

CABINET

Thursday, 2 June 2011

<u>Present:</u>	Councillor	S Foulkes (Chair)	Finance and Best Value
	Councillors	G Davies P Davies AER Jones B Kenny A McArdle AR McLachlan C Meaden H Smith J Stapleton	Housing and Community Safety Regeneration and Planning Strategy Corporate Resources Environment Social Care and Inclusion Children's Services & Lifelong Learning Culture, Tourism and Leisure Streetscene and Transport Services Community and Customer Engagement
<u>In attendance:</u>	Councillors	J Green S Clarke L Rennie T Harney D Mitchell	D Mitchell L Rennie

1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor Brian Kenny declared a personal interest in Item Nos. 4 and 4A on the agenda – Early Intervention Grants – Outcomes of Commissioning (Minute No. 6 and 22 refers) by virtue of him being a Director of the Wirral Multicultural Organisation.

Councillor George Davies declared a personal and prejudicial interest in Item No. 20 on the agenda – Appointment of Keepmoat Homes as the Council's Preferred Private Developer Partner for Birkenhead (Minute No. 21 refers) by virtue of his son working for Bramall, part of the Keepmoat Group and left the meeting whilst this matter was under consideration.

Councillor Phil Davies declared a personal interest in the following four agenda Items:

Item No. 3 – Scheme and Estimate Report for Woodlands Primary School to Consolidate Teaching Accommodation (Minute No. 5 refers) by virtue of being a Governor of Woodlands Primary School.

Item Nos. 4 and 4A - Early Intervention Grants – Outcomes of Commissioning (Minute Nos. 6 and 22 refers) by virtue of him being a Director of the Wirral Multicultural Organisation.

Item No. 9 – Government Grants 2011/12 (Minute No. 11 refers) by virtue of him being a Non Executive Director of Lairdsie Communities Together.

Councillor Anne McArdle declared a personal interest in Item Nos. 4 and 4A on the agenda (Minute Nos. 6 and 22 refer) by virtue of her involvement with Leasowe Early Years Centre.

Councillor Chris Meaden declared a personal interest in the following four agenda items:

Item Nos. 4 and 4A - Early Intervention Grants – Outcomes of Commissioning (Minute Nos. 6 and 22 refers) by virtue of her being a member of the Wirral Play Council Executive Committee and a member of the Wirral Play Partnership.

Item No. 9 - Government Grants 2011/12 (Minute No. 11 refers) by virtue of her being a Non Executive Director of Lairdsie Communities Together.

Item No. 16 – Proposed Adoption of the Port Sunlight Village Conservation Management Plan 2007 (Minute No. 18 refers) by virtue of her daughter living in the village.

Councillor Harry Smith declared a personal interest in Item Nos. 4 and 4A on the agenda (Minute Nos. 6 and 22 refers) by virtue of him being the Chair of the Birkenhead Sure Start Board.

All Councillors who had been appointed to serve as governors on school governing bodies declared a personal interest in Item No. Nos. 4 and 4A - Early Intervention Grants – Outcomes of Commissioning (Minute Nos. 6 and 22 refers).

2 LEADER OF THE COUNCIL'S ANNOUNCEMENTS

Councillor Steve Foulkes thanked last year's Cabinet Members for their hard work. He informed that this would be a very difficult year. The Council needed to adjust and reshape services as a result of the large number of staff who had left the organisation. He would be taking a cautious approach, in view of the financial situation and would do his level best to provide services that the people of Wirral deserved. There would be consultation but it would be carried out via Overview and Scrutiny Committees. He was aware there had been criticism of the scrutiny function in the past and he was willing to review the role. Councillor Foulkes also told the Cabinet that he intended to be open and honest and continue last year's Cabinet's good practice of considering as many agenda items as possible in the presence of the press and public. He went on to thank all those who had given the Labour Group at Wirral Council a democratic mandate.

Councillor Foulkes was keen to record good news informing that all three Political Groups had worked on the Peel Holdings investment in Wirral Waters. Peel Holdings had now informed that it hoped to submit the trade centre application with a view to obtaining planning permission for the ten year project by the autumn and starting construction next year. This was a proper 'gateway' project and a significant leap.

RESOLVED:

That Councillor Foulkes' announcements be noted.

