

# CABINET

Thursday, 1 September 2011

Present:

Councillor

Councillors	P Davies	A McArdle
	G Davies	AR McLachlan
	AER Jones	C Meaden
	B Kenny	H Smith

In attendance:

Councillors

Apologies

Councillors S Foulkes J Stapleton

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

Councillor A McLachlan declared a personal interest in Item No. 13 on the agenda – Community Asset Transfer – Update, by virtue of her being a Board Member of Beechwood and Ballantyne Community Homes Association.

Councillor H Smith also declared a personal interest in Item No. 13 on the agenda – Community Asset Transfer – Update by virtue of him being a Board Member of Beechwood and Ballantyne Community Homes Association.

Councillor P Davies declared a personal and prejudicial interest in Item No. 19 on the agenda – Step Up to Social Work – Cohort 2 – Outcome of Procurement Process, because his wife teaches at the University of Chester. He indicated that he would be vacating the Chair and the meeting room whilst this item of business was under discussion.

## 91 MINUTES

**RESOLVED:**

**That the Minutes of the meeting of the Cabinet held on 21 July, 2011 be confirmed as a correct record.**

## 92 BUDGET PROJECTIONS 2012-15

Following the agreement of the budget for 2011-12 at the Council meeting held on 1 March 2011, a report by the Director of Finance presented the Cabinet with the projected budgets for 2012-15.

It was reported that Members were meeting with Bob Neill MP, Parliamentary Under Secretary of State for Communities in the following week where he would be putting Wirral's case in terms of budgetary challenges.

**RESOLVED:**

**That the budget projections be regularly reviewed by the Cabinet.**

93 **COMMUNITY BUDGETS**

A report by the Director of Finance informed that Community Budgets are seen by the Government as the means by which local public service partners work together to redesign services across boundaries to maximise the resources available to improve service delivery.

The Government recently announced details of an expansion of the Community Budgets programme around Families With Multiple Problems and future more radical pilots giving communities greater control over services.

**RESOLVED:**

**That the Council be recommended to express an interest in becoming part of the Community Budgets programme.**

94 **COMMITTEE REFERRAL - COUNCIL EXCELLENCE OVERVIEW AND SCRUTINY COMMITTEE - LOCAL GOVERNMENT RESOURCE REVIEW**

At the meeting of the Council Excellence Overview and Scrutiny Committee held on 12 July 2011 (Minute no 14 (3) refers), the Director of Finance had reported that the Government had launched the Local Government Resource Review, the vision of which was of 'self funded' councils that kept their local business taxes, with central grant dependence scaled back, except where it was needed to protect the interests of taxpayers. The review was expected to conclude in July 2011 and it had been noted that part of the first phase of it was to consult interested parties, including businesses of all sizes. Although the Government had stated that councils which were more deprived would continue to receive Government support, the Director had indicated that the main risk would be financial, as Wirral collected less than it received back from the Government in grant support.

The whole process would feed into the Local Government Financial Settlement 2013/14 and the Director when responding to Members' comments had told them that all options currently put forward would see Wirral losing out but this only formed one element of local government finance.

The Committee had expressed its concern that the business rate option, as understood, placed Wirral in a difficult situation unless other funding streams replaced them and referred its concerns to the Cabinet.

The Cabinet considered the Committee's Minute in respect of the Local Government Resource Review (Minute No. 14 refers) and were informed that no one would be adversely affected in the first year but in the second year Wirral would lose out.

**RESOLVED: That**

- (1) the Director of Finance be requested to present a report on the Localisation of Business Rates to the next meeting of the Cabinet on 22 September 2011; and**
- (2) Councillor P Davies be requested to discuss the implications to Wirral of the business rate option when he meets with Bob Neill MP, Parliamentary Under Secretary of State for Communities next week.**

**95 YOU CHOOSE - BUDGET CONSULTATION**

A report by Director of Finance informed the Cabinet that on 19 August 2011, as part of the 2012/13 Budget Consultation process, the Council had commenced a web-based public consultation entitled 'The Great Debate' using an on-line package known as You Choose.

