

CABINET

Thursday, 21 July 2011

<u>Present:</u>	Councillor	S Foulkes (Chair)	Finance and Best Value
	Councillors	P Davies	Regeneration and Planning Strategy
		G Davies	Housing and Community Safety
		AER Jones	Corporate Resources
		B Kenny	Environment
		AR McLachlan	Children's Services & Lifelong Learning
		C Meaden	Culture, Tourism and Leisure
		H Smith	Streetscene and Transport Services
		J Stapleton	Community and Customer Engagement
<u>Apologies</u>	Councillors	A McArdle	Social Care and Inclusion

56 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor P Davies declared a personal interest in Item No. 22 on the agenda, Targeted Inward Investment Activity (Minute No. 80 refers.) by virtue of being a Non Executive Director of the Merseyside Partnership.

Councillor C Meaden declared a personal interest in the Urgent Business item, Local Pay Award 2011-12 by virtue of her daughter's employment.

Councillor G Davies declared a personal interest in the Urgent Business item, Local Pay Award 2011-12 by virtue of his wife's, daughter's and daughter-in-law's employment.

A number of Councillors were in attendance and Councillor T Harney, who was on of them, indicated that he had a personal and prejudicial interest in the Urgent Business item, Westminster House, Birkenhead – Sale to Wirral Partnership Homes, Supplementary Report by virtue of being a member of the Board on Wirral Partnership Homes Limited. He intended to leave the meeting whilst this item was under consideration.

57 URGENT BUSINESS

Councillor S Foulkes informed that Item No. 15 on the agenda – Westminster House, Birkenhead – Sale to Wirral Partnership Homes – had been withdrawn. A revised report that was exempt by virtue of it containing commercially sensitive information had been circulated and would be considered instead, in Part 2 of the meeting once the press and public had been excluded.

Councillor S Foulkes also informed that a further item of urgent business – Local Pay Award 2011-12 – which had been circulated would be considered in Part 1 of the meeting whilst the press and public were in attendance.

The Council at its meeting on 18 July 2011 resolved to support a non-consolidated £250 payment to those employees earning below £21,000 (Council Minute No. 25 refers). A report by the Director of Finance set out, in detail, how those employees whose full time equivalent salary was less than £21,000 per annum could be paid a £250 lump sum, net of income tax, employee's national insurance and superannuation, as a pay award in 2011-12. He also informed that he had been asked to consider how schools could be compensated for the additional impact of delivering such net sum payments.

Councillor S Foulkes made the following statement:

"I want to talk for a moment about the position of low paid workers, inside and outside this Council. The opposition made a concerted attempt at Council on Monday night to portray this administration as being opposed to increasing pay for low paid workers. Nothing could be further from the truth.

They have absolutely no right to take the moral high ground here. It was a Labour Government that introduced the minimum wage, against fierce opposition from the Tories.

It was a Labour government that specifically targeted funds like the Area Based grant at authorities with high levels of deprivation, and it was a Conservative/Liberal Democrat government which abolished those funds, to the very real detriment of this Council.

It was the Conservative Liberal Democrat administration locally that chose not to do anything on the low pay issue last year, although it was well within their power to do so.

Monday night was political grandstanding of the worst kind, with this Council's lower paid workers as the pawns in the middle. That is not acceptable, and I can only apologise to any staff who feel they were caught up in the middle of this.

Imposing any kind of arbitrary cut off for pay increases can create all kinds of anomalies, which we were seeking to explore responsibly as an executive in order to provide as fair a solution as possible and avoid a situation where one worker is pitted against another.

Over the long term, the issue of low pay and its consequences are matters for discussion with the Unions, and also for discussion within the Council.

These are matters which need to be considered as part of our anti-poverty strategy.

They need to be considered as part of our Public Health Agenda, where poverty is a crucial factor in the staggering 10 year mortality gap between the poorest parts in the East of the Borough and the wealthiest parts in the West of the Borough.

They need to be considered in the context of the Council leading the way to other employers.

These are discussions we must and will have.

So here's what we are going to do.

- ★ We will pay a lump sum of £250.00 to each low paid worker earning less than £21,000. Frankly, at this point, a lump sum will be more useful to our staff than an extra, non consolidated, few quid a week.
- ★ We will pay this sum net of tax, national insurance and pension which means the staff will actually receive £250.00 and the Council will bear the cost of tax and NI
- ★ We will treat each payment separately in order to ensure that no one is disadvantaged due to their individual financial circumstances.
- ★ We will agree this now, tonight, no delays or further reports. To that end I have asked the Director of Finance to prepare me a special report on the details which will allow this Cabinet to take the decision.
- ★ I will table this report, with a formal resolution, now.

The issue of the Living Wage, to which we are very sympathetic, is more complex, particularly as we have just completed a job evaluation exercise, and we need to explore how it can be delivered without creating a knock on to other, more highly paid, posts throughout the Council. To that end we will refer this to the relevant officers to bring a more detailed report back to Cabinet following discussion with the Unions.