3 SOUTHERN CROSS

The Interim Director of Adult Social Services provided the Cabinet with a comprehensive update on the situation regarding Southern Cross. The financial future of Southern Cross now looked uncertain as the company had recently warned it was in a "critical financial condition" as it had unveiled a £311m loss in the six months to 31 March 2011.

The company had also said it would be looking to reduce its rental payments to its landlords to cut costs. Its landlords had agreed to the company paying nearly a third less rent than it was obliged to pay for the next four months, in what was effectively a loan from its landlords.

The Interim Director set out the national position first, informing that he had been aware of the difficulties being experienced by Southern Cross for some months. He had been monitoring the situation and looking at risk management and contingency measures. The company was the largest provider of social care in the country. It had 31,000 beds for elderly residents nationally. The private equity firm Blackstone had bought Southern Cross in 2004 for £162million and sold it three years later at the height of the property market when expectations on return on investment in capital had been high. It was believed to have quadrupled its investment. However, to achieve this Blackstone had sold off the company's homes, leaving Southern Cross to lease the properties. Capital had been exchanged for revenue.

Southern Cross had expected no increase in fee levels, but had seen a 2% reduction across the country. The Interim Director reported that if the company ceased to trade an Administrator would be appointed to try to dispose of it as a going concern. It would not be in the interests of landlords for the company to go out of business. There were no obvious buyers for large numbers of care homes. However, there were a number of financial arrangements that could be entered into with its landlords whilst it restructured its business. It was the professional opinion of Directors of Adult Social Services throughout the country that the risk of the company collapsing was probably lower than the scale of the announced losses might initially suggest.

The Interim Director then set out the local position. Southern Cross owned six care homes in Wirral, with around 450 beds in total; but not all were being used. He had been in constant contact with Southern Cross at Regional Director level, and if necessary, would be in a position to put appropriate contingency arrangements in place.

Councillor Steve Foulkes informed that the Council would be keeping a very close eye on the situation with Southern Cross; and Councillor Anne McArdle told the Cabinet that she was not over anxious at the present time, but would continue to monitor the situation closely.

RESOLVED:

That the situation in respect of Southern Cross be noted and the Interim Director of Adult Social Services be thanked for his update report.

4 MINUTES

RESOLVED:

That the Minutes of the meeting of the Cabinet held on 14 April 2011 be confirmed as a correct record.

5 SCHEME AND ESTIMATE REPORT FOR WOODLANDS PRIMARY SCHOOL TO CONSOLIDATE TEACHING ACCOMMODATION

A report by the Interim Director of Children's Services described the work required to consolidate teaching accommodation and undertake refurbishment at Woodlands Primary School and set out the estimated costs of the scheme. The scheme formed part of the Children and Young Peoples Department's Capital Programme approved by the Cabinet at its meeting on 22 July 2010. (Minute No. 82 refers.) The report requested that the Cabinet consider and approve the proposal.

RESOLVED: That

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

6 EARLY INTERVENTION GRANTS - OUTCOMES OF COMMISSIONING

A report by the Interim Director of Children's Services outlined the recent tendering exercise for services and support to children, young people and families via the Early Intervention Grant. Based on the outcomes of the tendering exercise, the report made recommendations for providers of these services and sought approval from the Cabinet to proceed to offering contracts totalling £2,821,828.

The Cabinet was informed that within Wirral there was now a more robust data to inform and support decision making than had previously been available. Returns from the Common Assessment Framework, Joint Strategic Needs Assessment, ASSET the Youth Offending Service Evaluation tool kit and returns from internal monitoring were providing detailed information which was informing priority setting. Following consideration of the intelligence available, commissioning priorities were as follows:

- Early intervention and support for families in difficult circumstances (parenting and compromised parenting). (Priority area 1)
- Children and Young People with Disabilities. (Priority area 2)

- Improving behaviour in Children, Young People and Families. (Priority area 3)

These priorities were agreed by Wirral Childrens Trust and supported the goals in the Your Family: Children and Young People section of the Council's Corporate Plan 2011-2014. A range of evidence based service areas had been identified for each of the three priority areas above – these were set out in Appendix 1 to the report for Members' information.

Councillor Ann McLachlan informed that she was satisfied that there was a robust process in place in respect of commissioning and requested the Interim Director to work with the unsuccessful organisations.

