

# CABINET

Thursday, 13 October 2011

Present:

Councillor	S Foulkes (Chair)	
Councillors	P Davies	AR McLachlan
	G Davies	C Meaden
	AER Jones	H Smith
	B Kenny	J Stapleton
	A McArdle	

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

Councillors G Davies, P Davies, A McLachlan and H Smith declared a personal interest in Item Nos. 4 – Merseyside Pension Fund Accounts and 5 Audit Commission – MPF Annual Governance Report (Minute Nos. 140 and 141 refers) by virtue of members of their families being members of the Merseyside Pension Fund.

## 137 MINUTES

**Resolved:**

**That the Minutes of the meeting held on 22 September 2011 be confirmed as a correct record.**

## 138 CHILD POVERTY STRATEGY ACTION PLAN - PROGRESS REPORT

A report of the Chief Executive reminded the Cabinet that the Council has a statutory duty to work with partners to develop a Wirral Child Poverty Strategy as set out in the Child Poverty Act 2010.

The report set out the work that had been undertaken to date, in accordance with the report to the Cabinet on the 14 April 2011 (Minute No. 386 refers), to develop a Wirral Child Poverty Strategy and action plan in partnership with local organisations and agencies, including the voluntary, community and faith sector. This included the contribution of the Wirral Child and Family Poverty Working Group, which had been established to make recommendations to the Council and its partners about a local Child Poverty Strategy and action plan.

The report also provided a progress report on the £10,000 policy option agreed by the Cabinet and Council in February 2010 to invest in targeted engagement with Wirral organisations and local communities and set out the proposed next steps in relation to the further development of the action plan.

The report also detailed the links between Wirral's local approach and the development of a strategy for the Liverpool City Region, which had been

shaped by the City Region Commission on Poverty and Life Chances, chaired by Frank Field MP.

The Cabinet noted that significant progress had been made and that this action list had involved the single most important piece of work the Council had seen for some time. Members made reference to the pockets of deprivation on Wirral and the associated housing problems and unemployment that was experienced. A corporate approach was needed to tackle these issues and reverse the trend. This was a budget priority and a key priority for the Council.

Consequently, Councillor A McLachlan moved the following Motion which was seconded by Councillor S Foulkes and carried unanimously.

**RESOLVED: That**

- (1) Cabinet recognises that the issue of Child Poverty is an extremely important one and welcomes this Child Poverty Strategy Action Plan as a major move forward in tackling Child Poverty on Wirral;**
- (2) Cabinet recognises the extreme urgency of this matter in the light of the report just published by the independent Institute for Fiscal Studies which shows that the next two years will be dominated by a large decline in incomes, pushing an extra 600,000 children across the country into absolute poverty by 2012/13 and indicating that the consequences of the actions taken by this government means that the targets originally set in 2010 could be missed by up to 23%;**
- (3) Cabinet believes that Wirral's economic position will make it especially vulnerable to increases in child poverty at a time of recession; and**
- (4) Cabinet therefore agrees the recommendations in the report and set out below ((a) to (d)), thanks all those involved for the hard work undertaken so far, and resolves to make sure that all Council strategies and plans are properly amended to include this as a major priority for the Council, with subsequent referral to the Council as appropriate:**
  - (a) the Cabinet notes the progress that has been made to date in relation to the development of a child and family poverty strategy for Wirral, including the excellent contribution of the Wirral Child and Family Poverty Working Group, and approves the draft strategy and initial action plan at Appendix 1 to the report;**
  - (b) the Cabinet authorises the Chief Executive to undertake further consultation on the draft strategy and prepare a final version for approval and adoption by the Council and partners;**
  - (c) the Cabinet authorises the Chief Executive (and any other officer nominated by him) to undertake any other steps and action incidental and conducive to finalising the strategy and**

**progressing the action plan, including working with relevant partners and stakeholders as considered necessary and appropriate; and**

- (d) the Cabinet agrees that the Wirral Child and Family Poverty Working Group should continue to meet to oversee the further development of the strategy.**

#### **139 BUSINESS CONSULTANCY SERVICES**

A report of the Director of Finance sought the Cabinet's approval to join a Merseyside collaborative contract with Matrix SCM for the provision of business consultancy services.

The contract incentivised the provider to approach the market on behalf of Councils who were party to it to obtain the best deal in terms of quality and price. Payment would only be made to the provider if they were able to return a saving to the Council. Based on current expenditure on consultancy services savings were estimated to be in the region of £200,000 per year. These were built in to the procurement strategy which had an aggregate target to deliver £2.7 million savings in 2011-12. Progress against this target was reported elsewhere on the agenda.