I have recently set up a new group which brings together the Council's Chief Executive, Head of HR and the Trade Unions, which I will personally lead, in order to help us work together constructively in the coming year. I will also make sure that the issue of low paid workers forms part of those discussions."

The Interim Director of Children's Services was asked to provide an explanation in respect of the School's Budget. He informed that the £250 issue had been flagged up with Schools in December 2010. A report had been taken to the Schools Forum in January 2011. There had been a recommendation to move £2.3m around in the Schools' Budget. A report needed to reassure Schools that all items had been provided for and provision did not mean 'new money'.

RESOLVED: That

- (1) **those employees whose full-time equivalent salary is less than £21,000 per annum be offered a non- consolidated additional lump sum payment net of income tax, national insurance and pension contributions, of £250 for 2011-12 to be paid no later than December 2011. The operational details of the arrangements for these payments shall be determined by the Chief Executive (in consultation**

with the Leader of the Council, the Director of Finance and the Director of Law, HR and Asset Management) following consultation with the Trade Unions;

- (2) it be recommended to Council that an amount of £190,000 be transferred from the General Fund Budget to the Schools Budget;
- (3) officers be requested to report to a future Cabinet meeting on the implications of bringing those Council employees earning below £7.20 per hour up to that level of pay (referred to as a living wage); and
- (4) In the light of the statement by the Leader of the Council above, and in the light of the need to make the position on a pay award to low paid workers perfectly clear, this Cabinet agrees:
 - (a) To pay to all staff earning less than £21,000 the lump sum of £250 pro rata, net of tax, national insurance and pension.
 - (b) To compensate the schools for the additional cost of providing a sum net of tax and insurance.
 - (c) To ensure no one is disadvantaged by the payment of this sum.
 - (d) To refer the issue of paying a Living Wage to the relevant officers to bring a more detailed report back to Cabinet on the best way forward.
 - (e) To accept these recommendations in tandem with the recommendations and contents of the report drawn up by the Director of Finance at the Leader's request.

59 MINUTES

RESOLVED:

That the Minutes of the meeting of the Cabinet held on 23 June 2011 be confirmed as a correct record.

60 PERFORMANCE AND FINANCIAL REVIEW - FIRST QUARTER 2011/12 - REPORT AND PRESENTATION

A report by the Chief Executive set out performance of the Council's Corporate Plan 2011-14 for April to June 2011, and provided the Cabinet with an overview of performance, resources and risk monitoring along with requested amendments to the Corporate Plan projects and indicators for approval. He apologised for the lateness of his report caused by a problem in obtaining the first quarter's figures. He was confident that the next three quarter's figures would be provided without any such problems occurring again.

The Chief Executive then made a presentation on Corporate Performance against the Corporate Plan 1 April to 30 June 2011. This included details on:

- Corporate Plan Indicators
- Revenue Budget and resource implications
- Performance against both Corporate Plan and Change Projects
- Future challenges and risks
- Sickness Absence
- Customer Feedback and complaints

Following the presentation Members asked questions which were answered as appropriate. In relation to a question from Councillor P Davies about benchmarking the Chief Executive agreed to circulate a set of indicators as information became available and to amend his presentation in the light of them ready for when he made a presentation on the next quarter's figures.

The Chief Executive also requested Members' feedback on the content, understandability and style of his presentation and Councillor S Foulkes asked members of the public who were in attendance at the meeting to also provide any comments on this.

RESOLVED: That

- (1) the content of the report be noted;**
- (2) the amendments outlined in section 4.8 of the report be agreed; and**
- (3) the Chief Executive be thanked for his informative presentation and the public's comments on the style and content of it be fed back.**

61 BUDGET PROJECTIONS

Further to the determination of the 2011/12 Council Budget at the Council meeting on 1 March 2011, a report by the Director of Finance presented the projected budgets for 2012-15.

Councillor S Foulkes informed that the Council had lost £51m of funding last year, needed to find £25m to balance the books for 2012/13 and requested Members and employees to consider carefully what was included in budgets in future and let him have any suggestions for making savings. The following year a government review of the way Local Government was financed was likely to take yet more money away, and the drop in Wirral's population would also be reflected in less government grant. The Council would have to think differently about how it worked and the hours it worked.

Further to Minute No. 25 of the last meeting of the Cabinet held on 23 June 2011 when it had been reported that arrangements were in hand for the Leaders of the three Political Groups to meet, as soon as possible, with Eric Pickles MP, Secretary of State for Communities and Local Government. Councillor S Foulkes reported that the date had been agreed (6 September 2011) for the meeting to discuss the Council's concerns about the impact that possible changes in local government financing could have on the Borough. However, the meeting was not to be with Eric Pickles but with Bob Neill, Parliamentary Under Secretary of State at the Department for Communities and Local Government.

