to alcohol exist at present?</p> <p>2.5 What additional restrictions of access are available and which have been successfully used elsewhere?</p> <p>2.6 Can Council policies be sensibly amended relating to the access and availability of alcohol, particularly with respect to young people?</p>													
<p><b>3. The Committee's overall aim/objective in doing this work is:</b></p> <p>3.1 To understand the impact of alcohol on young people and other residents in Wirral.</p> <p>3.2 To gauge the ease with which young people are able to access alcohol.</p> <p>3.2 To consider the support available to young people enabling them to make positive decisions regarding alcohol.</p>													
<p><b>4. The possible outputs/outcomes are:</b></p> <p>4.1 To reduce the ability of young people to access alcohol.</p> <p>4.2 To further enable young people to make positive choices regarding alcohol.</p>													
<p><b>5. What specific value can scrutiny add to this topic?</b></p> <p>To use new evidence to enable changes which would lead to the outcomes listed in section 4 above.</p>													
<p><b>6. Who will the Committee be trying to influence as part of its work?</b></p> <p>6.1 Appropriate Cabinet members and Directors, Wirral Borough Council</p> <p>6.2 Signatories to the Wirral Alcohol Strategy</p>													
<p><b>7. Duration of enquiry?</b></p> <p>Aim to complete by the end of the current municipal year (May 2010)</p>													
<p><b>8. What category does the review fall into?</b></p> <table border="0"> <tr> <td>Policy Review</td> <td><input checked="" type="checkbox"/></td> <td>Policy Development</td> <td><input type="checkbox"/></td> </tr> <tr> <td>External Partnership</td> <td><input type="checkbox"/></td> <td>Performance Management</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Holding Executive to Account</td> <td><input type="checkbox"/></td> <td></td> <td></td> </tr> </table>		Policy Review	<input checked="" type="checkbox"/>	Policy Development	<input type="checkbox"/>	External Partnership	<input type="checkbox"/>	Performance Management	<input type="checkbox"/>	Holding Executive to Account	<input type="checkbox"/>		
Policy Review	<input checked="" type="checkbox"/>	Policy Development	<input type="checkbox"/>										
External Partnership	<input type="checkbox"/>	Performance Management	<input type="checkbox"/>										
Holding Executive to Account	<input type="checkbox"/>												
<p><b>9. Extra resources needed? Would the investigation benefit from the co-operation of an expert witness?</b></p> <p>The review will be conducted by councillors with the support of existing officers. However, the Panel are looking for advice from people with expertise on this topic.</p>													

10. What information do we need?	
<p><b>10.1 Secondary information (background information, existing reports, legislation, central government documents, etc).</b></p> <p>Wirral Alcohol Strategy (and the Implementation Action Plan)</p> <p>Recent Committee / Cabinet reports.</p> <p>Statistics regarding the scale of the problem in Wirral, comparative to statistical and geographical neighbours.</p> <p>Relevant Government Departmental documents</p> <p>Relevant national documents</p> <p>Reports from other councils into similar topics.</p> <p>Examples of good practice from other Councils</p>	<p><b>10.2 Primary/new evidence/information</b></p> <p>Introductory multi-agency presentation to Panel members</p> <p>Interviews with key officers</p> <p>Assessment of the impact on young people</p> <p>Assessment of the impact on Wirral residents</p>
<p><b>10.3 Who can provide us with further relevant evidence? (Cabinet portfolio holder, officer, service user, general public, expert witness, etc). council officers to include:</b></p> <p>Peter Edmondson / Steve Pimblett / Terry White (Children and Young People Department / Youth Outreach)</p> <p>Wirral DAAT</p> <p>Wirral NHS</p> <p>Planning Department</p> <p>Licensing Team (Margaret O'Donnell)</p> <p>Trading Standards (John Malone)</p> <p>School Governors Forum</p> <p>Schools Forum</p> <p>Young People Alcohol Prevention Programme</p> <p>Merseyside Police (Dave Peers)</p> <p>Relevant third sector groups</p>	<p><b>10.4 What specific areas do we want them to cover when they give evidence?</b></p> <p>How many young people are involved?</p> <p>Where are the hotspots?</p> <p>What activities already take place to encourage young people to make positive choices regarding alcohol?</p> <p>What is the impact on local communities of young people drinking excessive amounts of alcohol?</p> <p>What restrictions to access are currently in place in Wirral?</p> <p>What further restrictions to access are feasible?</p>

**11. What processes can we use to feed into the review? (site visits/observations, face-to-face questioning, telephone survey, written questionnaire, etc).**

11.1 Meetings with officers

11.2 Visits with Outreach Workers / Response / Respect team

11.3 Desk-top analysis

**12. In what ways can we involve the public and at what stages? (consider whole range of consultative mechanisms, local committees and local ward mechanisms).**

12.1 Area Forum meetings / Focus groups

12.2 Youth Parliament

## Appendix 2 : Reports from the Visits of Panel Members with the Outreach Workers

### **REPORT FROM COUNCILLOR CHRIS MEADEN**

*I had the opportunity to go out with the team from Response on two occasions. We visited Victoria Park on the first visit and I met up with two of our workers and also a member of the Brook who, on this occasion, were talking to the young people in the park about how to keep safe. It seems that a number of young girls and boys actually are unaware of the problems that can arise when drinking at an early age and there are problems with underage sex which can unfortunately result in teenage pregnancy. The Brook are there advising about precautionary measures for them, not just to avoid pregnancy but to avoid STDs.*

*Our response team are not out to stop any anti-social behaviour although they do get involved if there are reports of this and work really closely with our Respect team against anti-social behaviour but are more there to try and keep our children safe.*

*It really shocked me that there are some young adult males who are over 20 years who are responsible for supplying drink to mainly young vulnerable girls and then use these young girls for their own gratification. This was when I decided to go out again with the team to learn more about what goes on in our parks and what measures our team goes to to gain the trust of the young people.*

*My second visit took me first to Birkenhead Park where we engaged with a group of about 20 youngsters aging from 12 to 16. They were just walking in a group and talking when they spotted the four of us walking towards them and I realised then how close they are to our Outreach Team when they called out their names and just came over. They were interested to know who I was and why I was out with the workers and they proceeded to ask if they could have goal posts in the park to play foot ball and also what we as a Council could do to stop them being bored. I asked why they did not use the Youth Hub and they said that they were territorial and felt threatened when they went there. I also asked if they drink in the park and they do when they have money and when someone will go to the shop for them.*

*They were all very bright and explained that our workers had told them of the dangers of drinking and drugs and what it can do. A few of them said they do it because of peer pressure; some do it to be part of the group; and some said it was because it made them forget a lot of their problems. This gave me cause for concern and speaking to one of the workers later, he said that he had gained a lot of trust with some of them after working with them for a while and that they had opened up and told them of unhappy home lives, unhappy school lives and basically used our team as a sounding block for them to talk out their worries and their fears.*

*We then talked about what our team's aim is and they have since explained that, along with the Brook, they now have a young women's group that has been formed within the parks and they discuss the problems facing young girls and the young girls themselves are now talking to other groups about their own experiences and hopefully the message will get across.*

*We then met a group of young pregnant women who are based at The Beacon project within my own ward. These are young girls who have had problems with drink in the past and through our Response team, who first met them while doing their job, made progress through talking to them and getting them a place to live with the help of Forum Housing. They are now on the road to recovery and are advising other young girls by talking about their experiences.*

*One of the main things that came to light on these visits was that we do not speak to young people early enough. We need to get into primary schools and start talking to years 5 & 6 before the move up to senior schools so they are aware of what is happening. It is not just about drink. It is about drugs and other risks such as unprotected sex and the fear of catching horrible STDs .*

*As for Wirral Youth Service's Response Team, I have the utmost respect for them. They are doing a fantastic job seven nights a week covering the whole of Wirral talking to and helping our vulnerable young people with limited resources and they are a dedicated, caring set of people who have only one goal and that is to help as many as possible. One of the peer groups I spoke with used to be one of the kids on the streets who was a bully and drank and caused problems who now is married with young children of their own and goes out now and talks to the groups now and explains that there is more to life than drinking and fighting and causing trouble and tells them what he was like at their age and how you can turn your life around.*

**REPORT FROM COUNCILLOR DAVE MITCHELL**

*I spent the evening with two Outreach workers. I met them at Eastham Youth Club and we went on a walkabout around the ward. I was very impressed by their ability to approach youths and quickly gain their confidence, through talking with the youths at their level. We met three different groups. The first group was at the local skate park doing BMX bike tricks. As we walked away, from the conversations which had taken place, it was suggested that some of them had been using drugs.*

*The second group didn't want to know, so both Outreach workers talked to the smaller group, giving advice about condoms; even giving some to one young lady. As they were having a good talk the others joined in, giving both the opportunity to gain information and give advice. This was evident in using the modern language of the youths. I was lost and had to have it explained later. The information gained helped in that they knew what level to pitch the message back, and how to address the local schools when giving talks.*

*We called into the Youth Club and then went onto Birkenhead Park. They wanted to meet up with a group they had been working with. As we approached them, it was just four young girls; two were totally drunk; two giggly. A group of three walked past two boys and one younger girl keeping their heads down. After a short while, a group of about 8 to 10 boys/youths appeared and started talking to both workers. I just stood back and watched after being introduced to them. I was told later that one boy had agreed to contact the Outreach workers to try to get back into education and they would be having a football match with the rest and another group later in the week. This engages them so as to have one-to-one talks and assist in giving both advice about drugs, drink and sex. I was taken aback when told the very young girls admitted to having sex in the park; this was with older boys as it was a status thing.*