**RESOLVED: That**

- (1) the Authority become a party to the Merseyside collaborative contract with Matrix SCM for the provision of business consultancy services; and**
- (2) this contract be the sole contract for the primary engagement of consultants by the Council.**

#### **140 MERSEYSIDE PENSION FUND ACCOUNTS**

A report of the Director of Finance presented the Cabinet with the audited Statement of Accounts of Merseyside Pension Fund 2010/2011 and responded to the Draft Annual Governance Report (AGR) from the Audit Commission.

**RESOLVED:**

**That the Statement of Accounts for 2010/11 and the Annual Governance Report be noted.**

#### **141 AUDIT COMMISSION - MPF ANNUAL GOVERNANCE REPORT**

The Cabinet received the Annual Governance Report of the Audit Commission which summarised the findings of the 2010/2011 audit of Merseyside Pension Fund. It was noted that, subject to satisfactory completion of outstanding matters, the District Auditor planned to issue an unqualified opinion on the Merseyside Pension Fund accounts. She had identified two material errors in the accounts, the omission of a Net Assets Statement as at 1 April 2009, and a mis-classification of £273m pooled investments as equity. The Pension Fund had agreed to amend the accounts for both of these items. The District Auditor had also identified a small number of other

disclosure errors and one non-trivial accounting error, all of which the Pension Fund had agreed to amend.

The Director of Finance reported that the Audit and Risk Management had gone through this report in detail at its last meeting on 28 September 2011 and he had no issues to draw to Members' attention.

Councillor S Foulkes drew attention to the best practice adopted by the Merseyside Pension Fund; the Council's Corporate Governance inadequacies identified in the recently published independent consultant's report and asked if there was any opportunity for cross skilling. The Director of Finance informed that the Merseyside Pension Fund was a division of his Department and a single service operator which made it easier for it to deliver governance than a multi service organisation and that no particular skills were needed. However, vigorous Member training was provided as part of a national training package that was complied with by Pension Fund Trustees and this may account for the greater understanding of governance shown by the Merseyside Pension Fund.

**RESOLVED:**

**That the report be endorsed.**

142 **STATEMENT OF ACCOUNTS 2010-11**

A report of the Director of Finance noted that the Council's Constitution allocated responsibility for the approval of the Statement of Accounts to the Audit and Risk Management Committee. The Statement for 2010/11 had been published on 4 July 2011 and was then subject to audit. The District Auditor had presented her findings within the Annual Governance Report (AGR) together with additional updates to the Audit and Risk Management Committee on 28 September 2011.

The Statement of Accounts included the Merseyside Pension Fund (MPF) accounts as the Council was the Administering Authority for MPF. As MPF received a separate Annual Governance Report this had been considered by the Pensions Committee on 19 September 2011 and the Audit and Risk Management Committee on 28 September 2011 as part of approving the Accounts.

It was noted that there had been some technical alterations made to the Statement of Accounts which had meant that the Council had only just managed to meet the timescale laid down for submission. It was also noted that this year, for the first time, the accounts had been prepared in accordance with national reporting standards and this had been a learning curve. Next year, with this experience behind them, officers would be in a better position to carry out the work required and meet the deadline. The District Auditor had commented on resources required to close accounts and the Council would be acting on this advice and may put additional resources in to ensure future deadlines were met.

**RESOLVED:**

**That the Statement of Accounts for 2010/11 and the Annual Governance Report be noted.**

143 **AUDIT COMMISSION - ANNUAL GOVERNANCE REPORT**

The Director of Finance presented the Cabinet with the Annual Governance Report. The report summarised the findings from the 2010/11 audit which was substantially complete. It included the messages arising from the audit of the financial statements and the results of the work the District Auditor had undertaken to assess the Council's arrangements to secure value for money in its use of resources.

The Cabinet noted that the District Auditor had issued a qualified Value for Money statement. The Cabinet also noted that at page 21 of the Director's report the District Auditor had stated in respect of the HESPE contract, which had been in operation for the last two and a half years, the Council was not able to provide information on activity and performance to determine whether it was receiving better value for the money spent. The District Auditor intended to bring a detailed report concerning this to the next meeting of the Audit and Risk Management Committee on 29 November 2011.

Councillor S Foulkes moved the following Motion which was seconded by Councillor P Davies and carried unanimously.

