



Cabinet

Date:	Thursday, 2 February 2012
Time:	6.15 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

2. MINUTES

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

RECOMMENDATION: That the minutes be approved and adopted.

FINANCE AND BEST VALUE

3. INDEPENDENT REVIEW OF CLAIMS MADE BY MARTIN MORTON (AND OTHERS) - ACTION PLAN (Pages 1 - 24)

4. FINAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2012-2013

Report to follow

5. DRAFT CORPORATE PLAN 2012/2013

Report to follow

6. TREASURY MANAGEMENT PERFORMANCE MONITORING (Pages 25 - 36)

7. MERSEYSIDE PENSION FUND BUDGET 2012/2013 (Pages 37 - 42)

8. **CORPORATE RISK REGISTER (Pages 43 - 54)**
9. **3RD QUARTER PERFORMANCE AND FINANCIAL REVIEW (Pages 55 - 76)**

CORPORATE RESOURCES

10. **OFFICE RATIONALISATION (Pages 77 - 110)**
11. **REVIEW OF MAJOR CONTRACTS (Pages 111 - 120)**
12. **PROCUREMENT EFFICIENCIES (Pages 121 - 130)**

COMMUNITY AND CUSTOMER ENGAGEMENT

13. **FREEDOM OF ENTRY (Pages 131 - 134)**

REGENERATION AND PLANNING STRATEGY

14. **ENTERPRISE ZONE - BUSINESS RATES DISCOUNTS (Pages 135 - 138)**
15. **LOCAL DEVELOPMENT FRAMEWORK – EVIDENCE BASE (Pages 139 - 184)**

HOUSING AND COMMUNITY SAFETY

16. **HOUSING MARKET RENEWAL TRANSITIONAL FUNDING (Pages 185 - 194)**
17. **NEIGHBOURHOOD OPTIONS APPRAISAL - THORNEYCROFT, PLUMER AND RUNDLE STREETS (Pages 195 - 208)**

ENVIRONMENT

18. **APPOINTMENT OF CHIEF INSPECTOR OF WEIGHTS AND MEASURES (Pages 209 - 212)**
19. **UTILITY CONTRACT RENEWAL (Pages 213 - 220)**

STREETSCENE AND TRANSPORT SERVICES

20. **LOCAL TRANSPORT SETTLEMENT - ADDITIONAL FUNDING: INTEGRATED TRANSPORT 2011/2012 (Pages 221 - 228)**
21. **JOINT RECYCLING AND WASTE MANAGEMENT STRATEGY (Pages 229 - 270)**
22. **ANNUAL REPORT ON PARKING ENFORCEMENT (Pages 271 - 282)**
23. **WIRRAL COASTAL STRATEGY - ADDITIONAL WORKS (Pages 283 - 288)**

SOCIAL CARE AND INCLUSION

- 24. PUBLIC HEALTH TRANSITION (Pages 289 - 328)**
- 25. ADULT SOCIAL CARE EFFICIENCY PROGRAMME (Pages 329 - 338)**
- 26. PROPOSAL FOR FEES IN INDEPENDENT SECTOR (Pages 339 - 346)**
- 27. ASSISTIVE TECHNOLOGY CONTRACT (Pages 347 - 350)**

CHILDREN'S SERVICES AND LIFELONG LEARNING

- 28. SCHOOLS PFI CONTRACT INFLATION AND TEACHERS PREMATURE RETIREMENT COSTS 2012-2013 (Pages 351 - 352)**
- 29. OVERCHURCH INFANT SCHOOL (Pages 353 - 362)**
- 30. WOODCHURCH HIGH SCHOOL SPORTS HALL (Pages 363 - 368)**
- 31. WIRRAL YOUTH ZONE (Pages 369 - 376)**
- 32. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)**

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

- 33. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

The following items contain exempt information.

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

HOUSING AND COMMUNITY SAFETY

- 34. EXEMPT APPENDIX (Pages 377 - 378)**

Exempt Appendix B to Agenda Item 17
Neighbourhood Options Appraisal – Thorneycroft, Plumer and Rundle Streets

Appendix B is a map showing property ownership details in NOA Area 2. It is exempt by virtue of paragraph 3 as it includes details with regard to the current position with negotiations to acquire individual properties

SOCIAL CARE AND INCLUSION

35. EXEMPT APPENDIX (Pages 379 - 380)

Exempt Appendix to Agenda Item 27
Assistive Technology Contract

The appendix contains a tender evaluation summary and is exempt by virtue of paragraph 3 as it contains commercially sensitive information

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

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

WIRRAL COUNCIL

CABINET

2 February 2012

SUBJECT:	ACTION PLAN IN RESPONSE TO THE INDEPENDENT REVIEW OF CLAIMS MADE BY MR MARTIN MORTON (AND OTHERS)
WARD/S AFFECTED:	ALL
REPORT OF:	CHIEF EXECUTIVE
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR STEVE FOULKES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report presents to the Cabinet an action plan ('the Action Plan') in response to the Final Report following an Independent Review of Wirral Council's Response to Claims Made by Mr Martin Morton (and others) ('the Final Report'). The Action Plan also contains actions in response to the earlier report by Mr Martin Smith of North West Employers' Organisation into Mr Morton's allegations of bullying, harassment and abuse of power by Council Officers ('the Martin Smith Report'). The Final Report was considered by the Cabinet at their meeting on 12 January 2012. The Action Plan is attached at Appendix 1.

2.0 RECOMMENDATIONS

- 2.1 That Cabinet approves the Action Plan set out in Appendix 1 and refers it to the Special Council meeting on 13 February 2012.
- 2.2 That Cabinet approves the establishment of an Improvement Board with initial draft terms of reference and membership, all as detailed in Appendix 2, with the additions of:
- (a) Monitoring delivery of the Action Plan; and
 - (b) Consideration of the Final Report and the District Auditor's report relating to HESPE.
- 2.3 That the first meeting of the Improvement Board be held at 5pm on Friday 3 February 2012; and that at that meeting the Board is invited to approve its own final terms of reference.
- 2.4 That, in view of this timescale, Call-in be waived in respect of recommendations 2.2 and 2.3 above.

3.0 BACKGROUND AND REASONS FOR RECOMMENDATIONS

- 3.1 On 12 January 2012 Cabinet considered the Final Report following an Independent Review of Wirral Council's Response to Claims Made by the whistleblower Mr Martin Morton (and others).
- 3.2 The Independent Review was commissioned by the former Leader of the Council from AKA (the trading name of Anna Klonowski Associates Ltd.). AKA was appointed in 2010 by the former Leader of the Council. AKA's original brief was to:
- A) Determine whether, in her professional opinion, all of the issues raised by Mr Morton have been properly and adequately addressed;
 - B) Determine if all lessons to be learned across the Council have been properly and thoroughly heeded; and
 - C) Reassure the Leader and the Portfolio Holder that no similar matters need to be addressed.
- 3.3 I extended these terms of reference whilst Interim Chief Executive, following consultation with the then Leader, to include work around the Improvement Plan produced in response to the report from Care Quality Commission; issues around the Disability Discrimination Act; and issues raised by the Equalities and Human Rights Commission.
- 3.4 As Ms Klonowski notes in the Final Report, her report should be read together with the earlier report by Mr Martin Smith of North West Employers' Organisation ('NWEO') into Mr Morton's allegations of bullying, harassment and abuse of power by Council Officers ('the Martin Smith Report').
- 3.5 Ms Klonowski summarises her interpretation of the key issues that have been raised during her review as follows (pages 14-15 of the Final Report):
- 'A. With regard to the charging policy applied in West Wirral (the 3 Moreton properties):*
- i. Was the charging policy in place at the time (the 1997 policy) legal?*
 - ii. Was the charging policy within Social Care transparent and applied consistently?*
 - iii. If the application of the 1997 policy is determined to have been inconsistently applied, has this resulted in the Council acting in a discriminatory manner?*
 - iv. Whether the application of the 1997 charging policy left vulnerable adults in financial hardship.*
 - v. Whether the Council has the legal power to retrospectively apply a different, albeit lower, level of charges to the group of vulnerable adults in West Wirral. If it does have the legal power, was the use of this legal power discriminatory in nature?*
 - vi. In consideration of all the above, has the Council breached the requirements of the Disability Discrimination Act 1997 – 2005?*

- B. An estimation of the income foregone to the Council as a result of DASS' failure to roll out the 1997 charging policy.*
- C. Whether the charging policy in place in West Wirral set the tone by which some external providers set their charging policies.*
- D. Whether Council Officers knew that the Council charging policy in West Wirral did not comply with Fairer Charging, and if they did, why they did not resolve the issue in a shorter period of time. Whether this was reported to Members in a clear and transparent manner.*
- E. Whether the level of reimbursements made to current and previous residents of the 3 West Wirral properties have been calculated correctly, and why the Council did not include an element of 'interest' in the calculation. Whether the schedules provided by Wirral Council are sufficient for tenants or their advocates to agree the amounts that are being reimbursed.*
- F. Whether the Council contacted the Office of the Public Guardian and in what regard.*
- G. Whether in the case of Relative 1 and his/her sibling, Service User 1, the Council attempted to circumvent the involvement of family members in the West Wirral reimbursement process.*
- H. Whether the Council recognises that DASS should have assessed the need for support/advocacy for the vulnerable adults before they allowed DASS to sign the original tenancy agreements and support arrangements.*
- I. How Miscellaneous 21 was appointed to act as advocates for service users affected by the reimbursement processes and whether the prior relationship with the Council has caused any concern in terms of conflict of interest. Also, the date upon which the advocacy support was actually commissioned in practice and the length of delay between the Cabinet decision and implementation.*
- J. Why the Council has not funded independent legal advice for the service users affected by the reimbursement processes. What was the 'brief' given to Legal Rep 6 Solicitors in relation to the reimbursement process? Did the Council seek to explain to any of the family members that in many cases they would not be able to secure Legal Aid for independent legal advice because they, as family members, had not been appointed as the Deputy by the Office of the Public Guardian?*
- K. Whether Service Provider 1 / Service Provider 2 and perhaps other organisations were singled out during the procurement (accreditation) process and whether as a result inconsistent evaluation of tenders occurred. Whether any motive for the*

manner in which the tender evaluation was undertaken can be established.

- L. If the above is not proven, whether there was sufficient evidence available to the evaluation team to justify not continuing with providers of learning disabilities and mental health services against whom significant concerns had been raised etc.*
- M. To determine what tenants at Balls Road were charged for and the basis of this charge.*
- N. The extent to which the complaints raised by Mr Morton and others in relation to Service Provider 1, Service Provider 2 and others were acted upon (in particular Adult Protection concerns) and whether there is evidence to suggest Mr Morton's concerns were legitimate.*
- O. Whether in the case of Service User 2 the Council acted properly when it investigated a complaint from Complainant 3 on his/her behalf relating to the cessation of 'top-up' support.*
- P. Whether Internal Audit have acted professionally and with integrity when undertaking the investigatory work supporting the review of the whistleblowing claims made under the Public Interest Disclosure Act within the confines of the terms of reference and time available. This includes an assessment of the quality of the work undertaken which supported the findings reported to Cabinet.*
- Q. Whether the manner in which the minutes of Audit and Risk Management Committees and other formal Council meetings truly reflect the discussions of the meetings and are compiled in accordance with best practice.*
- R. A consideration of the First Improvement Plan (see Annex C), which had been developed in response to the CQC Inspector's Report (see Annex D).*
- S. The circumstances leading to the significant and protracted delays in making the outstanding payment to HMRC associated with Mr Morton's compromise payment.'*
- T. In respect of where things 'went wrong' an assessment as to whether conspiracy or poor management/mistakes/negligence were the underlying cause. If poor management' is deemed to be the general theme an assessment as to whether such continued mistakes lead to any concerns about Corporate Governance, Capacity, Capability etc.*
- U. The conduct and culpability of individual officers in any and all aspects of the above issues.*

3.13 The findings and conclusions reached by Ms Klonowski on these issues are set out sections 6 and 7 of the Final Report. Ms Klonowski makes 30 recommendations and these are contained in section 8 of the Final Report. They are reproduced in full in the Action Plan as Actions 1 to 30 (inclusive).

3.14 On 12 January 2012 Cabinet considered the Final Report and unanimously resolved that:

- (1) Exempt Appendices 2 and 4 be brought into the public domain;*
- (2) the previous Council Leader, Councillor J Green be thanked for engaging AKA to investigate the claims of Mr Martin Morton (and others);*
- (3) the Council apologises to Mr Martin Morton and discussions will continue with him in the hope that an amicable outcome is reached; and*
- (4) this Cabinet recognises the serious failings contained within this report and the harm done to vulnerable adults as a consequence of those failings.*

It accepts unreservedly the recommendations made in the report and asks the Chief Executive to draw up an Action Plan demonstrating how those recommendations will be implemented, which should be reported back to the next Cabinet, and referred from there to a Special Council for full debate.

Cabinet welcomes the fact that the Chief Executive has already asked:

- The Director of Adult Social Services, supported by the Head of Safeguarding, to urgently review the Final report for any further safeguarding issues that need to be addressed*
- The Director of Law, HR and Asset Management, supported by the Head of Human Resources and Organisational Development, to urgently review the Final Report to ensure all appropriate action is taken,*
- The Director of Law, HR and Asset Management, in consultation with the Director of Adult Social Services and the Head of Safeguarding, to urgently review the Final Report to consider whether any historic safeguarding failures should be referred to the Police, (or any relevant regulatory body) for investigation.*

It further notes the actions already under way listed in paragraphs 3.8 to 3.10 which include:

- A series of measures to strengthen the Council's safeguarding of vulnerable adults*
- An ongoing review into the Council's whistle blowing and harassment and bullying policies and*

- *A wider review of the Council's Corporate Governance (including a review of all fees and charges)*

And notes that these measures are designed to ensure that the situations contained within the report could not be repeated in the Department of Adult Social Services or elsewhere across the Council.

Cabinet is also conscious of the fact that one of the criticisms in the report is that in Wirral Council the "abnormal has become normal".

Cabinet therefore endorses the decision of the Leader of the Council to set up an Improvement Board, under the umbrella of the LGA, with external representatives from the LGA and elsewhere, including the author of this report Ms Anna Klonowski, to ensure that any future decisions are taken on the basis of best practice rather than accepted Wirral practice.

Cabinet further endorses the decision to refer the Action Plan to be drawn up by the Chief Executive to this Improvement board for their Scrutiny and comment.

Cabinet also refers the Final Report to the Health and Well Being Overview and Scrutiny Committee for their Scrutiny and Comments.

Cabinet believes that this Final Report should be seen in tandem with the Martin Smith report into allegations of bullying and harassment and therefore believes it would be in the public interest to publish this report, and refer it to the Special Council called to discuss the Final Anna Klonowski's report, along with a separate report on HESPE which also arose from the actions of Whistleblowers and the Council's response to those Whistleblowers.

Cabinet thanks Ms Klonowski for the detailed work that has gone into this Final Report and expresses its hope and belief that these findings can be used as a catalyst for major improvement and change.

It further hopes that this will allow the Council to move forward from this point to the provision of radically improved services and a much more open and transparent culture which welcomes and learns from criticism and responds rapidly to complaints or concerns at the earliest possible stage, preventing a situation like this from ever arising again.'

- 3.15 Appendix 1 contains the Action Plan in response to Ms Klonowski's 30 recommendations. The Action Plan also addresses two further issues identified by the Director of Adult Social Services (as recommendations 31 and 32); the six recommendations contained in the Martin Smith Report (as recommendations 33 to 38, inclusive); and two additional recommendations of Cabinet from the meeting of 12 January 2012.
- 3.16 Following the publication of the earlier Corporate Governance Report, the Council has been working closely with the Local Government Association ('the LGA'). The LGA has suggested that Wirral establishes an improvement board, in partnership with the LGA. The LGA describe the role of the board to 'provide oversight, support and

challenge to Wirral's improvement and transformation journey'. The LGA's suggested terms of reference for the board are set out in Appendix 2. In addition, the Improvement Board will need to monitor delivery of the Action Plan and consider the Final Report and the District Auditor's report relating to HESPE.

3.17 Accordingly it is recommended that Cabinet approves the establishment of an Improvement Board with initial draft terms of reference and membership, all as detailed in Appendix 2, with the additions of:

- (a) Monitoring delivery of the Action Plan; and
- (b) consideration of the Final Report and the District Auditor's report relating to HESPE.

3.18 Additionally it is further recommended that the first meeting of the Board be held at 5pm on Friday 3 February 2012; and that at this meeting the Board is invited to approve its own final terms of reference. Finally, in view of this timescale, it is recommended that Call-in be waived in respect of the recommendations relating to the Improvement Board.

5.0 RISKS

5.1 The Final Report describes in detail a number of serious and long-running failures on the part of the Council that resulted in detriment to vulnerable service users. Clearly, unless the underlying causes and culture that lead to those failures occurring in the first place is robustly and effectively remedied, there is a risk that further service failures will recur.

6.0 OTHER OPTIONS CONSIDERED

6.1 I have considered whether each element of the Action Plan is appropriate.

7.0 CONSULTATION

7.1 The Action Plan has been prepared with the assistance of the Deputy chief Executive and Director of Finance, the Director of Adult Social Services, the Director of Law, HR and Asset Management and the head of Human Resources and organisational Development.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 The objective is to learn from the weaknesses and failures discussed in the Final Report and to ensure that the quality of Council services is permanently improved.

9.0 RESOURCE IMPLICATIONS: FINANCIAL, IT, STAFFING AND ASSETS

- 9.1 The Action Plan allocated responsibilities for every remedial action and sets out a timescale for delivery.
- 9.2 The Final Report makes a number of recommendations in relation to the possible reimbursement of charges collected from vulnerable adults; and the consideration of also paying interest. The financial implications of these matters will be reported to Cabinet by the Director of Adult Social Services at the earliest opportunity.
- 9.3 IT, staffing and assets: there are no direct implications.

10.0 LEGAL IMPLICATIONS

- 10.1 The Final Report reveals a number of serious and sustained service failures. As indicated in the body of this report, a review of the Final Report will be undertaken to consider whether any historic safeguarding failures should be referred to the Police (or any relevant regulatory body) for investigation.

11.0 EQUALITIES IMPLICATIONS

- 11.1 The service failures discussed in the final Report adversely affected vulnerable service users. The Final Report (section 7) addresses the question of whether this failure constituted disability discrimination. Ms Klonowski's final recommendation specifically addresses this issue and the Action Plan, sets out how we intend to respond to this issue.

12.0 CARBON REDUCTION IMPLICATIONS

- 12.1 None.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 13.1 None.

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APPENDICES

Appendix 1: Action Plan.