RESOLVED:

That the providers identified for the range of services included in the Early Intervention Grant resulting from an open tendering exercise, as detailed in the following tables be approved:

Table 1: Proposed Providers for Priority Area 1 Parenting/reducing compromised Parenting

Proposed Provider	Priority and Service Area	Units of activity	Description of service	Sector
Homestart (North Wirral)	PA1.1 Home Visiting 0-5	Support families. 250	Support for families on a one to one basis in their own homes using a whole family approach where at least one child is under 5. Service provided at earliest opportunity to prevent difficulties from escalating into crises	Voluntary sector provider
Action for Children	PA1.2.1A Triple P groups	15 programmes	To provide evidence based parenting programme Triple P Teens to parents and carers in a range of venues across Wirral.	Voluntary sector provider
Action for Children	PA1.2.1B Nurturing Programme	8 programmes	To provide evidence based parenting programme Nurturing Programme to parents and carers in a range of venues across Wirral.	Voluntary sector provider
Action for Children	PA1.2.1C Strengthening Families 10-14 yrs	6 programmes	To provide evidence based parenting programme Strengthening Families 10 to 14 years to parents and carers in partnership with local EBD Secondary Schools.	Voluntary sector provider

Proposed Provider	Priority and Service Area	Units of activity	Description of service	Sector
Action for Children	PA1.2.1D Strengthening Families/Strengthening Communities	5 programmes	To provide evidence based parenting programme Strengthening Families/Strengthening Communities to parents and carers of BME children and young people in a range of venues across Wirral.	Voluntary sector provider
Catch 22	PA1.2.2 Intensive Family Support	Support families. 80	To provide an intensive family support service with the assertive delivery of support service with sanctions and possible enforcement action to increase a family's motivation to change their behaviour.	Voluntary sector provider
Catholic Children's Society	PA1.2.3 Home Visiting 5-19 yrs	Support families. 120	Home Visiting Service Structured group work to develop parenting skills, delivered in the community and in partnership with schools. Individual staff support families at home and offer parenting groups in the community to develop skills and social networks	Voluntary sector provider
Leapfrog Zero Centre	PA1.2.4A Domestic Violence 5-13 yrs	Support families. 80	Support for children who have experienced domestic violence, skills building to resolve conflict, emotional support	Voluntary sector provider
Barnardos	PA1.2.4B Domestic Violence 16-18 yrs	Support 75 young women.	Support for young women who have and are experiencing domestic violence by providing intensive support to skills building to resolve conflict and emotional support	Voluntary sector provider
Wirral Multi Cultural Organisation	PA1.2.5 BME	Support families. 100	Support Black and Minority ethnic children with a particular focus upon children who are experiencing the negative effects of social isolation, family stress and racial harassment.	Voluntary sector provider

Proposed Provider	Priority and Service Area	Units of activity	Description of service	Sector
Barnardos	PA1.2.6 Young Carers	Support 15 young carers.	To provide services to children and young people who have been identified as young carers with additional or complex needs as a result of their responsibilities. To reduce their caring role to increase positive outcomes by working within a multi agency framework	Voluntary sector provider

Table 2: Proposed Providers for Priority Area 2 Children and Young People with Disabilities

Proposed Provider	Priority and Service Area	Units of activity	Description of Service	Sector
Activate Training	PA2.1 Weekday and Weekend Leisure/Play activities	3 x 3hours sessions per week x 37 weeks	Creative and performing arts workshops for young people with disabilities. There will be weekday evening and weekend provision with two split groups, aged 8-13 and 13-19.	Voluntary Sector Provider
Crossroads Care Cheshire West and Wirral	PA2.1 Weekday and Weekend Leisure/Play activities	8 weekends per year for up to 20 children	Weekend stays for children aged 8 to 19 with disabilities at Barnstondale Outdoor Centre	Voluntary Sector Provider
Crossroads Care Cheshire West and Wirral	PA2.1 Weekday and Weekend Leisure/Play activities	2 hours per week for up to 20 children	After school activity club for 13-19 year olds	Voluntary Sector Provider
Crossroads Care Cheshire West and Wirral	PA2.1 Weekday and Weekend Leisure/Play activities	3 x 2 hour sessions per week x 39 weeks	After school club for children with complex health needs	Voluntary Sector Provider
Crossroads Care Cheshire West and Wirral	PA2.1 Weekday and Weekend Leisure/Play activities	4 x 4hour sessions x 48 weeks	Weekend activity sessions for children aged 8-18 with complex needs.	Voluntary Sector Provider
Wirral Autistic Society	PA2.1 Weekday and Weekend Leisure/Play activities	208 x 3 hour sessions per year	Activity clubs for children aged 7-18 with a diagnosis of Autistic Spectrum Condition or other associated social and communication difficulties.	Voluntary Sector Provider