**RESOLVED: That**

- (1) Cabinet thanks the Auditor for preparing the report and expresses its grave concern that the Auditor found it necessary to qualify the Value for Money statement;**
- (2) Cabinet believes that the failings in Corporate Governance identified in the Anna Klonowski report are a major factor behind this qualification and recognises that the special Cabinet Committee on Corporate Governance will be seeking to redress this;**
- (3) Cabinet believes however that specific attention should be paid to the issues drawn out as a reason for qualification and asks the Chief Executive to launch an immediate investigation into how these failings occurred and how they can be remedied for the future, and report back to Cabinet as soon as his investigation is completed;**
- (4) in the light of its implications for the letting of contracts across the Council, Cabinet expresses particular concern about the qualification arising from the Council's inability to determine Value for Money on the HESPE contract and the statement that "the Council is not able to provide information on activity and performance to determine whether it is securing better value for the money spent."; and**
- (5) Cabinet asks the Chief Executive to address this matter urgently.**

144 **ANNUAL GOVERNANCE STATEMENT 2010-11**

A report of the Director of Finance informed the Cabinet that the preparation and publication of an Annual Governance Statement (AGS) was necessary to meet the statutory requirement which were set out in the Accounts and Audit Regulations 2003 (amended 2006 and 2011).

The report explained the requirement for the Council to produce the AGS declaring the degree to which it met the Governance Framework.

The Cabinet had considered a draft AGS on 14 April 2011 (Minute No. 373 refers). The AGS had been revised to provide further information. The revised statement had been approved by the Audit and Risk Management Committee on 28 September 2011, subject to issues raised by the District Auditor.

**RESOLVED:**

**That the AGS for 2010/11 be agreed.**

145 **MEDIUM TERM FINANCIAL STRATEGY 2012-15**

A report of the Director of Finance included the annual update of the Medium Term Financial Strategy, the most recent of which had been agreed by the Cabinet on 4 November 2010 (Minute No. 199 refers). The aim was to give the Cabinet a strategic overview highlighting the significant issues to be considered for use in financial planning and informing future priorities. It had been refined to reflect recent information from the Government and the revised Corporate Plan agreed in March 2011.

Councillor S Foulkes made reference to the recent Conservative Party Conference where the Chancellor of the Exchequer, George Osborne had announced that Council tax was to be frozen again next year as the Government tried to show it understood the mounting pressures on family budgets. Mr Osborne had said he would spend more than £800million to enable local authorities to avoid painful increases and requested some detail on how the Council would deal with this.

**RESOLVED: That**

- (1) the Medium Term Financial Strategy be approved; and**
- (2) regular updates of the Budget Projections be reported to the Cabinet and to the Council Excellence Overview and Scrutiny Committee.**

146 **CAPITAL STRATEGY 2012-15**

A report of the Director of Finance included the annual update of the Capital Strategy which had last been agreed by the Cabinet on 4 November 2010 (Minute No. 200 refers). There were only minor revisions to the Strategy which aimed to provide a framework with which to support planning considerations for the medium term. The Cabinet was asked to review the criteria used for prioritising the Capital Programme.

**RESOLVED: That**

- (1) the Capital Strategy be approved; and**
- (2) the criteria for prioritising the Capital Programme be agreed.**

147 **INFORMATION AND COMMUNICATION TECHNOLOGIES (ICT) STRATEGY 2011-14**

A report of the Director of Finance presented the Cabinet with an update of the rolling three year Information and Communication Technologies (ICT) Strategy. The Strategy would be continuously reviewed and the updated document would be returned to Cabinet periodically. The ICT Strategy supported the Council in the delivery of corporate priorities. IT Services' commitment to save £1.7m over four years from 2011/12 following the 'ICT Strategic Review' was within the strategy.

**RESOLVED:**

**That the Information and Communication Technologies Strategy 2011- 2014 be approved.**

148 **INFORMATION AND COMMUNICATION TECHNOLOGIES SECURITY POLICY**

A report of the Director of Finance informed the Cabinet of the proposed amendments to the Information and Communication Technologies (ICT) Security Policy that was last presented to Cabinet on 2 September 2010 (Minute No. 115 refers).

The Cabinet was requested to agree the Information and Communications Technology Security Policy as amended.

**RESOLVED:**

**That the amended ICT Security Policy be agreed.**

149 **RISK MANAGEMENT STRATEGY AND THE MANAGEMENT OF RISK AND OPPORTUNITY**

A report of the Director of Finance informed the Cabinet that the Risk Management Strategy had last been updated on 25 November 2010 (Minute No. 231 refers) and that it was reviewed annually. Whilst there were minor changes to the Strategy the report recommended that a more tailored and embedded approach to the management of risk, strategically and operationally, was needed if the Council was to meet the challenges and take advantage of the opportunities both internally and in the wider environment. It proposed the creation of a new framework and processes to support the new approach.