*I believe this work being done by the team is of the utmost importance, in educating youths about drinking, drugs and sexual habits.*

**REPORT FROM COUNCILLOR SUE TAYLOR**

*During the evening, we visited Harrison Park in Wallasey and the Tower Grounds, New Brighton where we found groups of teenagers in possession of cheap lager and cider. It was early, around 2100hrs, and it was fairly obvious that some of the youngsters weren't exactly sober.*

*Whilst the Police were seizing the alcohol and taking personal details, the Outreach team arrived and immediately became involved and engaged with the teenagers. It was good to see that the young drinkers appeared to be more cooperative with the Outreach workers than the Police. Maybe this was because they didn't appear as authoritative and the kids weren't interested in being so challenging. They seemed to command some respect and began to talk openly about why they drank. Sadly, boredom and 'something to do' seemed to be the reasons. It was all very professionally done in a friendly way but still managing to get the message across about the dangers of alcohol in a non-threatening way and the kids actually seemed to listen, which can only be a good thing...! Quite an eye-opener!*

**REPORT FROM COUNCILLOR ANN BRIDSON**

*Ann accompanied Prenton's Outreach Team 6-9pm on a Friday Evening in July; this was an opportunity to observe the work of Alcohol / Street Work members with underage drinkers that takes place in Prenton and the locality.*

*The Team were acutely aware of the whereabouts of groups of young people/drinkers. On meeting, we discussed the team's previous work done with teenagers in their schools to make them aware of the dangers and also some 'keeping safe' strategies. We went out between 8 and 9.30pm and found groups of drinking teenagers in two local parks beyond the edge of Prenton Ward. The majority of the young drinkers were female, drinking mainly small amounts of cheap vodka and cheap cider. At this time in the evening, they did not appear to be intoxicated. When the workers approached the groups, the young people were friendly and clearly recalled some of the workers from their visits to schools. It was positive that they were happy to take advice from the workers and also they were putting into practice some of the advice previously given (one person not drinking to keep the others safe, going home in groups etc). When I asked the young people what they would prefer to do instead of drinking, they had no response. In Arrowe Park, I noted two groups, one of younger girls and the other boys who looked over 18. I was concerned at leaving these vulnerable young girls open to the approaches of young men. Three previously identified drinking spots within Prenton ward were inspected and found to be empty (on this occasion). Workers had encouraged one group to form a football team, which had successfully diverted them from Friday night drinking. My thanks to Pat Rice and her Team for their efforts.*



## Appendix 3 References

Letter to Wirral DAAT from The National Treatment Agency for Substance Misuse regarding 'Wirral's Young People Specialist Substance Misuse Treatment Plan Submission' dated 4<sup>th</sup> January 2010

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Wirral Joint Strategic Needs Assessment, 2009-10, produced by Wirral NHS. (Use both sections on Alcohol Dependency and on Children & Young People)

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'Third of under-24's "drink to get drunk"', Independent, dated 7<sup>th</sup> September 2010

Report of the Director of Public Health, 'Update on the Performance of National Indicator 39 – Alcohol related admissions to hospital', presented to Wirral Council Health and Wellbeing Overview and Scrutiny Committee, 1<sup>st</sup> November 2010

Local Alcohol Profiles for England (LAPE), issued by North West Public Health Observatory (NWPHO) - September 2010

Young People's Specialist Substance Misuse Needs Assessment, issued by Wirral DAAT – 2009/2010

'Young People's Specialist Substance Misuse Needs Assessment – 2009/10', Wirral Drug and Alcohol Action Team, November 2009

Tellus4 survey results for Wirral 2010

'Young People and Community Safety', Report to Sustainable Communities Overview & Scrutiny Committee, Wirral Borough Council, 18<sup>th</sup> November 2009

'The Impact of Alcohol Upon Community Safety', Report to Sustainable Communities Overview & Scrutiny Committee, Wirral Borough Council, dated 8<sup>th</sup> March 2010

'What is the scale of the alcohol problem in Merseyside?', Michela Morleo, Alcohol Research Manager, Centre for Public Health, Liverpool John Moores University, dated June 2009

'Figures show rise in drink-related hospital admissions for children', Independent, dated 23<sup>rd</sup> October 2010

'Youth Service current work and its reliance on Grant', Report to Children & Young People Overview & Scrutiny Committee, Wirral Borough Council, 16<sup>th</sup> November 2010

'Sobering survey brings underage drinking into focus', Wirral Council Media Release, dated 2<sup>nd</sup> July 2009

'Doctors want booze marketing ban', BBC website, dated 8<sup>th</sup> September 2009

'Guidance on the Consumption of Alcohol by children and young people', Sir Liam Donaldson, Chief Medical Officer for England, dated December 2009

'Rebalancing the Licensing Act', Home Office consultation document, dated 28<sup>th</sup> July 2010

'Responses to Consultation: Rebalancing the Licensing Act', Home Office document, dated 30<sup>th</sup> November 2010

'MSPs set to pass Alcohol Bill without minimum pricing', BBC website, dated 10<sup>th</sup> November 2010

Wirral Alcohol Harm Reduction Strategy 2007-2010

'Confiscation cops to hit the streets', Wirral Borough Council Media Release, dated 5<sup>th</sup> August 2009



‘Alcohol-related harm – Position Statement’, The College of Emergency Medicine, *dated September 2010*

‘The sale of Alcohol to Children’, Report to Sustainable Communities Overview & Scrutiny Committee, *dated 8th March 2010*

Trading Standards North West Market Research Report, *dated 14<sup>th</sup> August 2009*

‘New drinks licence granted on ‘saturated’ Allerton Road, Liverpool Echo article, *dated 20<sup>th</sup> April 2010*

‘Licensees now required by law to check ID’, Wirral Council Media Release, dated 18<sup>th</sup> October 2010 – referring to new legal requirements and a quote from Cllr Sue Taylor, Chair of Wirral Licensing Committee

‘Draft Statement of Licensing Policy’, Report to Wirral Council Licensing Act 2003 Committee, *dated 8<sup>th</sup> November 2010*

‘Lower the evidential hurdle for Cumulative Impact Policies to allow licensing authorities to have more control over outlet density’, Home Office consultation document, *dated December 2010*

‘Alcohol: Minimum Pricing and Licensing Powers – Expected outcomes and recommended local actions for Merseyside’, CHAMPs (Cheshire and Merseyside Public Health Network), *dated February 2010*

‘Government rejects health watchdog’s alcohol policy by health watchdog’, Independent, *dated 2<sup>nd</sup> June 2010* – referring to NICE

‘Manchester goes it alone by imposing 50p minimum price on drinks to combat drunkenness, Daily Mail, *3<sup>rd</sup> August 2010*

‘Region backs Greater Manchester alcohol pricing plan, BBC website, *dated 16<sup>th</sup> August 2010*

‘Consultation – Minimum Price for Alcohol’, Report to Wirral Council Licensing, Health & Safety and General Purposes Committee, *dated 13<sup>th</sup> September 2010*

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‘Half of children see parents drunk’, Liverpool Daily Post, *dated 5<sup>th</sup> July 2010*

‘Thousands of children calling helpline to talk about parents drinking and taking drugs’, Daily Mail, *16<sup>th</sup> August 2010*

## Appendix 4 : List of tables

Table	Description	Section	Page
1	Alcohol related admissions to hospital per 100,000 of the adult population – historical and geographical neighbour comparisons	6.1.1	12
2	Hospital admissions for alcohol-specific conditions among young people in Wirral, North West and England – 2009 / 10	6.1.1	13
3	Hospital admissions for alcohol-specific conditions among young people (0 – 17) in Wirral and neighbouring authorities – 2009/2010	6.1.1	13
4	Hospital admissions for alcohol-related conditions among young people (0 – 17) in Wirral – Historical trend analysis	6.1.1	14
5a & b	Results of the Tellus4 survey regarding pupil attitudes to alcohol consumption, 2009	6.1.1	15
6	Number of arrests of young people (under 18 years of age) in Wirral, who were reported to be under the influence of alcohol 2009/2010	6.1.2	17
7	Wirral's Alcohol Harm Reduction Strategy 2007 -2010: Identified Actions related to 'Young People's Alcohol Misuse'	6.3.1	21
8	Estimated cost of underage drinkers to primary health care services 2007/8	6.3.3	25
9	Results of the Tellus4 survey regarding pupil attitudes to alcohol advice, 2009	6.5.1	32

## WIRRAL COUNCIL

### CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b><i>TRANSPORT</i></b>
<b>WARD/S AFFECTED:</b>	<b><i>ALL</i></b>
<b>REPORT OF:</b>	<b><i>HOWARD COOPER</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR BOB MOON</i></b>
<b>KEY DECISION</b>	YES

#### **1.0 EXECUTIVE SUMMARY**

- 1.1 This report seeks approval from Cabinet Members to extend temporary contracts awarded to private providers of transport for up to a further 6 months from March 2011 - July 2011 pending the procurement of permanent contracts.