Proposed Provider	Priority and Service Area	Units of activity	Description of Service	Sector
Wirral Council (Sport Development Unit)	PA2.1 Weekday and Weekend Leisure/Play activities	Weekday- 2 hours session x 28 weeks Weekend- 2 hour sessions x 46 weeks	Sporting activities for children aged 5-19 with disabilities. There will be weekday evening and weekend provision with two split groups, aged 5-14 and 15-19.	Statutory Provider
Wirral Play Council	PA2.1 Weekday and Weekend Leisure/Play activities	5 x 2-3 hours sessions per week x 47 weeks	Playscheme for children aged 5-19 with disabilities. Weekday, weekend and holiday sessions split according to age and needs of children.	Voluntary Sector Provider
Wirral Resource Centre and Toy Library	PA2.1 Weekday and Weekend Leisure/Play activities	208 x 2 hour sessions	Weekday evening and weekend play sessions for children aged 0-8 with a diagnosis of Autistic Spectrum Condition or other associated social and communication difficulties.	Voluntary Sector Provider
Wirral Autistic Society	PA2.2 Sitting Service	2392 sessions	Sitting Service for children and young people with a diagnosis of Autistic Spectrum Condition, associated difficulties or traits.	Voluntary Sector Provider
Wired	PA2.3 Direct Payment Support Scheme	21 hours per week	Support service to actively support with recruitment of Personal Assistants and the Human resources issues related to recruitment and employment.	Voluntary Sector Provider
Wirral Council (Family Support Team)	2.4 ASD Specialised Support	1935 sessions	Individualised one to one service for young people who have Autistic Spectrum Disorder and Severe Learning Difficulties and may display challenging behaviour.	Statutory Provider

Table 3: Proposed Providers for Priority Area 3 Improving behaviour in Children, Young People and Families.

Proposed Provider	Priority Area	Units of activity	Description of service	Sector
Wirral Council (Youth & Play Service)	P 3.1A : Risk taking Behaviour in young people ages 8-13	416 x 2 hours sessions	Enhanced outreach for young people aged 8-13. This will support vulnerable young people in the transition period from primary to secondary school.	Statutory Provider
Merseyside Fire and rescue Service	PA3.1B : Risk taking Behaviour in Young people ages 13-19	4x 12 week courses	Beacon Project – targeted group project which will operate on a referrals basis and be part of a response to the needs of young people identified as needing additional support. This will operate during term time and will accept referral from schools, training providers, Connexions and other stakeholder organisations.	Statutory Provider
Merseyside Fire and Rescue	PA3.1B : Risk taking Behaviour in Young people ages 13-19	5x 12 week courses	Life Project: This will operate in holiday periods and will also tackle anti social behaviour. Sessions will be delivered in identified hot spot areas.	Statutory Provider
Wirral Youth & Play Service	PA3.1B : Risk taking Behaviour in Young people ages 13-19	1049 x 2 hour sessions	Enhanced Outreach – This programme will be part of a programme of outreach engaging with young people aged 13-19. Provision will be targeted at identified hot spot areas.	Statutory Provider
Grange Baptist	PA3.1B : Risk taking Behaviour in Young people ages 13-19	48 x 3 hour sessions	Week-end work – This programme will operate from Grange Baptist church in Birkenhead. This project operates on a Saturday night and works with young people seeking alternative provision. It	Voluntary Sector Provider