**RESOLVED: That**

- (1) the retention of the existing Risk Management Strategy be approved;**
- (2) the Cabinet supports the development of a new corporate approach to the management of uncertainty and agrees that the action plan set out in the Appendix to the report be incorporated within the Risk Management Strategy; and**
- (3) detailed proposals for the new framework and processes be presented to a future meeting of the Cabinet for consideration.**

150 **CORPORATE RISK REGISTER**

A report of the Director of Finance summarised the process to be followed in undertaking the recent review of the Corporate Risk Register. The updated draft Register agreed by the Executive Team was appended to the report.

**RESOLVED: That**

- (1) the draft Corporate Risk Register be approved; and**
- (2) the monitoring of the corporate risks continue to be included within the quarterly Performance and Financial Review reports to the Cabinet.**

151 **ALLOCATION OF RE-PROVISION / RESTRUCTURING COSTS**

A report of the Director of Finance informed the Cabinet that as part of the Council Budget 2011/12, £2 million of the Efficiency Investment Fund had been set aside to meet any re-provision and restructuring costs following the Early Voluntary Retirement/Voluntary Severance (EVR/VS) Scheme. The Cabinet was now recommended to allocate funding to Departmental budgets.

**RESOLVED:**

**That the sum of £1,802,000 be transferred from the Efficiency Investment Fund to Departmental Budgets.**

152 **CAPITALISATION OF STATUTORY REDUNDANCY PAYMENTS**

A report of the Director of Finance informed the Cabinet that the Department for Communities and Local Government (DCLG) had given the Council permission to treat statutory redundancy payments as capital spend, rather than revenue spend, in 2011/12. There were a number of conditions attached to this permission and the Council had to reply by 7 October 2011 accepting them and the amount to be capitalised.

In making use of this permission the Council needed to approve a variation in the Capital Programme for 2011/12.

Members wanted to avoid compulsory redundancies and informed that they wanted to hold serious talks with the Trade Unions on how the Council would be run. They also reported that the original Severance Scheme pre-November 2010 had been reinstated by the Employment and Appointments Committee at its Special meeting earlier that evening

**RESOLVED: That**

- (1) the DCLG be advised that the Council will utilise the permission to treat as capital £4 million of revenue expenditure in 2011/12;**

- (2) **the Capital Programme be increased for the Finance Department by £3 million and for the Children and Young Peoples Department by £1 million and that this be referred to Council; and**
- (3) **the release of £3 million from the provision for the Early Voluntary Retirement/Voluntary Severance Scheme costs to balances be agreed.**

## 153 LOCAL GOVERNMENT RESOURCE REVIEW BUSINESS RATES REFORM

A report by the Director of Finance informed that the Local Government Resource Review had been launched by the Government on 17 March 2011. The central issue was the repatriation of business rates whereby local councils kept their local business taxes with grant dependence scaled back except where it was needed to protect the interests of taxpayers. The intention was to set an initial baseline and local authorities whose business rates income was higher than this would pay the difference to the Government by way of a tariff. Those whose income was less than the baseline would receive the balance in the form of a top up.

Reports presented to the Cabinet meetings on 14 April 2011 and 22 September 2011 had outlined the basic proposals. The latest consultation set out the proposed core components for a business rates retention system. In addition it set out how Tax Incremental Financing would operate within the system. It further outlined how the proposals interacted with the wider Government initiatives to promote growth, including the New Homes Bonus.

In addition to the core proposals there were a further eight technical papers to which councils could respond. These provided further details on the topics covered in the core consultation and a brief summary of them was included in the report. Appendix 1 to the report contained a proposed response to the core consultation but not the technical aspects which purely informed the overall response.

Councillor S Foulkes raised concerns about Business Rates reform proposals and informed that this matter had been raised at the meeting to discuss Wirral's financial situation with the Under Secretary of State for Communities and Local Government Bob Neill on 6 September 2011.

The Director of Finance reported that discussions were still ongoing between the Council, the Liverpool City Region and the Special Interest Group of Metropolitan Authorities (SIGOMA) on a number of technical issues which must be concluded by 24 October 2011 and the outcome would be taken into account before the Council's consultation response was finalised.

Councillor H Smith made representations to the Director of Finance in respect of his reports not containing a paragraph on Financial Implications and requested that he ensure that his reports did include this information in future.