#### **2.0 RECOMMENDATION/S**

- 2.1 To approve the extension of temporary transport contracts by up to 6 months from March 2011 – July 2011.

#### **3.0 REASON FOR RECOMMENDATION/S**

- 3.1 This will allow a full procurement process to take place which will award permanent contracts

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 The Strategic Change Team led a review of the Council's provision of transport during 2009.

The objectives of the review were to:

- Identify reductions in operational costs
- Develop a long term strategy for Transport provision across the Council.
- Investigate the potential impact of separating commissioning and provider functions.
- Support the objective of the local transport plan

- 4.2 The report proposing that the services should be amalgamated was due to go to Cabinet on 4 February 2010 but was withdrawn following a protest from UNISON claiming that there had been "*insufficient consultation*".

- 4.3 On 22 February 2010 the proposal was re-introduced through the budget resolution, and agreed that an integrated unit, bringing like functions together, was beneficial to the Council.
- 4.4 As a result the integration of CYPD and DASS transport divisions took place on 6 April 2010 with a recommendation for technical services to join at a later date.
- 4.5 At the point of amalgamating adults and children's transport the fleet consisted of 28 buses. The leases on 6 of these vehicles were ceased at the point of transfer and the contracts to transport individuals were put out to tender.
- 4.6 The contracts were awarded for a 3 year period starting from 1 September 2010 with an optional 1 year extension available if required. The conditions of the contract included an option on both sides to terminate the contract by giving one months notice.
- 4.7 In January 2011 as a direct result of requests from staff to take early voluntary retirement/ severance the leases on a further 12 buses were terminated leaving a fleet of 10. This reduced the workforce from 42 Driver/ Attendant to 22 and 5 Transport Co-ordinators from 5 to 3.
- 4.8 Due to the timescales involved in allowing staff to leave the Council only temporary contracts were tendered and awarded. These contracts were awarded for a three month period only. These are due to cease at the end of March 2011.
- 4.9 A procurement exercise is underway to procure these contracts on a permanent basis however; as the procurement process is lengthy an extension to the temporary contracts is required for a period of up to 6 months.
- 4.10 Efficiencies were identified as a result of outsourcing these vehicles, these included:

<b>In house fleet costs</b>	<b>Per month</b>	<b>Per year</b>
Cost of 12 vehicles with fuel	£18,672.00	£224,064.00
Cost of 21 staff with 25% on costs	£35,332.00	£423,984.00
Cost of 2 Coordinators	£4,222.17	£50,666.00
<b>Total Cost to transport for vehicles &amp; staff</b>	<b>£58,226.17</b>	<b>£698,714.00</b>
<b>Cost of current temporary contracts</b>		
<b>Total cost of 12 vehicles and staff contracted out</b>	<b>£45,346.08</b>	<b>£544,153.00</b>
<b>Savings</b>		
<b>Total savings</b>	<b>£12,880.08</b>	<b>£154,561.00</b>

4.11 There are currently 25 contracted providers offering services to both adults and children.

## **5.0 RELEVANT RISKS**

5.1 Risk to adults and children if transport is not available.

## **6.0 OTHER OPTIONS CONSIDERED**

6.1 There are no implications arising from this report.

## **7.0 CONSULTATION**

7.1 Not applicable.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

8.1 There are no implications arising from this report.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

9.1 There are no implications arising from this report.

## **10.0 LEGAL IMPLICATIONS**

10.1 There are no implications arising from this report.

## **11.0 EQUALITIES IMPLICATIONS**

11.1 There are no implications arising from this report

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 There are no implications arising from this report

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no implications arising from this report

### **REPORT AUTHOR:**

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### **APPENDICES**

*NONE*

## **REFERENCE MATERIAL**

Cabinet Report – Transport Review 14.01.2010

Cabinet Report – Summary of Tender Exercise – Transport – 22.07.2010

Transport Review – Technical Services – November 2008

Transport Review – DASS transport – October 2008

Transport Review – CYP SEN Transport Report August 2008

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	14.01.2010
Cabinet	22.07.2010

## WIRRAL COUNCIL

### CABINET

17<sup>TH</sup> MARCH 2011

<b>SUBJECT:</b>	<b><i>CYPD CAPITAL PROGRAMME 2011/12</i></b>
<b>WARD/S AFFECTED:</b>	<b><i>ALL</i></b>
<b>REPORT OF:</b>	<b><i>DAVID ARMSTRONG, INTERIM DIRECTOR OF CHILDREN'S SERVICES</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>CLLR SHEILA CLARKE</i></b>
<b>KEY DECISION?</b>	YES

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to present Cabinet with a proposed CYPD capital programme for 2011/12 including supporting information on the priority schemes. The report also gives members an update of schemes included in the 2010/11 capital programme.  
There are a wide range of projects identified in the Capital programme and these will promote a number of the Council's corporate priorities helping children achieve their full potential, creating more jobs in the local area and creating a clean, pleasant, safe and sustainable environment.
- 1.2 The report does not contain any exempt information.

#### 2.0 RECOMMENDATION/S

- 2.1 That the proposed schemes within the capital programme for 2011/12 are approved.
- 2.2 That individual schemes be the subject of scheme and estimate reports, where applicable.
- 2.3 That the purchase of the Christian Brothers House at St Anselm's College by the Edmund Rice Trust is supported.

### **3.0 REASON/S FOR RECOMMENDATION/S**

- 3.1 This report provides sets out a proposed programme of works in 2011/12 for consideration and approval by Cabinet.

### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 In drawing up the draft Capital Programme for 2011/12, the department has continued to follow similar strategies for enhancing premises, improving student learning environments, community accessibility, safety and security compliance. Whilst Capital allocations have not been ring-fenced to particular areas of need by the DfE, the principles followed are:

- (i) to undertake projects identified in the Asset Management Plan to enhance the suitability and condition of schools and enable a full range of curriculum activities.
- (ii) to undertake projects supporting the changing Primary and Secondary school pupil rolls across the Borough.
- (iii) to work with other Council departments to deliver the Strategic Asset Review, particularly in the co-location of services, extended schools services, early years childcare and forward planning for Wirral Waters and other regeneration projects.
- (iv) to enable inclusion within mainstream schools for pupils with physical and mental disabilities and to ensure that Special Schools are able to provide the care required for a range of disabilities.

#### **4.3 Wirral Resources 2011/12**

DfE allocations for 2011/12 were announced in December 2010. They highlight national priorities including the provision of additional pupil places and building condition needs Funding is to be delivered as capital grant rather than supported borrowing.

Whilst there is a much lower level of Devolved Formula Capital than previous years, it is intended that maintenance funding will help address school priorities. In addition Basic Need funding has been received. This can be used in all schools including the voluntary aided sector, open academies and free schools.

Only details of local authority and school allocations for 2011/12 have been announced. Capital allocations for 2012/13 and onwards are dependant on the outcome of the capital review due to be announced in Spring 2011. Overall support for basic need and capital maintenance each year to 2014/15 is expected to stay in line with the total amounts allocated for 2011/12.

- i) LA Capital Allocation This comprises of three funding streams (1) Capital Maintenance allocation of £4,376,002 to meet the needs of Local Authority



maintained schools and is the main source of funding for medium and large value projects (2) Voluntary Aided Capital Maintenance of £1,508,606 for similar needs in Aided schools and (3) A Basic Need allocation of £2,116,706 intended for new schools places for all categories.

- ii) Devolved Formula Capital (DFC) This is a grant which is devolved to schools for smaller capital works generally in excess of £2,000. A total of £870,967 will be shared between Wirral's maintained schools and £303,097 between Aided schools. The following formula is applied to each school on the basis of a lump sum of £4,000 and additional allocations of £11.25 per primary pupil, £16.88 per secondary pupil and £33.75 for a pupil at a PRU or attending a special school.  
A typical Primary School with 300 pupils will receive in the region of £7,400 and a Secondary School with 1,000 pupils receives £21,000.

#### 4.4 Academies Programme

##### Academy 1.

Birkenhead High School for Girls attained Academy status in September 2009. Willmott Dixon have been appointed to undertake a £11.7m remodelling and refurbishment project and details of this appointment and progress have been the subject of separate Cabinet reports. Construction work commenced in February 2011 and will be completed by October 2012. Due to the nature of the scheme the Academy will take possession of completed elements in a phased handover.

##### Academy 2

The University Academy of Birkenhead was established on 1<sup>st</sup> January 2011 and is currently located at both previous school sites - Park High and Rock Ferry High. The Academy will locate on the former Park High site in September 2011. This site is part of the Council's PFI scheme. An allocation of £921,600 has recently been announced to allow upgrades to the IT provision and other capital refurbishment works.

#### 4.5 Progress of 2010/11 Capital Schemes

Primary Capital Programme (PCP) is a £12,053,348 capital grant (2008-11), funding projects at three schools linked to the Primary Places Review:

- Park Primary School, Wallasey. Work commenced in February 2010 on a new build at the site of the former school and linked to the closure of nearby Poulton Primary School. A budget of £5.7m was approved for the 12 classroom school plus nursery, state of the art technology and inspiring external landscaping and play areas. The school will open for pupils on 28<sup>th</sup> March 2011.
- The co-location of Pensby Primary and Stanley Special School is an exciting £12.5m project which will rebuild the two schools on one site. After extensive consultation and detailed design work with the two schools, the contract has recently been awarded to Wates. Construction of

Phase 1 (Primary school) is anticipated to commence in March 2011 with anticipated completion by Christmas 2011. Phase 2 (Special school) will commence early in 2012 with completion 12 months later.