Members were informed that that You Choose was a budget simulator developed by YouGov and supported by the Local Government Group which provided residents with the opportunity to suggest changes to close the estimated £25 million budget gap and limit any Council Tax increase for 2012/13. Details had been hand delivered to all residents along with their electoral registration forms and a series of You Choose public engagement events were taking place across the Borough during the period of the consultation which was due to conclude on 30 November 2011.

Chief Officers had provided information for the simulator which detailed the implications for their services if budgets were reduced budgets by 10%, 20% and 50% and if budgets were increased by 5%.

The Group Accountant, Finance Accountancy Systems Team was in attendance at the meeting and demonstrated for Members, via Council's intranet and internet exactly how the simulator worked

It was noted that Officers of the Engagement Team was actively promoting consultation, through the simulator, in the community and in doing so were holding approximately 120 events in various facilities, including Supermarkets, Libraries, One Stop Shops and Community Centres across the Borough. This consultation exercise would run until 30 November 2011 and was being undertaken in addition to work on neighbourhood plans. Forty one Councils in total were using the simulator to consult with their local communities.

**RESOLVED: That**

- (1) staff in the Engagement Team be thanked for all of their hard work in getting the simulator up and running;**
- (2) the content of the report be noted; and**
- (3) a further report on the submissions arising from the budget simulator consultation process be provided in due course.**

96 **LOCAL DEVELOPMENT FRAMEWORK - LOCAL GEOLOGICAL SITES UPDATE**

A report by the Interim Director of Corporate Services advised the Cabinet of the proposed changes to the schedule of Sites of Local Importance for Earth Science identified since the adoption of the Wirral Unitary Development Plan in 2000. The report proposed that Cabinet recommend to the Council that it formally adopts the revised schedule of Local Geological Sites as a material consideration for use by the Planning Committee in the determination of individual planning applications.

**RESOLVED:**

**That the Cabinet recommend to Council that the revised schedule of Local Geological Sites, attached to the report, be adopted as a material consideration for use by the Planning Committee in the determination of individual planning applications and be used to form part of the evidence base for the emerging Local Development Framework for Wirral.**

97 **SETTING THE SCENE FOR WIRRAL WATERS - A GREEN INFRASTRUCTURE INVESTMENT FRAMEWORK**

A report by the Interim Director of Corporate Services advised the Cabinet that the Forestry Commission, Mersey Forest and Peel Holdings had been discussing the development of a Green Infrastructure Framework for areas around the Wirral Waters site in Inner Wirral. The Framework's objectives included the improvement of the green infrastructure in this area that provided access between Wirral Waters and Birkenhead Town Centre, public transport hubs and existing green spaces such as Birkenhead Park and Bidston Moss.

It was reported that the North West Development Agency had made £1.4 million available over three years for this project to be delivered by the Forestry Commission, Mersey Forest and Groundwork Merseyside. Wirral Council had an important role to play in steering this investment, with partners. Local communities also had a role in delivery of the projects, including through the use of an Intermediate Labour Market.

The report provided the background to this project and advised Members of the broad implications for ongoing maintenance (although exact details would only become available as individual projects were developed).

Councillor A McArdle informed that she was very keen for horticultural organisations to be included in the bidding process

**RESOLVED: That**

- (1) the approach to be taken to greening Inner Wirral through the Setting the Scene for Wirral Waters Green Infrastructure Framework project be endorsed; and**

- (2) further reports be presented to the Cabinet in due course on the financial and maintenance implications of individual projects within the Green Infrastructure Framework.

98 **M53 JUNCTION 3, WOODCHURCH - MAJOR SAFETY SCHEME - COST VARIATION**

A report by the Director of Technical Services set out the detail of the final scheme cost variation incurred during the M53 Junction 3 Major Safety Scheme (Technical Services Department). The work was required because of the damage caused by the adverse weather conditions last winter.

**RESOLVED: That**

- (1) the necessity to carry out additional works during the scheme be noted; and
- (2) the increased construction costs on this project as outlined in the report be agreed to a variation to the Highways Capital Programme to cover these costs in the sum of £159,640.32, which has been accommodated from within the budget, be approved.

99 **POTHOLE FUNDING**

A report of the Director of Technical Services advised Members of the additional funding allocated to Local Authorities by the Department for Transport (DfT) for repairing winter potholes, identified following an inspection.