### **RESOLVED: That**

- (1) **the response to the core consultation be agreed; and**
- (2) **any final amendments be agreed by the Director of Finance in consultation with the Leader of the Council and the Party Leaders.**

## 154 SINGLE FRAUD INVESTIGATION SERVICE

A report of the Director of Finance informed the Cabinet that currently benefits fraud prevention and detection was undertaken by Local Authorities for Housing and Council Tax Benefits along with the Department for Work and Pensions (DWP) and HMRC. The report detailed the current situation, the Department for Work and Pensions proposals to better harmonise this work from 2013 and recommended that Wirral supports the favoured DWP option of retaining the Council Fraud staff working directly in the Council but adhering to the Single Fraud Investigation Service proposed powers, policies, processes and priorities.

DWP had identified four options for LA staff joining SFIS. The first two related to LA staff remaining LA employees, while the second two relate to LA staff becoming employees of DWP.

**Option 1.** LA staff remain employed by LAs, but operate under SFIS powers, policies, processes and priorities. This brings LA investigation staff into SFIS under a procedural change. By leaving employment and location unchanged this option would allow LAs the flexibility to redeploy resources to meet other LA priorities if required.

**Option 2.** LA staff remain employed by LAs and remain situated in LAs but are seconded to the DWP. This option means all LA investigation staff are under formal secondment to DWP and operate under SFIS powers, policies, processes and priorities. This brings LA investigation staff into SFIS under both management and procedural changes. This option would allow LAs a limited degree of flexibility to recall and redeploy resources to meet other LA priorities, under the terms of a secondment agreement.

**Option 3.** LA staff become DWP employees but deliver investigation locally from LA offices. This option means all LA investigation staff become DWP employees and operate under SFIS powers, policies, processes and priorities but do not move physically. This brings LA investigation staff into SFIS under both management and procedural changes.

**Option 4.** LA staff become part of the DWP working within DWP offices as DWP employees and operate under SFIS powers, policies, processes and priorities. This brings LA investigation staff into SFIS under both management and procedural changes.

### **RESOLVED:**

**That Option 1 that will see Local Authority staff remain employed by each Local Authority and operate under the Single Fraud Investigation Service powers, policies, processes and priorities be supported.**

## 155 REPORT TO THE CORPORATE GOVERNANCE CABINET COMMITTEE: INDEPENDENT REVIEW

The Chief Executive presented the Cabinet with the proposed initial report for consideration at the first meeting of the Cabinet Corporate Governance Committee

which had been established by the Cabinet at its meeting on 22 September 2011 (Minute No. 116 refers) to drive forward the changes that needed to be made both in the way the Council was managed and in respect of the culture of its employees.

The Chief Executive drew attention to paragraph 4.4.5 d) of the report which referred to HESPE and posed the question of how did the Council find itself in the position where the Audit Commission qualified its value for money achievements? The Chief Executive pointed out that as the Cabinet was already aware from the Audit Commission's Annual Governance Report (Minute No. 143 refers), the District Auditor had issued a qualified opinion that drew attention to weaknesses identified in the arrangements for securing value for money in respect of the HESPE contract and other governance and internal control issues arising from whistleblowing issues and from the recording and control of assets.

Councillor S Foulkes informed that he would be proposing, in an Amendment at the Council meeting on 17 October 2011, to co-opt the Leaders of the other two Political Groups onto this new Corporate Governance Committee as non voting Members. The Committee's aim was to agree an appropriate way forward so that resources could then be focused to bring about improvements to the organisation. He considered that an all party approach was required to address the democratic process within the Council. He then moved the following Motion which was seconded by Councillor P Davies and carried unanimously.

**RESOLVED: That**

- (1) Cabinet welcomes this initial report to go for consideration to the first meeting of the Cabinet Committee on Corporate Governance;**
- (2) in the light of the high level of work required to turn the Council round in the short timescale available before the end of March, and the urgency of getting things right, as evidenced by the Auditor's Annual Governance Statement tonight, Cabinet asks that a date is set as quickly as possible for this first meeting, to take place if possible midway between this Cabinet meeting and the following one, in order to set up a sensible referral and reporting cycle for the future.**
- (3) Cabinet welcomes the opportunity for the three parties to work together in the best interests of the Council and the people of Wirral;**
- (4) Cabinet notes that the report on Performance Management was referred at the last Cabinet to the Cabinet Committee for detailed consideration and expresses concern that training appears to have started, or be about to start, on a scheme that has not yet been agreed; and**
- (5) while Cabinet accepts the urgency of training senior officers in Performance Management, Cabinet requests the Chief Executive to delay any such training until there has been full input from the Cabinet Committee, which it is hoped will follow immediately on their first meeting, in order to avoid any confusion or requirements for re-training following further recommendations.**

A report of the Director of Finance updated the Cabinet on the Corporate Procurement Strategy.