Proposed Provider	Priority Area	Units of activity	Description of service	Sector
			is envisaged that 18-100 young people will use this project every week-end	
Wirral Council (Youth and Play Service)	PA3.1B : Risk taking Behaviour in Young people ages 13-19	31 x 3 hour sessions	Artsmark Plus- Targeted arts programme which will operate alongside enhanced outreach 13-19	Statutory Provider
Wirral Council (Youth and Play Service)	PA3.2 Advice and Guidance 1:1	483 x 1 hour sessions	One to one advice sessions- these will be provided across the authority in a variety of venues. This will enable individual young people to access personal support.	Statutory Provider
Wirral Council (Youth and Play Service)	PA3.2 Advice and Guidance Open Sessions	322 x 3 hour sessions	Open Advice Sessions- these will be provided as part of a universal programme to ensure young people have advice on a range of issues.	Statutory Provider
Wirral Council (Sports Development)	PA3.3A Accredited Opportunities - Sports	320 x 3 hour sessions	Youth Sports Nights Week-ends/ Hot spot areas : to provide sports nights on Friday and Saturday nights in response to identified hot spot areas.	Statutory Provider
Wirral Council (Sports Development)	PA3.3A Accredited Opportunities - Sports	288 x 3 hour sessions	Youth Sports provision Holiday periods/ Hot spot areas: This will be planned holiday provision in each district during holiday periods.	Statutory Provider
Wirral Council (Youth and Play Service) & Partners	PA3.3A Accredited Opportunities - Arts	1681 x 2.5 - 3 hour sessions	Accredited Opportunities to be provided across Wirral and by other partners. This will be a universal provision that will be part of any planned intervention with young people. This approach is in line with the need to have universal positive activities for	Statutory & Voluntary Providers

Proposed Provider	Priority Area	Units of activity	Description of service	Sector
			young people to engage as the need for intensive support is reduced. This provision will operate Wirral wide and in voluntary and statutory settings.	
Involve North West	Priority Area 3.3B (PA3.3B) Big Nights Wirral's Got Talent	5 x 3 hour events	Wirral's Got Talent – four District heats and one final.	Voluntary Sector Provider
Involve North West	PA3.3B Big Nights Big Band	5 x 3 hour events	Big Band Nights – four district heats and one final	Voluntary Sector Provider
Involve North West	PA3.3B Big Nights DJing	5 x 3 hour events	DJing Competition – four district heats and one final	Voluntary Sector Provider
Involve North West	PA3.3B Big Nights Discos	4 x 3 hour events	Four discos – one in each District	Voluntary Sector Provider
Wirral Council (Youth & Play)	PA3.4 Risk Taking workshops	60 x 3 hour workshops	Sixty Risk taking Behaviour Workshops. These will be developed in response to identified local need. The workshops will operate in a variety of settings and seek to engage vulnerable young people.	Statutory Provider

Summary:

- Priority Area 1 Parenting/reducing compromised Parenting: **£1,587,528** (£1,322,500 EIG, £265,028 partnership contributions)
- Priority Area 2 Children and Young People with Disabilities: **£779,772**
- Priority Area 3 Improving behaviour in Children, Young

People and Families.

£454,528

TOTAL RECOMMENDED AMOUNT

£2,821,828

(inc. £265,028 partnership)

7 BUDGET PROJECTIONS 2012-15

A report by the Director of Finance presented the projected budget for 2012-15.

Council Steve Foulkes told the Cabinet that he believed Wirral had been given a raw deal compared to other parts of the country. He was concerned about the impact that possible changes in local government financing could have on the Borough. In particular, the Cabinet noted that any future changes this year would come on the back of the removal of a £51m worth of Government grant.

Councillor Foulkes informed that the way the national pot was being distributed was not doing Wirral any favours. Wirral has some very deprived areas with very high levels of deprivation and the Borough deserved a fairer share of Government funding.

RESOLVED: That

- (1) Cabinet notes the current projected budget shortfall of £20.8m and the concerns raised in the report over the impact of possible changes to Local Government financing to take effect from 2013;**
- (2) Cabinet further notes that any future changes come on the back of the removal this year of £51m of Government grant from Wirral's budget, much of which was targeted at the Area Based Grant which was specifically aimed at authorities with high levels of deprivation;**
- (3) Cabinet expresses its real concern that future changes to Local Government Finance could disadvantage again poorer authorities with less ability to raise revenue locally and compound the impact of decisions already taken;**
- (4) Cabinet therefore asks the Chief Executive, the Director of Finance, and other Chief Officers as appropriate to work together to respond to consultations and to put together the best lobbying case possible to take to Government, either individually or through organisations like Sigoma and the LGA, pointing out the real dangers of the direction they are taking for a local authority like Wirral, and asking them to reconsider before a permanent disadvantage is built into the system for local authorities with high levels of poverty or deprivation; and**
- (5) Cabinet asks the Chief Executive to seek an urgent meeting with Government Ministers to make our concerns clear.**