#### Woodchurch High School – One School Pathfinder

This £25m project was successfully completed on time with the new school opening its doors to pupils in September 2010. The second phase of the project which involved the demolition of the former school buildings and reinstating external sports pitches was recently handed over. The school will have its official opening on 21<sup>st</sup> March 2011 by Dr John Sentamu, the Archbishop of York.

#### Children's Centres and Private Voluntary & Independent (PVI) Nurseries

The final phase of the Children's Centre programme has been completed. A total of 16 Children's Centres are now operating across the Borough. The PVI grant of £3m was primarily (but not exclusively) intended to support capital investment in private, voluntary and independent (PVI) childcare. Pre-school groups on school sites have benefited from new accommodation to replace old mobile units at Stanton Road Primary, Irby Primary, Greasby Infants, Brackenwood Infants and Brookhurst Primary. A scheme at Great Meols Primary scheme also involved some remodelling and new classrooms to achieve the desired accommodation outcome for the pre-school group.

#### Extended Schools

Extended school projects support before and after school activities, holiday clubs, parents and community sessions. The 2010/11 allocation from DfE was £137,500 and supported 12 projects.

#### Aiming Higher for Disabled Children (AHDC)

A capital allocation of £840,500 across the two years 2009/11 has been available to deliver facilities and opportunities for short breaks for disabled children, young people and their families. This includes a large new build scheme based at Barnstondale outdoor education centre and a range of smaller scale projects and grants which have been successfully delivered. Further schemes are also included in the 2011-12 programme.

#### Co Location Scheme

The department was successful in a bid to the DfE for a £927,000 capital grant to aid the co-location of Children's Services. The scheme involves the creation of seven Multi Disciplinary Area Team offices. To date work has been completed at Eastway Primary School and Satellite Children Centre, New Brighton Children's Centre, Seacombe Children's Centre and Ganneys Meadow Early Years Centre. Work is now underway at Pensby Children's Centre and will be completed in July 2011. Work will start shortly at the area team office based at Well Lane Primary School.

#### Playbuilder Programme

The national Playbuilder programme has resulted in total funding of £1,129,445 to support the development (or redevelopment) of 22 play areas across Wirral. The Council's landscape team have undertaken the design and

development of the brief following a consultation process. Year 1 schemes (11 play areas) were completed in March 2010 and following consultation with young people further improvements to these play areas have also been carried out. Year 2 schemes have now been finalised which will see a further 7 play areas developed and equipment purchased at the remaining sites.

#### Targeted Capital for Kitchens

This initiative was aimed at helping local authorities increase school meal uptake. The range of schemes includes upgrading kitchens (predominantly ventilation and extraction), increased seating capacity and improved dining environments.

### 4.6 New Schemes

#### (i) Cathcart Street Primary School - £1,800,000

This is the largest new scheme in this years programme and is linked to meet the closure of nearby Cole Street Primary School. Whilst the increase in pupil numbers could be accommodated within the existing school, the scheme will improve the organisation of class bases, allow the co-location of the nearby Children's Centre and re-provide the after school provision which is currently in poor temporary accommodation, all within the one building. The project will result in the building offering a wide range of services to the community from one site. The scheme will also upgrade heating, lighting, electrical and other refurbishment works.

#### (ii) Non-specific locations - £1,175,000

Provision will be made in the programme to continue:

- accessibility works including Disability Discrimination Act compliance
- boiler replacements
- adaptations to Children's Centres to enhance the range of use and to undertaken capital maintenance work
- to support short breaks to parents/carers of disabled children
- Old final accounts

#### (iii) Implementation of Feasibility Projects - £1,300,000

A number of schemes were identified last year for design development, consultation and information gathering. These schemes are now ready to progress to the next stage of project implementation:

- Overchurch Infants, WWII Horsa kitchen replacement
- St George's Primary, mobile replacement
- Mosslands, mobile replacement

Somerville Primary and the Secondary/Special review, have not progressed to the stage where detailed design is possible and further consultation is required. These will be the subject of future reports.

#### (iv) Additional costs for existing projects - £561,000

The programme will need to include additional financial resource for schemes at Wirral Grammar School for Boys and Great Meols Primary School, where the contractor has gone into liquidation, reduced DFC allocations have also added

to the shortfall of resources to complete planned accommodation changes. Contracts at Woodchurch High School and Birkenhead High Academy will also require additional resources to meet unforeseen costs of asbestos removal at Woodchurch High and for continued project management support at the Academy.

(v) Basic Need; St Anselm's College, 6<sup>th</sup> Form Replacement - £700,000

This allocation is intended to address shortfalls in pupil places. There has not been a need for this targeted funding on Wirral and it has been used in previous years to support the main capital demands of schools. The funding can be used in all categories of school including Aided and Academies.

It is proposed to include in the programme a scheme to provide a new 6<sup>th</sup> form facility at St Anselm's College. A large building previously occupied by the Christian Brothers has recently been placed for sale. The building will be purchased by the Edmund Rice Trust on behalf of St Anselm's College at a cost in the region of £500,000 with the understanding the authority contributes to the cost of the refurbishment. This would then allow the demolition of the current 6<sup>th</sup> Form accommodation which is in very poor condition. The Edmund Rice Trust will require a loan for the purchase of the building and this has been approved by the bank, the trustees are now in a position to move forward with the purchase. It is expected that the building will require significant investment. The sum of £700,000 would provide sufficient resources to carry out essential maintenance and some initial refurbishment. Further phases in later years are likely to be needed.

(vi) New "High Value" Schemes costing more than £100,000 - £590,000

A number of "high value" schemes have been identified for this years capital programme costing £590,000 including: internal remedial works at Christchurch Birkenhead, following investment in a new roof last year. Schemes at Heygarth Primary and Raeburn Primary will complete a series of projects which addressed accommodation shortfalls and external works.

(vii) New "Low/Medium Value" Schemes costing less than £100,000 - £855,000

A figure of £855,000 has been set aside for work at schools to address Condition elements of buildings. This work will include; roof, window and toilet replacements, internal refurbishment, fire alarm installation, heating and ventilation schemes. A total of 18 individual schemes are supported by this allocation which will be supplemented by devolved formula capital where appropriate. A full list of the programme is attached in appendix 1.

(viii) Feasibility Studies and Other Continuing Projects - £90,000

Feasibility studies are to be commissioned for future schemes at a number of schools; these have been identified at Somerville Primary, Claremount, Foxfield and Meadowside. The special school feasibility studies and discussions which have already taken place will be the subject of further reports.

(ix) Other Continuing Capital Projects

- Family Support Scheme - £50,000

This enables a small number of grants to be made to support the care of Looked After Children.

- PFI - £115,000

There continues to be a small number of areas requiring capital works.

- Primary Reorganisation - £250,000

This will support the continuing reorganisation and review of all schools.

The above Capital Maintenance and Basic Need proposals commit resources totalling £5,021,000 this leaves £1,471,708 unallocated and will be the subject of future reports.

## **5.0 RELEVANT RISKS**

- 5.1 Future year's capital allocations have still to be confirmed. The report therefore, only commits projects within the confirmed resources for 2011/12.
- 5.2 Economic pressures have and may continue to have an impact on local and national contractors engaged in construction contracts. The department continues to use Council procurement rules to secure contracts.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 Capital allocations have only been made after careful consideration of Asset Management information, area reviews, feasibility studies and consultation with headteachers. Schools devolved capital budgets are also used to supplement funding.

## **7.0 CONSULTATION**

- 7.1 Depending on the project, designs are often developed in consultation with stakeholders including headteachers, staff, pupils and parents/carers.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 Premises on school sites are frequently open to voluntary, community and faith organisation.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 All proposed schemes are affordable within the capital programme. Regular capital monitoring takes place to manage and monitor project resources and progress of the programme of works. Appendix 1 details the financial resources against the proposed programme. Scheme and estimate reports for projects in excess of £50,000 will be produced, prior to this all cost allocations are

indicative. Projects under the £50,000 threshold will be procured using wherever possible the Council's schedule of rates contract.

- 9.2 IT requirements are identified at the project planning stage and WITS are involved where necessary to provide the expert advice and support. Many of the larger projects in schools will require some upgrade of IT systems.
- 9.3 Resources will be drawn from other departments such as Law, HR and Asset Management to provide the technical support needs for the successful completion of projects. In some cases external partners may be used to provide advice where this cannot be delivered in-house. The general capital programme will be managed from existing resources from within the CYP department.
- 9.4 All proposals within the report have been discussed with the Councils' asset management officers, with due consideration to the best use of assets identified for capital investment.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 There are no specific legal implications associated with this report.

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 There are no specific implications in this report for equal opportunities, including women, ethnic minorities or the elderly. All projects take general accessibility of adults and children into account. In addition, specific projects are contained in the programme to ensure the accessibility of buildings and facilities within them.
- 11.2 An Equality Impact Assessment (EIA) will be required for a number of the schemes, EIA's will be completed at the time of design development.

## **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 Low energy electrical fittings, heating controls, water saving devices and high level insulation are some of the carbon and energy reduction features used in projects and advice will be sought from the Council's energy conservation section.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 13.1 Planning permissions will be sought where necessary.