The Strategy was an enabler of the procurement efficiency targets that had been agreed for 2011-12. These were reflected in the 2011-12 Budget as:-

- £2.0m from the annual procurement efficiency programme
- £0.5m from reviewing the top 50 contracts
- £0.2m from reviewing administrative support costs

It was noted that details of the projected savings for the 2012-13 Budget would be reported to a future meeting of the Cabinet.

**RESOLVED:**

**That the Procurement Strategy be agreed.**

**157 CONTRACT FOR THE PROVISION OF MILK, BREAD AND MORNING GOODS**

A report of the Director of Finance sought the Cabinet's approval to the extension of a contract for the provision of milk, bread and morning goods to 31 August 2012. This was in order to coincide with a number of other contracts for the supply of catering services which expired in 2012. This would present an opportunity for the Council to make procurement savings through greater aggregation by contracting with one large supplier on a 'one-stop-shop' basis.

It was proposed that a full review of catering provision be undertaken in 2012 in accordance with the Commissioning and Procurement Strategies agreed by the Cabinet on 2 June 2011. (Minute No. 8 refers).

**RESOLVED: That**

- (1) the contract for the provision of milk, bread and morning goods be extended to 31 August 2012; and**
- (2) a Council-wide commissioning and procurement review of catering services be conducted.**

**158 JOB EVALUATION**

A report by the Director of Law, HR and Asset Management sought approval from Cabinet to vary the current contract with HAY in order to implement stage four of Job Evaluation (JE) and secure Hay's support to develop a pay and grading structure.

By virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, the appendices to the report were exempt as they contained commercially sensitive information (Minute No. 169 refers).

**RESOLVED: That**

- (1) the implementation of Stage Four Job Evaluation be agreed;**

- (2) **Hay be requested to provide support to develop and implement a new pay and grading structure for all posts above spinal column point 34; and**
- (3) **the variation to the current contract with HAY consultants, to the value detailed in Exempt Appendix One to the report, for services to evaluate the posts of Heads of Service and above and support to implement a pay and grading structure for posts above spinal column point 34 be agreed.**

#### 159 **CUSTOMER ACCESS STRATEGY**

A report of the Director of Finance informed the Cabinet that the Customer Access Strategy (CAS) had been reviewed and updated. It retained the same focus of reducing service costs whilst improving customer experience. However, it now also included reference to the programme of work to co-locate Libraries and One Stop Shops. Across the Council there was a clear need to find savings and the CAS was central to meeting this need.

##### **RESOLVED: That**

- (1) **the CAS, which includes a re-stated introduction and governance procedure, and updated future priorities be approved; and**
- (2) **an action plan to support channel migration be reported to a future meeting of the Cabinet.**

#### 160 **ASSISTIVE TECHNOLOGY RE-TENDER**

A report of the Interim Director of Social Services reminded Members that on 1 September 2011 the Cabinet had approved the outcome of a tendering exercise for the provision of an assistive technology assessment service and telecare installation, monitoring, maintenance and response service (Minute No. 107 refers).

During the standstill period following the Cabinet, a challenge had been received from one of the unsuccessful providers that suggested the tender documents did not adequately promote fairness and in turn could result in further challenge under the Remedies Directive (2009) which could be subject to financial penalty.

No formal contract discussions had taken place and providers who had submitted a tender had been advised that the Council would not be proceeding any further with this tender.

The current contract had expired on 30 September 2011. Therefore, it would be necessary to extend the current contract until 31 March 2012 whilst re-tendering took place.

##### **RESOLVED: That**

- (1) **the developments relating to the original tender for the provision of an assistive technology assessment service and telecare installation,**

monitoring, maintenance and response service, in particular not progressing further with the award of the new contract be noted;

- (2) re-tendering (using an OJEU accelerated procedure) for the provision of an assistive technology assessment service and telecare installation, monitoring, maintenance and response service be approved following suitable revisions to the specification and documents that would provide continuity of service for vulnerable people and promotion of fair competition and value for money from the process; and
- (3) the extension of the existing contract to 31 March 2012 which will allow for the re-tendering exercise to be completed and provide for a suitable handover period, be approved.

161 **INTRODUCTION OF NEW PROCEDURE FOR ALLOCATION OF BLUE BADGE PARKING FOR DISABLED PEOPLE**

A report of the Interim Director of Social Services informed the Cabinet that the 'Blue Badge' scheme, which offered preferential parking to disabled people free of charge, had been in operation since 1971. The scheme had operated using nationally agreed regulations, and was administered by local authorities.