The amount of grant available to Wirral was £625,931. The Cabinet at its meeting on 2 June 2011 had considered a 'Government Grants 2011/12' report (Minute. No. 11 refers) and had recommended that Technical Services budget 2011/12 be increased by £625,931 with this matched by grant income. A requirement of the DfT was that this additional expenditure should be detailed on the Council's website together with the original budget for highways maintenance and detail on how this additional expenditure had complemented the original expenditure plans. A copy also had to be sent to the DfT.

**RESOLVED: That**

- (1) the contents of this report be noted; and
- (2) the use of the DfT grant to repair those roads worst affected by the adverse winter weather conditions of November/December 2010 be approved.

100 **STREET LIGHTING CENTRAL MANAGEMENT SYSTEM TRIAL**

A report by the Director of Technical Services informed the Cabinet of the conclusions come to as a result of the Central Management System (CMS) Trial and sought its approval for the use of the System to be extended across the Street Lighting Stock in the manner described by the policy statement. The report

explained the energy saving potential of the Management System and the present situation regarding unmetered Street Lighting supplies and the Carbon Reduction Commitment Scheme.

It was recognised that dimming of lights would need careful consideration as not to disadvantage the various groups who required high levels of lighting on health and safety grounds. However, the dynamic control offered by CMS would allow easy adjustments to be made to accommodate any special requirements.

**RESOLVED:**

**That the adoption of the policy, to utilize the CMS and its facilities and extend its use across the street lighting stock, as set out in the report be approved.**

**101 OUTCOME BASED COMMISSIONING**

A report of the Director of Finance provided the Cabinet with an update on the development of a strategic approach to outcome based commissioning and its relationship with the development of Neighbourhood Plans.

Councillor A McArdle welcomed welcomed Outcome Based Commissioning and informed that it was important to take a corporate view to it and ensure holistic approach across all Council services.

**RESOLVED: That**

- (1) the progress being made and receive further reports following the consultation on Neighbourhood Plans be noted; and**
- (2) the approach to connect the Outcome Based Commissioning project to the work being done on developing Neighbourhood Plans be endorsed.**

**102 COMMUNITY ASSET TRANSFER - UPDATE**

A report of the Director of Law, HR and Asset Management provided Members with an update on progress made with regard to community asset transfers; explained the present position in respect of available funding and sought instructions as to the way forward. He informed the Cabinet, in particular, that the transfer of Heswall and Alexander Halls had been completed earlier in the day.

The Director reported that community asset transfer supported the Council's goal to reduce the running costs of the Council by improving the efficiency and value for money of Council services whilst reducing bureaucracy. Members noted that there would be a saving in the Council's budget as a consequence of the transfers.

Councillor H Smith asked when the Director would be able to set out proposals for Beechwood Community Centre and was informed that the Business Case was awaited. The Director informed that he would speak to the Asset Management Team to ascertain progress and provide Councillor Smith with more detail in a written response

**RESOLVED: That**

- (1) the Progress to date with the community asset transfer programme and commitments against the Community Fund allocation be noted;**
- (2) officers be requested to seek approval to extend the use of the existing Community Fund allocation beyond March 2012;**
- (3) the proposed way forward as set out in the report be approved; and**
- (4) the Director of Law, HR and Asset Management be requested to provide a detailed response in due course to Councillor H Smith's question (detailed above).**

**103 COMMUNITY ASSET TRANSFER - VARIOUS PROPERTIES**

A report of the Director of Law, HR and Asset Management sought approval for a transfer of four community facilities, in accordance with the Council's Community Asset Transfer Policy and sought instructions in respect of the request made for Pensby Community Centre for further assistance. The transfers were in support of the Council's goal to reduce the running costs of the Council by improving the efficiency and value for money of Council services whilst reducing bureaucracy.

The Director reported that there would be a saving in the Council's budget as a consequence of these transfers and it was noted that these transfers were not a Statutory duty.

**RESOLVED: That**

- (1) transfers of Kylemore Community Centre, New Ferry Village Hall, Westbourne Hall and Woodchurch Community Centre be approved on the terms now reported, subject to confirmation of the availability of funds for revenue and capital support;**
- (2) the building works and the transitional costs for the first two years of the business plans as described in the report for these facilities be funded from the Community Fund;**
- (3) the Director of Law, HR and Asset Management be authorised to complete the necessary legal documentation on the terms set out in the report; and**
- (4) the Director of Law, HR and Asset Management be requested to conclude discussions with Pioneer People in respect of Pensby Community Centre and report to a future meeting of Cabinet on the outcome of those discussions.**

104 **PLANNED PROPERTY MAINTENANCE 2011/12**

A report by the Director of Law, HR and Asset Management sought approval for the allocation of the Planned Property Maintenance element within the revenue programme 2011/12.