8 PROCUREMENT STRATEGY

A report by the Director of Finance sought the Cabinet's approval of a revised Procurement Strategy. The existing Strategy was approved by Cabinet on 24 September 2009. (Minute No. 120 refers.) In December 2009, the Audit Commission published a review of commissioning and procurement activity and, as a result, the Cabinet approved amendments to the Strategy on 4 February 2010. This revision had been developed in the context of enhancing good procurement practice to

support better value purchasing and delivery of specific financial targets agreed in the 2011-12 Budget.

RESOLVED:

That the revised Procurement Strategy be approved.

9 DEVELOPMENT OF AN OUTCOME BASED COMMISSIONING FRAMEWORK

A report by the Director of Finance provided the Cabinet with an overview of the development of an outcome based Commissioning Framework that could be used as the basis for fundamental service reviews and re-commissioning activity over the medium term in order to achieve the objectives set out in the Corporate Plan.

RESOLVED: That

- (1) the the principles contained within this report that underpin the development of an outcome based Commissioning Framework be agreed;**
- (2) a further report be presented on options for applying such a framework to major service reviews emerging from the consultation exercise; and**
- (3) the report be referred to the Council Excellence Overview and Scrutiny Committee for consideration.**

10 DOCUMENT RETENTION AND DESTRUCTION POLICY

A report by the Director of Finance sought the Cabinet's approval to amend the Document Retention and Destruction Policy which was last revised in September 2009. The report stated that it was good practice to review policies at least every two years. Revisions to the Policy had been subject to extensive consultation, with all Departments, between December 2010 and March 2011.

RESOLVED:

That the revised Document Retention and Destruction Policy be agreed.

11 GOVERNMENT GRANTS 2011/12

A report by the Director of Finance provided Members with an update on Government Grants received since the Budget 2011/12 was agreed by the Council on 1 March 2011.

RESOLVED: That

- (1) the Technical Services budget 2011/12 be varied by increasing expenditure on highways maintenance by £625,900 with this matched by income from the Road Maintenance Resource Grant;**

- (2) the New Homes Bonus general grant for 2011/12 be added to balances and it be noted that the Interim Director of Corporate Services will bring a report to the next Cabinet on potential uses for this resource;
- (3) the Local Services Support General Grant for 2011/12 be added to balances and the budgets be increased for 2011/12 for Technical Services, by £123,000 for priority local flood measures; for Corporate Services by £350,000 to re-instate the Neighbourhood Management arrangement in Tranmere and for Children and Young People by £200,000 to support home to school transport costs; and
- (4) the receipt of the Council Tax Freeze Grant 2011/12 of £3,285,900 be noted.

12 ANTI-MONEY LAUNDERING POLICY

A report of the Director of Finance advised that following the publication of CIPFA guidance 'Combating Financial Crime: Further Guidance on Anti-Money Laundering for Public Service Organisations (2009)', the Anti-Money Laundering Policy had been updated.

A revised Anti-Money Laundering Policy for the Council was attached to the report as Appendix 1. The changes made to the existing Policy were identified by the use of italics.

RESOLVED: That

- (1) the revised Anti-Money Laundering Policy be approved; and
- (2) the revised Policy be promoted across the Council.

13 BANKING CONTRACT

A report by the Director of Finance sought the Cabinet's approval to tender for banking services provided to the Council, including the Merseyside Pension Fund. The current contract with Royal Bank of Scotland (RBS) Group could be extended to 31 March 2013. However, a European Union Directive was forcing RBS to divest itself of some of its services to other banks prior to that date. It may, therefore, be necessary to assign the existing contract to an alternative bank as an interim measure if this divestment takes place before the conclusion of the tender process.

RESOLVED: That

- (1) agreement be given to invite tenders for the provision of banking services to the Council, including Merseyside Pension Fund;
- (2) agreement be given to the extension of the existing contract with RBS Group for the period of the tender process, which shall be no later than 31 March 2013; and

- (3) **the Director of Finance be authorised to agree to the assignment of the existing contract with RBS Group to another bank should RBS divest its services prior to completion of that tender.**

14 **BRIBERY ACT 2010**

A report by the Director of Finance outlined the Bribery Act 2010, and set out the actions required to ensure compliance. The report also set out the sanctions which were applicable to the Council, in the event of a prosecution under the Act.