The Cabinet was also informed that two major changes had been introduced which had necessitated a reform of the process locally.

National reforms would include a central distribution point for the badges from 1 January 2012.

Payment for the assessment of eligibility had passed from the health service to the Council via the Department of Adult Social Services in April 2011.

**RESOLVED: That**

- (1) the adoption of the new national regulations from 1 January 2012 be confirmed;
- (2) the new assessment process for eligibility be implemented from 1 November 2011;
- (3) the charge for a Blue Badge from £2 to £10 for the life of the badge be increased; and
- (4) the Access Agreement which enables Northgate Information Solutions to distribute the Blue Badges and provide Software Solutions for the Authority be accepted.

162 **UPDATE ON PUBLIC HEALTH REFORM**

A report by the Director of Public Health informed that the Government had published Healthy Lives, Healthy people: Update and way forward on 14 July 2011, a policy statement in response to the public health white paper Healthy Lives, Healthy

People: our strategy for public health in England consultation process and the NHS reforms listening exercise.

The report provided an overview of the key messages contained in the report and how they would impact on the Council. It also considered the milestones that would need to be addressed in the transition of public health into the Council. A further transition plan report would be considered by the Cabinet once there were firm proposals and the budgetary position was known, hopefully before Christmas.

**RESOLVED:**

**That the contents of the report be noted and the further report on transition be provided when more detail is available in relation to future responsibilities, budget and human resource issues.**

163 **WIRRAL'S HOUSING MARKET RENEWAL PROGRAMME - END OF YEAR REPORT 2010/11 AND WIRRAL'S HOUSING INVESTMENT PROGRAMME 2011/12**

A report by the Interim Director of Corporate Services provided an update for the Cabinet on the progress of the Housing Market Renewal Initiative in Wirral for the period April 2010 - March 2011, in line with audit requirements. This would be the final report as the programme and associated grant funding would end at the end of March 2012.

The report sought the Cabinet's approval for Wirral's Housing Investment Programme for 2011-12 which comprised funding from the Council's Capital Programme, carried over HMR funds and Growth Point funding and capital receipts which totalled £5.64m for the current year.

The report also sought the Cabinet's approval to dispose of properties acquired as part of HMRI, which were now surplus to requirements. Receipts generated would be used to support the HMRI exit strategy.

Members noted that a further report would be provided for the Cabinet's consideration once the outcome of the HMRI Transitional Funding bid was known. An announcement had been expected during the previous week, it had not been made and no further date had been given in respect of it.

The report also sought the Cabinet's approval to use external solicitors to undertake necessary legal work to the value of £15,000 to complete the legal processes with developers.

Members were aware that in addition to preparing bids for the limited funding opportunities being made available by the Government through the HCA and other agencies, the Council had also been actively engaging with all Government agencies to lobby for investment to be maintained in HMRI and other housing programmes. This had involved a number of high profile representatives from HCA, the Government and the opposition visiting the area and/or meeting members and officers. However, the Rt Honorable Grant Shapps MP, Minister of State for Housing and Local Government had not visited Wirral. It was proposed that a letter be sent to

him asking for his support in respect of the of the HMRI Transitional Funding bid signed if possible by the three Political Group Leaders

**RESOLVED: That**

- (1) the progress of the Housing Market Renewal Initiative in Wirral in the period April 2010-March 2011 (the final year of the programme) as detailed in this report be noted;**
- (2) the Housing Investment Programme 2011-12 for Wirral, set out in Appendix 1 to this report be agreed;**
- (3) the Interim Director of Corporate Services (in consultation with the Director of Law, HR and Asset Management) be authorised to dispose of the 21 surplus HMRI properties referred to in the report. The Interim Director of Corporate Services (in consultation with the Director of Law, HR and Asset Management) be further authorised to determine the method of disposal for each property as he considers most appropriate in the circumstances;**
- (4) a letter signed by all three Political Group Leaders, if possible, be sent to the Minister of State for Housing and Local Government lobbying for his support in respect of the outstanding HMR transition bid;**
- (5) a further report be submitted for the Cabinet's consideration once the outcome of the HMR transition bid is known; and**
- (6) the use of external solicitors to assist with the legal work, to the value of £15,000 arising in connection with outstanding legal work as set out in this report be agreed.**

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

A report by the Interim Director of Corporate Services sought approval of the Council's revised Private Sector Housing and Regeneration Assistance Policy (referred to as "the Assistance Policy") following consultation. This Assistance Policy had been provided using statutory powers. Any revisions approved would be implemented with immediate effect.