RESOLVED:

That the budget projections be regularly reviewed.

62 TREASURY MANAGEMENT PERFORMANCE MONITORING QUARTER 1

A report by the Director of Finance presented a review of Treasury Management activities during the first quarter of 2011/12 and confirmed compliance with treasury limits and prudential indicators. It had been prepared in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code.

RESOLVED:

That the Treasury Management Performance Monitoring Report be noted.

63 FRAUD PREVENTION

A report by the Director of Finance informed that Corporate fraud was a crime that was increasing in both the public and private sectors. In Local Government it was becoming more complex as a result of business transformation and the extended use of partnerships, outsourcing and new technologies.

The report covered fraud prevention in the Council and identified the roles of the various teams in pursuit of this aim.

RESOLVED:

That the report be noted.

64 INDIVIDUAL BUDGETS PROCEDURE FOR CHILDREN AND YOUNG PEOPLE

A report by the Director of Children's Services approved a proposed procedure (Appendix 1 of the report) to give families of children or young people with disabilities the option of accessing an Individual Budget to meet their support needs. The Green Paper published on 9 March 2011 stated that by 2014 all families with children with a statement of Special Educational Needs would have the option of a personal budget.

RESOLVED: That

- (1) the implementation of an Individual Budget procedure with effect from 1st August 2011, be approved; and**
- (2) the procedure at (1) above be reviewed in 12 months time.**

65 YOUTH OPPORTUNITY FUND - 2011/12

A report by the Director of Children's Services informed the Cabinet about the proposed allocation process for the Youth Opportunity Fund (YOF) in 2011/12.

RESOLVED:

That approval be sought for the young people's grant panel to allocate £180,000 YOF in 2011/12 against the funding priorities set out in the Grant Allocation Process in Appendix 1 (section 3) to the report.

66 OVERCHURCH INFANT SCHOOL - SCHEME AND ESTIMATE

A report by the Director of Children's Services described the capital works required to replace the final primary HORSA kitchen, to re-provide a classroom and before and after school facilities, within the main school building at Overchurch Infants School and set out the estimated costs of the scheme.

The Cabinet was asked to consider and approve the proposal.

RESOLVED: That

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

67 APPOINTMENT OF A PROPER OFFICER (AND OTHERS) FOR THE PURPOSES OF THE NATIONAL ASSISTANCE ACT 1948 AND 1951

A report by the Director of Law, HR and Asset Management sought approval for the appointment of:

- a Proper Officer
- a Deputy Proper Officer
- Appointed Officers

for the purposes of section 47 the National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951 ("the Acts").

The authority of the Cabinet was also sought to enable the Interim Director of Adult Social Services, in consultation with the Cabinet Portfolio Leader for Social Care and Inclusion, to appoint, if considered necessary, alternative Appointed Officer(s) for the purposes of the Acts.

RESOLVED: That

- (1) Fiona Johnstone, Director of Public Health, be appointed the Council's Proper Officer; Jane Harvey, Consultant in Public Health and Teresa Owen, Deputy Director of Public Health, be appointed the Council's Deputy Proper Officers; and Debbie Mayor, Deputy Director Strategic Partnerships, and Rick O'Brien, Head of Branch (DASS), be appointed as Appointed Officers for the purposes of section 47 the National**

Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951.

- (2) the Director of Adult Social Services, in consultation with the Cabinet Portfolio Leader for Social Care and Inclusion, be authorised to appoint, if considered necessary, alternative Appointed Officer(s) for the purposes of the National Assistance Act 1948 and National Assistance (Amendment) Act 1951;**
- (3) the Council be recommended to amend the Council's Scheme of Delegations to Officers contained within the Council's Constitution to include:**
 - the appointment of the named Proper Officer and Deputy Proper Officers in paragraph (1); and**
 - the authority delegated to the Director of Adult Social Services in paragraph (2)**

for the purposes of the National Assistance Act 1948 and National Assistance (Amendment) Act 1951.

68 SURPLUS ASSETS - DEPARTMENT OF ADULT SOCIAL SERVICES - FORMER CARE HOMES, MAPLEHOLME, BECKWITH STREET, BIRKENHEAD, POULTON HOUSE, WINTERHEY ROAD, WALLASEY AND 96 MANOR ROAD, WALLASEY

A report by the Director of Law, HR and Asset Management sought authority to declare surplus to requirements, three former care homes, Mapleholme, Beckwith Street, Birkenhead, Poulton House, Winterhey Avenue, Wallasey and 96 Manor Road, Wallasey and to agree Auction reserves.

The proposal was in support of the Council's goal to reduce the running costs of the Council by improving the efficiency and value for money of the Council's Services.

The savings in respect of the running costs of these buildings had been previously declared and the sale was not a Statutory duty.

The report contained exempt information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. The exempt Appendix 1 set out the auction reserve prices, the publication of which could affect the sale price achieved, if known by potential purchasers.