**RESOLVED: That**

- (1) the schemes included in the 2011/12 Property Maintenance programme as detailed in Appendix 1 to the report be approved; and**
- (2) officers be requested to prepare the schemes and obtain tenders and/or quotations as necessary and wherever possible utilise the Schedule of Rates Contracts.**

105 **LIBRARY INFORMATION SCREENS**

A report by the Director of Finance provided Members with details of progress made in introducing plasma information screens into Libraries which would allow access to information to all visitors as was already available in the Council's One Stop Shops. The same contractor would be used who installed the One Stop Shops' network, as an extension to the existing contract. This would provide value for money but, under the Council's Constitution, it was an exception to the procurement procedure, and therefore required the approval of Cabinet.

**RESOLVED:**

**That an extension to an existing contract for installation of information screens be approved.**

106 **SOLAR PHOTOVOLTAIC PROJECT**

A report by the Director of Law, HR and Asset Management informed Members that on 1 March 2011 the Council had approved investing £2.8 million in a Photovoltaic (PV) Installation Project provided that

"...the proposed investment will yield savings in energy costs in excess of the capital financing costs..."

It was noted that the project would utilise the Feed in Tariff (FiT) scheme introduced by the Government in 2010 to provide a financial incentive to Consumers to install renewable technologies that would generate electricity over a maximum of 25 years.

The Director provided details of the anticipated benefits that could be obtained from the implementation of this project. The Government was to review FiT scheme funding in 2012 and there were benefits from reduced energy costs but, based upon the latest information, the capital financing costs for the project could be matched by savings. In future years, reductions in energy use would realise further energy savings and the index-linked subsidy (FiT payments) would increase.

**RESOLVED: That**

- (1) the implementation of the Solar PV Project capital scheme be approved;**
- (2) the construction phase of the project commencing in April 2012 be agreed; and**
- (3) regular performance reports to be provided for the Cabinet's consideration following the implementation of the scheme.**

107 **ASSISTIVE TECHNOLOGY - TENDER OUTCOME**

A report by the Interim Director of Social Services outlined the recent tendering exercise for the provision of an Assistive Technology assessment service and Telecare installation, monitoring, maintenance and response service. Based on the outcomes of this tendering exercise, the report included a recommendation for the provider of this service and sought approval from the Cabinet to proceed to implementing the contract.

Members noted that Assistive Technology, which included Telecare, frequently used simple and discreet technology to help individuals live safely and independently in their own home, whilst also providing carer support. An individual's needs were assessed, resulting in a personalised support package, consisting of tailored equipment and a detailed plan of what action to take should an alert be triggered. Assistance was available to individuals 24 hours a day, 365 days a year via connection to a monitoring/response centre.

The Director reported that as from July 2011, there were over 3,800 people in Wirral being supported by this service, with this figure projected to rise to over 4,000 by October 2011 and over 4,600 by April 2012. The vast majority of these individuals were older people.

Wirral Assistive Technology service provision was via a contract with Seniorlink Eldercare. The contract had commenced in April 2008 and was due to continue until October 2011. The contract had been significantly varied since 2008 to reflect continued development of this innovative service. Due to such developments, the advice from the Council's Legal Services was that these variations were so significant, in terms of scope and value of resultant activity, that it was necessary to re-tender the service.

Details of the evaluation for the tenders received, including identification of the provider which evaluated highest overall was contained within exempt Appendix 1 (Minute No. 111 refers). This information was exempt under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as the information was considered to be commercially sensitive as it would be likely to prejudice the commercial interest of the successful tenderer and the public interest in not disclosing the information outweighed the public interest in disclosing the information.

The budget for this service for 2011/2012 was £1,530,300 (including costs of equipment). This included £174,000 from NHS Wirral (£84,500 yet to be confirmed from October 2011).