Appendix 2: Local Government Association initial draft terms of Reference for the Improvement Board.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	22 September 2011 12 January 2012
Audit and Risk Management Committee	29 June 2009 29 September 2009 3 November 2009 (2 Reports) 25 November 2009 24 March 2010

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AKA Report and Martin Smith Report - Recommendations Action Plan

Recommendation	Action	By when? (end of month)	Lead Officer
Part A: Recommendations from the AKA Report			
<p>1. The consultant believes that, in recognising the importance of the Executive Leadership function of Cabinet, Leading Member's should form a Cabinet committee to be charged with delivering a fundamental review of corporate governance, developing and monitoring the implementation of an improvement plan to radically upgrade Wirral's corporate governance arrangements (in practice), addressing the cultural issues outlined in the conclusions and developing compliance as a matter of urgency. The Cabinet committee should review:</p> <p>A. The adequacy of the reports presented to Members.</p> <p>B. The appraisal framework, starting with the appraisal of the Chief Executive and Chief Officers.</p> <p>C. The performance reporting and management arrangements.</p> <p>D. The policy unit and the adequacy of horizon scanning processes.</p> <p>The above is not proposed as an exhaustive list, rather as a "starter for ten". See also the supplementary report on corporate governance.</p>	<ul style="list-style-type: none"> • Establish Corporate Governance Cabinet Committee. • Agree Key Lines of Enquiry (KLoEs). • Review the adequacy of the reports presented to Members. • Review the appraisal framework, starting with the appraisal of the Chief Executive and Chief Officers. • Review the performance reporting and management arrangements. • Review the policy unit and the adequacy of horizon scanning processes. • Conclude all other KLoEs agreed by the Corporate Governance Cabinet Committee. 	<p>Completed</p> <p>Completed</p> <p>April 2012</p> <p>April 2012</p> <p>April 2012</p> <p>April 2012</p> <p>April 2012</p>	<p>Ian Coleman, Deputy Chief Executive/ Director of Finance</p>

<p>2. In dealing with the issues identified in this report and those in the supplementary report on Corporate Governance the officers will require the support of all Members regardless of political persuasion together with their Political leadership of the governance of this improvement process.</p>	<ul style="list-style-type: none"> • Deliver a series of corporate governance Member training sessions. • Establish a revised Members' Training Programme. 	<p>April 2012 Commencing June 2012</p>	<p>Jim Wilkie, Chief Executive</p>
<p>3. In accordance with the findings in Miscellaneous 8's report in relation to claims of Bullying and Harassment and her overarching conclusions, the Chief Executive supported by the Director of Law, HR and Asset Management must ensure that the weaknesses in the Council's understanding of whistle-blowing together with enabling processes and procedures are robust, widely understood and implemented effectively.</p>	<p>See Recommendations 33, 34 and 36.</p>	<p>See Recommendations 33, 34 and 36</p>	<p>Jim Wilkie, Chief Executive supported by Bill Norman, Director of Law, HR and Asset Management</p>
<p>4. The Director of Law, HR and Asset Management report to the Cabinet subcommittee with his proposals in relation to the improvement of the Legal and Committee Services Teams in the light of the conclusions set out in paragraph 7 above.</p>	<ul style="list-style-type: none"> • Report to Corporate Governance Cabinet Committee with proposals for the improvement of Legal Services and Committee Services. 	<p>April 2012</p>	<p>Bill Norman, Director of Law, HR and Asset Management</p>
<p>5. The Council should give serious consideration to the creation of a Corporate Governance Team as outlined in paragraph 6.7.3. This should provide a corporate project management resource to the required improvement programme. This team should also be charged with working with the Cabinet in investigating how the deficiencies in culture and appreciation of understanding what its normal and acceptable performance and the factors that sustain this.</p>	<ul style="list-style-type: none"> • Report to Corporate Governance Cabinet Committee with options for the creation of a Corporate Governance Team. 	<p>April 2012</p>	<p>Ian Coleman, Deputy Chief Executive/ Director of Finance</p>

<p>6. The Cabinet should review the ongoing and separate nature of both the Policy and Performance functions giving consideration to its form and structure determining how the horizon scanning and other weaknesses highlighted in this report will be addressed.</p>	<ul style="list-style-type: none"> • Agree KLoE 1 (Alignment of Corporate Planning and Budget Process); KLoE 5 (Review of Policy) and KLoE 7 (Review of Performance). • Report to Corporate Governance Cabinet Committee. 	<p>Completed April 2012</p>	<p>Jim Wilkie, Chief Executive</p>
<p>7. The Director of Finance should report to the Cabinet committee with his proposals in relation to the improvement of Internal Audit in the light of the external review that is currently being commissioned and the findings, conclusions and recommendations set out in this report.</p>	<ul style="list-style-type: none"> • Agree KLoE 4 (Review of Internal Audit). • Report to Corporate Governance Cabinet Committee. 	<p>Completed April 2012</p>	<p>Ian Coleman, Deputy Chief Executive/ Director of Finance</p>
<p>8. That the Council's Finance Director leads and quality assures (with dedicated support from legal services) a corporate review of the various charging regimes in place in all of the Council's departments, making recommendations for improvements for which each Chief Officer will be held accountable for delivering, implementing and maintaining improved working practices.</p>	<ul style="list-style-type: none"> • Agree KLoE 9 (Review of fees and charges). • Report to Cabinet. 	<p>Completed February 2012</p>	<p>Ian Coleman, Deputy Chief Executive/ Director of Finance</p>
<p>9. The Officers consider and report to a future Cabinet meeting, during Spring 2012, the proposed way forward relating to other charging issues outlined in paragraph 6.2.14 and Appendix 4 to Annex A.</p>	<ul style="list-style-type: none"> • Review the other charging issues referred to by AKA and report findings to Cabinet. 	<p>April 2012</p>	<p>Ian Coleman, Deputy Chief Executive/Director of Finance</p>
<p>10. The Council favourably reconsiders the effective date for the calculation of the reimbursements for those service users who had lived in the 3 West Wirral properties and their surviving relatives. The context of the "benefits trap" also needs to be considered as part of this process.</p>	<ul style="list-style-type: none"> • Clarify impact of the 'benefits trap' • Report outcome and options to Cabinet 	<p>February 2012 April 2012</p>	<p>Graham Hodgkinson, Director of Adult Social Services supported by Deputy Chief Executive/ Director of Finance and Director of Law, HR and Asset Management</p>

<p>11. The Council favourably reconsiders the calculation of the reimbursement for the lack of interest. Again this must be considered in the context of the benefits trap.</p>	<ul style="list-style-type: none"> • Clarify impact of the 'benefits trap'. • Report outcome and options to Cabinet. 	<p>February 2012 April 2012</p>	<p>Graham Hodgkinson, Director of Adult Social Services supported by Deputy Chief Executive/ Director of Finance and Director of Law, HR and Asset Management</p>
<p>12. The outcome of complaint 3's stage 3 complaint should be reviewed in the light of the context of the events precipitating Service User 2's need to relocate and in the consultant's view this should lead to DASS honouring the commitment to pay the top-up payment</p>	<ul style="list-style-type: none"> • Identify person. • Review evidence. • Resolve outstanding issues. 	<p>March 2012</p>	<p>Caroline McKenna, Safeguarding</p>
<p>13. The role of the Audit and Risk Management Committee, must continue to be an important element of the Councils improved governance arrangements going forward with, perhaps, the Cabinet seeking the Chair of the Committee to report formally on a half yearly basis to present findings and raise concerns.</p>	<ul style="list-style-type: none"> • Cabinet to approve procedure. • Chair of Audit and Risk management to report to Cabinet. 	<p>March 2012 April 2012</p>	<p>Ian Coleman, Deputy Chief Executive/ Director of Finance</p>
<p>14. Whilst recognising that progress has been made in records management since its consolidation under the Director of Finance, there is scope for further improvement. The Director of Finance should be required to report to the Cabinet the performance of each of the Council's departments in this area, which would include as a minimum: A. The length of time taken for each department to respond to a Freedom of Information request (measuring the date the FoI request was received and the date the response was sent) B. The number of the issues/follow-up requests raised C. The number of Information Commissioner concerns raised and/or interventions</p>	<ul style="list-style-type: none"> • Report to Cabinet. 	<p>April 2012</p>	<p>Ian Coleman, Deputy Chief Executive/ Director of Finance</p>

<p>15. The quality of inputs to and outcomes from Adult Protection strategy meeting should be kept under close review, with a particular emphasis on at least the following questions at each meeting:</p> <p>A. What has changed for the better for the vulnerable adult?</p> <p>B. Why did the change not occur sooner?</p> <p>C. What is the pathway (or project plan) for resolving this referral?</p> <p>D. Who is responsible for each action?</p> <p>E. Who is taking overall responsibility for the case and will be held accountable for the quality and timeliness of both the review and its resolution?</p>	<ul style="list-style-type: none"> • Review process against recommendations. • Revise the process in line with Best Practice. • Improve reporting and recording of strategy meetings. • Overview report to DASS and Safeguarding Board (input and outcomes). 	April 2012	Caroline McKenna, Safeguarding
<p>16. Details of Adult Protection concerns raised must be logged centrally with a close monitoring of the inputs, outputs and outcomes recorded in detail such that the Director can report in an open and transparent way Leading Members monthly and the Health and Social Care Select Committee on a quarterly basis.</p>	<ul style="list-style-type: none"> • Currently recorded into CADT system - single point of entry. • Overview report to DASS and safeguarding Board (input and outcomes). 	Completed April 2012	Caroline McKenna, Safeguarding
<p>17. Opportunities for the improvements in the CCA and review process should be considered and proposals for improvement reported via the Cabinet Portfolio holder during the Spring of 2012.</p>	<ul style="list-style-type: none"> • Personalisation process to be reviewed and evaluated. Report to Cabinet May/June. 	May 2012	Chris Beyga, Personal Support
<p>18. The effectiveness of the actions put in place since the CQC report in relation to Adult Protection (now Safeguarding) should inform the above, but must be based upon quantitative and qualitative analysis contained within a formal report to Members before the peer review in the Autumn.</p>	<ul style="list-style-type: none"> • Completed November 2011. Local Account out of review. 	Completed	Graham Hodgkinson, Director of Adult Social Services

<p>19. The Director of Adult Social Care should continue to ensure that there is a shared understanding of the risks and issues facing DASS, at Member and Corporate Management team levels, together with the proposed mitigating action(s). This should be undertaken both formally and informally.</p>	<ul style="list-style-type: none"> • Risk Register in place and appropriately reported. • Cabinet Member inclusion at Performance SLT + monthly discussion. 	February 2012	Graham Hodkinson, Director of Adult Social Services
<p>20. DASS needs to improve its early engagement activities with the HB Team to ensure future Supported Living proposals and the providing agencies are clear as to the likely benefits payable.</p>	<ul style="list-style-type: none"> • Project to formalise closer working relationships underway. • Pathway clarified. 	April 2012	Chris Beyga, Personal Support
<p>21. Corporate working needs to be further developed but, clarity of objectives, the parameters within which the team can operate and accountabilities needs to be clearly communicated at the outset. This should be the responsibility of the Chief Executive and each member of the Chief Officer Management Team.</p>	<ul style="list-style-type: none"> • Develop programme of activities. • Deliver programme. 	February 2012 December 2012	Jim Wilkie, Chief Executive (supported by all Chief Officers)
<p>22. DASS should ensure that the planned use of a “peer review” to check, challenge/verify the improvements and achievements of the department is seen as a means by which regular external progress assessments can be undertaken and that the Cabinet portfolio holder is engaged in the discussions with those undertaking the review(s).</p>	<ul style="list-style-type: none"> • First stage – undertake Peer Challenge. (Feedback formally reported to Cabinet on 09.12.11, and 12.01.12). • Corporate review to be mapped. 	Completed April 2012	Graham Hodkinson, Director of Adult Social Services
<p>23. Legal Services needs to provide clearer and more definitive advice as to the “tests” to be applied by DASS and HB for the purposes of distinguishing between residential and Supported Living establishments.</p>	<ul style="list-style-type: none"> • Legal Services to advise DASS. 	February 2012	Bill Norman, Director of Law, HR and Asset Management

<p>24. The Director of Adult Social Services to review the resources allocated to safeguarding and contract monitoring, reporting back to Members at Cabinet or the Cabinet Subcommittee within 6 weeks of the publication of this report.</p>	<ul style="list-style-type: none"> Employed: - 5 Quality Assurance Officers 3 Safeguarding Officers 4½ Social Workers 3½ Advanced practitioners 	Completed	Graham Hodgkinson, Director of Adult Social Services
<p>25. The Council apologises to Mr Morton in writing for the errors in making the payment as a result of him signing his Compromise Agreement. This is long overdue. The Director of Law, HR and Asset Management has agreed to undertake this task.</p>	<ul style="list-style-type: none"> Director of Law, HR and Asset Management to write to Mr Morton. 	January 2012	Bill Norman, Director of Law, HR and Asset Management
<p>26. The Council (Director of Law, HR and Asset Management) writes to HMRC with a copy to Mr Morton outlining what went wrong in an attempt to assist him with their ongoing enquiries. Director of Law, HR and Asset Management has during the right to reply agreed that this should be undertaken as a matter of priority but highlights that <i>“the recent large scale EVR/VS programme resulted in over 1000 employees signing Compromise Agreements and leaving the Authority’s employment. This was managed by HR and Payroll and was conducted without any of the errors and complications associated with Mr Morton’s departure. The procedures are in place for managing Compromise Agreement departures appropriately, but I will ensure that they are reviewed in the light of what went wrong in Mr Morton’s case.”</i></p>	<ul style="list-style-type: none"> Director of Law, HR and Asset Management to write to Mr Morton. 	January 2012	Bill Norman, Director of Law, HR and Asset Management
<p>27. That the Director of Law, HR and Asset Management develops and implements a procedure to ensure that if in the future other errors are made in relation to employee tax and National Insurance contributions, all relevant</p>	<ul style="list-style-type: none"> Develop and implements a fit-for-purpose system. 	February 2012	Bill Norman, Director of Law, HR and Asset Management

correspondence is copied to the affected individual.			
28. The Cabinet ensures that the outstanding allegation from the Service Provider 3 in relation to the level of DASS funding is thoroughly and robustly investigated with a view to early resolution. This will require the development of an action plan which is approved by the Director and Cabinet Portfolio holder that includes the delivery of written updates to the Cabinet Portfolio holder approximately in a 2 weekly cycle.	<ul style="list-style-type: none"> • Review current position in relation to contract. • Develop actions as necessary. • Cost and report to Cabinet Member. 	May 2012	Chris Beyga, Personal Support
29. The culture of the organisation needs a fundamental shift at both member and officer levels to ensure that the “abnormal” is no longer accepted as the norm. This is not a political issue and must be addressed by all members as part of their responsibilities for corporate governance and fiduciary duties.	<ul style="list-style-type: none"> • Develop programme of activities. • Deliver programme. 	February 2012 December 2012	Jim Wilkie, Chief Executive with all three Group Leaders and overseen by the Improvement Board
30. In respect of the issue of the breaches of Disability Discrimination law, the consultant recommends that the Council gives serious consideration to both the remedies and actions that arise from the conclusion that discrimination has occurred, and reports the proposals and outcomes with the Equalities and Human Rights Commission to Cabinet at the earliest possible opportunity. In light of this, the Council must in addition consider further the wider ramifications and track record on equalities, with the Chief Executive making recommendations to Members as to improvement proposals by the Spring of 2012.	<ul style="list-style-type: none"> • Chief Executive to report to Corporate Governance Cabinet Committee. 	April 2012	Jim Wilkie, Chief Executive

Part B: Additional Recommendations from DASS			
31. Pick out all service user related risk and ensure that people are safe	<ul style="list-style-type: none"> All Safeguarding references regarding people in report individuals to be identified, circumstances investigated and resolved. 	April 2012	Caroline McKenna, Safeguarding
32. Ensure that learning from the investigation is incorporated into both actions and leadership styles in the Directorate	<ul style="list-style-type: none"> Ensure SLT undertake a full review of report, incorporate feedback and learning into Business Plan/leadership development. 	April 2012	Graham Hodkinson, Director of Adult Social Services
Part C: Recommendations from the Martin Smith Report			
33. That the improvements to the Council's policies and procedures [in relation to (a) Stop harassment, bullying and victimisation in the workplace; (b) Grievance Procedure; and (c) Confidential Reporting (Whistleblowing) procedure] be made as soon as possible.	<ul style="list-style-type: none"> Review Stop harassment, bullying and victimisation in the workplace policy. Review Grievance Procedure. Review Confidential Reporting (Whistleblowing) procedure. 	March 2012 March 2012 Completed (September 2011)	Bill Norman, Director of Law, HR and Asset Management
34. That the Council's training and development programme is reviewed to ensure that sufficient priority is being given to a full understanding and awareness of the role, purpose and use of the council's Grievance Procedure; the Stop Harassment, Bullying and Victimisation in the Workplace Policy; and the Confidential Reporting (Whistleblowing) Policy	<ul style="list-style-type: none"> Review training programme. Implement revised programme. 	February 2012 June 2012	Chris Hyams, Head of Human Resources and Organisational Development
35a. That the Council's HR function adopts a more proactive role in matters of employee complaints by seeking to ensure that the parties find a speedy resolution i.e. a means to secure closure, which not only meets the needs of the	<ul style="list-style-type: none"> Publish Guidance on roles. Deliver training on guidance. 	March 2012 June 2012	Chris Hyams, Head of Human Resources and Organisational Development

complainant, but also the needs of the authority in i) discharging its obligations to the employee; and ii) protecting the Council's interests and reputation as a good employer.			
35b. That all parties involved in a formal investigation of a complaint, or in a grievance appeal, should have access to explanatory information, guidance and support which is issued to them by the appropriate HR Officer at the outset of the formal process involved. This information should set out the nature of the procedure being used and the processes which accompany it and explain what is expected to happen at each of the formal stages of the process.	<ul style="list-style-type: none"> • Publish Guidance and explanatory information. • Deliver training on guidance. 	March 2012 June 2012	Chris Hyams, Head of Human Resources and Organisational Development
35c. The assistance of an HR Officer, who is not involved in the details of the case or in supporting the meetings which take place to discuss it, should also be made available to any employee who may need personal advice on the various aspects of the full process.	<ul style="list-style-type: none"> • Publish Guidance and explanatory information. • Deliver training on guidance. 	March 2012 June 2012	Chris Hyams, Head of Human Resources and Organisational Development
35d. That a standard paragraph, as specified above, concerning appropriate review arrangements should be included in all Council job descriptions in order to make it clear that over time the nature of individual jobs will change and that the Council will expect to revise its job descriptions accordingly.	<ul style="list-style-type: none"> • Incorporate in all new job descriptions. • Revise all existing job descriptions. 	Completed December 2012	Chris Hyams, Head of Human Resources and Organisational Development
36. That the Council strengthens its corporate governance arrangements for dealing with employees complaints in all forms under the i) Stop Harassment Bullying and Victimisation in the Workplace Policy; ii) Grievance Procedure; and iii) Whistleblowing Policy; as specified above.	<ul style="list-style-type: none"> • Develop new HR casework system. • Trial new system in CYPD. • Review and roll out new system across Council. • Review Stop Harassment Bullying and Victimisation in the Workplace Policy; 	Completed Completed February 2012 See Recommendati on 33 above	Chris Hyams, Head of Human Resources and Organisational Development

	Grievance Procedure; and Whistleblowing Policy.		
37. That the Council gives consideration to all of the Investigation findings but particularly those where it takes the view that officer roles and responsibilities may not have been met.	<ul style="list-style-type: none"> Review Martin Smith Report and AKA Report. 	February 2012	Jim Wilkie, Chief Executive
38. That in the light of the Investigation Findings, the Council considers its obligations to Martin Morton and determines whether it should consider an appropriate remedy for its treatment of him.	That officers take all steps necessary to bring to a proper conclusion their discussions with Mr Morton on appropriate remedy, including possible re-engagement with the Council, and report the outcome to Cabinet.	February 2012	Bill Norman, Director of Law, HR and Asset Management
Part D: Recommendations from Cabinet Meeting 12 January 2012			
39. The Director of Law, HR and Asset Management, supported by the Head of Human Resources and Organisational Development, to urgently review the Final Report to ensure all appropriate action is taken,	<ul style="list-style-type: none"> Review the Final Report 	February 2012	Bill Norman, Director of Law, HR and Asset Management
40. The Director of Law, HR and Asset Management, in consultation with the Director of Adult Social Services and the Head of Safeguarding, to urgently review the Final Report to consider whether any historic safeguarding failures should be referred to the Police, (or any relevant regulatory body) for investigation.	<ul style="list-style-type: none"> Review the Final Report 	February 2012	Bill Norman, Director of Law, HR and Asset Management

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Appendix 2

LGA Wirral Improvement Board Draft Terms of Reference



The Improvement Board is a partnership between Wirral Metropolitan Borough Council and the Local Government Association and will provide oversight, support and challenge to Wirral's improvement and transformation journey.

The Board aims to support the Council to:

- Demonstrate its ambitions for its local communities
- Drive forward its plans for improvement in corporate governance and services in a timely way
- Prioritise what is most important
- Create the capacity and plans to embed lasting improvements and culture change
- Deliver improved services within realistic spending constraints

The Improvement Board's role is to:

- Provide support and guidance
- Identify and signpost appropriate good practice
- Provide challenge and act as a critical friend
- Ensure the contributions from different external agencies/bodies to Wirral's improvement journey are co-ordinated
- Ensure there is a single, integrated and holistic improvement plan that can be clearly understood and communicated internally and externally

Board meetings

Frequency – to be agreed by the IB. Likely to be more frequent at the start and then be quarterly.

Venue – at a Wirral Council venue.

Agenda – at each meeting the Board will agree the content of the agenda for the next meeting. Standard agenda items should include:

- Actions from the previous meeting
- Exception report on progress against the improvement plan
- Risk review
- Additional items for the agenda for the next meeting
- Confirmation of date, time and venue for the next meeting

Chair – Leader of Wirral MBC

Facilitation – Agenda supported and facilitated by the Change Team.

Record – Minutes to be recorded by the Council.

Attendees

Wirral Council – Council Leader and Deputy Leader, Leader of the Conservative Group, Leader of the Liberal Democrat Group, Chief Executive, Director of Finance, Director of Law and the Assistant Director of Finance (in his role as facilitator of the improvement programme).

Local Government Association – Principal Advisor North West, Senior Advisor North West Associate Support Officer, Labour, Conservative and Liberal Democrat Member Peers.

Advisors – Anna Klonowski and the Chief Executive of North West Employers

Confidentiality – The Improvement Board will meet in closed session to ensure the opportunity for frank and open discussion. A minute outlining the actions agreed will be available in the public domain.

Duration of the Improvement Board – the Board will meet initially for a twelve month period and then review progress.

WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT	TREASURY MANAGEMENT PERFORMANCE MONITORING
WARD/S AFFECTED	ALL
REPORT OF	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER	COUNCILLOR STEVE FOULKES
KEY DECISION	YES

1.0 EXECUTIVE SUMMARY

1.1 This report presents a review of Treasury Management policies, practices and activities during the third quarter of 2011/12 and confirms compliance with treasury limits and prudential indicators. It has been prepared in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code.

2.0 RECOMMENDATION

2.1 That the Treasury Management Performance Monitoring Report be noted.

3.0 REASON FOR RECOMMENDATION

3.1 The Treasury Management Code requires public sector authorities to determine an annual Treasury Management Strategy and, as a minimum, to formally report on their treasury management policies, practices and activities to Council mid-year and after the year-end. These reports enable those tasked with implementing policies and undertaking transactions to demonstrate that they have properly fulfilled their responsibilities and enable those with responsibility/governance of the Treasury Management function to scrutinise and assess its effectiveness and compliance with policies and objectives.

4.0 BACKGROUND AND KEY ISSUES

4.1 Treasury Management in Local Government is governed by the CIPFA Code of Practice on Treasury Management in the Public Services and in this context is the "management of the Council's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks".

- 4.2 Cabinet approves the Treasury Management Strategy at the start of each financial year. This identifies proposals to finance capital expenditure, to borrow and invest in the light of capital spending requirements, interest rate forecasts and expected economic conditions. At the end of each financial year Cabinet receives an Annual Report which details performance against the Strategy. In accordance with the revised Treasury Management Code, a Treasury Management monitoring report is presented to Cabinet and Council on a quarterly basis.