RESOLVED: That

- (1) the above assets be declared surplus to the Council's requirements and, if not required by partner organisations, be sold by auction, subject to the reserve prices set out in the exempt appendix to the report; and**
- (2) the disposal of the three former Care Homes be delegated to the Director of Law, HR and Asset Management in consultation with the Cabinet Portfolio Holder for Corporate Resources.**

69 **SURPLUS ASSET - DEPARTMENT OF ADULT SOCIAL SERVICES - FORMER CARE HOME, MEADOWCROFT, 304 SPITAL ROAD, BROMBOROUGH**

A report by the Director of Law, HR and Asset Management sought authority to declare surplus to the Council's requirements a former care home, Meadowcroft, Spital Road, Bromborough and sought authorisation to negotiate terms for its disposal to Age Concern Wirral.

The proposal was in support of the Council's goal to reduce the running costs of the Council by improving the efficiency and value for money of the Council's Services. The savings in respect of the running costs of this building had been previously declared and the sale was not a Statutory duty.

RESOLVED: That

- (1) the above asset be declared surplus and the Director of Law, HR and Asset Management be authorised to negotiate terms of disposal, by sale or lease, to Age Concern Wirral (ACW);**
- (2) any proposed consideration for sale, established by an independent valuation, be reported back to the Cabinet; and**
- (3) any lease at current market rates be dealt with under the Director of Law, HR and Asset Management's Scheme of Delegation.**

70 **COMMUNITY ASSET TRANSFER - HOYLAKE COMMUNITY CENTRE**

A report by the Director of Law, HR and Asset Management sought to remove the requirement for Hoylake Parade Community Centre (HPCC) to repay an element of the cost of building works as part of the Community Asset Transfer process. Members had previously approved the transfer of Hoylake Community Centre, in accordance with the Community Asset Transfer policy, and had also approved the use of the Community Fund to provide revenue support, in the sum of £104,500, over two years and capital works totalling £516,000.

The transfer would promote the Council's Corporate Policy to Increase enterprise and promote greater independence and choice. There would be a saving in the Council's budget as a consequence of this transfer and the transfer was not a Statutory duty.

RESOLVED:

That the transfer of Hoylake Community Centre proceeds, with the proviso that HPCC are not required to repay £115,000 towards the repairs out of future profits, as previously agreed.

71 **GRANGE ROAD WEST SPORTS CENTRE**

A report by the Director of Law, HR and Asset Management re-affirmed approval to transfer Grange Road West Sports Centre by long lease to Birkenhead Community Development Committee, following a change in its constitution.

The property had been originally identified for disposal under the Strategic Asset Review, and its disposal would assist in meeting the goals identified in the Corporate Plan 2011-2014 to reduce the running costs of the Council, and to support the development of a Bigger and Stronger Society.

The transfer of the property would result in revenue savings and maintenance costs as detailed in the report and the transfer was not a statutory duty.

Councillor S Foulkes informed that he had received a number of complaints from Councillor S Niblock about New Ferry Community Hall. The Director of Law, HR and Asset Management agreed to respond in writing to Councillors Foulkes and Niblock on this matter.

RESOLVED:

That the transfer of Grange Road West Sports Centre be approved to Birkenhead Community Development Committee, as newly constituted, and that the Director of Law, HR and Asset Management be authorised to implement the appropriate lease documentation.

72 WESTMINSTER HOUSE, BIRKENHEAD - SALE TO WIRRAL PARTNERSHIP HOMES

This item of business was withdrawn from the agenda and an exempt report was circulated instead and considered in Part 2 when the press and public had been excluded. (Minute No. 89 refers.)

73 PHASE 1, TOWN SQUARE, NEW BRIGHTON

A report by the Director of Law, HR and Asset Management sought the approval of the Cabinet to grant Landlord's consent for part of the Phase 1 Development at New Brighton to be amended from the original mixed use development which had ground floor restaurants, cafes, public houses, wine bars or other drinking establishments with apartments above, to a scheme comprising solely of residential apartments.

A decision on this matter was in support of the Council's goal to reduce the running costs of the Council by improving the efficiency and value for money of the Council's service whilst reducing bureaucracy.

The decision would have no immediate impact on revenue budgets. Any future impact was addressed in the Financial Implications of this report. This was not a statutory duty.

RESOLVED: That

- (1) the Council agrees to amend the lease to Neptune Esplanade Ltd by granting Landlord's consent to the revised scheme for the Phase 1, Town Square, New Brighton and the Overage Agreement in respect of Phase 1, subject to the requisite consent of the funder (North West Development Agency) being obtained; and**

- (2) **the Council approves the necessary amendments to the Development Agreement with Neptune Wirral Ltd to reflect the revised scheme for Phase 1, Town Square, New Brighton, subject to the requisite consent of the funder (North West Development Agency) being obtained.**

74 **REVISION OF THE COUNCIL'S CONTRACT PROCEDURE RULES**

A report by the Director Law, HR and Asset Management related to the revision of the Council's Contract Procedure Rules (CPR) which was undertaken in pursuance of the action plan agreed with the Audit Commission following the review of the HESPE procurement exercise.