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## **APPENDICES**

Appendix 1 Capital Programme chart

## **REFERENCE MATERIAL**

DfE Capital allocation correspondence  
Asset Management Planning documentation

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
CYPD Capital Programme 2008/9	22 May 2008
CYPD Capital Programme 2009/10	28 May 2009
CYPD Capital Programme 2010/11	22 July 2010

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# CAPITAL PROGRAMME 2011/2012: - FUNDING AND PROPOSED NEW STARTS

## APPENDIX 1

### CAPITAL MAINTENANCE & BASIC NEED ALLOCATION

£6,492,708

### OTHER CAPITAL

### COMMUNITY/FOUNDATION SCHOOLS: DEVOLVED

#### Non -Specific Locations

£

Schools Access/DDA  
Old Final Accounts  
Children's Centres  
Aiming Higher

400,000  
100,000  
350,000  
75,000

#### New High Value > £100,000

Boiler Replacements  
Christchurch B'head – internal refurb  
Heygarth Primary – internal refurb  
Raeburn Primary – quad infill

250,000  
120,000  
100,000  
120,000

#### Implementation of Feasibility Projects

Overchurch Infants – Horsa Kitchen 600,000  
Georges – Mobile Replacement 450,000  
Mosslands – Mobile Replacement 250,000  
**Continuation of Existing Projects**  
Mirral Grammar Boys 250,000  
Heat Meols Primary 76,000  
Woodchurch High – Asbestos 85,000  
Birkenhead High – Project Support 150,000

Overchurch Infants – Fire Alarm 35,000  
Mendell Primary – internal refurb 50,000  
Brookdale Primary – heating 30,000  
Liscard Primary – phased windows 50,000  
Preston Primary – phased windows 50,000  
Bedford Drive – windows/roof 90,000  
Greasby Junior – windows/roof 60,000  
Brackenwood Jun – roof 20,000  
Brentwood Nursery – phased windows 25,000  
Castleway – roof 25,000  
Irby Primary – phased windows 50,000  
New Brighton – fire alarm, kitchen 90,000  
Portland Primary – phased windows 40,000  
Well Lane – toilets 40,000  
Oldershaw – phased roof 50,000  
Ridgeway – roof 90,000  
Greenleas Primary - internals 30,000  
Eastway Primary - externals 30,000

#### Basic Need

St Anselm's College – 6<sup>th</sup> Form 700,000

#### Feasibility & Design Development

Somerville Primary 10,000  
Claremount 20,000  
Foxfield 20,000  
Meadowside 20,000  
Hoylake Holy Trinity 20,000

**TOTAL CAPITAL MAINTENANCE & BASIC NEED ALLOCATION £5,021,000**  
**REMAINING BALANCE £1,471,708**

Devolved Formula  
Capital  
£870,967

### AIDED SCHOOLS

LEAVCAP Capital  
£1,508,600

Devolved Formula  
Capital  
£303,097

*\* all new start projects will consider the use of DFC as a financial contribution to the project*

*\*\* the overall CYPD Capital Programme does consist of projects previously approved by Cabinet with funding having been allocated in previous years*

Primary Surplus Place  
Removal £250,000

PFI £1115,000

Family Support Grant  
£50,000

Birkenhead High Girls  
Academy  
DFE Allocation  
£11,770,000

University Academy of  
Birkenhead  
DFE Allocation £921,600

Pensby/Stanley Co-  
location DFE PCP/SEN  
£12,500,000

Cathcart Street Primary  
£1,800,000

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## WIRRAL COUNCIL

### CABINET

17<sup>TH</sup> MARCH 2011

<b>SUBJECT:</b>	<b>FINANCIAL SUPPORT SPECIAL GUARDIANSHIP AND RESIDENCE ORDERS</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF CHILDREN'S SERVICES</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR SHEILA CLARKE</b>
<b>KEY DECISION</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report provides members with an update on the financial support being provided to Special Guardians following the report provided in March 2010 and provides details of a revised policy for financial support for Special Guardianship and Assisted Residence Orders. The revised policy ensures that financial support is provided only to those families that would be unable to care for the child without such support and complies with the Council's legal requirements under the Children Act 1989, the Adoption and Children Act 2002 and the Special Guardianship Regulations 2005.

#### 2.0 RECOMMENDATION/S

- 2.1 The Council agrees to implement the policy for financial support for Special Guardianship and Assisted Residence Orders as outlined in this report from 1<sup>st</sup> April 2011.
- 2.1 A further report will be made available on a policy for financial support to adopters and potential adopters.

#### 3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 A happened elsewhere the Council faced legal challenges to its existing policy for financial support to Special Guardians in March 2010 through applications for Judicial Review. The legal issues have been subsequently clarified and tested out over the last 12 months. As a result a revised policy has been drafted for approval (see Appendix 1).

#### 4.0 BACKGROUND AND KEY ISSUES

##### Special Guardianships

- 4.1 Special Guardianship Orders came into force from 30<sup>th</sup> December 2005 which provided a new permanence option for children who are unable to grow up with their birth parents.

- 4.2 A Special Guardianship Order gives the Special Guardian legal parental responsibility for the child which is expected to last until the child is 18. But unlike Adoption Orders, these Orders, do not remove parental responsibility although their ability to exercise it is extremely limited.
- 4.3 The local authority has the responsibility for investigating and preparing a report to court about the suitability of applicants to be special guardians. In addition the local authority has responsibility for making arrangements for the provision of support services, including financial support, to meet the needs of people affected by special guardianship.
- 4.4 Initially most applicants for special guardians have been family and friends foster carers for children who were in the care of the local authority, called 'public law applicants'. The granting of a Special Guardianship Order in these cases means the child is no longer the responsibility of the local authority and the Special Guardian has clear responsibility for day to day decisions about caring for the child or young person. The local authority ensures that financial reasons do not deter foster carers applying for special guardianships by continuing to provide financial support equivalent to the fostering allowance but deducting an amount equivalent to less child benefit. The child benefit is deducted as Special Guardians were previously unable to claim child benefit and child tax credit as foster carers but are able to claim these benefits once the Special Guardianship Order is awarded.
- 4.5 More recently there have been a larger number of applicants for special guardians where the child is not in the care of the local authority, called 'private law applicants'. There have been a number of challenges locally and regionally to the level of support provided by local authorities in such 'private law applicants'.
- 4.6 A report was provided to Cabinet on 18<sup>th</sup> March 2010 (see Appendix 2) which detailed the legal advice regarding the criteria previously used to decide whether applicants were eligible for financial support and the requirement to carry out a full financial assessment of all applicants for financial support rather than using the means test based on that recommended by the DCSF. The Cabinet resolved that: *"in advance of a policy being agreed, the Director of Children's Services be authorised to agree financial support for Special Guardianship in accordance with the Special Guardianship Regulations (2005) and in line with the advice of the Director of Law, HR and Asset Management"*.
- 4.7 Since that time the local authority has not used the means test for calculating the level of financial support to be provided to special guardians and potential special guardians. Instead where it has been determined that financial support is to be considered a full financial assessment of the person's circumstances has been undertaken rather than a formula based calculation. Such a full assessment is more in accordance with Regulation 13 of the Special Guardianship Regulations 2005 and allows for greater flexibility to ensure the particular needs of the individual child can be supported. Further details of the eligibility and assessment process are contained in the draft policy attached in Appendix 1.

- 4.8 The full financial assessment is undertaken by an officer of the council with expertise in financial assessments in conjunction with the allocated social worker according to Regulation 13 of the Special Guardianship Regulations 2005. The full financial assessment takes into account the person's financial resources, their reasonable outgoings and commitments and the financial needs and resources of the child including any tax credit or benefit which would be available to the potential special guardian if the child lived with them.
- 4.9 All applications for financial support are considered by a Permanency Panel (see appendix 1 for details of the panel) along with the suitability of the carers to be special guardians for the child and any additional support needs. The panel considers the detail of the financial assessment and makes a recommendation on the level of financial support that is required. The support can be as a lump sum for start up costs, a series of one off payments or periodic payments. All decisions for financial support are made by the Head of Branch, Children's Social Care based on the recommendations of the Panel. The applicants have 28 days to appeal any decision which is proposed in the policy that this should be made to the Director of Children's Service.
- 4.10 The amount of financial support awarded is not generally based on the fostering allowance; except for former foster carers where it is determined they should not be at any financial detriment by becoming special guardians. Where the special guardian was receiving fostering allowance for the child, as an approved foster carer, immediately prior to the Order they continue to receive the skills fee (element of remuneration) paid for that child prior to the order for 2 years following the order. The skills fee will generally cease after 2 years unless there are exceptional reasons for this to continue.
- 4.11 Following the introduction of the full financial assessment rather than the previous use of the means test the previous challenges through Judicial Review have been withdrawn and applicants for Special Guardians have been generally happy with the outcome of the financial assessment.
- 4.12 Any financial support that is provided as periodic payments must be subject to an annual review. In the past this would have been done using the means test following the special guardians providing full information of their financial circumstances. It is proposed that in the future that a full financial assessment will only be undertaken when there are any significant changes in the circumstances of the family and/or child. The annual review will require the special guardians to confirm their eligibility for financial support, a summary of their financial circumstances, and any significant changes since the last review. There will be no assumption of an annual increase in line with inflation except for those whose financial support based on the fostering allowance when these will be increased each year in accordance with any increase in the fostering allowance.
- 4.13 The majority of existing special guardians that were former foster carers are receiving financial support based on the fostering allowance with holidays, Christmas, a Birthday payments consolidated into the weekly allowance, called special guardianship allowance. They will have agreed with the local authority

to apply for special guardianships on the basis that the full special guardianship allowance would be paid for 2 years and would then be subject to a means test. It is proposed that all existing special guardians should be subject to the annual review as detailed above.