CURRENT ECONOMIC ENVIRONMENT

- 4.3 The third quarter of 2011/12 was dominated by the escalation of the sovereign debt crisis in the Eurozone. Despite several summits of Heads of State, the tough decisions and workable plans required to address the fundamental fiscal and economic problems were not resolved.
- 4.4 The lack of growth in the major economies was problematic for central bankers, not helped by the Eurozone sovereign debt crisis. Growth in the UK registered 0.5% for the 12 months to September 2011 as domestic demand was depressed by low wage growth, high inflation and the fiscal policy measures taken by the Government to address the deficit and level of debt. Inflation remained high, with the annual CPI for November 2011 at 4.8%, remaining above Monetary Policy Committee 3% upper limit for 23 consecutive months. However, the medium term outlook is that inflation rates will fall back during 2012.
- 4.5 Central bank policies were once again driven by the low growth outlook rather than the upward trend in inflation. The slowdown in the global economy, a deterioration in the economic outlook, the severe strains in bank funding markets and a continued lack of supply of credit were the reasons given for the Monetary Policy Committee decision in October 2011 to increase asset purchases (Quantitative Easing) by £75 billion whilst maintaining the Bank Rate at 0.5%.
- 4.6 The rating agencies' warnings also became more strident in this third quarter. Moody's said that it would review the ratings of all European Union sovereigns in the first quarter of 2012 after the December summit failed to produce decisive policy measures. Fitch placed the ratings of several sovereigns including Italy, Spain, Belgium and Ireland on rating watch negative based on its view that a comprehensive solution to the crisis is technically and politically beyond reach.

THE COUNCIL TREASURY POSITION

4.7 The table shows how the position has changed since 30 September 2011.

Table 1: Summary of Treasury Position

	Balance 30 Sep 11 (£m)	Maturities (£m)	Additions (£m)	Balance 31 Dec 11 (£m)
Investments	148	(185)	172	135
Borrowings	(272)	6	(5)	(271)
Other Long-Term Liabilities	(65)			(65)
Net Debt	(189)	(179)	167	(201)

INVESTMENTS

4.8 The Treasury Management Team can invest money for periods varying from 1 day to 10 years, in accordance with the Treasury Management Strategy, to earn interest until the money is required by the Council. These investments arise from a number of sources including General Fund Balances, Reserves and Provisions, grants received and money borrowed in advance of spending, Schools' Balances and daily cashflow / working capital.

4.9 At 31 December 2011 the Council held investments of £135 million.

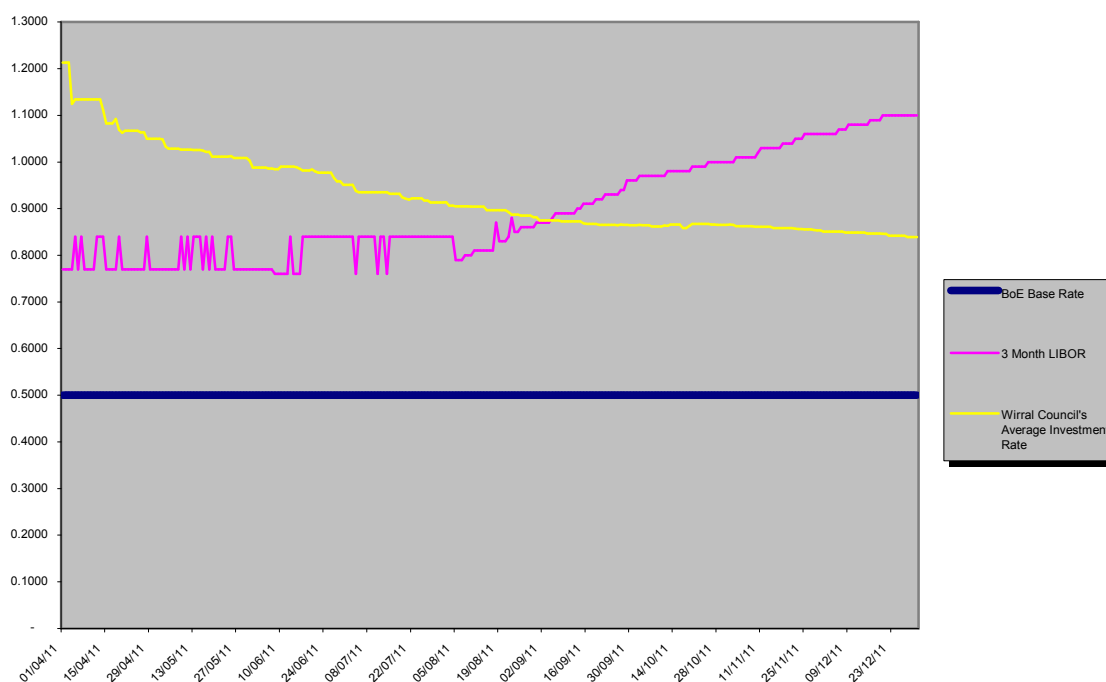
Table 2: Investment Profile

Investments with:	30 Jun 11 £m	30 Sep 11 £m	31 Dec 11 £m
UK Banks	61	60	47
UK Building Societies	15	15	6
Money Market Funds	39	29	40
Other Local Authorities	32	36	34
Gilts and Bonds	10	8	8
TOTAL	157	148	135

4.10 Of the above investments, £40 million is invested in instant access funds, £69 million is invested for up to 1 year and £26 million is invested for up to 5 years.

4.11 The average rate of return on investments as at 31 December 2011 is 0.84%. The graph shows the Treasury Management Team rate of return against the Bank of England base rate and the 3 month LIBOR (the inter bank lending rate):

Investment Rate of Return in 2011/12



- 4.12 The rate at which the Council can invest money continues to be low, in line with the low Bank of England base rate. LIBOR has begun to rise, as banks demand greater returns for the perceived increased risk in the market. The Council investment rate of return has been reducing, as money is transferred from banks to more secure investments, with this increased security coming at the cost of reduced investment returns.
- 4.13 The Council maintains a restrictive policy on new investments by only investing in UK institutions A+ rated or above and continues to invest in AAA rated money market funds, gilts and bonds. Counterparty credit quality is also assessed and monitored with reference to: credit default swaps; GDP of the country in which the institution operates; the country's net debt as a percentage of GDP; sovereign support mechanisms /potential support from a well-resourced parent institution; share price.
- 4.14 The ratings of most of the UK banks and non-UK banks were either downgraded or placed on review for possible downgrade. The downgrades resulted in the long-term rating of several UK institutions falling below the minimum criteria of 'A+'. Even though there are no solvency issues with these institutions, they have been temporarily suspended as counterparties for new investments until a revision to the minimum credit criteria has been considered and approved by the Council. No new investments will be made with these financial institutions and all instant access and call account money has been redeemed. Where the Council had previously entered into a fixed term deposit with any of these institutions the investment will be allowed to mature as originally planned.

- 4.15 The Council's main bank account is with Natwest Bank, and the Cabinet on 3 November 2011 agreed to allow this Bank on to the approved counterparty list for short term liquidity requirements (overnight and weekends) and business continuity arrangements, despite Natwest no longer meeting the minimum credit criteria.
- 4.16 Investments with the residual banks on the Council list were limited to 3 months with Santander limited to overnight deposits and the use of the bank's liquidity account. To compensate for the restricted counterparty list the Council has actively sought investments with other Local Authorities as well as increasing investments in AAA rated money market funds. These sources of investment offer greater security but with a reduced investment return.
- 4.17 The credit rating criteria for 2012/13 are presently under review as part of the Treasury Management Strategy which will be reported to Budget Cabinet on 20 February 2012. The Treasury Management Team will continue to monitor the developing financial situation and make appropriate operational adjustments, within the approved Treasury Management Strategy, to maintain the security of public money and manage the associated risks while also maximising returns within these constraints.
- 4.18 The 2011/12 investment income budget has been set at £1.3 million, reflecting the low interest rates that are anticipated to continue throughout the financial year. However, the proactive management of investments, as well as the realisation of additional income through the maturity of a long held Gilt, means that a surplus of £0.5 million is now anticipated in 2011/12.

Icelandic Investment

- 4.19 The Council has £2 million deposited with Heritable Bank, a UK registered Bank, at an interest rate of 6.22% which was due to mature on 28 November 2008. The Bank was placed in administration on 7 October 2008. Members have received regular updates regarding the circumstances and the latest situation. In March 2009 an Audit Commission report confirmed that Wirral Council had acted, and continues to act, prudently and properly in all its investment activities.
- 4.20 The latest creditor progress report issued by the Administrators Ernst and Young, dated 28 July 2011, outlined that the return to creditors is projected to be 90p in the £ by the end of 2012 and the final recovery could be higher.
- 4.21 To date, £1,360,645 has been received with payments due over 2011-2013.

Table 3: Heritable Bank Repayments

	£
Initial Investment	2,000,000
Actual Repayments Received	
As at 31 December 11	1,360,645
Estimate of Future Repayments	
Jan-12	133,764
Apr-12	133,764
Jul-12	133,764
Oct-12	133,764
Total	535,056
Estimate of Minimum Total Repayment	1,895,701

- 4.22 The amounts and timings of future payments are estimates and are not definitive. Favourable changes in market conditions could lead to higher than estimated repayments.
- 4.23 If Heritable Bank is unable to repay in full, a pre-emptive claim has been made against Landsbanki Islands HF for the difference. When the original investment was made it was with Landsbanki Islands HF providing a guarantee to reimburse the Council should Heritable be unable to repay. It should be noted that Landsbanki Islands HF is also in Administration.

BORROWING AND OTHER LONG TERM LIABILITIES

- 4.24 Borrowing is undertaken to help fund capital expenditure and the approved Capital Programme shows that borrowing of £30 million is required in 2011/12. The use of internal resources in lieu of borrowing continues to be the most cost effective means of funding capital expenditure. This lowers overall treasury risk by reducing both external debt and temporary investments. However, this position is not sustainable over the medium term and there will be a need to borrow for capital purposes. Therefore the borrowing options and the timing of such borrowing will continue to be assessed.
- 4.25 On 9 November 2011 the Treasury Management Team assessed the market conditions as optimum for undertaking borrowing. £5 million was borrowed from the PWLB over 10 years at an interest rate of 2.30%. The PWLB remains the preferred source of borrowing given the transparency and control that its facilities continue to provide. The loan replaced maturing loans of £6 million which previously cost an average of 3.15%.
- 4.26 Other Long-Term Liabilities include the schools PFI scheme and finance leases used to purchase vehicles plant and equipment. Under the International Financial Reporting Standards (IFRS) these items are now shown on the Balance Sheet as a Financial Liability and therefore need to be considered within any Treasury Management decision making process.

4.27 **Table 4: Council Debt at 31 December 2011**

Debt	Balance 30 Sep 11 (£m)	Maturities (£m)	Additions (£m)	Balance 31 Dec 11 (£m)
Borrowings				
PWLB	(98)	6	(5)	(97)
Market Loans	(174)	0	0	(174)
Other Long Term Liabilities				
PFI	(62)	0	0	(62)
Finance Leases	(3)	0	0	(3)
TOTAL	(337)	6	(5)	(336)

4.28 The level of borrowing required to fund capital schemes in 2011/12 was forecast to be £30 million. With limited external borrowing undertaken to date a saving is expected in the capital financing budget. This is due to capital expenditure being incurred later in the year and through the prudent use of internal borrowing. Consequently external borrowing is anticipated to be £20 million less than expected in 2011/12 resulting in reduced capital financing costs of £2 million for 2011/12.

MONITORING OF THE PRUDENTIAL CODE INDICATORS

4.29 The introduction of the Prudential Code in 2004 gave Local Authorities greater freedom in making capital strategy decisions. The prudential indicators allow the Council to establish prudence and affordability within the capital strategy.

4.30 There follows a selection of prudential indicators which demonstrate that the treasury management decisions are in line with the Capital Strategy, which is prudent and affordable.

Net Debt and Capital Financing Requirement (CFR) Indicator

4.31 The CFR measures the underlying need to borrow money to finance capital expenditure. The Prudential Code stipulates that net debt (debt net of investments) should not, except in the short term, exceed the CFR for the previous year plus the estimated additional CFR requirement for the current and next two financial years.

Table 5: Net Debt compared with CFR

	£m
CFR in previous year (2010/11 actual)	378
Increase in CFR in 2011/12 (estimate)	14
Increase in CFR in 2012/13 (estimate)	0
Increase in CFR in 2013/14 (estimate)	0
Accumulative CFR	392
Net Debt as at 31 Dec 2011	201

- 4.32 Net Debt does not exceed the CFR and it is not expected to in the future. This is a key indicator of prudence.

Authorised Limit and Operational Boundary Indicators

- 4.33 The Authorised Limit is the amount determined as the level of debt which, while not desired, could be afforded but may not be sustainable. It is not treated as an upper limit for debt for capital purposes alone since it also encompasses temporary borrowing. An unanticipated revision to this limit is considered to be an exceptional event and would require a review of all the other affordability indicators.
- 4.34 The Operational Boundary is the amount determined as the expectation of the maximum external debt according to probable events projected by the estimates and makes no allowance for any headroom. It is designed to alert the Authority to any imminent breach of the Authorised Limit.

Table 6: Authorised Limit and Operational Boundary Indicator

	Oct 11 (£m)	Nov 11 (£m)	Dec 11 (£m)
AUTHORISED LIMIT	497	497	497
OPERATIONAL BOUNDARY	482	482	482
Council Borrowings	272	272	271
Other Long Term Liabilities	65	65	65
TOTAL	337	337	336

- 4.35 The table shows that neither the Authorised Limit nor the Operational Boundary was breached between September 2011 and December 2011. This is a key indicator of affordability.

Interest Rate Exposures Indicator

- 4.36 The Prudential Code also requires Local Authorities to set limits for the exposure to the effects of interest rate changes. Limits are set for the amount of borrowing/ investments which are subject to variable rates of interest and the amount which is subject to fixed rates of interest.

Table 7: Interest Rate Exposure:

	Fixed Rate of Interest (£m)	Variable Rate of Interest (£m)	TOTAL
Borrowings	(271)	0	(271)
Proportion of Borrowings	100%	0%	100%
Upper Limit	100%	0%	
Investments	19	116	135
Proportion of Investments	14%	86%	100%
Upper Limit	100%	100%	
Net Borrowing	(252)	116	(136)
Proportion of Total Net Borrowing	185%	-85%	100%

4.37 The table shows that borrowing is mainly at fixed rates of interest and investments are mainly at variable rates of interest. This was considered to be a good position while interest rates were rising as the cost of existing borrowing remained stable and the investments, at variable rates of interest, generated increasing levels of income.

4.38 As the environment has changed to one of low interest rates, the Treasury Management Team is working to adjust this position which is, unfortunately, restricted by a number of factors:

- the level of uncertainty in the markets makes investing for long periods at fixed rates of interest more risky and, therefore, the Council continues to only invest short term at variable rates of interest;
- Many of the Council loans have expensive penalties for early repayment or rescheduling which makes changing the debt position difficult.

Maturity Structure of Borrowing Indicator

4.39 The maturity structure of the borrowing has also been set to achieve maximum flexibility with the Authority being able to undertake all borrowing with a short maturity date or a long maturity date.

Table 8: Maturity Structure of Borrowing

Borrowings Maturity	As at 31 Dec 11 (£m)	As at 31 Dec 11 (%)	2011/12 Lower Limit (%)	2011/12 Upper Limit (%)
Less than 1 year	21	8	0	20
Over 1 year under 2 years	25	9	0	20
Over 2 years under 5 years	34	13	0	50
Over 5 years under 10 years	29	11	0	50
Over 10 years	162	60	20	100
Total Borrowing	271	100		

Total Principal Sums Invested for Periods Longer than 364 Days

4.40 This indicator allows the Council to manage the risk inherent in investments longer than 364 days. The limit for 2011/12 was set at £30 million. Currently the Council has £26.5 million of investments which are for a period greater than 364 days during this period.

5.0 RELEVANT RISKS

5.1 All relevant risks have been discussed within Section 4 of this report.

6.0 OTHER OPTIONS CONSIDERED

6.1 There are no other options considered in this performance monitoring report.

7.0 CONSULTATION

7.1 There has been no consultation undertaken or proposed for this performance monitoring report. There are no implications for partner organisations arising out of this report.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are none arising out of this report.

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

9.1 In the financial year 2011/12, treasury management activities are now projected to result in £0.5 million of additional income from investments and a saving of £2 million from capital financing costs.

9.2 There are no IT, staffing or asset implications arising from this report.

10.0 LEGAL IMPLICATIONS

10.1 There are none arising from this report.

11.0 EQUALITIES IMPLICATIONS

11.1 There are none arising from this report.

11.2 Equality Impact Assessment (EIA) is not required.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are none arising out of this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are none arising from this report.

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REFERENCE MATERIAL

DCLG Local Authority Investment Guidance, 2004.
DCLG Changes to the Capital Financing System Consultation, 2009.
Code of Practice for Treasury Management in Public Services (2011 Edition), CIPFA 2011.
Prudential Code for Capital Finance in Local Authorities (2011 Edition), CIPFA 2011.

SUBJECT HISTORY

Council Meeting	Date
Cabinet - Treasury Management and Investment Strategy 2011 to 2014	21 February 2011
Cabinet - Treasury Management Annual Report 2010/11	23 June 2011
Cabinet – Treasury Management Performance Monitoring	21 July 2011
Cabinet – Treasury Management Performance Monitoring	3 November 2011

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	MERSEYSIDE PENSION FUND BUDGET 2012/2013
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER	COUNCILLOR STEVE FOULKES
KEY DECISION	YES

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to present the Merseyside Pension Fund (MPF) budget for 2012/13. The budget was agreed by the Pensions Committee on 17 January 2012.
- 1.2 During 2012/13, I estimate that MPF will pay £262.3m in pensions and receive £251.4m in contributions from employers and employees. The Fund had a value of £4,693m at 30 September 2011. The proposed administration costs of £15.7m including £10.3m of investment management charges to external managers represent a cost of £129.46 per member of the scheme. The investment management costs are approximately 0.22% of total assets.

2.0 RECOMMENDATION

- 2.1 That the report be noted.

3.0 REASON FOR RECOMMENDATION

- 3.1 The approval of the budget for Merseyside Pension Fund by Pensions Committee forms part of the governance arrangements of Merseyside Pension Fund. These arrangements were approved by Pensions Committee as part of the Statement of Investment Principles on 16 November 2010. The Council is the Administering Authority for MPF and is therefore required to maintain oversight of the budget.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The method used to compile estimates of expenditure for 2012/13 is as follows:

Staffing	Current structure to be fully staffed throughout year
Investment Management Fees	Estimate based on normal market conditions with 50% of investment mandates achieving performance targets.
Rent	Agreed as a charge based on market rates (MPF owns building)
Transport Conferences and Subsistence	Estimated requirements for current year
Services and Supplies	Contracts where usage and cost is fixed, plus estimate for variable elements.

Inflation adjustments	CPI 5.2% as at September 2011
Investment Performance	4% bonds, 8% equities 50% of performance targets met for active management

4.2. The major item of expenditure is on investment management fees. These are mostly charged on an ad-valorem basis with, on some occasions, a performance fee. This means that when the Fund investments rise in value and outperform, then the fees can rise substantially. This is a benefit to the Fund. However in 2011 investment markets performed poorly meaning that the out turn for investment management expenses will be lower than estimated for 2011/12 and that the budget for 2012/13 is lower than the budget for 2011/12.

4.3 The expenditure estimated for 2012/13 is lower for most items than that estimated for 2011/12. Managers are mindful of the need for efficient use of resources in this difficult climate.

5.0 RELEVANT RISKS

5.1 MPF has recently reviewed the Risk Register and identified key risks and mitigating controls for these risks. A key feature of the controls is having appropriate resources available to administer the Fund adequately and to manage investments. This budget provides adequate resources for these two core functions.

6.0 OTHER OPTIONS CONSIDERED

6.1 The majority of the Pension Fund budget is taken up by investment management costs and staffing. The investment management arrangements are continually subject to review and there was a comprehensive review of staffing arrangements last year as part of the EVR exercise.

7.0 CONSULTATION

7.1 Not relevant for this report

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no implications arising directly from this report.

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

9.1 The costs of the Pension Fund are covered by investment income and employee and employer contributions. The costs are estimated to be £129.46 per member. (including active contributors deferred and pensioners). The costs per member at Merseyside Pension Fund are lower than most other pension funds of similar size in both the public and private sector.

9.2 The budget outlined in the appendix involves reductions from previous years in staffing costs and other expenditure.

10.0 LEGAL IMPLICATIONS

10.1 There are no implications arising directly from this report.

11.0 EQUALITIES IMPLICATIONS

11.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(b) No because there is no relevance to equality.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no carbon usage implications, nor any other relevant environmental issues arising from this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no planning or community safety implications arising from this report.

FNCE/22/12

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APPENDICES

The budget for 2012/13 is attached as appendix 1 to this report.