The main emphasis of the proposed changes was to refocus the policy and financial assistance products on completing housing clearance commitments begun through HMRI, to prioritise home repair for vulnerable people, empty homes and HMOs. The report also updated the Cabinet 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.

**RESOLVED:**

**That the revised Private Sector Housing and Regeneration Assistance Policy as set out in this report be agreed and implemented with immediate effect.**

## 165 SUPPORTING PEOPLE CONTRACTS

The Interim Director of Corporate Services reported that the Supporting People (SP) Programme aimed to enable vulnerable people to live independently through the provision of front-line housing-related support services and to prevent individuals experiencing crises and requiring more costly interventions through Wirral Health Authority, Department of Adult Social Services (DASS), Children and Young People Department or the Criminal Justice System.

Whilst the majority of Supporting People contracts had been renegotiated or tendered, there remained a number of negotiations still to take place, specifically with regard to those services provided to clients with Learning Disabilities.

This was the second report which sought to inform Members' of the decision of the Interim Director of Corporate Services to further extend Supporting People Contracts for services for people with Learning Disabilities. The initial report had been submitted to the Cabinet on the 14 April 2011 (Minute No. 394 refers). The reasons for this further extension were set out in paragraphs 4.4 to 4.7 of the report.

The extension to the contracts would allow sufficient time for a joint review by DASS and Corporate Services of service delivery, expenditure and contracting arrangements. Ultimately the aim was to achieve efficiency savings for the Council, whilst continuing to support a number of the Council's key corporate priorities and also improving outcomes for the most vulnerable Wirral residents.

### **RESOLVED:**

**That the decision of the Interim Director of Corporate Services to extend the Supporting People contracts as set out in Appendix 1 of the report be endorsed.**

## 166 SUPPORTING PEOPLE CONTRACT - PROVISION OF SERVICE TO OFFENDERS

A report by the Interim Director of Corporate Services informed Members of the procurement of a cross-authority floating (visiting) housing-related support service for offenders subject to Multi- Agency Public Protection Arrangements (MAPPA), through the Supporting People Programme.

The procurement of this service assisted the Council to achieve its corporate priority of supporting vulnerable people to maintain their independence in the community.

The award of this three year contract had resulted in a saving to Wirral Supporting People of £17, 428 per year (£52,284 over the three years of the contract). The aim of this service was to reduce levels of re-offending and would therefore also assist partners in the Criminal Justice System.

Whilst the award of Council funding for this provision was not a statutory requirement, Section 325 of the Criminal Justice Act 2003 imposed a 'duty to co-

operate' with the MAPPA Responsible Authority (Police, Prisons and Probation) upon a number of bodies including councils.

**RESOLVED:**

**That the further extension of the current contract and the procurement of a cross-authority floating housing-related support service for Offenders subject to MAPPA be noted.**

**167 CHANGING ROLE OF THE REGIONAL FLOOD AND COASTAL COMMITTEE**

The Director of Technical Services/Strategic Change Programme reported that the Flood & Water Management Act 2010 extended the role of the Regional Flood Defence Committee (RFDC) to include governance over all flood and coastal erosion risk and in doing so it renamed it the Regional Flood and Coastal Committee (RFCC).

The Cabinet noted that the RFCC had a key role in co-ordinating the delivery of flood risk management activities across the northwest. In the future it was intended that RFCC would receive levy money from all Councils which would be available to spend on flood risk from all sources (main river, tide, ordinary water courses, surface water and ground water) as well as coastal erosion; ie it would be available to the Environment Agency and Lead Local Flood Authorities.

The report detailed proposals in relation to the development of the role of the RFCC.

**RESOLVED: That**

- (1) Cabinet confirms its support for the changes to RFCC and approves the Terms of Reference for the Merseyside Flood and Coastal Risk Partnership set out Appendix 2 to this report;**
- (2) the appointment of the Cabinet Member for Streetscene and Transport Services and the Chair of the Sustainable Communities O&S Committee as the representatives of Wirral Council (the Lead Local Flood Authority) to the Merseyside Flood and Coastal Risk Partnership be approved and the Partnership continue to be supported by the Council's Health, Safety & Resilience Section; and**
- (3) the Cabinet Member for Streetscene and Transport Services be delegated the power to make minor amendments to the Terms of Reference of the Merseyside Flood and Coastal Risk Partnership (set out at Appendix 2 to the report) as are considered appropriate to ensure the effective operation of the Partnership.**

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

**169 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.**

**170 EXEMPT APPENDIX - JOB EVALUATION**

**The Cabinet considered the exempt appendix regarding the costs and proposed variations to the Job Evaluation Contract (Stage three and four) (Minute No. 158 refers).**