The draft CPR had been sent to the Audit Commission for comment but unfortunately the Commission had been unable to provide its response until mid afternoon on the day of this meeting.

The Audit Commission had made some suggestions and comments on the draft CPR and it would seem sensible that officers be afforded sufficient time to first consider these suggestions and comments before the Cabinet approved any revision to CPR.

It was therefore proposed that the Cabinet defer this item of business to the next Cabinet meeting to be held on 1 September 2011.

The CPR formed part of the Constitution and therefore would require approval by the Council. The proposed deferment would not affect the timetable for when the Council approval would be sought.

RESOLVED:

That consideration of this report be deferred to the next meeting scheduled for 1 September 2011.

75 **TOWN, DISTRICT AND LOCAL CENTRE STUDY AND DELIVERY FRAMEWORK**

A report by the Interim Director of Corporate Services provided Members with an outline of the Town, District and Local Centre Study and Delivery Framework. The Framework provided a detailed evidence base for each of the Borough's twenty-three centres (excluding Birkenhead) in order to guide future actions to support the sustainability of the centres and to inform the emerging Core Strategy documents.

The Framework would underpin the development of individual centre Action Plans and ensure that they were co-ordinated and deliverable and the report outlined a proposed phased programme for taking the Action Plans forward.

RESOLVED: That

- (1) **the use of the Town, District and Local Centre Study and Delivery Framework to inform the Investment Strategy priorities and the development of policies in the Core Strategy and other planning policy documents be endorsed;**
- (2) **the Cabinet agrees to:**

- (a) **the Town, District and Local Centre Study and Delivery Framework being included in the Local Development Framework (LDF) evidence base, which shall be used to inform emerging Core Strategy planning documents;**
- (b) **relevant Council officers developing a series of action plans on a phased basis in conjunction with relevant Traders and other interested groups;**
- (c) **the town centres stated below be included in the first phase of action plans (referred to above) that are to be developed:**

**Liscard, New Ferry and Seacombe (Poulton Rd / Borough Rd),
 New Brighton (Seabank Rd), Wallasey Village and Irby.**

and
- (d) **the development of a ‘Town Centre Traders’ Toolkit’ to support the setting up and operation of local trader groups.**

76 **LOCAL DEVELOPMENT FRAMEWORK - LIVERPOOL CITY REGION OVERVIEW STUDY**

A report by the Interim Director of Corporate Services informed Members of the main findings of the Housing and Economic Development Evidence Base Overview Study for the Wider Liverpool City Region (“the Overview Study”), produced by GVA on behalf of the Councils of Sefton, Knowsley, Liverpool, St Helens, West Lancashire and Wirral. The Overview Study examined whether a sufficient, appropriate and deliverable supply of land was available to meet housing and employment requirements across the study area. It also assessed the extent to which any excess supply in one or more local authority area(s) could be used to meet the needs of neighbouring or other local authorities, as part of the need to consider cross-boundary interactions in the preparation of the Core Strategy for Wirral. Once endorsed, the study would form part of the evidence base for the Local Development Framework for Wirral.

In terms of housing, results indicated that potential supply and demand, across the study area as a whole, was likely to be relatively balanced over the period from 2010 to 2031, although the more local position differed within individual authorities. Wirral, Liverpool and Halton demonstrated sufficient capacity to meet likely future housing requirements, while Sefton, Knowsley, St Helens and West Lancashire faced a position of potential undersupply of housing land beyond 2020. The potential for authorities in a position of oversupply (including Wirral) to absorb the potential shortfalls within other authorities was, however, considered to be limited by recent patterns of migration, the localised nature of the majority of household moves and the pattern and extent of local housing needs. The Study, nevertheless, noted the ability of planning policies and regeneration initiatives to influence future housing market relationships and highlighted the potential for city centre and waterfront developments in Liverpool and Wirral to absorb some of the younger, more ‘mobile’ households generated within surrounding authorities.

In terms of employment land, sufficient supply was identified in the short-term to accommodate employment growth across the core area, with potential shortfalls expected to emerge in Halton, Knowsley, West Lancashire and Cheshire West and Chester over the medium to longer-term. These conclusions were based on the assumption that the current employment land supply within each of the local authorities would be protected and maintained.

The Overview Study recommended that each local authority continued to monitor the supply/requirement position and that authorities facing a potential undersupply should closely examine the extent of additional land that may be required. With regard to housing this could include consideration of the potential release of Green Belt but this should only be undertaken where needs could not otherwise be met by alternative means and in accordance with prevailing national planning policy.