REFERENCE MATERIAL

Internal working papers were used in the production of this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Pensions Committee :	
Pension Fund Budget	17 January 2012
Pension Fund Budget	11 January 2011
Pension Fund Budget	13 January 2010
Pension Fund Budget	14 January 2009

Value of the Fund	£4,700,000,000	30 September 2011
Investment income Received	£93,100,000	Projected 2012/13
Pensions Paid	£262,000,000	Projected 2012/13
Contributions Received	£251,400,000	Projected 2012/13
Active Contributing members	48,323	31 March 2011
Deferred members	30,946	31 March 2011
Pensioners	42,454	31 March 2011
Total Members	121,723	31 March 2011
	Estimate	Estimate
	2011/12	2012/13
	£	£
Employees		
Pay NI and Pension	2,665,100	2,534,400
Training	41,000	40,000
Other Staffing Costs	182,000	82,200
	<u>2,888,100</u>	<u>2,656,600</u>
Premises		
Rents	<u>114,700</u>	<u>114,700</u>
Transport		
Public Transport Expenses	38,600	31,450
Car Allowances	1,600	2,000
	<u>40,200</u>	<u>33,450</u>
Supplies		
Furniture and office equipment	41,500	40,000
Printing, stationery	158,500	197,500
Computer Development, Hardware	55,000	55,000
Postages and telephones	138,800	138,500
External Audit	52,700	59,200
Services Consultants Fees	217,800	200,000
Conferences and Subsistence	48,800	40,520
Subscriptions	274,700	230,000
Other	16,500	0
	<u>1,004,300</u>	<u>960,720</u>
Third Party		
Medical Fees	9,000	10,000
Bank Charges	18,400	15,000
Investment Management Fees	10,908,300	10,300,000
Custodian Fees	510,000	450,000
Actuarial Fees	151,000	150,000
Other hired & Contracted Services	224,700	235,000
	<u>11,821,400</u>	<u>11,160,000</u>
Transfers		
Payments for devolved administration	<u>184,900</u>	<u>199,200</u>

Departmental & Central Support Charges

623,000	719,300
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Total Expenditure

16,676,600	15,843,790
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Income

Fire Service Administration

(74,700)	(85,500)
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Total net Expenditure

16,601,900	15,758,470
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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	CORPORATE RISK REGISTER
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR STEVE FOULKES
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This report describes the process followed in analysing the issues contained within the draft Corporate Risk Register which was presented to Cabinet on 13 October 2011. A draft of the fully populated document is appended.

2.0 RECOMMENDATION

- 2.1 That Members consider comment on and approve the updated corporate risk register.

3.0 REASON FOR RECOMMENDATION

- 3.1 Approval of the risks and the monitoring process will enable officers to focus resources on the most significant threats to delivery of the corporate objectives.

4.0 BACKGROUND AND KEY ISSUES

- 4.1. The Corporate Risk Register is a key element of the Risk Management Strategy. It summarises those areas of uncertainty which have greatest potential to prevent or frustrate delivery of the Corporate Plan and how the Authority is seeking to tackle them. In turn those actions influence the content of Departmental Service Plans and the allocation of resources. In that way they are closely aligned with the Corporate Planning process and so success in managing these risks is a key factor in overall performance.
- 4.2. On 13 October 2011 Cabinet received a report detailing the process followed by the Executive Team in reviewing the corporate risks, and approved the draft list of issues.
- 4.3. The report indicated that the next stage would be to evaluate the risks and score them in accordance with the matrix contained in the Corporate Risk Management Strategy.

4.4. Those tasks have been undertaken by the Executive Team. In doing so they also considered the principal existing controls and what further action might be necessary in order to mitigate the risks to an acceptable level.

4.5 The full draft document is appended to this report.

4.6. Next Steps

(a) The register will be submitted to the Audit & Risk Management Committee.

(b) Departments will use the register in preparing their Service Plans for 2012/13 to be submitted to the Budget Cabinet on 20 February 2012.

(c) The Risk & Insurance Team will work with Departments to identify appropriate Key Risk Indicators to enable more informed assessments of the effectiveness of the controls for each risk to be undertaken.

(d) As part of the arrangements for the governance, delivery and monitoring of the Corporate Plan the Executive Team will review at regular intervals the effectiveness of the existing controls and the progress in implementing additional actions and will consider any new risks of potential corporate significance. Those reviews will inform the Risk Monitoring element of the quarterly Corporate Performance and Financial Reviews.

5.0 RELEVANT RISKS

5.1 The issues contained in the appendix are considered by Chief Officers to present the most significant risks to achievement of the goals contained in the Corporate Plan. As such failure to manage them effectively could have severe implications for delivery of the Plan.

6.0 OTHER OPTIONS CONSIDERED

6.1. None.

7.0 CONSULTATION

7.1 The Cabinet, the Audit and Risk Management Committee, the Executive Team and each Department have all been consulted in the preparation of the Corporate Risk Register.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no direct implications

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

9.1 Whilst there are no direct implications effective management of the corporate risks will help to avoid losses with a financial impact and injury to staff.

10.0 LEGAL IMPLICATIONS

10.1 There are no direct implications.

11.0 EQUALITIES IMPLICATIONS

11.1 There are no direct equalities implications.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no carbon usage implications.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no direct planning implications. Effective management of the corporate risks will help assist with maintaining public safety.

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APPENDICES

Corporate Risk Register

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet - Corporate Risk Register	13 October 2011
Cabinet - Corporate Risk Register	3 September 2009
Cabinet Corporate Risk Register	10 December 2008

WIRRAL COUNCIL - CORPORATE RISK REGISTER - EXECUTIVE TEAM DECEMBER 2011

Risk Description	Lead Officer	Existing Key Controls	L	I	T	Further Control Actions Planned
If we do not manage health and safety effectively then death or serious injury could result to service users, employees or members of the public	Chief Executive Jim Wilkie	<ul style="list-style-type: none"> • Register of corporate H&S risks • Corporate and departmental H&S policy specifies roles / responsibilities • Legislative Compliance Audit programme of all Council premises • Programme of auditing H&S management systems • Delivery of essential emergency training for fire and first aid • Investigation of all significant accidents & incidents by H&S Officers • Training delivered for significant hazardous work activities • Health surveillance arrangements implemented for occupational health risks 	2	5	10	<ul style="list-style-type: none"> • Deliver Institute Of Safety and Health (IOSH) Managing Safely training to all Managers and Supervisors below Head of Service • Review and develop H&S arrangements • Continuing audits of H&S arrangements • Implement health surveillance arrangements for occupational health risks re hearing loss and HAV/CT
If safeguarding arrangements are inadequate children might be exposed to greater risk of abuse or exploitation.	Acting Director of Children's Services David Armstrong	<ul style="list-style-type: none"> • Local Safeguarding Children Board monitors serious case review action plans • Weekly performance monitoring of changes to contact and referral taking in CADT • VCI reporting to the Chief Executive • Lead Member Briefing following each LSCB • National Notification of Serious Child Care Incidents to OFSTED • Continuing programme for disseminating learning from serious child care incidents • Child Death Overview Panels • Continuing review of S118 IRO applications 	2	5	10	<ul style="list-style-type: none"> • Implement revised 'Working Together to Safeguard Children • Comprehensive review of services / outcomes for children (on a multi agency basis) to be initiated following the Governments response to Professor Munro's review of Child Protection services; leading to implementation proposals • Recruit to outstanding vacant social work posts

Risk Description	Lead Officer	Existing Key Controls	L	I	T	Further Control Actions Planned
If safeguarding arrangements are inadequate vulnerable adults could be exposed to greater risk of abuse or exploitation.	Director of Adult Social Services Graham Hodkinson	<ul style="list-style-type: none"> • Whole system review of safeguarding completed & recommendations have been implemented including revised safeguarding procedures; • Training rolled out across partnership agencies; • Regular monitoring reports to DASS Strategic Leadership Team; Operational staff and Safeguarding Adults Partnership Board; • Safeguarding service self assessment undertaken as part of Peer Challenge; • Weekly monitoring of performance with key social work team members; • Safeguarding is a core project in the Corporate Plan; • Wirral Adult Safeguarding Board and Wirral Local Safeguarding Children's Board jointly administered; • Safeguarding Social Worker located in CADT to better deal with potential safeguarding alerts; • Joint Head of Safeguarding (CYPD and DASS) post established; • Additional safeguarding posts created and filled. 	2	5	10	<ul style="list-style-type: none"> • Victim experiences recorded and used to inform service effectiveness; • Case-file auditing process used to quality-assure the decision-making process; • Audits of data recording and data reporting systems are planned to ensure the effectiveness of the processes; • Benchmarking activities with other Safeguarding Board areas are to be undertaken to assess overall system effectiveness.
Not having plans in place could compromise delivery of essential services in the event of a major public emergency	Director of Technical Services David Green	<ul style="list-style-type: none"> • Dedicated team provides support and guidance • IT disaster recovery planning audit • External suppliers identified and position statement compiled as to their arrangements • Awareness sessions delivered • Exercises conducted to test efficiency of plans • Departmental business continuity plans finalised • Wirral Business Continuity Plan finalised • Wirral Flood and Water Management Partnership formed • Review of winter maintenance arrangements conducted. 	1	5	5	<ul style="list-style-type: none"> • Ensure external agencies have cohesive continuity arrangements • Conduct exercise to test the efficiency of critical service area business continuity plans • Undertake reviews of large scale incidents or emergencies to capture learning points and improve the councils response e.g. Leasowe/Moreton Gas disruption, Heswall water disruption, etc.

Risk Description	Lead Officer	Existing Key Controls	L	I	T	Further Control Actions Planned
If the Council does not maintain the trust and confidence of citizens in the conduct of its duties this could result in service failure, significant damage to the authority's reputation and undermine the level of engagement with residents.	Head of Communications and Community Engagement Emma Degg	<ul style="list-style-type: none"> • Comprehensive consultation process to engage local residents in identifying their local priorities and helping to shape local services by informing the Council's planning, budgetary and decision making processes • Development of Neighbourhood Plans based on consultation findings and engagement with Ward Councillors and increased transparency of area forum funding • Increased transparency of • Central coordination of consultation and engagement activities • Proactive approach to media and local communities with regards to changes that will impact on service delivery • Proactive approach to media and local communities to effectively promote and advertise local services 	3	5	15	<ul style="list-style-type: none"> • Ongoing annual programme of consultation with local residents • Integration of the Council's marketing and Community Engagement activities including the ongoing development of the Council's area forums
A serious failure in corporate governance could result in breaches of legislation and/or significant damage to the authority's reputation.	Chief Executive Jim Wilkie	<ul style="list-style-type: none"> • Constitution regularly reviewed, reported to Members and officers • Risk-based internal audit programme • Annual Governance Statement produced • Corporate Governance Monitoring Group • Code of Corporate Governance adopted • CIPFA/SOLACE 'Delivering Good Governance' Framework • Training programme for Members • Standards and Audit & Risk Management Committees • ICT Security policy and role of FoI officer • Individual strategies reviewed • Corporate Governance Cabinet Committee (CGC) established 	4	4	16	<ul style="list-style-type: none"> • Action plan for key areas agreed by CGC in October 2011 with actions identified for implementation before April 2012. Process for monitoring progress established. • Revised Code of Corporate Governance to be considered by Council February 2012, with enhanced compliance and review procedures. • Review of Internal Audit (reporting March 2012) will include recommendations for enhancing profile and authority of Internal Audit • Enhanced Corporate Performance Management Framework including monitoring, review and reporting to be implemented from April 2012 • Review of Legal and Member Services to identify additional resources required to strengthen Corporate Governance

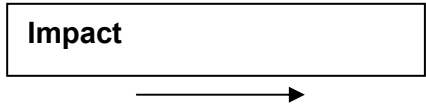
Risk Description	Lead Officer	Existing Key Controls	L	I	T	Further Control Actions Planned
<p>If we do not use the available resources to meet the priorities set out in the Corporate Plan the services we provide might not be appropriate</p>	<p>Director of Finance / Deputy Chief Executive Ian Coleman</p>	<ul style="list-style-type: none"> • Medium Term Financial Capital HR and IT strategies linked and reflect priorities in Corporate Plan. • Links between service & financial plans. • Investment is based on business cases for projects. • Financial management by planning, monitoring and reporting • Programme of financial management training. • Impacts of the future financial position identified and appropriate responses developed <p>Budget resolution links directly to corporate priorities</p>	3	4	12	<ul style="list-style-type: none"> • Review the effectiveness and appropriateness of the strategies • Strengthen the links between service and financial planning • Plan service delivery so as to not exceed available resources - includes implementing KLOE 1 – Corporate Plan / Budget Setting alignment • Maintain reserves and provisions • Apply the provisions in the Constitution • Workforce planning • Performance appraisal and performance management framework
<p>Insufficient growth in the borough's economy could make it difficult for the Council to deliver its vision of a more prosperous and equal Wirral.</p>	<p>Acting Director of Regeneration, Housing and Planning Kevin Adderley</p>	<ul style="list-style-type: none"> • Investment Strategy Board established to lead and direct implementation of Investment Strategy • Wirral Business Forum set up by Invest Wirral • Performance Management arrangements for Corporate Plan • Corporate Investment Group in place • Council's Child Poverty Strategy • Wirral Apprentice Programme • Business Support initiatives in place • Broadband investment • Influence over other Govt Departments investment (e.g DWP Work Programme) • Monitoring of Economic Indicators 	3	3	9	<ul style="list-style-type: none"> • Support inward and indigenous investment through a programme of support delivered by Invest Wirral Team • Explore opportunities for working internationally, supporting businesses to access opportunities as appropriate • Support for economic regeneration schemes by the Regeneration and Investment Teams to create greater prosperity for Wirral • Corporate Response to Welfare Reform Bill

Risk Description	Lead Officer	Existing Key Controls	L	I	T	Further Control Actions Planned
If we do not engage sufficiently with the workforce it could lead to de-motivation, a negative culture and a focus on short term rather than long term considerations.	Head of HR & Organisational Development Chris Hyams	<ul style="list-style-type: none"> • Staff communications including One Council, One Brief and team Briefing • Chief Executive Roadshows • Key Issue Exchanges 	3	3	9	<ul style="list-style-type: none"> • Deliver improved and systematic management communication and engagement • Develop Organisational Development programme to develop culture, linked to performance management
If do not have the right people with the right skills in the right posts it will be difficult to deliver the corporate priorities.	Head of HR & Organisational Development Chris Hyams	<ul style="list-style-type: none"> • People Strategy implemented • Partial implementation of Job Evaluation • Implementation of people management policies • Priorities in Corporate Plan communicated to staff. • Corporate KIE process • Trainee and Apprenticeships development • Enhanced communication strategy • Skills for Wirral Programme • Skills for Wirral Leadership programme 	3	3	9	<ul style="list-style-type: none"> • Conclude Local Pay Review • Performance Management framework with Appraisal implemented, with supporting development and communications • Concluded people management policy review

Risk Description	Lead Officer	Existing Key Controls	L	I	T	Further Control Actions Planned
If we do not learn about changes to the legislative and policy environment it could impede our ability to understand and respond to them.	Director of Law, HR & Asset Management Bill Norman	<ul style="list-style-type: none"> All solicitors are members of The Law Society. The Director of LHRAM and the Head of Legal & Member Services are members of the Association of Council Secretaries and Solicitors, a national consultative body. All solicitors undertake a minimum of 16 hours CPD each year. The Council is a member of the North West Legal Consortium. The Council subscribes to Westlaw, an on-line legal research tool. 	3	5	15	<ul style="list-style-type: none"> Review of resources within Legal Services as part of the Council's Corporate Governance Review in order to identify and acquire additional solicitors required
If we do not ensure that the policies and practices being introduced by the Council reflect a through understanding of the wants and needs of our citizens and businesses the services we provide might not be appropriate	Head of Communications and Community Engagement Emma Degg	<ul style="list-style-type: none"> Needs analysis and evidence base including the Joint Strategic Needs Assessment (JSNA) to inform corporate / business planning Understanding needs of Wirral's communities through consultation and community engagement activities, e.g. Area Forums, Older Peoples Parliament and Youth Parliament Corporate / business planning linked with the budget setting process Equality considerations are accounted for through equality impact assessments Single Equality Scheme sets out statutory requirements and duties relating to Wirral's diverse communities 	2	5	10	<ul style="list-style-type: none"> Implementing the outcomes of the Corporate Governance KLOE 1 – Corporate Plan / Budget Setting alignment Implementing the outcomes of the Corporate Governance KLOE 5 – Review of Policy Implementing the outcomes of KLOE 7 - Equalities

Risk Description	Lead Officer	Existing Key Controls	L	I	T	Further Control Actions Planned
In an era of increasingly scarce resources, if the Council does not collaborate effectively with partners we may not make the best use of the collective resource available to meet citizens' needs.	Chief Executive Jim Wilkie	<ul style="list-style-type: none"> • Needs analyses and evidence bases inform the partnership's priority setting and key plans and strategies • Action-led delivery plans for partnership priorities • Strong strategic leadership for the partnership (Executive Board) • Council is the accountable body for Wirral's LSP. Supported by senior management inc. joint posts such as the Joint Director of Public Health • Partnership toolkit and register developed to support governance 	3	3	9	<ul style="list-style-type: none"> • Periodic checks to ensure partnerships comply with Wirral's governance arrangements • Refresh of Partnership Register and governance arrangements • Develop a performance management framework for the Sustainable Community Strategy • Comprehensive review of all economic policy in response to the recession, in line with statutory Local Economic Assessment duty • Ensure that partners share operational intelligence and co-ordinate activities in response to recession
Business failure from a supplier to the Council, including major private sector suppliers and the voluntary, community and faith sector providers, leading to interruption of service	Chief Executive Jim Wilkie	<ul style="list-style-type: none"> • External suppliers identified and position statement compiled as to their arrangements • Procurement Strategy and the agreed procurement process • Contract and performance management arrangements • Linkages to Business Continuity 	3	3	9	<ul style="list-style-type: none"> • See linkages to Business Continuity above • Introduce a requirement on departments to ensure that: <ol style="list-style-type: none"> 1. all partner agencies and/or voluntary, community or faith sector organisations have suitable and sufficient business continuity arrangements – a check should be made on a two yearly basis 2. all external suppliers/contractors provide a position statement in regard to their individual business continuity plans on a two yearly basis 3. an annual financial check is incorporated as part of the regular contract performance management arrangements

WIRRAL COUNCIL - RISK MANAGEMENT STRATEGY - RISK SCORING MODEL



	Very Low (1)	Low (2)	Medium (3)	High (4)	Very High (5)
Very High (5)	5 Very low impact but very high likelihood	10 Low impact but very high likelihood	15 Medium impact but very high likelihood	20 High impact and very high likelihood	25 Very high impact and very high likelihood
High (4)	4 Very low impact but high likelihood	8 Low impact but high likelihood	12 Medium impact but high likelihood	16 High impact and high likelihood	20 Very high impact and high likelihood
Medium (3)	3 Very low impact and medium likelihood	6 Low impact and medium likelihood	9 Medium impact and medium likelihood	12 High impact but medium likelihood	15 Very high impact and medium likelihood
Low (2)	2 Very low impact and low likelihood	4 Low impact and low likelihood	6 Medium impact and low likelihood	8 High impact but low likelihood	10 Very high impact but low likelihood
Very Low (1)	1 Very low impact and very low likelihood	2 Low impact and very low likelihood	3 Medium impact and very low likelihood	4 High impact but very low likelihood	5 Very high impact but very low likelihood

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CABINET

2 FEBRUARY 2012

SUBJECT:	2011/12 THIRD QUARTER PERFORMANCE & FINANCIAL REVIEW
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR STEVE FOULKES
KEY DECISION:	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report sets out performance of the Council's Corporate Plan 2011-14 for October to December 2011, and provides members with an overview of performance, resource and risk monitoring.
- 1.2 The report also provides requested amendments to Corporate Plan projects and indicators for Cabinet approval.

2.0 RECOMMENDATION

- 2.1 Cabinet note the contents of this report and request any further information or action to be taken.

3.0 REASON FOR RECOMMENDATION

- 3.1 Council approved the Corporate Plan on 18th April 2011. This report provides a quarterly progress on delivering the Council's Corporate Plan, including performance of relevant projects and indicators and associated financial and risk monitoring information.

4.0 BACKGROUND AND KEY ISSUES**4.1 Performance Summary**

The presentation accompanying this report provides an overview of quarter three performance with more detail outlined in this report including corrective action for performance issues.

4.2 Your FAMILY: CHILDREN AND YOUNG PEOPLE**What's working well**

- **Young people impress at Wirral's 9th successful Youth Voice Conference** - more than 100 young people from Wirral descended on Wallasey Town Hall in October to have their say on issues that affect them, which were taken to a special meeting of Wirral Youth Parliament.

- **Young people at St Mary's College Youth Club strike silver** - the Youth Club, operating from St Mary's College, Wallasey and run in partnership with Wirral Council's Youth and Play Service, has seen its most successful achievement since 1975 of 59 young people collecting their Silver Duke of Edinburgh Awards. This was for a catalogue of achievement including volunteering, skill and physical modules, including two 3-day expeditions to the Yorkshire Dales.
- **Award for diverting young people from anti-social behaviour (ASB)** - Merseyside Police and Wirral Council's Youth and Play Service has received an award for an innovative programme designed to divert vulnerable young people from crime and ASB. The 12-week Programme works with identified young people for two-hours per week during the evenings, focusing heavily upon drug and alcohol misuse, gun and knife crime and ASB.
- **Council to create 'children's hotel' as part of review of residential accommodation** – the 'children's hotel' will be for young people with complex disabilities and will give the families and carers of the young people a break, while also making sure that the young people themselves have an enjoyable time in a high quality, rewarding environment. This is just one way that Wirral Council is looking at improving care and support for our most vulnerable children and young people.
- **Never too young to get yourself fit** - The Junior Invigor8 scheme, designed to encourage young residents to exercise regularly and set them on a road to a fitter and healthier lifestyles, was recently launched. An off-shoot of the extremely popular adult scheme offering residents under the age of 18 a wide range of benefits at all of the borough's seven leisure centres, plus the Sailing Centre at West Kirby.
- **There has been a 94% uptake of schools** (124 out of 132) receiving School Improvement Services, 14% above target.
- **24 new Foster Carers have been approved**, 4 (20%) above the target.
- **67% of 0 - 5 year olds are registered at a Children's Centre**, 7% above the target.
- **70% of 0 - 5 year olds from disadvantaged backgrounds are registered at a Children's Centre**, 10% above the target.