A period of consultation preceded the implementation of the Act which was initially planned for 1 April 2011. Following the period of consultation the implementation date had been delayed. On 30 March 2011 the Ministry of Justice published long awaited Guidance relating to the Act and announced that the implementation date will be 1 July 2011.

A draft Anti-Bribery Policy was attached to the report at Appendix 1 which had been prepared in accordance with CIPFA best practice.

Following discussions with the Head of Legal and Member Services, an action plan had been prepared to ensure that the Council implemented appropriate actions to comply with the requirements of the Act. This was attached to the report at Appendix 2: section 1 of the appendix identified the current situation within the Council; and section 2 identified the actions required.

RESOLVED: That

- (1) **the Council takes appropriate steps to ensure compliance with the legislation as identified in the action plan;**
- (2) **the Anti-Bribery Policy be approved; and**
- (3) **the promotion of the Anti-Bribery Policy across the Council be endorsed.**

15 **TRANMERE ROVERS FOOTBALL CLUB - REVIEW OF SPONSORSHIP AGREEMENT**

A report by the Director of Law, HR and Asset Management recommended that the sponsorship agreement between Tranmere Rovers Football Club and the Council be renewed for a further year to cover the period 1 July 2011 to 30 June 2012.

An objection to the sponsorship from a member of the Public had been received and circulated to all Cabinet Members.

RESOLVED: That

- (1) **the Council's sponsorship arrangement with Tranmere Rovers Football Club be extended for a further year (from 1 July 2011 to 30 June 2012) on the basis set out in the report;**

- (2) the existing base sponsorship level be increased to take account of inflation;
- (3) the principle of increased or reduced payments in the event of promotion or relegation be accepted and revised payments be negotiated and agreed if and when this occurs as set out in the report; and
- (4) the completed Sponsorship Agreement be put in the public domain.

16 **VICTORIA HALL, BEBINGTON - COMMUNITY ASSET TRANSFER**

A report by the Director of Law, HR and Asset Management sought approval for a transfer by lease of Victoria Hall, Village Road, Bebington, in accordance with the Council's Community Asset Transfer Policy.

The transfer would support the Council's goal of reducing its running costs by improving the efficiency and value for money of Council services.

RESOLVED: That

- (1) a transfer by lease of Victoria Hall 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; and
- (2) the building works, including the access road, the pre transfer funding, the operational equipment and the transitional costs for the first two years of the business plan, be funded from the Community Fund.

17 **TENDER REPORT FOR TOWN LINK VIADUCT REFURBISHMENT**

A report by the Director of Law, HR and Asset Management informed the Cabinet of the nature of works proposed to refurbish the Town Link viaduct and that he had accepted a tender for the works under delegated authority. The report also sought approval of technical variations to the contract in excess of 10% of the tender total and for the slippage of the available funding.

RESOLVED: That

- (1) the contents of this report and the nature of the works proposed be noted;
- (2) it be noted that the lowest tender in the sum of £483,915, submitted by Balvac Ltd, has been accepted by the Director of Law HR and Asset Management under delegated authority, pursuant to Contract Procedure Rule 14.4, which will be reported to the next meeting of the Sustainable Communities Overview and Scrutiny Committee;
- (3) approval be granted for the variation of the works pursuant to Contract Procedure Rule 16.2 in order to fully utilise the available DfT grant funding; and

- (4) approval be granted for the slippage in the Technical Services Capital Programme of £1,088,000, as described at paragraph 9.5 of the report, from 2010/11 to 2011/12 and that the £220,000 not required for this scheme be retained for other projects in the LTP Bridge Maintenance Programme.

18 **PROPOSED ADOPTION OF THE PORT SUNLIGHT VILLAGE CONSERVATION MANAGEMENT PLAN 2007**

A report by the Interim Director of Corporate Services that had been considered by the Planning Committee at its meeting on 31 March 2011 informed that the Council had a statutory duty to protect and enhance the character of the conservation areas and to preserve its listed buildings in accordance with national guidance. In order to meet these obligations the first step had been to understand those character areas and significant buildings. To this end the Government had introduced the concept of conservation area appraisals and management plans, and had undertaken these in several designated areas in recent years.