## **Residence Orders**

- 4.14 A Residence Order confers parental responsibility to the person with the Residence Order which will be held jointly with the birth parents. On the making of a Residence Order any care order will be discharged and the child will no longer be in the care of the local authority. Local authorities may make contributions to a person with Residence Order towards the cost of the accommodation and maintenance of the child, according to Schedule 1, para 15 of Children Act 1989. Since the introduction of Special Guardianship Orders the courts have promoted Special Guardianships in preference to Residence Orders where family and friends are applying to permanently care for a child. However there are still circumstances where Residence Orders are more appropriate, for example if the birth parents may resume care of the child at some point in the future. There may be situations where the local authority would wish to provide some financial support to the carers with a Residence Order to ensure they are able to provide for the child's needs and the method for assessment and eligibility needs to be consistent with the policy for Special Guardianship. It is therefore proposed that the policy for Assisted Residence Orders is changed in accordance with this policy and a full financial assessment undertaken. (see appendix 1)
- 4.15 Prior to the introduction of Special Guardianships in 2006, the local authority encouraged family and friend foster carers to apply for Assisted Residence Orders (see cabinet report 21<sup>st</sup> April 2004). For a period from 2004 to 2008, with the implementation of the previous financial support policy, all former foster carers applying for assisted residence orders would have received an Assisted Residence Order allowance until the child reached 16 years of age, or until they are 18 if they are in full time education. Following the implementation of the previous financial support policy in 2008 any new applicants for residence orders would have been assessed for financial support on the basis of the DCSF means test. It is proposed that any existing arrangements continue and the annual review process will be as detailed above for special guardianships.

## **Adoption support**

- 4.16 The local authority also has responsibility for providing financial support for adopters and prospective adopters. The assessment for support for adoption is currently undertaken using the DCSF recommended means test and in accordance with the Cabinet decision of June 2008. Whilst it would be appropriate to have a policy in place that is consistent with that for special guardianship and assisted residence orders the circumstances around adoption have a number of differences. For example all the children will have been previously looked after and may have particular needs associated with their history, the potential adopters are not mainly relative carers (grandparents), and the children are not known to them prior to introductions and when the

initial financial assessment is undertaken it will be difficult to assess the financial needs of the adopted child. It is therefore proposed that a report is provided in the future when further consultation has taken place with relevant staff and adopters to enable an appropriate policy to be written that meets the needs of adopters and their families.

## **5.0 RELEVANT RISKS**

- 5.1 Any change in the policy for financial support creates a risk that friends and family may be more reluctant to become special guardians for children that are unable to have a permanent home with birth parents and thus increase the number of children in the care of the local authority. This will be addressed through briefing the new policy to staff, foster carers and grandparent groups to explain how the policy will affect them.
- 5.2 There will continue to be risks of legal challenge from potential special guardians to the decision on the financial support. However the local authority has obtained its own legal advice which considers the new policy to be more flexible and less liable to legal challenge.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 The local authority could continue to use the DCSF model means test for all special guardianship applicants. However this would result in considerable additional cost to the local authority as most carers applying for special guardians would be eligible to receive the equivalent of the full fostering allowance less child benefit.

## **7.0 CONSULTATION**

- 7.1 The consultation has been limited to the relevant staff associated with the implementation of post special guardianship support. However the new policy has been in operation since March 2010 and there has been generally positive feedback from applicants for financial support. The Council Legal Services have also been consulted about this revised policy.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 A clearer, consistent policy for financial support will assist those organisations providing advice and information to potential carers such as grandparent groups.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 This change in policy means that the eligibility for financial support is tighter; it is based on individual need and is not based on a formula based means test. Previously most special guardians and those the local authority were supporting in residence orders would receive the full allowance based on the fostering allowance. According to this policy both the number receiving any ongoing payments will be reduced and the amount of the periodic payments will be reduced.

- 9.2 A clearer and consistently implemented financial support policy will assist in encouraging carers to become special guardians and hence reducing the number of children in care. This will reduce the staff time in carrying out statutory visits and reduce the costs of paying the fostering allowance to foster carers.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 This policy ensures that local authority is compliant with the requirements of the Special Guardianship regulations (2005) in relation to the circumstances in which financial support may be paid (Regulation 6), the amount that can be paid (Regulation 13) and the remuneration payable to former foster carers (Regulation 7).

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 The revised policy provides increased flexibility so that the individual needs of families can be resourced. Monitoring through the Permanency Panel will ensure that any financial support is provided fairly.

- 11.2 Equality Impact Assessment (EIA)

- |                                       |                                      |
|---------------------------------------|--------------------------------------|
| (a) Is an EIA required?               | Yes                                  |
| (b) If 'yes', has one been completed? | Yes (21 <sup>st</sup> February 2011) |

## **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 There are no carbon reduction implications in relation to this report.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 13.1 Supporting carers to become Special Guardians and providing a stable permanent home for children and young people that are not able to stay with their birth parents will make it more likely that the young people concerned will become good citizens.

- 13.2 There are no planning implications.

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## **APPENDICES**

- Appendix 1: Policy on financial support for Special Guardianship and Assisted Residence Orders  
Appendix 2: Cabinet report 18<sup>th</sup> March 2010 and decisions.

## **REFERENCE MATERIAL**



**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Cabinet</b>	<b>18<sup>th</sup> March 2010</b>
<b>Cabinet</b>	<b>12<sup>th</sup> June 2008</b>

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**Children and Young People's Department****Policy on financial support for Special Guardianship and Assisted Residence Orders****New applicants for post Special Guardianship Order support**

1. Financial support will only be paid in the following circumstances to special guardians, according to regulation 6 of the Special Guardianship Regulation 2005 and where the criteria detailed below apply.
2. For special guardians or prospective special guardians, financial support is payable to facilitate arrangements for a person to become a special guardian where the local authority consider such arrangements to be beneficial to the child's welfare; or to support the continuation of such arrangements after a special guardianship order is made.
3. Financial support will only be payable where there has been an assessment that one of the following circumstances exist.
  - where it is necessary to ensure that the carer can look after the child
  - where the child needs special care which requires greater expenditure of resources by reason of illness, disability, emotional or behavioural difficulties, or the continuing consequences of past abuse or neglect
  - where the local authority considers it appropriate to contribute to legal costs, including court fees of a special guardian or prospective special guardianship for the making of a special guardianship order or the discharge of such an order; or an applications for an order under Section 8 of the Children Act 1989; or an order for financial provision to be made to or for the benefit of the child
  - where the local authority considers it appropriate to contribute toward to the expenditure necessary for the purposes of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations to and adaptations of the home, provision of means of transport, and provision of clothing, toys and other items necessary for the purpose of looking after the child.
4. Where it has been determined that financial support is to be considered a full financial assessment of the person's circumstances will be undertaken by an officer of the council with expertise in financial assessments in conjunction with the allocated social worker according to Regulation 13 of the Special Guardianship Regulations 2005. The financial assessment will take into account the person's financial resources, their reasonable outgoings and commitments and the financial needs and resources of the child including any tax credit or benefit which would be available to the potential special guardian if the child lived with them. The Council considers a full assessment rather than a formula based calculation is in more accordance with Regulation 13 of the Special Guardianship Regulations 2005 and allows for greater flexibility to ensure the particular needs of the individual child can be supported.
5. The amount of financial support will not be based on the fostering allowance, except for former foster carers where it will be assumed that they should not be at any financial detriment by becoming special guardians.

6. Any decision to provide financial support will be made by the Head of Branch for Children's Social Care or the officer they have delegated to make the decision, following a recommendation of the permanency panel.
7. The carer has 28 days to appeal the proposed plan for support services. The appeal will be considered by the Director of Children's Services.
8. Financial support can be paid as:
  - Periodical payments to meet the need which is likely to give rise to recurring expenditure or
  - A single payment or
  - Payment by instalments
9. Where the special guardian was receiving fostering allowance for the child, as an approved foster carer, immediately prior to the Order they will continue to receive the skills fee (element of remuneration) paid for that child prior to the order for 2 years following the order. The skills fee will cease after 2 years unless there are exceptional reasons for this to continue.
10. Where financial support is being considered for
  - Any legal costs, including court fees, associated with the application for Special Guardianship where the child was previously looked after by the local authority and the authority support the making of the order or any application to vary or discharge a Special Guardianship order for such a childthe carer's financial resources and commitments **will not** be taken into account .
11. Where financial support is being considered for
  - Initial costs of accommodating a child i.e. furniture, clothes who has been looked after by the local authority
  - Recurring costs for travel to facilitate contact between the child and a related person
  - A financial package for any special care relating to illness, disability, emotional or behavioural difficulties or the consequences of past abuse or neglect for any child that was previously looked after
  - Any skills fees being paid as a result of being a former foster carer as detailed in 20.the carer's financial resources and commitments **may be disregarded**.
12. All carers will be encouraged to seek welfare benefits advice to ensure that they are receiving all eligible benefits.
13. Before receiving any financial support paid periodically the carers must agree to:
  - inform the Children and Young People's Department immediately if they change address, the child dies, the child leaves home, ends education or training, starts employment or qualifies for Income Support or Jobseekers Allowance in their own right, or there is a change in their financial circumstances or their financial needs
  - be subject to an annual review
14. The annual review will require the special guardians to confirm their eligibility for financial support, provide a summary of their current financial circumstances, provide

information about any significant changes in their financial circumstances since the last review and to provide information about any changes in the financial needs and resources for the child., their address and whether the child has a home with the carers.