RESOLVED: That

- (1) it be recommended to the Council that the findings the Housing and Economic Development Evidence Base Overview Study for the Wider Liverpool City Region are used to inform the content of the emerging Local Development Framework for Wirral and are adopted as a material planning consideration in the determination of individual planning applications; and**
- (2) the Housing and Economic Development Evidence Base Overview Study for the Wider Liverpool City Region Main Report and Technical Reference Report, attached to the report, be published for comment alongside the Draft Core Strategy for Wirral.**

77 PEEL MERSEY PORTS MASTER PLAN CONSULTATION DRAFT - COUNCIL RESPONSE

A report by the Interim Director of Corporate Services informed the Cabinet that the port/maritime sector remained an important part of Wirral's economy. Peel Ports had issued the "Mersey Ports Master Plan – a 20 year Strategy for Growth" for a period of public consultation between June and September 2011. The report outlined the key 'headlines' from the Master Plan document and outlined the key issues which it was proposed should form the basis of the Council's response to Peel Ports.

RESOLVED:

That the Director's Comments set out in section 5 of the report form the basis of the Council's response to Peel Ports.

78 WIRRAL INVESTMENT STRATEGY 2011-2016

A report by the Interim Director of Corporate Services provided members with a revised Investment Strategy for 2011-2016. It reviewed Wirral's ambitious aims to grow our economy against the context of changing economic conditions and a rapidly shifting national policy landscape.

The review of the Investment Strategy set out a transformational level of ambition for Wirral's future economic growth, building on the work of the previous four years. The

Investment Strategy set out the drivers needed to create an internationally competitive economy where local employers succeed, and businesses choose to invest; an economy with high levels of private sector employment, which retains and attracts young people and provides the job opportunities for all Wirral residents to realise their full potential.

RESOLVED:

That the detail of the refreshed Investment Strategy at Appendix 1 to the report be noted and Members agree the strategic priorities set out within it to drive forward economic regeneration in Wirral.

79 **TARGETED INWARD INVESTMENT ACTIVITY**

A report by the Interim Director of Corporate Services set out a proposal to develop a series of targeted inward investment activities with the explicit aim of promoting Wirral as a business investment location to drive economic growth and create new jobs within the Borough. These activities would actively promote Wirral's investment opportunities by specifically targeting expanding companies with investment projects by using experienced intermediaries to undertake and manage inward investment lead generation activity. The report outlined how these activities would be co-ordinated and delivered in line with the wider investment support services framework.

Councillor S Foulkes reported that there was an opportunity to raise the Borough's profile by appointing Champions/Ambassadors as there were a lot of people with influence living in Wirral. Also, it would be possible to liaise with individual successful companies. He proposed that a report be prepared for a future Cabinet meeting.

RESOLVED: That

- (1) the Cabinet agrees that the proposals set out in this report are implemented by the Interim Director of Corporate Services and the Investment Strategy Team, including the recruitment of an Inward Investment Manager; and**
- (2) the Cabinet agrees to the procurement proposals for delivering the targeted inward investment activity identified within this report.**

80 **LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL - CORE STRATEGY DEVELOPMENT PLAN DOCUMENT**

A report by the Interim Director of Corporate Services summarised the responses received to public consultation on the Council's Preferred Options for a statutory Core Strategy Development Plan Document for Wirral to replace the Unitary Development Plan for Wirral adopted in February 2000 (Council 18 October 2010, Minute 36 refers); on the findings of the Wirral Strategic Housing Land Availability Assessment (Cabinet 2 September 2010, Minute 121 refers); and on the findings of the Wirral Open Space Assessment (Cabinet 4 February 2010, Minute 308 refers). It also reported that a 366 name petition was received opposing residential development at an additional site submitted to the Strategic Housing Land Availability Assessment consultation, at Ditton Lane in Leasowe and Moreton East Ward. It recommended the further action that would be needed before a Draft Core Strategy

could be prepared and published for consultation before being submitted to the Secretary of State for independent examination.

The Draft Core Strategy would be the subject of a further report to the Cabinet and would require a decision of Full Council before it could be published for public consultation towards the end of the year and submitted to the Secretary of State in 2012.

RESOLVED: That

- (1) the Draft Core Strategy be prepared in line with the recommendations set out in Appendices 1 to 3 of the report;**
- (2) additional informal consultation be undertaken to inform the drafting of Settlement Area Policies, including with local Ward Members;**
- (3) Article 14.2 of the Councils Constitution be waived, in accordance with the Council's Contract Procedure Rule 1.2.3, to enable AP Sheenan to be re-commissioned to provide an independent appraisal of the Council's updated Strategic Housing Land Availability Assessment; and**
- (4) Article 14.2 of the Councils Constitution be waived, in accordance with Council's Contract Procedure Rule 1.2.3, to enable BE Group to be re-commissioned to provide an update to the labour supply and labour demand forecasts contained within the Council's Employment Land and Premises Study**

81 MORTGAGE RESCUE SCHEME - ELIGIBILITY CRITERIA AND PRIORITY GROUPS

A report by the Interim Director of Corporate Services informed the Cabinet that Wirral Council had been implementing the Government's Mortgage Rescue Scheme since December 2008, completing seven rescues in 2009-10, 18 in 2010/11 and 7 in 2011/12, a total of 32 cases.