The Director informed that existing costs for the elements of the service of assessment, installation, maintenance of equipment, review, monitoring and response (excluding cost of equipment), had been compared to the proposed costs provided within this procurement exercise, and in almost all aspects there had been a notable reduction. Overall, the costs for the new contract could be seen to represent significantly improved value for money compared to current costs for the same levels of activity. However, it was noted that the original contract had been awarded in 2008, following a tendering exercise, when it was identified as the most economically advantageous at that time. The current tariff reflected the growth of this market and the increase in competition.

The new specification allowed for all key aspects of the service to be contained, if necessary, and would provide an effective mechanism for controlling expenditure. The specification and tender was on a cost/volume basis rather than on agreed levels of activity. The contract and payments would be based on actual activity delivered at a fixed cost rather than having a pre-agreed total contract value (although an upper limit would be specified).

The contract would be for 12 months running from 1 October 2011 with an option to extend for a further 12 months. This timeline combined with the approach outlined in 1.8 above would support continued developments towards personal budgets.

The Director was now in a position to name the successful tenderer as McWain Smart for Members' information.

**RESOLVED:**

**That the provider identified as McWain Smart for the provision of an Assistive Technology assessment service and Telecare installation, monitoring, maintenance and response service resulting from a tender process conducted under the OJEU (Official Journal of European Union) open procedure as detailed in exempt Appendix 1 be approved.**

Councillor P Davies left the Chair and the meeting whilst the next item of business was under consideration.

**Councillor G Davies in the Chair.**

108 **STEP UP TO SOCIAL WORK - COHORT 2 - OUTCOME OF PROCUREMENT PROCESS**

A report by the Director of Children's Services outlined the Learn Together Partnership, a partnership of the Children and Young People's Directorates in Cheshire East, Cheshire West and Chester, Halton, Knowsley, Liverpool, Sefton, St Helens, Warrington and Wirral Councils, that had been working collaboratively to develop a range of activities, within a public sector ethos, that augments the capacity of member organisations.

Step Up To Social Work was a national pilot programme, which offered an employment-based route for non-specialists to qualify as a social worker with a Master's degree in Social Work. The first cohort of trainees was currently completing

this pilot programme. The original tender to provide training was only for this pilot group and so the Department of Children's Services had been advised to retender for the contract for further cohorts.

The Children's Workforce Development Council (CWDC) had agreed to provide funding for a second cohort of trainees. Wirral Council, as the Lead Local Authority for the programme, on behalf of the Learn Together Partnership, had begun the procurement process to supply the academic delivery of the programme. This report contained the outcome of the procurement process.

All exempt information was set out in an exempt appendix to the report. (Minute No. 111 refers) This information was exempt under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as the information was considered to be commercially sensitive as it would be likely to prejudice the commercial interest of the successful tenderer and the public interest in not disclosing the information outweighed the public interest in disclosing the information.

**RESOLVED: That**

- (1) the acceptance of the tender by Liverpool John Moores University be confirmed;**
- (2) the Director of Children's Services be requested to enter into a contract with Liverpool John Moores University to deliver an MA in Social work training on behalf of the Learn Together Partnership; and**
- (3) agreement be given for there to be up to two renewals of the contract, each for a period of 18 months, in the event of funding continuing beyond a second cohort and of the Learn Together Partnership wishing to take part.**

**Councillor P Davies in the Chair.**

**109 URGENT BUSINESS APPROVED BY THE CHAIR**

There were no items of urgent business for consideration.

**110 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 1 of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.**

111 **EXEMPT APPENDICES**

Further to Minute Nos. 107 and 108 above the Cabinet considered the detail of the confidential Appendices to the reports at Item Nos. 18 and 19 on the agenda. These Appendices 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 appendices to the reports on the Assistive Technology – Tender Outcome and Step Up to Social Work – Cohort 2 – Outcome of Procurement Process, be noted.**

112 **COMPANY NAMED IN THE REPORT - REQUEST FOR FINANCIAL ASSISTANCE**

A report by the Interim Director of Corporate Services was exempt by virtue of the information contained within it is commercially sensitive. It sought Cabinet approval to provide a grant to the company named to assist towards its business expansion project.

**RESOLVED:**

**That the Cabinet support the approval of the financial assistance request based on the information set out in the report.**