Performance against Corporate Plan project(s)

All of the Corporate Plan projects for this theme are on target.


Performance against Strategic Change project(s)


The following strategic change project has been assessed as **red**:


Status			Project	Corrective Action
Q1	Q2	Q3		
Green		Red	Looked After Children	This project was scheduled to bring expenditure in line with the budget by March 2012, as well as deliver revenue savings in 2012-14. The department is currently drafting a project variation report, advising there are no revenue savings from this project and expenditure will not be brought in line with the budget until 2015.

Performance against indicator(s):

The following indicators have missed their quarter three target and are therefore assessed as **red** or **amber**:

Portfolio	PI no	Title	2011/2012		On target	Direction of travel
			Q3 Target	Q3 Actual		
Children's Services & Lifelong Learning	NI 62	Stability of placements of looked after children: number of placements	9.0% (Lower is Better)	10.9% (P)	Red	
Corrective Action:	We have refreshed the plans for recruitment of Foster Carers in line with the needs identified in the sufficiency plan. The peer mentoring scheme devised by the Fostering Network has been adopted to formalise support networks for Foster Carers that will enable greater stability.					
Performance Analysis:	This is a provisional figure. Performance against this target has deteriorated, with a rise in the number of placements of 1.9 from the first quarter of 2011/12 and by 1.2 when compared to the third quarter in 2010/11, but it is forecast to achieve the 2011/12 year end target.					

Portfolio	PI no	Title	2011/2012		On target	Direction of travel
			Q3 Target	Q3 Actual		
Children's Services & Lifelong Learning	Local 1400a	Number of looked after children	645 (Lower is Better)	678 (P)	Amber	
Corrective Action:	The revised Special Guardianship Order policy has been implemented and the relevant procedures have been recently updated. Staff briefings are scheduled throughout January and February. The Looked After Children Performance Board has been established and meets regularly to monitor, challenge and support managers with regard to the quality and robustness of the delivery of individual Care Plans.					
Performance Analysis:	This is a provisional figure. Performance against this target has deteriorated, with a rise in the number of looked after children of 10 from the first quarter of 2011/12 and by 10 when compared to the third quarter in 2010/11, but it is forecast to achieve the 2011/12 year end target.					

Portfolio	PI no	Title	2011/2012		On target	Direction of travel
			Q3 Target	Q3 Actual		
Children's Services & Lifelong Learning	Local 7031	Percentage of under-age sales of alcohol during test purchase exercises	15% (Lower is Better)	50%	Red	
Corrective Action:	This will be achieved as the final Quarter test purchase exercises will focus on those premises given advice, guidance and training by Trading Standards Officers. It is anticipated that the risk of these premises selling to children will have been significantly reduced There are difficulties with this PI as it does not reflect the reality of the market place and it will be reviewed for the next financial year					
Performance Analysis:	Performance against this target has deteriorated, with a rise in the percentage of under-age sales of alcohol during test purchase exercises of 28% from the first quarter of 2011/12 and by 40% when compared to the third quarter in 2010/11, but it is forecast to achieve the 2011/12 year end target. The high percentage was due to it not being a representative sample, with only one test purchase exercise for alcohol sales being conducted in the 3rd quarter, as the focus was placed on the sale of tobacco test purchasing. Four alcohol premises were targeted, based on intelligence that they had sold to children. Out of those four tested, two sales took place.					

Portfolio	PI no	Title	2011/2012		On target	Direction of travel
			Q3 Target	Q3 Actual		
Children's Services & Lifelong Learning	NI 70a	Reduce emergency hospital admissions caused by unintentional and deliberate injuries in 0-4 years	163	192 (E)	Red	n/a
Corrective Action:	Regular monitoring of the homes safety equipment scheme is undertaken by the Child Safety Implementation Group and actions to reduce accidents are included in all Children Centre delivery plans. This is linked in to the Healthy homes safety pilot in the Wallasey area. A Children's Accident and Emergency Needs Assessment has been commissioned and the findings from this assessment will inform future accident prevention planning.					
Performance Analysis:	This is an estimated figure. Performance has fallen compared to the first quarter, and it is forecast to miss the 2011/12 year end target.					

Resource implications

Pressures within the 2011/12 budget have reduced in the quarter to £1.6 million. This was largely due to the use of one-off funding from balances and uncommitted funds. There are still significant underlying pressures within the Children and Young People's revenue budget. Those that are within Children's Social Care for looked after children and within the Integrated Transport Unit are likely to be ongoing requirements, at least in the short term. The "one off" reductions identified have included as an uncommitted income balance in Children's Centres that had accumulated over a number of years and a surplus within the 14-19 Wirral Wise schemes. Other uncommitted resources have also been included - from within the Early Intervention Grant. Work is ongoing with the aim of improving this position where possible. In the longer term the Strategic Change program for Looked After Children will help to stabilise the Social Care budget.

The approved Children and Young People's 2011/12 capital programme has increased by £1 million to £32 million (approximately 40% of the Council total). The addition is due to the permission received from DCLG for statutory redundancy costs to be capitalised. However the expenditure forecast has reduced by £1.5 million due to lower anticipated spend for schools modernisation and formula grant. Numerous projects took place at schools during the summer holidays. The large schemes in progress include work at Birkenhead Academy, Cathcart Primary and Pensby Primary/ Stanley Special School. Willowtree the Children's 'Home from Home' was opened in December.

Future challenges and risks

The management of children's safeguarding arrangements is always a very high priority and under constant review. The comprehensive review of services/outcomes for children following the Munro review of child protection continues and is expected to be reported in March. Recruitment to outstanding vacant social work posts has continued within the period.

The continuing adverse economic climate placing further demand pressures on services especially children's social care creates additional challenges. The department is also facing pressures in managing within its budget.

4.3 Your FAMILY: ADULTS

What's working well

- **Wirral Council supports new social care 'one stop shop' website** - the new online 'one stop shop' for wellbeing, health and social care services in Wirral www.wirralwell.org which has been developed by Voluntary and Community Action Wirral (VCAW). The site brings together information and advice on health, social care and wellbeing, and will be an invaluable resource for all residents, particularly those who need signposting to health and social care services, and services for families and carers.
- **The Council and NHS reach finals of national Health and Social Care Journal awards** - pioneering work on an innovative local scheme "The Wirral Rapid Access Service" by the Council and the NHS in Wirral has reached the finals of the national Health and Social Care Journal awards. The Wirral Rapid Access Service was commissioned by NHS Wirral and local GPs in partnership with the Department of Adult Social Services, Wirral Hospital Trust and Wirral Community trust and started in December 2010.

- **Family Safety unit awarded national accolade** - Wirral's Family Safety Unit has been awarded the prestigious Leading Lights status, one of only two authorities to receive the award. Leading Lights status is awarded by the charity Co-ordinated Action against Domestic Abuse (CAADA). The organisation supports Independent Domestic Violence Advisors (IDVA) in their work with current and potential victims of domestic violence and their families.

Performance against Corporate Plan project(s)

All of the Corporate Plan projects are on target.

Performance against Strategic Change project(s)


The following strategic change projects have been assessed as **red**:

Status			Project	Corrective Action
Q1	Q2	Q3		
Red			Learning Disabilities	This project was initiated some time ago to stabilise the £2m overspend in this service area. This project has struggled to progress as scoping the activity as a distinct project, separate from core business has proved challenging. The service area is still projecting a £3.3m overspend.

Status			Project	Corrective Action
Q1	Q2	Q3		
Red			Market Management	The project was set to deliver £5.37m savings during 2011/12. Current projections indicate a shortfall of £1.167m against the target for this quarter. The current "Red" status reflects the end of year forecast which is projecting a shortfall of £1.55m.

Performance against Corporate Plan indicator(s)

The following indicator has missed its quarter three target and is therefore assessed as **amber**:

Portfolio	PI no	Title	2011/2012		On target	Direction of travel
			Q3 Target	Q3 Actual		
Social Care & Inclusion	NI 130	Percentage of Social care clients receiving Self Directed Support	68.94%	63.33%	Amber	
Corrective Action:	Close monitoring of referral activity in operational teams to determine if referral rates are impacting on this indicator. Performance in service areas and localities to be evaluated to determine if there are any related issues, such as delays in inputting assessments, which may have impacted on Qtr 3 performance. Measures can then be put in place to address this.					
Performance Analysis:	Performance for the first half of 2011/12 was on target, but the Q3 target has been missed by 5.61%. Although currently forecast to miss the 2011/12 year end target by 5% corrective action should ensure that the year end target of 80% is achieved.					

Resource implications

Significant financial pressures of £6.8 million are being experienced upon the Adult Social Services revenue budget. Underlying pressures include increased demand on older peoples and learning disability budgets, potential slippage on savings relating to the implementation of the market review contract negotiations. Other pressures include Early Voluntary Retirement / Voluntary Severance savings and Community Care re-provision.

The £3 million Adult capital programme for 2011/12 includes a new grant allocation of £941,000 to support developments relating to personalisation, reform and efficiency and £732,000 relating to the final payments for the Mendell Lodge extra care housing scheme.

Future challenges and risks

Safeguarding arrangements for adults are under constant review by the Department of Adult Social Services and its partners on the Safeguarding Adult Partnership Board.

The Department continues to respond to the outcomes of the Corporate governance report

On going challenges remain regarding demand pressures from an ageing population requiring greater levels of support with more complex needs having to be managed. The Department continues to face ongoing budgetary pressures linked to the increased demand for services for older people and clients with learning disabilities. Services also need to be configured to deliver greater levels of personalisation and choice to our clients.

4. 4 Your NEIGHBOURHOOD

What's working well

- **A Sport England's Survey puts Wirral amongst the national leaders when it comes to sports participation**, reporting that 25.5% of those adults surveyed in October 2011 in Wirral said that they took part in, on average, sport and active recreation at moderate intensity for an equivalent of 30 minutes on 3 or more days a week. This was an increase of 6% against 19.5% in 2005, far exceeding 17% nationally and the other Merseyside boroughs (Knowsley (19.4%), Sefton (19.5%), St Helens (21%), and Liverpool – the only other Merseyside authority to show significant increase - with 21.1%.
- **National praise for Wirral's pest controllers** - The Pest Control team, part of Wirral Council's Environmental Health division, has received the Customer Service Excellence award from the Cabinet Office for the second successive year.
- **Speeding drivers go before 'Kid's Court'** - Speeding motorists outside a school in Greasby were given a dressing down by the pupils they were accused of putting at risk. Under the joint initiative, run by Wirral Council's Road Safety Team and Merseyside Police as part of Road Safety Week (Nov 21-27), motorists caught speeding driving past the school were given the choice of being fined and having points put on their licence, or being 'grilled' by a panel of children from the school about their behaviour.
- **Libraries offer downloadable books** - Wirral Libraries have recently introduced an innovative new way for members to borrow books. Taking the service forward and opening up to new users, the introduction of e-Books and e-Audiobooks allows borrowers to access their favourite books and audiobooks from the comfort of their own home.
- **There has continuous improvement in the reduction of missed bin collections**, (4.5 lower than quarter two and 29.5 below the target of 40 missed bins per 100,000 collections) and in the maintenance of street and environmental cleanliness (combined levels of litter and detritus) which has dropped to 8%, 2.51% below the target.
- **The level of CRed pledges has increased to 568**, exceeding the target by 51.47%.

Performance against Corporate Plan project(s)

The following projects have been assessed as **amber** or have been **closed** or **withdrawn**:

Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
Streetscene & Transport Services	By 2020, reduce the total number of people killed or seriously injured (KSI) road traffic casualties by 50%, compared with the average for 2004-8; (Target for 2011 : reduce to 106; Target for 2012 : reduce to 104; Target for 2013 : reduce to 102)	Green	Amber		Similar casualty trends occurred in Q3 as in Q2. Wirral now receives greater strategic enforcement activity by specialist Traffic Police. Analysis of casualty data has been undertaken and a bid submitted for additional funding to address known casualty locations
	Implement a speed restriction programme during 2011/12	Green	Amber		Appraisal of a new Department of Transport signing policy review has been undertaken. Programming of 20mph in residential areas is underway

Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
Community & Customer Engagement	Complete 1 st phase integration to co-locate two libraries with one stop shops by November 2011	Green	Amber		Staff were relocated into the second pilot merged site at Eastham opened early January 2012, and building works to complete the integration are ongoing

Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
Housing & Community Safety	Implement proposals to reduce under occupation in social housing by August 2011	Green	Amber		Working with Registered Social Landlords to finalise proposals and agreement to take pilot forward

Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
Culture Tourism & Leisure	Roll out Wi Fi across Libraries by November 2011	Green	Amber		Wi-fi is now in 13 Library sites, with the rest planned for completion between January and March 2012
	Successfully deliver the Parks and Countryside Services Procurement Exercise to enable proposed contract benefits to be achieved by January / February 2012	Green	On Hold	Closed	Cabinet 03 November 2011 agreed to the retention of this service and this project is now closed.


Performance against Strategic Change project(s)

The following strategic change project has been **withdrawn**:

Status			Project	Corrective Action
Q1	Q2	Q3		
Green	Amber	Closed	PACSPE	Cabinet 03 November 2011 agreed to the retention of this service and this project is now closed.

Performance against indicator(s):

The following indicator has missed its quarter three target and is therefore assessed as **red**:

Portfolio	PI no	Title	2011/2012			On target	Direction of travel
			Q2 Status	Q3 Target	Q3 Actual		
Housing & Community Safety	NI 32	Repeat incidents of domestic violence	Red	7.53 (Lower is Better)	9.84	Red	
Corrective Action:	<p>The Q3 rolling total for domestic violence repeat victimisation in Wirral of 9.84% is 2 percentage points over the 7.53% target set. However this does not imply poor performance of agencies working together to reduce risk. The Community Safety Partnership Strategic Assessment identified a 48% rise in referrals and further analysis showed that of those referrals, the proportion assessed as high risk increased by 14%. This is a success in reducing the under-reporting of domestic violence particularly for those that need it most.</p> <p>The consequential increase in workload prompted a policy change concentrating all safeguarding measures, (including the Multi Agency Risk Assessment Conference process), on to high risk victims, only. By definition high risk clients are more prone to repeat victimisation. However Wirral compares very favourably with those collected nationally by CAADA (Coordinated Action Against Domestic Abuse), and has been accredited with Leading Lights status by CAADA whereby rigorous scrutiny has demonstrated exemplary processes and performance.</p>						

	The introduction of restraining orders during 2011 has provided an extra mechanism of assurance that support is provided. However this counts as a crime being committed, leading to an increase in crime levels, whilst the victimisation statistics remain unaffected.
Performance Analysis:	Referrals have increased by 2.74% compared to quarter three 2010/11 and 2.25% compared to quarter one 2011/12. This is currently expected to exceed the year end target by 1.47%.

The following indicator is awaiting data:

Portfolio	PI no	Title	2011/2012	
			Q2 Status	Q3 Target
<i>Housing & Community Safety</i>	<i>LOCAL 140</i>	<i>Provide people with advice and support to prevent homelessness</i>	Green	338

Resource implications

The main area of concern remains the achievement of income targets including car parking and cultural services which are being contained by compensatory savings. The delayed sale of the Pacific Road Arts complex may also have a budgetary impact.

A number of policy options being progressed include the 'free after three' parking initiative, the deep clean street cleansing initiative, support for the Anti-Social Behaviour team and library equipment and engagement schemes. The community asset transfer programme is also continuing

Capital schemes include renovations to the Williamson Art Gallery which commenced in the spring, the Landican Crematorium Mercury Abatement scheme which commenced in September and an extensive road maintenance programme and bridge strengthening works.

Future challenges and risks

It is important to deliver services to meet the needs and wants of our citizens and businesses. To help achieve this significant consultations have been undertaken to assist in the development of Neighbourhood plans for each area and to help identify priority areas to assist with the allocation of resources for neighbourhood use.

The modernisation of the maintenance arrangements for Wirral's parks and open spaces which includes the transfer of services previously undertaken by external contractors will create future challenges and opportunities.

Weather events may also impact upon Council services. A review of winter maintenance arrangements has been undertaken to help mitigate possible negative impacts although so far the winter has been mild.

4.5 Your ECONOMY

What's working well

- **Wirral Apprentice Programme Award** – the programme celebrated its second anniversary by winning a prestigious Equality and Diversity award at last week's Northwest Employers Awards 2011.
- **Tourism boost for Wirral's economy** - The Wirral peninsula was boosted by a successful programme of tourism events in 2011 that generated £3.5m as the Borough's visitor economy continued to go from strength to strength. In addition to this, the latest tourism economic impact figures revealed a 3% increase to £268m for the Borough's economy.
- **Invest Wirral annual conference** - Wirral Council Leader, Cllr Steve Foulkes told a packed audience of business leaders that together they were on the right track to creating a strong and dynamic Borough...but we can AND will do more". On the same day that a new 90,000 sq ft Asda superstore opened in the heart of Birkenhead creating hundreds of jobs for local people.
- **819 jobs were created or safeguarded**, 126 above target, via support of the Invest Wirral Relationship Managers and projects supported by the Business Investment Fund.
- **167 businesses were assisted**, 92 above the target, with a few new tourism businesses coming on stream, including New Brighton, boosting business assists by the Partnership officer for quarter three.
- **LGC Awards 2012 - Wirral's Investment Strategy** - an ambitious, innovative and extremely effective approach to supporting / developing the local economy, endorsed by local business testimonials has been shortlisted for an award.

Performance against Corporate Plan project(s) / indicator(s):

All of the Corporate Plan projects are on target.

Performance against Strategic Change project(s):

There are no projects falling within this theme in the Strategic Change Programme.

Performance against Corporate Plan indicator(s):

The following indicator is awaiting data.

Portfolio	PI no	Title	2011/2012	
			Q2 Status	Q3 Target
	LOCAL 6306	Wirral Apprenticeship Programme	Green	Not available

Resource implications

Particular pressures within this area relate to planning and building control income with an underachievement of £0.5 million possible.

A number of initiatives are being progressed including through the business support programme and empty shops scheme. The Wirral Waters scheme continues to progress which will bring significant financial benefits to the area.

The capital programme forecast outturn has reduced by £0.9 million due to slippage on improvement to stock schemes although progress continues on these schemes. Four grants were made to companies through the Think Big Investment Fund during the period. Going forward additional grant approval has been received for future years relating to former HMRI areas.

Future challenges and risks

Growth in Wirral's economy will make it easier for the Council to deliver its vision of a more prosperous and equal Wirral.

The Wirral Waters scheme continues to progress with permission having been granted for the International Trade Centre. A delegation has been to China during the last quarter to help develop economic links and to promote the International Trade centre. This should bring substantial future benefits for the area.

4.6 Your COUNCIL

What's working well

- **Council to report back residents' views!** - the Council has attended over 170 community events, businesses and organised groups to gather peoples' views for the Neighbourhood Plans, about their neighbourhood; what they think of where they live; what they value and what they think needs to change. Over 1100 people took the opportunity to voice their opinions on what matters most in their community and, as part of the process, eleven individual neighbourhood plans for the borough will be developed.
- **Partners celebrate scheme's amazing first year** - a scheme that offers money/energy-saving insulation to many local residents, as well as a jobs lifeline to others, celebrated its first birthday recently. In that short space of time, the Warmer Wirral 'Cosy Homes' scheme has been responsible for installing new insulation measures in 11,000 homes in Wirral, reducing carbon emissions in the area by some 4,500 tonnes.
- **6.47 working days/shifts were lost due to sickness absence**, 0.75 below the 7.22 target.

Performance against Corporate Plan project(s)

The following projects have been assessed as **red** or **amber** or have been **completed**:

Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
Finance & Best Value	Deliver SCP 2011-2012 projects to deliver agreed benefits to the agreed quality, on time and to budget	Amber		Red	Latest analysis shows the programme is to achieve £8.51m. A review of the change programme is underway

	Ensure all projects proposed to SCP during 2011-2012 have defined and achievable benefits to Council services, or budget	Green	Red	Projects proposed did not have clearly defined and achievable benefits. A review of the change programme is underway
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Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
Corporate Resources	Publish workforce information as set out in the 2010 Equality Duty by July 2011	Green	Amber		Data collection to be collected with employee survey and published
	Review HR policies by September 2012	Amber			Focus on other key projects has led to slippages in timescales, resources need to be re-allocated and plan put in place to deliver to timescales
	Implement Job Evaluation (Stage 3) by April 2012	Green	Amber		Some slippages in timescales, plan being developed to move forward
	Agree membership, form and function of Wirral's Local Strategic Partnership by June 2011	Green	Amber		The LSP Executive Board will next meet in January 2012 to discuss the form and function of the LSP

Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
Community & Customer Engagement	Work with the voluntary, community and faith (VCF) sector to put in place a single strategy for funding the sector and commissioning services from April 2012 by December 2011	Amber			The main two corporate contracts with the voluntary, community and faith sector are currently out to tender. The remainder will be subject to review.
	Work with the VCF sector to Map sector activity and outcomes in Wirral by April 2011 to provide a baseline for future development	Green	Amber		The strategy is under review.
	Work with the VCF sector to review the Council's approach to engagement with the sector to put in place structures, and a clear policy framework by May 2011	Green	Amber		This strategy is under review.

Portfolio	Key project	Status			Corrective Action
		Q1	Q2	Q3	
	Work with the VCF sector to establish a 'Rights to Provide' policy framework by April 2012	Green		Amber	The strategy is under review, however may be subject to some delay as the Responsible Officer has been seconded to the Turnaround Team.