Port Sunlight Village Trust had commissioned Byrom Clark Roberts to undertake an appraisal and management plan for the buildings of the village, with Bureau Veritas completing the corresponding volume for the landscape component. The volumes were accompanied by Survey Notes and a Condition Database.

There had been input from various bodies, including the local authority and the Port Sunlight Residents' and Conservation Society. Both reports had been completed in 2007, and the local authority considered it appropriate that they be formally adopted as Council policy and guidance too. The Council had not been able to adopt the documents at the time due to a large volume of development related work that had been underway at the time.

The Planning Committee had resolved

- (1) That the Planning Committee agree that the document be adopted as material guidance in planning and conservation matters; and
- (2) That the report be referred to Cabinet for approval.

RESOLVED:

That the decision of the Planning Committee set out above be endorsed.

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

RESOLVED:

That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 (information relating to the financial/business affairs of a third party) of Part I of Schedule 12A (as

amended) to that Act. The Public Interest test had been applied and favoured exclusion.

20 **PROGRESS REPORT ON THE PAN MERSEYSIDE CONNEXIONS CONTRACT**

The Cabinet had received a report on 15 October 2009 setting out the outcome of the Competitive Dialogue Process that resulted in Greater Merseyside Connexions Partnership (GMCP) being awarded the contract for the provision of Connexions Services to the six Merseyside Authorities for the period January 2010 to 31 March 2012 with the option of an extension until March 2014. (Minute No. 173 refers)

The Cabinet received a further report on 3 February 2011. "Progress report on the Pan Merseyside Connexions Contract". This report provided authorisation for officers on behalf of the Council to continue to negotiate with Greater Merseyside Partnership in respect of the 2011/2012 contract and service specification, together with the five Local Authority areas in the Liverpool City Region (LCR). (Minute No. 323 refers)

A report by the Interim Director of Children and Young People provided an up-date on those negotiations.

The report was considered in the absence of the press and public because it dealt with contractual negotiations with the Greater Merseyside Connexions Partnership and disclosure would prejudice the efficiency and effectiveness of the Council's resources.

RESOLVED: That:

- (1) **the proposed reduced core contract value from £2,899,770 to £2,513,577 and the associated conditions as set out in paragraph 4.2 of the report be noted; and**
- (2) **the contract with Connexions be extended for a further two years from April 2012 in order to work solely with vulnerable groups on the understanding that six months notice can be given at any time by either partners.**

21 **APPOINTMENT OF KEEPMOAT HOMES AS THE COUNCIL'S PREFERRED PRIVATE DEVELOPER PARTNER FOR BIRKENHEAD**

Councillor George Davies left the meeting whilst this report was considered.

A report by the Interim Director of Corporate Services sought the approval of the Cabinet to formally appoint Keepmoat Limited (Keepmoat Homes) as the Council's preferred private developer partner for delivering new homes in line with existing market renewal plans for Birkenhead.

The report was considered in the absence of the press and public because of its commercially sensitive content relating to the organisation referred to in the report.

RESOLVED: That

- (1) agreement be given to enter into a Development Agreement with Keepmoat Homes to redevelop areas of Birkenhead where housing renewal projects are creating land for new-build housing;**
- (2) authority be delegated to the Director of Law, HR & Asset Management to sign Development Agreement;**
- (3) agreement be given to the inclusion of sites in Birkenhead in the Development Agreement and that they be made available to Keepmoat Homes should they be released for new-build housing in the future;**
- (4) the advice of the Council's advisers Hill Dickinson and Tweeds who have assisted officers in negotiating terms with Keepmoat Homes be noted; and**
- (5) Keepmoat Homes' preference to work with Wirral Partnership Homes as a key Registered Social Landlord engaged in the development programme in order to open up the potential for wider collaborative working between the Council, Keepmoat Homes and Wirral Partnership Homes be noted and endorsed.**

22 EARLY INTERVENTION GRANTS - EXEMPT APPENDICES

Further to Minute No. 6 – Early Intervention Grants, the Cabinet noted the content of the confidential appendices to the report which had been considered earlier in the meeting in the presence of the press and public.

RESOLVED:

That the content of the confidential appendices to the report at Item No. 4 on the agenda be noted.