The level of resource available from central government for the scheme in 2011/12 had been reduced and the purpose of the report was to seek Members' endorsement for the proposed extension to the eligibility criteria for households accessing the Mortgage Rescue Scheme.

RESOLVED: That

- (1) it be recommended that the Cabinet approves the proposed extension to the Mortgage Rescue Scheme eligibility criteria as detailed below;**
- (2) the existing eligibility criteria for the Mortgage Rescue Scheme as specified by central government are:**
 - (a) The applicant is threatened with, or in the process of possession proceedings on a home which they own, they wish to remain in, and is their only home.**

- (b) All parties on the Mortgage agree to pursue Mortgage Rescue.
 - (c) The applicant is eligible for assistance under Part 7 of the Housing Act 1996.
 - (d) The applicant has a priority need for accommodation within the meaning of Section 189 (1) (a)-(c) of the Housing Act 1996.
 - (e) The gross income of the applicant's household does not exceed £60,000.
 - (f) An up to date valuation of the property shows that it does not exceed £135,000 (regional property cap level)
 - (g) The loan to value ratio does not exceed 120% (i.e. there is no more than 20% negative equity).
 - (h) Mortgage Rescue would provide a housing option for the applicant that is affordable and sustainable.
- (3) in addition to the existing criteria, it be recommended that all new referrals to Wirral Council Mortgage Rescue Scheme are subject to the following criteria:
- (i) There are no more than three charges secured against the property as recorded on an up to date Land Registry document (many of such cases also have more than 20% negative equity).
 - (j) The number of bedrooms in the property does not exceed the number required by the household by more than one bedroom (exceptions can be made in the case of adapted properties or where overnight carers are required).
 - (k) The household's housing or care and support needs will be difficult to meet if re-housing is sought through an alternative route for example
 - Households requiring a property with at least four bedrooms or
 - Cases where a member of the household has a disability where carers live close by
 - Properties that have been adapted to meet a specific need of the household
 - (l) Households where repossession would lead to a specific difficulty (for example children in GCSE year)
- (4) Applicants who do not fall into one of these criteria will not be considered for Mortgage Rescue however they will be given advice and assistance and fast tracked to CAB for money and housing advice.

82 **PRIVATE SECTOR HOUSING AND REGENERATION ASSISTANCE POLICY 2011/12**

The Interim Director of Corporate Services sought approval to undertake a consultation exercise in relation to the proposed revisions to the Council's Private Sector Housing and Regeneration Assistance Policy (referred to as "the Assistance Policy") which was provided using statutory powers. Following the consultation exercise a further report would be presented to Members detailing the final version of the policy, with the intention of implementing the revised policy in September 2011. The suggested amendments would result in less expenditure under this policy when compared with previous years and would support the Council's Corporate Priorities as presented in the Corporate Plan for 2011-14. One of the suggested amendments would derive an income for the Council through charging administration fees.

The main emphasis of the proposed changes was to refocus the policy and financial assistance products on completing housing clearance commitments begun through HMRI and to prioritise home repair for vulnerable people, empty homes and HMOs. The report also updated Members on the current position with the Council's Equity Loan administrator and proposed to replace equity based loans with interest free charges administered in-house, following the expiration of the current contract extension period.

The report also sought approval to recycle any income achieved through fee charges and the repayment of loans directly to support future assistance provided through the Assistance Policy.

RESOLVED: That

- (1) the revised Private Sector Housing and Regeneration Assistance Policy be subject to a consultation exercise, as detailed in item 7.1 of the report and a further report be submitted to Cabinet later in 2011 detailing the final version of the Private Sector Housing and Regeneration Assistance Policy for adoption and implementation later in 2011;**
- (2) the current arrangements with the Council's Equity Loan administrator, ART Homes Ltd and the proposal to replace equity based loans with interest free charges administered in-house following the expiration of the current contract extension period be noted; and**
- (3) the recycling of any income achieved through fee charges and the repayment of loans directly to support future assistance provided through the Assistance Policy be approved.**

83 **NEW HOMES BONUS ALLOCATION 2011/12**

A report by the Interim Director of Corporate Services set out the Governments New Homes Bonus Scheme, Wirral Council's New Homes Bonus Allocation for 2011-2012 and sought Members approval for the use of the allocation as set out in the report. The New Home Bonus had been reported to the Cabinet at its meeting on 2 June 2011 (Minute No. 11 refers.) as part of the Government Grants 2011/12 report. The new Homes Bonus was a general grant and the Council was able to determine what

it was used for, therefore, the proposal set out in the report was for the reward grant to be used to support bringing empty properties back into use and delivering new supply which was in line with the Council's Corporate Priorities.