Performance against Strategic Change project(s)

The following strategic change projects have been assessed as **red** or **amber**:

Status			Project	Corrective Action
Q1	Q2	Q3		
Red			Disposal of Assets	<p>A report for the lease of Hillcroft is going to Cabinet 12/1/2012</p> <p>With regard to the other transfers, legal agreements have been completed in respect of Grosvenor, Liscard and Hoylake, with the full transfer completing after building works have been finished. These works are scheduled to be completed in the June / July.</p> <p>Greasby, Delamere, Victoria Hall and Vale are on the verge of entering in to the legal agreement, but again, the works will take them past March in most cases.</p> <p>Westbourne, Woodchurch, Kylemore and New Ferry Village Hall have been held back while the availability of the Community Fund is clarified and will hopefully transfer, but not before March.</p>

Status			Project	Corrective Action
Q1	Q2	Q3		
Red			Office Rationalisation	<p>Work is ongoing to vacate Willowtree and the Old Court House. Willowtree will be vacated by the end of January, however discussions are still underway about the proposed relocation of the Community Safety team.</p> <p>The Cabinet Report on Phase 2 is now expected to be submitted in February.</p>

Status			Project	Corrective Action
Q1	Q2	Q3		
Amber	Red		Procurement	The £2m saving will not be achieved until 2012/13.

Status			Project	Corrective Action
Q1	Q2	Q3		
Amber	Red		Transforming Business Support	This project has been paused since October and no progress has been made.

Status			Project	Corrective Action
Q1	Q2	Q3		
Amber	Red		Contract Review	The £0.5m saving will not be achieved until 2012/13.

Status			Project	Corrective Action
Q1	Q2	Q3		
Green	Red	Amber	Printing Review	Activities are behind schedule. There is some concern regarding the ability to realise benefits.

Status			Project	Corrective Action
Q1	Q2	Q3		
Amber	Red		Facilities Management	There has been no progress on this project.

Status			Project	Corrective Action
Q1	Q2	Q3		
Red			Procurement Back Office	An improvement plan has been developed with the Corporate Procurement Board with progress to be reported monthly. It is unlikely the £0.2m saving will be achieved by March 2012.

Performance against indicator(s):

The following indicators have missed their quarter one targets and are therefore assessed as **red** or **amber**:

Portfolio	PI no	Title	2011/2012			On target	Direction of travel
			Q2 Status	Q3 Target	Q3 Actual		
Finance and Best Value	DEPT 2111	Percentage of Council Invoices from all suppliers paid within 30 days.	Red	95%	87.72%	Amber	n/a
Corrective Action:	Improvement Plan agreed with Corporate Procurement Board input, individual departmental performance reports to be provided to Board and to Payments Performance Group to progress and report on process no compliance issues and to implement correct action. Performance improvement targeted in February / March 2012 reports.						
Performance Analysis:	This missed the quarter one target by 8.43%, the quarter two target by 10.85%, and the quarter three target by 7.28%. It is forecast to miss the year end target by 5%.						

Portfolio	PI no	Title	2011/2012			On target	Direction of travel
			Q2 Status	Q3 Target	Q3 Actual		
Finance and Best Value	DEPT 2112	Percentage of Council Invoices from SMEs paid within 10 days.	Red	60%	40.77%	Red	n/a
Corrective Action:	Improvement in 10 Day performance will have a positive impact upon this PI and target expected to be achieved at year end.						
Performance Analysis:	This missed the quarter one target by 14.26%, the quarter two target by 25.94%, and the quarter three target by 19.23%. It is forecast to miss the year end target by 10%.						

Portfolio	PI no	Title	2011/2012			On target	Direction of travel
			Q2 Status	Q3 Target	Q3 Actual		
<i>Finance and Best Value</i>	DEPT 2099	Percentage financial assessments completed within 30 working days.	Red	85%	38%	Red	n/a
Corrective Action:	<p>The review of the Care and Financial Assessment process within DASS is progressing but has experienced some delay. It is estimated revised processes will be launched in February 2012.</p> <p>There have been some difficulties at the start of the assessment process in that Financial Assessments have not been allocated to staff. This is primarily because Team Leaders are spending a significant amount of time implementing the Civica document management system, which will provide long term efficiencies, but producing a bottle neck in the short term.</p> <p>All temporary resources have been agreed with effect from 9 January 2012 to help clear the Financial Assessment backlog and further resources allocated of clearing the initial bottleneck.</p>						
Performance Analysis:	This missed the quarter one target by 45% and the quarter two target by 73%, and is forecast to miss the year end target by 10%.						

Resource implications

There are no significant budgetary issues to raise at present. However there are a number of volatile areas which require close monitoring. These include asset management costs and the savings from the rationalisation of buildings, achievement of procurement savings and treasury management activities.

The DCLG approval of the capitalisation of statutory redundancy costs has increased the capital programme by £3 million (with a further £1 million relating to schools) Expenditure within other areas of the programme remains low as a significant element of the agreed programme relates to works connected with the release of building assets.

Future challenges and risks

A robust response to the critical report into corporate governance is required to ensure the Council provides services to the community in an appropriate and open manner, that future inward investment into Wirral is not jeopardised, and to prevent damage to our reputation.

The council has accepted the report and has established a Cabinet sub-committee with a specific mandate to drive improvements and tackle issues raised within the report. The following has taken place in response:

- A comprehensive programme of work was established to strengthen corporate governance.
- Action plans for key lines of enquiry covering significant areas were agreed by the Corporate Governance Committee in October 2011 with actions to be implemented before April 2012.
- A series of communication events have been planned for December and January.

To deliver services to meet the needs and wants of our citizens and businesses, report to Cabinet on the outcomes of the significant consultation processes in respect of Neighbourhood Plans and in relation to the You Choose Budget Consultation have been used to help identify priority areas and suggestions for improvement.

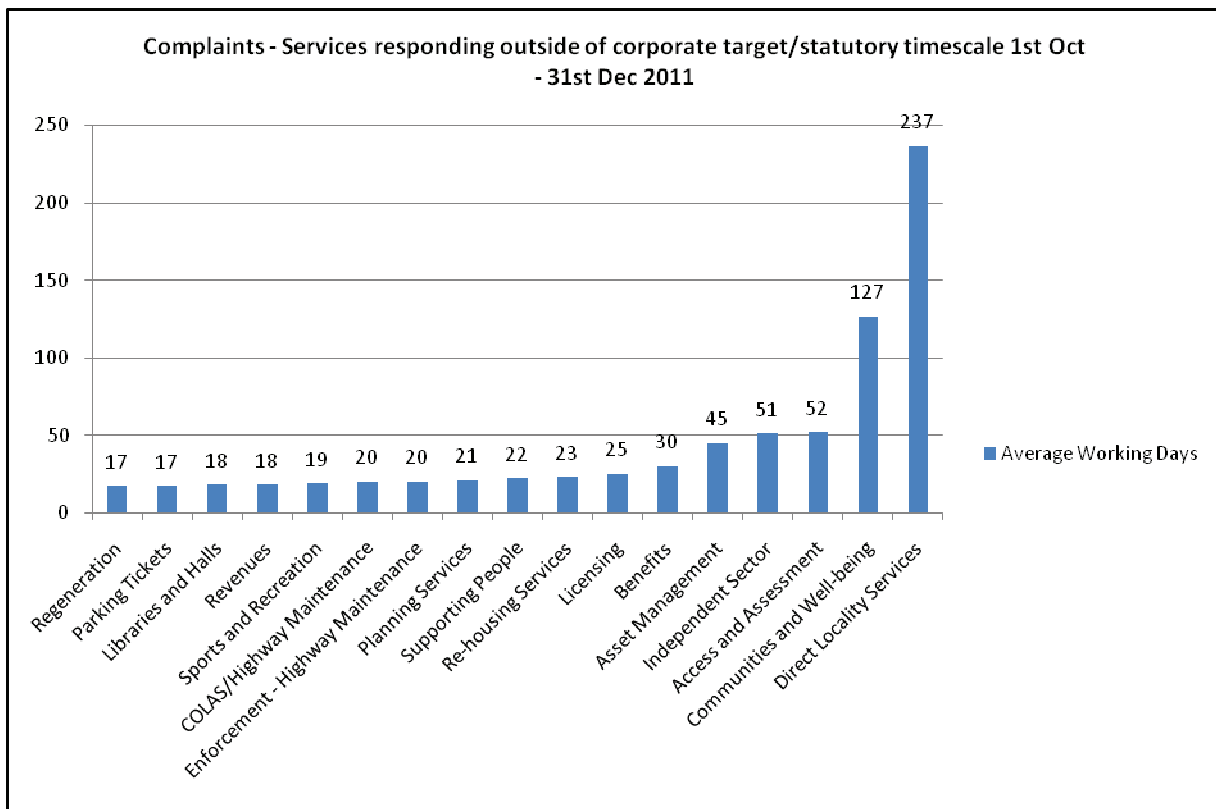
4.7 Customer Feedback

4.7.1 There were a total of 1,301 customer feedback contacts recorded in quarter 3 (Q3), which represented a negligible change from Q2 and is still significantly below the quarterly average of 1,656 reported in 2010/11.

4.7.2 By channel, internet and email was used for 68% of all contacts representing a third consecutive quarterly increase in this channel's usage (64% in Q2 and 57% in Q1).

4.7.3 Compared to Q2 there was a minimal change in the numbers of complaints and councillor/MP contacts received.

4.7.4 There was a third consecutive quarterly increase in the average response rate for complaints with an average of 16 working days taken to respond to complaints in this quarter (15.5 working days in Q2 and 11 working days in Q1). The corporate target to respond is 15 working days. Services with complaints responded to outside of targets:



- DASS report an on-going issue with resources to investigate and respond to complaints; the Direct Locality Services complaint (237 working days) was a particularly complex historical investigation which limited resources again affected the ability of the service to respond within a reasonable time.
- The Asset Management (LHRAM) average of 45 working days referred to a single complaint which covered a number of historical issues requiring significant investigation.
- Finance report similar resource issues and complexities of stage 2 complaint investigation (Benefits), requiring liaison with external agencies affecting response times.

4.7.5 Responses to councillor/MP enquiries took on average 8 working days in Q3 compared to 6 working days in Q2. The corporate target is 10 working days. DASS reported an average of 13 working days (a significant improvement on 23 working days reported in Q2) and LHRAM took an average of 12 working days to respond.

4.7.6 Local Government Ombudsman (LGO) contacts took slightly longer to respond to in Q3 with an average of 17 calendar days taken compared to 15 calendar days in Q2 and 14 calendar days in Q1. The standard response target is 28 calendar days. Finance and Technical Services took the longest to respond to LGO contacts, taking an average of 27 and 21 calendar days respectively.

4.7.7 The focus for complaints and wider customer feedback is 'putting things right and learning from it' with the following departments reporting some positive organisational learning during this quarter:

- CYPD 6%
- Technical Services 5%
- RHP 3%

4.7.8 Examples of organisational learning reported in Q3:

- Review of CCTV coverage in leisure centre to minimise reports of anti-social behaviour
- Implementation of additional training for staff at a leisure centre in response to safeguarding issues raised
- Increased frequency of street cleansing in response to complaints received
- Erection of dog fouling signs in local park to deter fouling in response to complaint
- Website information reviewed and amended in response to customer suggestion

5.0 **RELEVANT RISKS**

- 5.1 The successful implementation of actions to deal with issues arising from the report into Corporate Governance issues remains a key priority. There remains a key risk in ensuring issues arising are dealt with in a timely and appropriate manner.
- 5.2 Enhancements to corporate risk management arrangements and procedures continue to be examined. The Risk Management strategy over the medium term will provide a framework and processes which are in accordance with the latest British Standard for Risk Management. To achieve this, 'a gap analysis' has been undertaken to identify actions required for improvement.
- 5.3 The Corporate Risk Register has been evaluated and added to by the Executive Team during the quarter. Progress in mitigating actions has been included within the relevant sections above.

6.0 **OTHER OPTIONS CONSIDERED**

- 6.1 Not applicable

7.0 **CONSULTATION**

- 7.1 Consultation in relation to the draft Corporate Plan engaged individuals and organisations from across Wirral's diverse communities and this is reflected in the Corporate Plan.

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

- 8.1 The Corporate Plan sets out commitments and clear actions in relation to working with voluntary, community and faith sector organisations to improve outcomes for local people.

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

- 9.1 The Council Budget 2011/12, Schools Budget 2011/12 and Capital Programme 2011/13 have been agreed and support the delivery of the Corporate Plan. Resource implications relating to the delivery of actions in the Corporate Plan have been set out in individual departmental plans. Further details are contained in Appendices 2, 3 and 4 which are placed within the Library.

- 9.2 The projected general fund balance at 31 March 2012 is £9.7 million as shown below

Details	£million	£million
Projected General Fund balance at 31 March 2012 when setting the budget for 2011/12		6.9
Cabinet decisions		
17 March – Fernleigh retained		-0.5
2 June – New Homes Bonus/ Local Services Grant		+0.5
23 June - Financial out-turn 2010/11 showed a net increase in the balance of £1 million after meeting a net revenue overspend of £1.5 million		+1.0

23 June - Integrated Transport Unit additional funding		-0.3
23 June - EVR/VS scheme funded as part of 2010/11 thereby releasing the requirement to fund in 2011/12.		+4.4
21 July – Social Services Re-provision		-3.5
21 July – National Insurance changes		-1.0
21 July – Support for School Pay		-0.2
22 September – Independent Review		-0.3
13 October - Capitalisation of Statutory Redundancy Payments		+2.7
Projected variances / potential overspends		
None declared although pressures identified at the end of September 2011 within:		-
- Adult Social Services	£6.8 million	
- Children and Young People	£1.6 million	
- Regeneration, Housing and Planning	£0.5 million	
General Fund balance at 31 March 2012 based upon the latest projections		9.7

9.3 The Adult Social Services Children and Young People and Regeneration, Housing and Planning Departments have highlighted pressures on their departmental budgets. Any subsequent overspend would impact upon the general fund balances.

9.4 The capital programme is summarised below:

Spend	Original Approval £000	Revised Approval £000	Forecast Sep £000	Forecast Dec £000
Adult Social Services	1,154	2,943	2,943	2,943
Children & Young People	25,889	32,290	24,444	22,953
Regeneration, Housing & Planning	5,181	18,037	13,488	12,571
Finance	1,000	6,728	3,671	6,728
Law, HR and Asset Mgt	8,163	8,879	8,779	8,879
Technical Services	7,872	11,564	11,564	11,564
Total Programme	49,259	80,441	64,889	65,638

Resources	Original Approval £000	Revised Approval £000	Forecast Sep £000	Forecast Dec £000
Borrowing	15,905	32,584	22,819	27,337
Capital Receipts	3,000	3,000	3,000	3,000
Revenue, reserves, contributions	300	2,394	1,434	1,434
Grants - Education	23,441	22,703	21,536	19,084
Grants - Integrated Transport	1,155	1,155	1,155	1,155
Grants - Local Transport Plan	3,095	3,095	3,095	3,095
Grants - Other	2,363	15,510	11,850	10,533
Total resources	49,259	80,441	64,889	65,638

9.5 The outturn forecast for the 2011/12 capital programme has slightly increased since quarter 2. This is mainly due to the additional approval granted following the receipt of permission from the DCLG to capitalise statutory redundancy payments. There has been some re-profiling of schemes within CYP and Regeneration, Housing and Planning.

9.6 Progress continues to be made on a number of schemes including those at Pensby and Cathcart Primaries which is nearing completion. Willowtree the Children's Home from home based at the former Rosclare site opened in December The Landican Crematorium Mercury Abatement building works programme continues as does work on the Town Link Viaduct in Birkenhead.

10.0 LEGAL IMPLICATIONS

10.1 Legal implications relating to the actions set out in the Corporate Plan will be addressed by departments as appropriate.

11.0 EQUALITIES IMPLICATIONS

11.1 The Corporate Plan has a clear focus on supporting those who are disadvantaged, including the delivery of specific services and through ensuring that all of Wirral's diverse communities are equally able to access services.

11.2 Equalities implications relating to the actions set out in the Corporate Plan will be addressed by departments as appropriate, and details set out in individual departmental plans. This work is also monitored by the Corporate Equalities and Cohesion Group and the Council Excellence Overview and Scrutiny Committee.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 Carbon reduction is a specific goal in the Corporate Plan, with associated actions and measures as set out in the agreed Interim Carbon Budget 2011-12. Any carbon reduction implications have been identified in Section 4 of this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 Planning and Community Safety is a specific goal in the Corporate Plan, with associated actions and measures. Any planning and community safety implications have been identified in Section 4 of this report.

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APPENDICES

To be placed in the web library:

Appendix 1 – Financial Monitoring Summary

Appendix 2 – Capital Monitoring Summary

Appendix 3 – Corporate Risk Monitoring Summary

REFERENCE MATERIAL

Previous Council and Cabinet reports as detailed in the subject history below

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
CABINET – 2011/12 Q2 Performance and Financial Review	03 November 2011
CABINET – 2011/12 Q1 Performance and Financial Review	21 July 2011
CABINET - Delivering the Corporate Plan	17 April 2011
COUNCIL - Adoption of Corporate Plan 2011-14	14 April 2011
CABINET - Draft Corporate Plan for 2011-14	17 March 2011

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	OFFICE RATIONALISATION
WARD/S AFFECTED:	ALL
REPORT OF:	THE DIRECTOR OF LAW, HR & ASSET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ADRIAN JONES (CORPORATE RESOURCES)
KEY DECISION	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks decisions to guide further rationalisation of the Council's administrative accommodation. It reviews progress made to date and seeks confirmation of the strategy that has been developed over the past three years as a basis for further decisions on the retention or vacation and disposal of individual buildings.
- 1.2 The report draws upon lessons learned from work to date and considers the likely context within which further rationalisation will be required. It reviews the current stock of 'core' administrative accommodation, makes recommendations to vacate specific buildings and seeks a decision on options for the further vacation of core administrative buildings.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that:
- 2.2 Progress to date in vacating and disposing of administrative accommodation be noted.
- 2.3 The principles guiding rationalisation and workplace design set out in this report be confirmed as the basis for planning and implementing the vacation of buildings and the intensified use of remaining administrative accommodation.
- 2.4 Those buildings listed in Appendix B be retained for use as administrative accommodation and the Director of Law, HR & Asset Management be instructed to report to a future meeting of Cabinet with an action plan for their improvement
- 2.5 Liscard Municipal Building, Bebington Town Hall and Bebington Town Hall Annexe be vacated, declared surplus to the future needs of the Council, demolished and the sites cleared pending future proposals for their re-use
- 2.6 The former Birkenhead Town Hall be re-used in part to provide office accommodation for the Council, within an overall facility that provides meeting and events space and supports community and cultural use.
- 2.7 An initial series of building works and staff moves be undertaken as proposed in section 4.6.10 of this report

- 2.8 That Cabinet identifies its preferred option for the vacation of a further core building or buildings and instructs the Director of Law, HR and Asset Management to take the necessary action to implement the preferred option.

3.0 REASONS FOR RECOMMENDATIONS

- 3.1 To establish an agreed basis for the further rationalisation of the Council's administrative buildings and provide a consistent corporate framework for future office design to maximise building efficiency.
- 3.2 To set out an agreed programme of building reduction and a confirmed list of retained buildings so that planned investment can be made in their improvement.

4.0 BACKGROUND AND KEY ISSUES

4.1 Background and achievements to date

- 4.1.1 On 9 July 2008 Cabinet considered a report on its built estate that identified the need for a thorough and comprehensive review of all administrative buildings. It was noted at that time that consideration should be given as to whether a business case existed to replace existing office accommodation with a new purpose built facility.
- 4.1.2 Between 2008 and 2011 five buildings have been sold. These are Beechcroft, Bridge Court, 4 Cavendish Road, 19 Heath Road and Westminster House. A further six are currently being vacated and prepared for sale or potential re-use. These are Esher House; 4 Rocky Lane, Heswall; Liscard Municipal Building; Oakenholt, Moreton; The Old Courthouse and Willowtree. Approximately 674 staff will have been relocated in the process of vacating these buildings.
- 4.1.3 £1.68m has been raised in capital receipts with consequent savings in annual running costs and future costs of repairs that the Council would otherwise have had to incur for these buildings.
- 4.1.4 The major sale was that of Westminster House. This required the relocation of some 347 staff; produced a capital receipt for the Council of £1.025m and will result in gross annual revenue savings of £350,000. In addition the Council will avoid the need to address a backlog of repairs to the building and future life cycle repairs that were estimated to cost £95,500 and £655,500 respectively.
- 4.1.5 This period has also seen co-location of Council staff with healthcare staff in health service premises where appropriate, and further development of arrangements for locality working. In this respect a new base for locality staff has been completed in a retained facility at Pensby Park, which is allowing the vacation and disposal of other buildings. Where appropriate, opportunities have been taken to increase agile working for those staff being relocated.