15. A full financial assessment for eligibility for financial support will undertaken when there are
  - any notified changes of financial circumstances for the family or notified changes in the needs and resources of the child
  - any potential breaches in the conditions outlined in 20 come to the notice of the local authority and
  - at any stage in the implementation of the support plan that the local authority considers is appropriate..
16. There will be no assumption of an annual increase in line with inflation except for those whose financial support is based on the fostering allowance when the periodic payments will be increased each year in accordance with any increase in the fostering allowance.
17. If as a result of the review the local authority is proposing to reduce or terminate the financial support, the local authority will write to the special guardians to give them the opportunity to make representations within a 28 day period.
18. The Director of Children's Services will consider the representation and make a decision whether to vary or terminate the payment, seek recovery of all or part of any overpayment or revise the financial support plan.
19. The local authority will write to the special guardian to inform them of the decision of the review of the financial support and their reasons for any variation of the plan.
20. Any ongoing financial support will cease to be payable to a special guardian or prospective special guardian if—
  - the child ceases to have a home with him;
  - the child ceases full-time education or training and commences employment;
  - the child qualifies for income support or jobseeker's allowance in his own right; or
  - the child attains the age of 18 unless he continues in full-time education or training, when it may continue until the end of the course or training he is then undertaking.

#### **New applications for Assisted Residence Orders**

21. Financial support will only be paid in the following circumstances to a carer with a Residence Order in respect of a child according to Schedule 1, paragraph 15, of the Children Act 1989 and where the criteria detailed below apply.
22. Where a child lives, or is to live, with a person as the result of a residence order, a local authority may make contributions to that person towards the cost of the accommodation and maintenance of the child.
23. Financial support will not be considered under this policy where the person with whom the child lives, or is to live, is a parent of the child or the husband or wife or civil partner of a parent of the child.

24. Financial support will only be payable where there has been an assessment that one of the following circumstances exist.
- where it is necessary to ensure that the carer can look after the child
  - where the child needs special care which requires greater expenditure of resources by reason of illness, disability, emotional or behavioural difficulties, or the continuing consequences of past abuse or neglect
  - where the local authority considers it appropriate to contribute to legal costs, including court fees for the person applying for a Residence Order or the discharge of such an order; or an application for any other order under Section 8 of the Children Act 1989; or an order for financial provision to be made to or for the benefit of the child
  - where the local authority considers it appropriate to contribute toward to the expenditure necessary for the purposes of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations to and adaptations of the home, provision of means of transport, and provision of clothing, toys and other items necessary for the purpose of looking after the child.
25. Where it has been determined that financial support is to be considered a full financial assessment of the person's circumstances will be undertaken by an officer of the council with expertise in financial assessments in conjunction with the allocated social worker. Whilst there are no similar regulations for Assisted Residence Orders, the principles of the Special Guardianship Regulations will apply and the financial assessment will take into account the person's financial resources, their reasonable outgoings and commitments and the financial needs and resources of the child including any tax credit or benefit which would be available to carer if the child lived with them.
26. The amount of financial support will not be based on the fostering allowance, except for former foster carers where it will be assumed that they should not be at any financial detriment by applying for a Residence Order.
27. Any decision to provide financial support will be made by the Head of Branch for Children's Social Care or the officer they have delegated to make the decision, following a recommendation of the Permanency Panel
28. The carer has 28 days to appeal the proposed plan for support services. The appeal will be considered by the Director of Children's Services.
29. Financial support can be paid as:
- Periodical payments to meet the need which is likely to give rise to recurring expenditure or
  - A single payment or
  - Payment by instalments
30. Where the carer with a residence order was receiving fostering allowance for the child, as an approved foster carer, immediately prior to the Order they will continue to receive the skills fee (element of remuneration) paid for that child prior to the order for 2 years following the order. The skills fee will cease after 2 years unless there are exceptional reasons for this to continue.

31. Where financial support is being considered for
- Any legal costs, including court fees, associated with the application for Residence Order where the child was previously looked after by the local authority and the authority support the making of the order or any application to vary or discharge a Residence Order for such a child
- the carer's financial resources and commitments **will not** be taken into account .
- 32.. Where financial support is being considered for
- Initial costs of accommodating a child i.e. furniture, clothes who has been looked after by the local authority
  - Recurring costs for travel to facilitate contact between the child and a related person
  - A financial package for any special care relating to illness, disability, emotional or behavioural difficulties or the consequences of past abuse or neglect for any child that was previously looked after
  - Any skills fees being paid as a result of being a former foster carer as detailed in 20.
- the carer's financial resources and commitments **may be disregarded**.
33. All carers will be encouraged to seek welfare benefits advice to ensure that they are receiving all eligible benefits.
34. Before receiving any financial support paid periodically the carers must agree to:
- inform the Children and Young People's Department immediately if they change address, the child dies, the child leaves home, ends education or training, starts employment or qualifies for Income Support or Jobseekers Allowance in their own right, or there is a change in their financial circumstances or their financial needs
  - be subject to an annual review
35. The annual review will require the special guardians to confirm their eligibility for financial support, provide a summary of their current financial circumstances, provide information about any significant changes in their financial circumstances since the last review and to provide information about any changes in the financial needs and resources for the child., their address and whether the child has a home with the carers.
36. A full financial assessment for eligibility for financial support will undertaken when there are
- any notified changes of financial circumstances for the family or notified changes in the needs and resources of the child
  - any potential breaches in the conditions outlined in 41 come to the notice of the local authority and
  - at any stage in the implementation of the support plan that the local authority consider is appropriate..
37. There will be no assumption of an annual increase in line with inflation except for those whose financial support is based on the fostering allowance when the periodic payments will be increased each year in accordance with any increase in the fostering allowance.

38. If as a result of the review the local authority is proposing to reduce or terminate the financial support, the local authority will write to the carers to give them the opportunity to make representations within a 28 day period.
39. The Director of Children's Services will consider the representation and make a decision whether to vary or terminate the payment, seek recovery of all or part of any overpayment or revise the financial support plan.
40. The local authority will write to the carers to inform them of the decision of the review of the financial support and their reasons for any variation of the plan.
41. Any ongoing financial support will cease to be payable to a person with a residence order if—
- the child ceases to have a home with him;
  - the child ceases full-time education or training and commences employment;
  - the child qualifies for income support or jobseeker's allowance in his own right; or
  - the child attains the age of 18.

**Permanency Panel**

42. The Permanency Panel will comprise of at least three of the following: the Strategic Service Manager - Children's Resources, the Service Manager for Looked After Children, an Independent Reviewing Officer, a field social worker (independent from any of the cases being presented), an advisor on financial assessments.
43. The Permanency Panel will consider:
- the suitability of all applicants to become special guardians
  - the suitability of carers to apply for a residence order,
  - the suitability of the match for the child to the proposed carer.
  - the proposed support plan
  - the financial support in relation to Special Guardianship and Assisted Residence Orders.
44. Social workers will present the information to the panel about the suitability of the carers and the appropriate match for the child, the support plan and financial needs of the family in order for them to care for the child. The officer who has undertaken the detailed financial assessment will provide the detail to the panel members who will consider all items of income and expenditure and whether these are reasonable costs. The carers will have the option to attend the panel. The panel will make a recommendation about whether any financial support should be periodical payments to meet the need which is likely to give rise to recurring expenditure or a single payment or payment by instalments, when any payments should start and the amount of any payments.
45. The panel will make recommendations to the decision maker for each of the cases presented.



**Special Guardians and people with Residence Orders currently in receipt of periodic payments.**

46. Where periodic payments are already in place for Special Guardians and people with Residence Orders they will be subject to annual review as detailed above and a full financial assessment will only be undertaken if their financial circumstances change considerably.
47. Where the original decision was to continue payments until the child is 16 or 18 if in full time education, this will continue to apply and the annual review will request details only that the individual remains eligible for receipt of ongoing payments.

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**WIRRAL COUNCIL****CABINET – 18 MARCH 2010****REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES****SPECIAL GUARDIANSHIP**

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**Executive Summary**

This report is to update members on the policy changes required in relation to Special Guardianship during 2009/10. This report contains proposals for an interim policy in response to challenges against the Council's current policy brought by way of ongoing applications for Judicial Review by two Special Guardians. The report outlines the background in relation to Special Guardianship and current policy agreed by Cabinet in November 2006 and developments that have led to a need to make amendments to the policy.