RESOLVED: That

- (1) the use of the New Homes Bonus Allocation 2011-2012 to support bringing empty homes back into use and the delivering of new supply as set out within the report be approved; and**
- (2) the capital receipt generated from the sale of the properties sold through the HOUSED programme, estimated to be in the region of £0.5m, be used as match funding for the bid for Housing Market Renewal Transition Fund.**

84 WIRRAL FLOOD AND WATER MANAGEMENT

A report by the Director of Technical Services/Strategic Change Programme informed the Cabinet that the Flood & Water Management Act 2010 and the Flood Risk Regulations 2009 established Wirral Council as a Lead Local Flood Authority (LLFA). LLFAs were required to lead the strategic management of local flood risk (arising from surface water, groundwater and ordinary watercourses in addition to tidal flooding and coastal erosion) within their district boundaries.

Wirral was at risk of local flooding, with a substantial number of domestic properties identified as at risk from potential future flooding. The responsibilities attached to the LLFA role, place substantial new burdens on Wirral Council in managing these flood risks. A report to the Cabinet on 17 March 2011 (Minute No. 354 refers) provided an introduction to these new responsibilities and detailed initial work on their implementation.

The report detailed progress to date and included information on Wirral's Preliminary Flood Risk Assessment (PFRA), the new LLFA responsibilities and duties; and the funding proposals surrounded these new responsibilities and duties.

RESOLVED: That

- (1) the proposals to meet the Council's responsibilities as the LLFA under the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 be approved, in particular the acceptance of the PFRA as a Flood Risk Management policy document be endorsed and the Sustainable Communities Overview and Scrutiny Committee be tasked with responsibility for overseeing the Council's implementation of the new burdens; and**
- (2) the proposals to utilise the financial allocation made to Wirral Council to undertake the new responsibilities under the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 through the creation of a new position within the Drainage Team, subject to usual Council procedures be acknowledged.**

85 **DOCKS LINK ROAD RESURFACING - ADDITIONAL WORKS**

A report by the Director of Technical Services sought approval of technical variations to the contract for the resurfacing of the A5139 Docks Link Roads in excess of £50,000 or 10% of the tender total.

RESOLVED:

That approval be granted for the variation of the works pursuant to Contract Procedure Rule 16.2 which will increase the contract sum from £832,553 to £1,100,000, which is an increase of £267,447 or 32%.

86 **FOOD STANDARDS AGENCY - NATIONAL FOOD HYGIENE RATING SCHEME**

A report by the Director of Law, HR and Asset Management sought the Cabinet's approval to implement the Food Standards Agency National Food Hygiene Rating Scheme. The report explained how the scheme operated, how it would help give consumers more choice and how it would encourage businesses to improve food hygiene standards in their premises.

RESOLVED:

That the implementation of the scheme in the Wirral area be approved.

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

RESOLVED:

That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favoured exclusion.

88 **EXEMPT APPENDICES**

Further to Minute No. 69 above the Cabinet considered the detail of the confidential Appendix to the report at Item No. 11 on the agenda. The Appendix contained information relating to the financial or business affairs of a third party. For this reason it was in the public interest to exclude the press and public in accordance with paragraph 3 of Schedule 12A of the Local Government Act.

RESOLVED:

That the content of the confidential appendix to the report on the Surplus Assets - Department of Adult Social Services – Former Care Homes, Mapleholme, Beckwith Street, Birkenhead, Poulton House, Winterhey Road, Wallasey and 96 Manor Road, Wallasey, be noted.

URGENT BUSINESS - WESTMINSTER HOUSE, BIRKENHEAD - SALE TO WIRRAL PARTNERSHIP HOMES, SUPPLEMENTARY REPORT ON VALUATION ISSUES

Councillor T Harney left the meeting whilst this item of business was under consideration.

A report by the Director of Law, HR and Asset Management informed members of the present position in respect of the sale of Westminster House to Wirral Partnership Homes, including advice on valuation and other issues so that the Cabinet could instruct officers on how to proceed. The report contained information relating to the financial or business affairs of a third party. For this reason it was in the public interest to exclude the press and public in accordance with paragraph 3 of Schedule 12A of the Local Government Act.

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

There would be a saving in the Council's annual revenue budget as a consequence of the proposed sale, together with a capital receipt. The sale was not a statutory duty.

RESOLVED: That

- (1) officers be instructed to hold further discussions with Wirral Partnership Homes to seek final agreement on the price for the freehold sale of Westminster House;**
- (2) authority be delegated to the Director of Law, HR and Asset Management, in consultation with the Portfolio Holder for Corporate Resources, to agree the final sale price; and**
- (3) in the event that no agreement is reached a further report be submitted to the next meeting of the Cabinet.**