4.2 Development of a strategy

- 4.2.1 A strategy for office rationalisation has been developed over the period of review, strongly influenced by changing circumstances.
- 4.2.2 To consider the case for new, purpose-built accommodation, specialist external consultants were commissioned to develop a business case for the Council's future office needs. It was reported to Cabinet in June 2010 that the business case recommended a 'mixed' solution for future provision as the preferred option. This was based on the retention of a small number of existing 'core' buildings with investment in their fabric for the long term, supplemented by new-build accommodation. The business case emphasised the need to deal with the backlog of repair and maintenance across the estate and to adequately fund future maintenance.
- 4.2.3 Cabinet endorsed the recommended approach in principle but recognised that further work was required to refine alternatives.
- 4.2.4 Subsequently, the financial environment for the Council has worsened significantly. With a change of national government in 2010 a review of public spending resulted in funding reductions that affected the Council. The budget projections for 2012/13 presently indicate a shortfall of £25m and, over the period 2012/15 the gap is over £85m. This reduction in public sector funding has combined with the recession and lack of economic activity in the local property market to limit the Council's ability to radically change its administrative accommodation base.
- 4.2.5 The Council has also been going through a period of organisational change and contraction. Together with potential service changes this means that the Council's future accommodation requirements remain unclear and further change is anticipated.
- 4.2.6 Since the consideration of the business case and as a result of the pressures for change affecting the Council and its services a strategy has been developed for rationalisation based on the following principles:
- The Council will not pursue options for new-build accommodation in the short to medium term (up to five years) given financial and other constraints facing the Authority. The option will be further reviewed at the end of that period. The only exception to this will be where an opportunity is presented by external market interest that can be shown to deliver service improvement and reduced costs to the Council.
 - The Council will rationalise its corporate administrative accommodation by contracting its use of office space within an identified core group of buildings
 - In exceptional circumstances office space may be taken within accommodation occupied by a partner organisation where this facilitates efficient working and releases accommodation elsewhere
 - The Council will invest in the repair and improvement of retained buildings from within currently available budgets (repair and maintenance and agreed capital programme)
 - The Council will take account of opportunities presented by the external market or by its strategic partners in prioritising buildings for disposal

- The priority for the rationalisation programme is the achievement of annual revenue savings from the cost of occupying office space, rather than the achievement of capital receipts
- The Council's corporate headquarters will be Wallasey Town Hall
- The Council will consolidate its office accommodation in Wallasey and in Birkenhead town centre, seeking to maximise operational efficiencies and cost savings by co-locating staff, operating from the minimum number of buildings and vacating outlying buildings
- The Council will seek to drive forward agile working wherever practical within available resources to increase the efficient use of buildings, reduce the need for office space and modernise working arrangements
- Where appropriate staff will be based in localities rather than in central offices. In such cases the presumption will be that agile working is maximised.

4.2.7 Relocation of staff and the intensification of building use will be based on a corporate approach to workplace planning which has been agreed by Chief Officers. This will be underpinned by the following principles and standards, which will be applied consistently across all departments:

- In any alteration of existing workspaces and in new provision, open plan offices will be provided. There will be no individual offices below the level of Departmental Management Team members
- In designing new areas adequate provision will be made for shared meeting rooms, breakout space, confidential space for meetings, 'phone calls etc.
- Use of floor areas will be designed for maximum efficiency, with an overall target level for space occupancy of 10 sqm per person in converted or old buildings and 7.5 sq.m. per person in modern purpose built offices
- Where agile working can be introduced the minimum target ratio of people to desks will be 8 desks to every 10 persons.
- A corporate standard will be adopted for workstation provision
- Existing furniture will be re-used where appropriate with new furniture provided where this is necessary to maximise the efficient use of space.

These principles have been discussed at and endorsed by Executive Team. Chief Officers are of the view that the optimum solution for the Council's future administrative accommodation would be delivered through new-build and the vacation of existing space. Pursuing new-build would also give the Council the opportunity as an occupier to underpin new development and 'kick-start' regeneration activity. It is recognised however, that a new-build approach would be difficult at the present time, given the Council's circumstances. Cabinet's views on this issue are sought.

4.2.8 Subject to any amendment arising from the approach to new-build accommodation, it is recommended that the principles set out above be confirmed as the basis for planning and implementing further office rationalisation

4.3 The Context for further rationalisation

- 4.3.1 Further change is anticipated over the coming years in the delivery of Council services. The Council's Strategic Change Programme will improve efficiency in a number of areas but will take a considerable time to reduce requirements for office space. Given pressure to see an early reduction in building stock potential project outcomes will therefore not be taken into account in current planning for space rationalisation.
- 4.3.2 Significant reductions in space usage should be obtained through a corporate approach to workplace change, of which building and accommodation change will be a component. Such an approach would be expected to be driven from the Council's Strategic Change Programme and would deal on a corporate basis with the development of agile working. In the absence of such a programme agility will be addressed and prioritised within existing limited resources where staff are moved within a building-led rationalisation programme.
- 4.3.3 The Council's ICT Strategy provides for the development of systems and corporate infrastructure to support office rationalisation, with identified funding for both infrastructure and desktop equipment. ICT staff are working closely with those from Asset Management to deliver agreed changes. This was shown to greatest effect in the successful relocation of staff from Westminster House. To avoid the pace of change being constrained by current staff resources within IT Services prioritisation of the ICT work-plan is required. This will be addressed as plans develop and any implications reported to members.
- 4.3.4 No significant opportunities to share core administrative buildings with partners have been identified, although discussions around locality working are continuing. It is intended to pursue discussions with partners to seek opportunities for shared property use in the future but, in the meantime, to proceed with the rationalisation of the Council's core accommodation independent of others.
- 4.3.5 The local commercial property market is currently very weak, with constraints on development funding and an absence of speculative development. Given the national economic situation these circumstances are unlikely to change in the short to medium term. Even in the current conditions however there are some end-users seeking sites that fit their criteria. When acting as purchasers or tenants they will enable a developer to secure funding, and such end users may provide opportunities for the disposal of certain Council assets (as was the case with Westminster House). Any such interest will be pursued and will be taken into account in recommendations for the retention or disposal of buildings.

4.4 Lessons learned

- 4.4.1 Implementation of the first stage of rationalisation has highlighted issues from which lessons can be learned to inform the next steps in the programme. These include the following:
- Ambitions for the next phase of rationalisation need to be realistic having regard to available resources. The vacation of Westminster

House demonstrated that such an exercise can be carried out relatively quickly, given appropriate prioritisation and the commitment of resources. However the next stages of rationalisation will be addressed by a reduced workforce that will face increased pressures to support service change and modernisation. Capacity within the wider project team – including IT Services and support for business change – is limited. If greater speed is required substantially increased resources will be necessary.

- To maximise the use of a reduced number of buildings further financial provision will need to be made to address building condition on a phased basis. There is a substantial repair and maintenance backlog across all administrative accommodation with the exception of the rented space at Old Market House.
- Staff should be moved out of accommodation before significant alteration and upgrading work takes place. Intensified use of office space will require accommodation works to be undertaken. These may include significant internal remodelling (removal of walls etc) and upgrading of ICT and power infrastructure. Experience has shown that doing such work whilst accommodation is occupied is difficult for both staff and contractors. It also increases the complexities of managing the work, and the associated risks (particularly where asbestos and other hazards are present).
- Some double moves of staff will be required within a large scale rationalisation programme, although every effort will be made to move staff once into their new location.
- Agile working will be driven by changes in working practices. Whilst desirable to support office rationalisation it requires substantial resources to implement and commitment from management and staff to achieve. The current approach to delivering agile working is driven by closure of buildings or by individually identified needs that are agreed on a case-by-case basis. As noted above, in the absence of an overall corporate approach to the transformation of work styles the office rationalisation project will continue to focus available resources to deliver agility where appropriate to services in buildings that have been identified for closure.
- New furniture will be required in many cases to make the most efficient use of space, although existing furniture will be reused where possible.

4.5 The current position

4.5.1 The core group of administrative buildings now in scope for the rationalisation project is listed in Appendix A. This list identifies the proposed treatment of buildings (retain/vacate/review) which is expanded upon below.

4.5.2 Appendix A also indicates the current position in terms of the occupancy of those buildings, taking account of the recent voluntary retirement and severance exercise and recent staff moves. The figures show average overall space occupancy of 15.6 sqm. per person. Whilst office space is now less densely occupied, that under-occupation is spread in 'pockets' across all buildings. To achieve a further reduction in building numbers in the short to medium term it will be necessary to relocate large groups of staff – sometimes with a requirement for double moves – to vacate a whole building or buildings.

4.6 The Way Forward

- 4.6.1 Certain buildings are identified at this stage for retention by the Council. Further information on these is given at Appendix B. Appendix B also identifies key issues to be addressed in those buildings, and notes their maintenance backlog and energy performance.
- 4.6.2 It is recommended that the retention of the buildings listed in Appendix B be confirmed and the Director of Law, HR & Asset Management be requested to develop an action plan for their improvement and to report to a future meeting of Cabinet with proposals. That action plan should be underpinned by the principles that use of the building will be intensified wherever possible, backlog maintenance will be addressed, energy efficiency improved and CO2 emissions reduced. In view of the extent of the identified maintenance backlog it is further recommended that a bid be submitted in due course for inclusion in the future capital programme to support improvement and more intensive use.
- 4.6.3 For the remaining buildings already identified for disposal in Phase 1 of the rationalisation project (The Old Courthouse and Willowtree) work is proceeding to relocate staff.
- 4.6.4 In respect of the Professional Excellence Centre (PEC) at Acre Lane, the business case considered by Cabinet in June 2010 recommended that further consideration be given to the future of this facility in a later stage of the accommodation review programme and through a separate and specific review. The Acre Lane facility is costly to run and has a substantial repair backlog.
- 4.6.5 With the vacation of the former Rock Ferry High School buildings the opportunity has arisen to consider whether this site would be appropriate for the relocation of the PEC. External consultants have been engaged to advise on this. They have also been asked to consider whether the PEC could be relocated to use the Council's Bebington Complex of buildings or the Conway Centre. This work is in progress, but early feedback is that relocation to the separate Council buildings at Bebington is not a viable option as there is insufficient accommodation that could be suitably configured to meet service needs.
- 4.6.6 Further information is given at Appendix C in respect of Liscard Municipal Building, Bebington Town Hall and Bebington Town Hall Annexe. Whilst these buildings have been provisionally identified for vacation in Phase 2 of the rationalisation project confirmation is now sought that they should be vacated, declared surplus to the Council's requirements and demolished pending an agreed future use for the sites.
- 4.6.7 Decisions in respect of Appendices B and C leave the following properties for further consideration:
- Pennant House – together with the associated buildings Mayer Hall and 65 The Village referred to as the Pennant House Complex
 - The former Birkenhead Town Hall
 - Hamilton Building
 - Finance Municipal Building
 - North and South Annexes, Wallasey

4.6.8 A special meeting of the Bebington and Clatterbridge Area Forum took place on 6 December 2011 to discuss these buildings. Options for their future will be further discussed at the next Area Forum Meeting on 7 February 2012 and a separate report on these buildings will be brought to a future Cabinet meeting.

4.6.9 Birkenhead Town Hall, is dealt with in Appendix D. There remains a need to find a sustainable future use for the former town hall, not only to bring a significant historic asset back into use but also to support the regeneration of Hamilton Square. On balance it is therefore recommended that the former town hall be re-used in part to provide office accommodation for the Council, within an overall facility that provides meeting and events space and supports community and cultural use.

4.6.10 By way of further action, It is recommended that – in addition to the building closures identified earlier in this report - an initial series of building works and moves be undertaken that will result in the vacation of the South Annexe. This will then provide the starting point for the implementation of a preferred option for the closure of a further building or buildings.

The initial series of building works and staff moves to be undertaken will be as follows:

Action	Comments
Refurbish and upgrade first floor accommodation in Birkenhead Town Hall.	Rationale and costs set out in Appendix D.
Move Regulatory Services from Wallasey Town Hall	If Birkenhead Town Hall is used parking will need to be made available to allow for the mobile nature of the service.
Refurbish second and third floor accommodation in Wallasey Town Hall	Partitions to be removed to allow more intensive use of space, together with upgrading of power and ICT cabling
Relocate HR staff from South Annexe to refurbished accommodation in Wallasey Town Hall	New accommodation will be used as far as possible on an agile basis. South Annexe will then be vacant, from which point a preferred option for building vacation can be implemented.

4.6.11 Consideration then needs to be given to the remaining buildings – Hamilton Building, Finance Municipal Building and the North and South Annexes. The closure of one or more of these core buildings would significantly reduce the amount of accommodation occupied, running costs incurred and maintenance costs to be addressed. Options together with estimated costs are set out in Appendix E.

4.6.12 In the cases of options 1, 2, 3, and 5(a) it is estimated that the cost of borrowing to fund the necessary capital works would cancel out any revenue savings to be made.

4.6.13 Option 4 would deliver the greatest reduction in floor space, but considerable further work would be required to confirm and bring forward any market interest in Hamilton Building. The future of this building will also need to be

considered in the context of wider development and regeneration opportunities in Birkenhead Town Centre. In addition there are uncertainties as to the future service and staffing requirements affecting Hamilton and Finance Municipal buildings. For these reasons it is suggested that the issues and opportunities affecting these two buildings should be further explored, but that potential closure of one or both buildings is seen as a medium to long term option.

4.6.14 Option 5 (b) shows the biggest estimated net revenue savings, with no requirement to fund the capital refurbishment of the North and South Annexes. Accommodation will need to be identified and prepared for the relocation of the Regeneration, Housing & Planning department.

4.6.15 The final decision on the location of that department may depend on service and staffing changes that take place in other buildings. Timing of the move may also depend on any preparatory works required. In the meantime, and on the basis that the South Annexe would ultimately be demolished, it would be possible to temporarily locate Regeneration, Housing & Planning in a vacated South Annexe with minimal preparatory works and on the basis that the asbestos within the building continued to be managed in line with existing arrangements.

4.6.16 If both Annexes were demolished in a single contract the Council would expect to secure a more favourable price from contractors than if it dealt with them separately. The amount of any such saving would be quantified through a tender process. Continued temporary use of one of the Annexes would forego such a saving. There would also be some additional costs in a double move.

4.6.17 Pursuing option 5(b) would produce a programme of short, medium and long term actions. An indicative programme is summarised in the following table:

Timescale	Actions
Short (0-2 yrs.)	<ul style="list-style-type: none"> • Complete improvements to access and means of escape in Wallasey Town Hall • Vacate and demolish Liscard Municipal, Bebington Town Hall and Bebington Town Hall Annexe • Complete sequence of moves to vacate and demolish North Annexe • Agree a preferred option for the future of the Pennant House complex
Medium (3-5 yrs.)	<ul style="list-style-type: none"> • Vacate and demolish South Annexe • Agree proposals for greater use of Wallasey Town Hall • Clarify future requirements for Birkenhead buildings and identify further building(s) for vacation

Long (5yrs+)	<ul style="list-style-type: none"> • Review new build option • Vacate and dispose of further building(s) in Birkenhead • Develop and implement exit strategy for Cheshire Lines
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4.6.18 The instructions of Cabinet are required as to the preferred option for further building rationalisation.

5.0 RELEVANT RISKS

5.1 Financial implications are in some cases based on estimated costs which are subject to variation. Figures will be confirmed through competitive quotations and tenders as appropriate and every effort will be made to minimise costs. Costs and savings will be monitored within the office rationalisation project and through the Strategic Change Programme Board.

5.2 Project timescales are subject to variation. The overall rationalisation project will rely on a series of interlinked staff moves, and unexpected problems may arise during buildings works. Delay in one area may affect the timing of other moves, building works etc. This risk will be addressed by the use of appropriate project management and monitoring arrangements.

5.3 Services affected by building closures and office moves may be reluctant to relocate. This will be addressed by effective communication of the reasons for change and resulting benefits; leadership within departments and within the rationalisation project and engagement with affected staff. New accommodation that is provided will also be suitable and fit for purpose.

5.4 Services may be disrupted by the impacts of the rationalisation project. Whilst some double moves of staff may be required every effort will be made to keep these to a minimum. Consultation and engagement with affected staff will try to ensure that service needs and concerns are taken into account where appropriate when planning moves or new accommodation. In addition, major building alterations and repairs will not be undertaken with staff in occupation.

5.5 Staff resources currently assigned to this project are limited and, as a result, the pace of change is restricted. It is proposed to review the existing level of resources and if necessary bring forward proposals for additional support.

6.0 OTHER OPTIONS CONSIDERED

6.1 The option of retaining all of the current stock of administrative buildings has been dismissed. Analysis of their current use shows that the Council is occupying more office space than it needs, and the repair and maintenance backlog is unsustainable.

6.2 The option of retaining office use in the existing Bebington buildings has been dismissed as it is inconsistent with the strategy of consolidating office use in Wallasey and Birkenhead supplemented by the outlying core locations for CYPD at Acre Lane and Solar Campus.

- 6.3 The option of not re-using Birkenhead Town Hall has been considered but on balance has been dismissed. This is because there are considered to be no realistic prospects of commercial re-use in the current market and no sustainable and funded alternative has been brought forward. The alternative to re-use by the Council would be either to 'mothball' the building in whole or in part with the risks that would entail for the building fabric or to invest in its maintenance and repair (given its historic and architectural significance) without deriving any direct benefit from the money spent.
- 6.4 An alternative option for the town hall would be to re-offer the building to the market with a commitment from the Council to meet the costs of outstanding repairs and provide revenue funding to meet running costs. Whilst this may improve the prospects of securing an alternative use the Council would be required to make a substantial and continuing investment in the building but would expect to lose control of it and of the benefits (e.g. income) from its future use.

7.0 CONSULTATION

- 7.1 Detailed consultation will be undertaken with staff whose accommodation is affected by the proposals, and with those services and staff who are required to relocate. The intention will be to minimise disruption to services during change.
- 7.2 A special meeting of the Bebington & Clatterbridge Area Forum on 6 December 2011 considered the proposals for the Pennant House complex, and the matter will be discussed at the next meeting of the Forum on 7 February 2012.
- 7.3 The views of Directors and Service Heads have been taken into account in these proposals. There will be further consultation with Departments in developing the preferred option for building closure(s).

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 8.1 Mayer Hall is used by the voluntary, community and faith sector. Users will be consulted before a final decision is taken on the future of the buildings.
- 8.2 Re-use of Birkenhead Town Hall will provide improved opportunities for use by voluntary and community groups.

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

FINANCIAL IMPLICATIONS

- 9.1 The following provisions have been made in the Capital Programme and are available to support the rationalisation programme in this report:
- ICT Infrastructure £6.0m
 - Wallasey Town Hall – access and fire precautions £1.6m
 - North & South Annexes – refurbishment £2.3m
 - Relocation of Bebington One Stop Shop £1.3m
 - Rock Ferry One Stop Shop – integration with library £0.6m

- 9.2 Scheme and estimate reports will be brought forward separately in each case for building related projects where funding has been allocated.
- 9.3 Savings from the closure and vacation of The Old Courthouse and administrative accommodation within the Willowtree facility have already been taken into account in the Strategic Change Programme.
- 9.4 Closure, vacation and demolition where appropriate of buildings as recommended in this report will deliver estimated net annual revenue savings as follows:

Building	One-off costs of vacation, closure and demolition (where appropriate)	Estimated net annual revenue saving	Estimated future repair & maintenance costs avoided
Liscard Municipal Building	£147,000 *	£70,700 **	£496,320
Bebington Town Hall and Annexe	£231,500 *	£110,200 **	£574,000

* Plus any necessary works to new locations.

** Premises budget 2012/13 less increased annual ICT costs

- 9.5 A policy needs to be agreed to recharge schools for the increased cost of ICT provision where hubs are relocated.
- 9.6 One off costs to deliver building closures and staff relocations will be met in each case from existing budgets, with the costs of ICT infrastructure reprovision being met from the capital provision identified above.
- 9.7 One-off costs to bring vacant space in Birkenhead Town Hall into office use are estimated at £350,000. These will be met from existing asset management budgets and ICT capital provision as above.
- 9.8 Costs and savings arising from further building closures depend on the preferred option and are detailed in Appendix F.
- 9.9 Potential capital receipts have not been considered at this stage. For Liscard Municipal Building, Bebington Town Hall and Bebington Town Hall Annexe demolition of the vacated buildings and retention of the cleared sites is recommended. The same would be the case for the North and South Annexes. Further work would be required to confirm the best approach to disposal if Hamilton and / or Finance Municipal Buildings were to be vacated.

IT IMPLICATIONS

- 9.11 Identified in the report and appendices.

STAFFING IMPLICATIONS

- 9.12 Given agreement of the proposed way forward a review of staffing resources necessary to deliver the proposed programme will be undertaken to identify any additional resources required. If additional resources are considered necessary approval of their provision will be requested through the Strategic Change Programme Board.

- 9.13 Consultation will be undertaken with staff who are relocated as a result of the rationalisation programme.
- 9.14 The proposed programme allows for building and refurbishment works to be undertaken when accommodation is vacant, minimising the impact on and risks to staff.

ASSET IMPLICATIONS

- 9.15 Dealt with in the body of the report.

10.0 LEGAL IMPLICATIONS

- 10.1 None arising directly from this report.

11.0 EQUALITIES IMPLICATIONS

- 11.1 An Equality Impact Assessment is required for the office rationalisation programme. Whilst an initial overall assessment was completed this will need to be reviewed and updated when the rationalisation programme is confirmed.
- 11.2 Individual assessments will be carried out for each phase of rationalisation.