**1. Background**

- 1.1 The Adoption and Children Act 2002 introduced a completely new court order, Special Guardianship, intended to provide another option for legal permanence for children who cannot grow up with their birth families.
- 1.2 A Special Guardianship Order gives the Special Guardian legal parental responsibility for the child which is expected to last until the child is 18. But, unlike Adoption Orders, these orders do not remove parental responsibility from the child's birth parents, although their ability to exercise it is extremely limited.
- 1.3 If the child was formerly in the care of the Local Authority, the granting of a Special Guardianship Order means that the child is no longer the responsibility of the Local Authority. The Special Guardian will have a clear responsibility for all day to day decisions about caring for the child or young person, and for taking important decisions about their upbringing, for example their education. Although importantly, birth parents retain their legal parental responsibility, the Special Guardian only has to consult with them about these decisions in exceptional circumstances.
- 1.4 The group of young people the new order was seeking to provide permanence for was young people placed in long term Local Authority foster care.
- 1.5 However the national trend is for more relative carers and younger children to be the significant group that Special Guardianship Orders are applied to.
- 1.6 In Wirral due to the focus of a Project Team and the Merseyside Family Courts embracing the legislation, there has been considerable success in securing permanent placements for looked after children with little evidence of disrupted placements.

- 1.7 A growing area of activity is an increasing number of private applications made by families directly to the Court; both locally and regionally there have been challenges about the level of support Local Authorities should provide in such cases.
- 1.8 Since the policy was agreed by Cabinet, a Permanency Panel was set up in April 2009. This has been an important development to ensure consistent application of Wirral's policy and the relevant regulations and in determining the Council's response to legal challenges and approaches made by prospective Special Guardians to the Local Government Ombudsman. The panel comprises social workers, an Independent Reviewing Officer who is responsible for reviewing foster carers, a policy and financial advisor, the Looked After Children's Service Manager, and is chaired by the Strategic Service Manager for Children's Resources. Where there are significant legal issues to consider, representation is also provided from the Borough Solicitor. The Panel is attended by the social worker who presents reports in advance for reading by Panel members. The Panel considers both the suitability of the applicants and that of the support plan. The Panel then makes recommendations to the Head of Branch Children's Social Care. All decisions about financial support are made by the Head of Branch, Children's Social Care, following a recommendation made by the Permanency Panel. There is a 28 day period in which the applicant can appeal the decision, and it is proposed in future that this appeal is considered by the Director of Children's Services.

## **2. Financial support for Special Guardians**

- 2.1 A Cabinet Report of 15<sup>th</sup> November 2006 agreed the policy for local authority financial support for Special Guardians. This was followed on 12<sup>th</sup> June 2008 with a report that extended the policy to cover the financial support to Adopters, Special Guardians and carers with Residence Orders. This ensured consistency in the allocation of financial support across all forms of permanent care. The policy detailed the eligibility criteria for financial support and the financial assessment (means test) that would be applied. The means test is based on that recommended by the DCSF. In addition to the criteria that are in accordance with Regulation 6 of the Special Guardianship Regulations 2005, the original policy said that:-

*"financial support will be considered only after an assessment has taken place, and the child was looked after immediately prior to the order, or the child is in need".*

- 2.2 Legal advice from within various local authorities, including Wirral, is that such criteria cannot be used as part of the consideration for financial support. The current practice is therefore to consider each applicant for financial support against the circumstances as detailed in the relevant regulations. The policies and procedures for 'Special Guardianship Orders' and the 'Financial Support to Adopters, Special Guardians and carers with Residence Orders' therefore require amendment to reflect the current practice.
- 2.5 Regulation 7 of the Special Guardianship Regulations (2005) states that former foster carers can continue to receive the remuneration element of any financial support paid to them prior to the making of the Special Guardianship Order for up to the first two years of the Special Guardianship Order, to allow a period of transition. This relates to the professional fee paid to former non relative foster carers and not the basic fostering

## APPENDIX 2

allowance which is paid to all foster carers regardless of whether they are family and friends. However, many foster carers have been reluctant to commit to making an application for Special Guardianship Order, if the basic fostering allowance is not guaranteed for at least 2 years. Advice from Department of Children's Schools and Families (DCSF) has been sought on the issue and they advise that there may not be a problem with making continuing payment of allowances, provided they are considered to be necessary for the purposes set out in the Regulations and that our own legal advice should be sought.

Our own legal advice is that Regulation 6 sets out the circumstances in which financial support may be paid to a Special Guardian or prospective Special Guardian. Financial support paid under these Regulations cannot duplicate any other payment available to the Special Guardian, and Regulation 13 provides that in determining the amount of any financial support, the Local Authority must take account of any other grant, benefit, allowance or resource which is available to the person in respect of their needs as a result of becoming a Special Guardian of the child.

The professional judgement which has informed the current policy is based on the fact that we have high numbers of children in care, many of whom are in long term settled placements. Furthermore, if the continued payment of allowances was not guaranteed for 2 years, before the means test was applied this could act as a deterrent to children achieving permanence, as many foster carers indicated they would not proceed to make an application for Special Guardianship, without this guarantee. Consequently, the current policy provides for the continued payment of an amount equivalent to the fostering allowance, minus child benefit, irrespective of the outcome of the means test because it provides a level of financial security for all former foster carers for the first two years, with each case then being regularly reviewed on its own particular merits. This has allowed Wirral to provide a financial package for carers of children in long term settled placements to facilitate the making of Special Guardianship Orders.

In the light of the legal advice however, the policy needs to be amended to comply fully with the Special Guardianship Regulations (2005). Entitlement to financial support under the Regulations is not automatic and therefore all applicants' circumstances must be considered and assessed against Regulation 6, and a financial assessment under Regulation 13. This will apply to all prospective and current Special Guardians, including foster carers and former foster carers.

- 2.6 There has been a growing amount of complex work in assessing Special Guardianship applicants' financial circumstances. The Local Authority has a responsibility to ensure that financial issues are not an obstacle to Special Guardianships arrangements continuing.
- 2.7 The interim policy will be kept under review, particularly in light of the current challenges that the Council faces. The intention is to update the Cabinet on developments in the Judicial Review proceedings as necessary and present a policy for approval after the Court has given its judgement, if it does not prove possible to resolve matters by way of negotiation.

**3. Post Special Guardianship Support**

- 3.1 The Regulations for provision of post Special Guardianship Support are similar to those governing Post Adoption support. In relation to both areas there is increasing demand for services. On June 15 2009 the Employment and Appointment Committee agreed to establish the former Project Team posts on a long term basis to provide these services of Post Adoption and Special Guardianship support. The assessment and provision of financial support for both Orders must be within the same framework and policy.
- 3.2 The team are at an early stage of development but work has already begun in looking at how the service needs to be developed, in particular through consultation with Special Guardians. There will be a strong emphasis on applying strategies that have worked well in the Adoption service which is why the team has been located in the Adoption and Permanence service.

**4. Financial implications**

- 4.1 There are none arising from this report.

**5. Staffing implications**

- 5.1 There are none arising from this report.

**6. Equal Opportunities Implications/Health Impact Assessment**

- 6.1 Special Guardians may come from all parts of Wirral and may meet the needs of a range of children's needs. An equality impact assessment was carried out on the current policy. The proposed policy is an interim policy and does ensure greater equality as the same regulations will apply in full to all applicants.

**7. Community safety implications**

- 7.1 The assessment and support for Special Guardians ensures that children are provided with safe alternative carers.

**8. Local Agenda 21 implications**

- 8.1 There are none arising from this report.

**9. Planning implications**

- 9.1 There are none arising from this report.

**10. Anti-poverty implications**

- 10.1 The assessment for support and identification of support plans for Special Guardians ensures that they are able to meet the needs of children in their care.

**11. Social inclusion implications**

- 11.1 Special Guardianship provides the opportunity for stable and permanent care for children who cannot live with their natural parents

**12. Local Member Support implications**

- 12.1 There are none arising from this report.

**13. Background Papers**

- Special Guardianship Regulations 2005
- Adoption and Children Act 2002

**RECOMMENDATIONS**

**That:**

The Council agrees to this interim policy in the light of recent developments nationally and regionally.

**Howard Cooper**  
**Director of Children's Services**

## DECISION DETAILS

### *Special Guardianship*

**Decision Maker:** Cabinet, Cabinet Briefing

**Decision Type:** Non-Key

**Decision Status:** Awaiting Implementation

**Is Key decision?:** No

**Is subject to Call In?:** Yes

### **Decisions:**

A report by the Director of Children's Services served to update Members on the policy changes required in relation to Special Guardianship during 2009/10. The report contained proposals for an interim policy in response to challenges against the Council's current policy, brought by way of ongoing applications for Judicial Review by two Special Guardians. The report also outlined the background in relation to Special Guardianship and current policy agreed by the Cabinet in November 2006 and subsequent developments that had led to a need to make amendments to the policy.

### **RESOLVED: That**

- (1) a revised policy be prepared in line with the principles set out in the report and it be presented to the Cabinet as soon as the legal issues are clarified; and**
- (2) in the interim and in advance of such a policy being agreed, the Director of Children's Services be authorised to agree financial support for Special Guardian in accordance with the Special Guardianship Regulations (2005) and in line with the advice of the Director of Law, HR and Asset Management.**

**Report Author:** Interim Director of Children's Services

**Publication Date:** 31/03/2010

**Date of Decision:** 18/03/2010

**Decided at Meeting:** [18/03/2010 - Cabinet](#)

**Effective from:** 10/04/2010

### **Accompanying Documents:**

- [Special Guardianship Report](#)  PDF 100 KB



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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