12.0 CARBON REDUCTION IMPLICATIONS

- 12.1 The vacation and demolition or disposal of administrative buildings will help deliver the Council's Carbon Budget by reducing its CO2 emissions.
- 12.2 Consolidating accommodation in Wallasey and Birkenhead will reduce business travel and CO2 emissions from officers travelling between different locations. Further reductions in emissions from business travel may be delivered from increased agile working.
- 12.3 The North and South Annexes have been identified as locations for Solar PV installations within the scheme approved by Cabinet on 1 September 2011. If the Annexes are demolished alternative sites will be identified from a reserve list of buildings.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 13.1 In the Council's adopted Unitary Development Plan (UDP), Liscard Municipal Building is within a Primarily Commercial Area adjacent to Liscard Town Centre, where redevelopment for town centre uses falling within Class A1 (Shops), Class A2 (Financial and Professional Services), Class A3 (Food and Drink, now sub-divided into A3 (Restaurants and Cafes), A4 (Drinking Establishments) and A5 (Hot Food Takeaways)), Class B1 (Offices) and Class D1 (Non-residential institutions) is appropriate subject to criteria. However, the Central Liscard Area Residents' Association intends to prepare a Neighbourhood Development Plan for Central Liscard, which may supersede the policies of the UDP in this location, such that other uses may be appropriate.
- 13.2 Bebington Town Hall and Bebington Town Hall Annexe are similarly within a Primarily Commercial Area in the UDP, adjacent to an existing shopping

centre. There is no current Neighbourhood Development Plan for the Bebington Municipal complex and therefore no proposed alternative use for the sites through the Development Plan system. However, given the area, there may be potential interest for housing redevelopment, as has already occurred at the south of the Commercial Area adjacent to Church Road. Whilst any planning application would be considered against the Development Plan, other material considerations might apply. At present these material considerations include the Council's Interim Planning Policy for New Housing Development, which restricts new housing development outside the Council's priority areas and limits the potential of sites in Bebington for new housing development.

- 13.3 The Old Court House in Liscard and Willow Tree Resource Centre in Moreton are both within the Primarily Residential Area, subject to Policy HS4 (addressing residential redevelopment) and Policy HS15 (addressing small-scale non-residential uses). In addition, Willow Tree is subject to the restrictions imposed by the Council's Interim Planning Policy for New Housing Development.
- 13.4 Of the review sites status in the UDP, Hamilton Building is within a Primarily Residential Area adjacent to Birkenhead Town Centre (subject to Policy HS4 and Policy HS15). The Finance Municipal Building is within a Primarily Commercial Area and within 100 metres of the Hamilton Square Conservation Area.
- 13.5 The North and South Annexes at Wallasey Town Hall are within the Primarily Residential Area but demolition and redevelopment should be considered against the need to preserve those elements of the setting of the Grade II listed building assets of Wallasey Town Hall and The Brighton Public House, that make a positive contribution to, or better reveal the significance of the asset. Any proposals will be considered against UDP Policy CH1 (Development Affecting Listed Buildings and Structures).
- 13.6 Pennant House is within the Primarily Residential Area in the Council's UDP, as is the built area of the Acre Lane complex. However, both of these sites are subject to the Council's Interim Planning Policy for New Housing Development, which restricts new housing development. Land to the south of Acre Lane is also identified as Urban Greenspace, subject to Policy GR1 (The Protection of Urban Greenspace) and national policy on the protection of sports fields from development. Land and buildings surrounding Pennant House are currently being assessed for their wider heritage value.
- 13.7 The heritage value of Birkenhead Town Hall (which is listed Grade II* but set within the context of Hamilton Square's Grade I listed terraces) is reflected in the assessment of options in Appendix D to this report. Any proposals for works to Birkenhead Town Hall will be considered against UDP Policy CH1 and national policy for heritage assets.

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APPENDICES

Appendix A - Buildings in Scope

Appendix B - Buildings to be retained

Appendix C - Buildings where vacation and demolition is to be confirmed

Appendix D - Birkenhead Town Hall

Appendix E - Buildings where a decision is required on future retention or disposal

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet – Office Accommodation	24 June 2010
Cabinet – The Former Birkenhead Town Hall	22 July 2010
Cabinet – Office Rationalisation	25 November 2010
Council Excellence Overview & Scrutiny Committee – Office Rationalisation and Agile Working	31 January 2011
Cabinet – Capital Programme & Capital Funding	21 February 2011
Council Excellence Overview & Scrutiny Committee – Office Accommodation Update Report	12 July 2011
Council Excellence Overview & Scrutiny Committee – Office Rationalisation - Update Report	15 September 2011
Council Excellence Overview & Scrutiny Committee – Office Rationalisation and Agile Working	17 November 2011

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BUILDINGS IN SCOPE

Building	Departments in Occupation	Net Internal Area (m2)	Staff Numbers	Area Occupied Per Person (m2)	Recommended Treatment – Retain, Vacate/Dispose, Review
Hamilton Building	CYPD	2,881	207	13.9	Review
Conway Building	CYPD Finance DASS Regeneration, Housing & Planning	2,952	59 32 11 29	22.5	Retain
Treasury Building	Finance	2,709	222	12.2	Retain
Finance Municipal	Finance District Audit	2,645	249 15	10	Review
Wallasey Town Hall	Chief Executives Office Regeneration, Housing, & Planning Law, HR & Asset Management	3,741	3 24 107	27.9	Retain
North Annexe	Regeneration, Housing & Planning	1,445	124	11.7	Review
South Annexe	Law, HR & Asset Management	1,493	84	17.8	Review
Liscard Municipal	CYPD DASS Law, HR & Asset Management	1,516	52 35 5	16.5	Vacate/Dispose
Moreton Municipal	Law, HR & Asset Management DASS Finance	696	2 7 10	36.6	Retain
Rock Ferry Centre	CYPD DASS Law, HR & Asset Management	801	51 52 2	7.6	Retain
Solar Campus – St Marys Building	CYPD	1,902	84	22.6	Retain
Pensby Park	CYPD	TBC	39	TBC	Retain

Building	Departments in Occupation	Net Internal Area (m2)	Staff Numbers	Area Occupied Per Person (m2)	Recommended Treatment – Retain, Vacate/Dispose, Review
Bebington Town Hall	CYPD	1,213	103	11.8	Vacate/Dispose
Bebington Annexe	CYPD DASS	707	31 22	13.3	Vacate/Dispose
Cheshire Lines	Technical Services Finance Law, HR & Asset Management Regeneration, Housing & Planning	3,367	136 69 71 82	9.4	Retain
Girtrell Court	DASS	271	22	12.3	Retain
Old Court House	Law, HR & Asset Management	1,191	53	22.5	Vacate/Dispose
Pennant House	Finance	431	11	39.2	Review
Birkenhead Town Hall	Law, HR & Asset Management	185	16	11.6	Retain
Old Market House	DASS	372	53	7	Retain
Acre Lane	CYPD	6,010	130	46.2	Review
Willowtree	CYPD	272	54	5	Vacate/Dispose
TOTAL	-	36,800	2,358	15.6	-

BUILDINGS TO BE RETAINED

Building	Backlog mtce.	Life cycle mtce.	Energy performance	Issues to be addressed
Cheshire Lines	To be confirmed	To be confirmed	D	<p>This building is leased from a private landlord with the lease expiring on 7 April 2024.</p> <p>It is assumed that it will be vacated when the Council's lease expires, and a plan will be developed to relocate staff and technical installations.</p> <p>In the meantime it should be used in the most appropriate manner and in the most intensive way, to maximise the benefits of its open plan layout, its accessibility for public transport and recognising the restricted on-site car parking provision. Whilst this is currently one of the most intensively used Council buildings there is some capacity for it to house additional staff.</p> <p>A review of the Archive function is required:</p> <ul style="list-style-type: none"> • to determine if it should continue to operate as at present or whether there is a case for separating the Council's record storage from the 'historical and cultural' archive • to develop options for the provision of additional capacity. <p>Given the assumption that the building is to be vacated on expiry of the lease:</p> <ul style="list-style-type: none"> • The traffic systems controls will need to be re-sited before the lease expires. • The CCTV control room needs to move before the lease expires. <p>The landlord is understood to have agreed a letting of the vacant accommodation next door on completion of which additional spaces in the shared car park will no longer be available to Council staff.</p> <p>This will increase pressure on available car parking and strengthens the case for a corporate car parking policy.</p>

Building	Backlog mtce.	Life cycle mtce.	Energy performance	Issues to be addressed
Old Market House	Not applicable	Not applicable	To be confirmed	No issues at present. Accommodation held on short term tenancy from the Primary Care Trust.
Wallasey Town Hall	1,377,000	1,093,000	D	<p>Identified as the `corporate headquarters' when Cabinet considered the business case in 2010. Occupiers should be appropriate to that function. Funding has been identified within the Capital Programme for improvements to fire safety and access.</p> <p>A scheme and estimate report for the necessary works was approved by Cabinet on 12 January 2012. When completed the scheme will allow more intensive use of the building.</p> <p>As well as increasing the number of staff based in the building longer term issues include:</p> <ul style="list-style-type: none"> • Consideration of potential to co-locate Seacombe library in the building with the One Stop Shop • Reviewing the use of the Civic Hall <p>Investment in the building will support its role in the development of future corporate resilience planning.</p>
Treasury Building	354,000	441,600	G	<p>Contains the Council's main data centre. There are no current proposals to move this. Arrangements for data management in local government are likely to evolve in the medium term, influenced by guidance from central government. It is judged likely by the Head of IT that the existing centre will be required for a period of up to 10 years (subject to any necessary operational improvements).</p> <p>This building will therefore be retained and maintained using existing budgets, with its use intensified as far as possible. Separately the Head of IT in liaison with the Head of Asset Management and</p>

Building	Backlog mtce.	Life cycle mtce.	Energy performance	Issues to be addressed
Treasury Building (cont)				other colleagues as appropriate will develop options for the provision of a back up data centre as identified in the recent review of the Council's data centres.
Solar Campus	683,600	1,064,352	D/E	<p>Contains both the Wirral Alternative Schools Programme school and administrative accommodation. Forms one of three core sites for CYPD functions. There are no proposals to relocate the school. Other occupiers of the complex are co-located complementary activities.</p> <p>Part of the complex is in listed buildings.</p> <p>It will be retained and maintained using existing budgets, with its use intensified as far as possible.</p>
Moreton Municipal Building	218,500	166,119	D	<p>Contains the One Stop Shop and administrative accommodation. It is one of several separate Council buildings in this locality including the Moreton day centre.</p> <p>The Council's aim is to bring Libraries and One Stop Shops together. It is recommended that this building be retained but that a further review be undertaken of the `campus' of buildings to develop options for their future improvement. This would include the potential for redevelopment to deliver new facilities from which improved and modernised services could be delivered.</p>
Conway Centre	604,500	448,380	C	<p>This is a listed building in a prominent and very accessible location on the edge of the shopping centre, very well served by public transport. It is the location of the Council's main One Stop Shop.</p> <p>The building is in need of significant upgrading.</p> <p>It will be retained and maintained using existing budgets, with its use intensified as far as possible.</p>

Building	Backlog mtce.	Life cycle mtce.	Energy performance	Issues to be addressed
Conway Centre (cont)				<p>One option could be to co-locate Birkenhead Central Library with the One Stop Shop in this building, but no detailed consideration has been given to this option.</p> <p>It is assumed that the financial situation precludes moving the One Stop Shop out of the building either to new build or rented accommodation. In the view of the Service no other Council building would offer suitable accommodation for the One Stop Shop that is so well-located.</p>
Rock Ferry Centre	150,000	120,000	E	<p>Administrative accommodation above the One Stop Shop and library is modern and lends itself to open plan working, although it is currently sub-divided.</p> <p>It will be retained and maintained using existing budgets, with its use intensified as far as possible.</p>
Girtrell Court	185,000	297,000	To be confirmed	<p>Space used is administrative accommodation within a larger care facility. It will be retained and maintained using existing budgets, with its use intensified as far as possible.</p>

OFFICE RATIONALISATION**BUILDINGS WHERE VACATION AND DEMOLITION IS TO BE CONFIRMED**

There are three administrative buildings that have been provisionally identified for vacation, and further details in respect of these are given below. In each case there are no immediate proposals for the re-use of the site, and it is recommended that the buildings be demolished and the cleared sites be retained by the Council.

LISCARD MUNICIPAL BUILDING

These are local offices in Liscard town centre currently occupied by locality social care teams from DASS and CYPD. The building also serves as a base for the Council's Pest Control team and for the external Connexions service. Alternative locations are being discussed with service managers from DASS and CYPD, whilst arrangements are being made for the pest control team to operate on a fully agile basis. Connexions are rationalising their office accommodation and have served notice to vacate their accommodation.

The adjacent Liscard community centre and community garden will be vacated as part of a community asset transfer agreed by Cabinet. Contracts have now been exchanged for the asset transfer. Clearance of all three sites can then be linked.

The building contains an ICT node, the functions of which will be transferred to the BT network.

Estimated building related costs are as follows:

One-off costs arising from the vacation of the building and relocation of staff

- One-off ICT costs £33,000
- Estimated demolition costs £100,000
- Works to new accommodation £Dependent on agreed locations
- Removal costs £14,000

Annual costs

- Increased annual ICT costs arising from the relocation of the ICT node £7,600

Savings

Annual building running costs £78,300
(premises budget 2012/13)

Backlog maintenance costs £201,000
Life cycle maintenance costs £295,320

Note: There is a rental budget totalling £83,700 from the Connexions Service and in respect of previous occupation by Wirral Partnership Homes included in the budget. If the building was retained by the Council this budget pressure would need to be addressed.

BEBINGTON TOWN HALL & ANNEXE

These two modern office buildings are situated close to Bebington Civic Centre and the Pennant House Complex. They are principally occupied by staff from CYPD and DASS, with some use of the Annexe by staff from the Council's partner organisations and as an office base for Unison staff.

Work is now under way to relocate CYPD staff from the Town Hall building to Acre Lane. Staff from the Annexe – both CYPD and DASS – will work from alternative bases including the new Pensby Park facility.

Withdrawal from these buildings is consistent with the principle of consolidating core office provision in Wallasey and Birkenhead. No alternative requirement for their use has been identified.

Bebington Town Hall contains an ICT hub, the functions of which will be transferred to the BT network.

The estimated costs arising from the vacation and demolition of the two buildings are as follows:

One-off costs arising from the vacation of the building and relocation of staff

- | | |
|------------------------------|--------------------------------|
| • One-off ICT costs | £73,000 |
| • Estimated demolition costs | £150,000 |
| • Works to new accommodation | £Dependent on agreed locations |
| • Removal costs | £8,500 |

Annual costs

- | | |
|--|---------|
| • Increased annual ICT costs arising from the relocation of the ICT node | £43,500 |
|--|---------|

Savings

Annual building running costs (premises budget 2012/13)	£153,700
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Backlog maintenance costs	£251,000
Life cycle maintenance costs	£323,000

Note: Income of £76,900 is receivable in respect of Bebington Town Hall via a recharge to the Partial Hearing Unit. Relocation of that Unit will mean that income continues to be receivable.

OFFICE RATIONALISATION

BIRKENHEAD TOWN HALL

At its meeting on 22 July 2010 Cabinet considered a report on the outcome of a disposal exercise for the former town hall and a proposition from The Hamilton Partnership. Cabinet decided not to proceed with the proposal from the Hamilton Partnership at that time but asked that further work be undertaken to identify potential alternative uses.

The former town hall is an impressive Grade II* listed building within the Hamilton Square conservation area. It is physically run down and needs substantial investment to address disrepair. It is also difficult to alter to a significant extent internally because of its listed status, which limits the prospects for alternative uses. Those difficulties are compounded by the current economic situation which severely restricts the prospects of alternative commercial uses.

There are concerns about the economic vitality of the square and the decline in activity. Bringing the former town hall back into use would help bring life and activity back to the square and contribute to its regeneration.

Since the closure of the Wirral Museum the only occupier has been the Registrar's Service, with occasional uses for civic events and meetings. There is however evidence of potential demand for room hire, both to provide meeting space for Council and partners' activities and from external enquiries. If the building is to be used for these purposes on a regular basis investment in building systems and repairs must be made. Without that investment the building should be mothballed.

A group of Council officers met following the Cabinet resolution to consider options for the future use of the building. That group came to the conclusion that, in all the circumstances and in the absence of a viable commercial use, the Council's retention and management of the building offered the most appropriate basis to bring it back into use on a 'mixed' basis that would incorporate Council accommodation, function and meeting space for internal and external hire and arts and cultural activities with the involvement of the voluntary and community sector.

It is therefore proposed that the building is repaired and upgraded on a phased basis, with the Registrars Service remaining on the ground floor, the first floor brought into use as Council offices and the second floor remaining in use as high quality meeting and activity space available for civic use, Council use and to hire. Depending on room layouts the first floor could accommodate between 70 and 100 workstations.

The office space created would form part of the total accommodation available to facilitate the vacation of other Council buildings. Whilst the offices would not offer modern open plan space they would be no less suitable than those in Hamilton Building, Conway Centre or Wallasey Town Hall.

OFFICE RATIONALISATION

Such an approach gives priority to the continued use of the former town hall over other buildings based on its significance and potential contribution to the health of the wider conservation area. Re-use of the building on this basis would not prevent consideration of alternative uses in future.

Given the continued occupation of part of the building by the Registrar's Service work is already in hand to carry out necessary repairs and renew the fire alarm. The cost of this work will be met from existing maintenance budgets.

The estimated 'one-off' costs of bringing the first floor into use as offices are as follows:

Lighting/Electrical	£90,000
IT Infrastructure	£20,000
Structural & Decoration	£50,000
Lift Refurbishment	£40,000
Mechanical	£150,000

The Council would retain the responsibility to address the backlog and life cycle repairs to the building. These figures need to be confirmed. A conservation management plan prepared when the building was marketed estimated costs of disrepair in the region of £1.7m. Some repairs have since been carried out.

A constraint on the re-use of this building is the lack of car parking associated with it. If the Council accommodation is to be occupied by staff who are desk based this will not be a problem. If however the building users are mobile or agile staff some provision will be required. To address that situation it is recommended that the Elgin Way long stay pay and display car park (at the rear of the Treasury Building) is brought into use for staff based in the former town hall on a similar basis to current use of the car park at Hamilton Building. This would allow continued use for pay and display parking but with priority staff use in office hours. This car park is currently poorly used, producing annual net income of £7,000.

It would be intended to generate income from the hiring of rooms in the town hall for functions and events, although at present there is no estimate of the likely amount of income achievable.

OFFICE RATIONALISATION

BUILDINGS WHERE A DECISION IS REQUIRED ON FUTURE RETENTION OR DISPOSAL

Options for the vacation and closure of a further core building exist that involve the Hamilton Building and Finance Municipal Building in Birkenhead and the North and South Annexes in Wallasey. Comment on these buildings and estimated costs and savings for the identified options are set out below.

HAMILTON BUILDING, BIRKENHEAD

This former school building is situated opposite Europa Pools and on the edge of Birkenhead Town Centre. It provides the departmental headquarters for the Children and Young People's Department and is one of three principal accommodation sites for the department (the others being Acre Lane and Solar Campus).

As a former school it is inefficient in use when compared to modern open plan accommodation. However, the building has been well maintained and is on a site that provides 122 car parking spaces for staff, who have priority use of a pay and display car park that forms part of this total.

Within the basement of the building is a major ICT hub which acts as a core node on the Council's telecommunications network, providing links to the Internet for all schools and libraries, and houses computer systems that deliver curriculum services plus messaging systems to schools. Within the current approach to the networking of the ICT infrastructure the functions performed by the 'hub' installation within Hamilton Building can be reprovided by reconfiguring the network as currently provided by BT to make Wallasey Town Hall Complex the second core node on the network and transferring the computer equipment from the Hamilton Building to Wallasey. This would have the added advantage of increasing the bandwidth available at Wallasey, improving its ability to support a high density of staff occupancy. It is estimated that this reprovision could be completed within a period of five months from receipt of formal written notification to ITS that the building is to be vacated. There will be a 'one-off' cost for the work necessary estimated at £210,000 plus the cost of relocating the schools telecommunications services, server infrastructure, datacentre, workshop facilities and staff, estimated at £100,000, together with an increased annual cost for the future service of £80,000.

The Acting Director (CYPD) has expressed serious concerns at the negative impact that the vacation of Hamilton Building would have on his department, which has just had a very successful OFSTED inspection. In particular he says:

- The building is a good location, central for visitors from other agencies and with excellent public transport links and good parking provision.
- It is at the centre of the department's biggest core local area. This reduces travel costs and provides a central venue for meetings, monitoring etc.

OFFICE RATIONALISATION

- It is at the centre of a network of other facilities in central Birkenhead – both Council and partners – that are within walking distance.
- It functions well as a departmental headquarters

At this stage it is unclear what further changes may take place in the role and functions of the department and how these may reflect in accommodation requirements in the medium term.

An informal approach has been received and some initial discussions have taken place with a developer who has expressed interest in the site. The developer has said that the site is in turn of interest to an identified end-user who would be in a position to buy and develop it. The Head of Asset Management has discussed this approach with CBRE Richard Ellis (who provided advice in the disposal of Westminster House and act for the Merseyside Pension Fund). They have confirmed that the site will potentially be of interest to the market. However should the Council wish to explore the disposal of this building further work will be required to decide on the best way to market it in order to meet the Council's ultimate requirements. Whilst interest has been expressed there is no guarantee that a sale can be secured.

If this building were to be closed and sold the following estimated cost avoidance and savings would be achieved:

One-off costs arising from the vacation of the building and relocation of staff.

- One-off ICT costs - £310,000
- Works to new accommodation - £Dependent on agreed locations
- Removal / furniture costs - £32,000

Annual costs

- Increased annual ICT costs arising from the relocation of the ICT hub:

£80,000

Savings

- Annual building running costs (premises budget 2012/13) - £178,700
- Backlog maintenance costs - £395,000
- Life cycle maintenance costs - £438,000

FINANCE MUNICIPAL BUILDING, BIRKENHEAD

This building provides purpose-built administrative accommodation situated opposite the main Treasury Building and close to Hamilton Square. It is occupied almost entirely by Finance Department staff, and also provides an office base for District Audit.

OFFICE RATIONALISATION

The building houses the Revenues and Benefits Service which will be significantly affected by the proposed creation of the Unified Tax Credit system. The future implications of the new system in terms of staffing and accommodation requirements are at this stage unclear.

The building has a substantial repair and maintenance backlog. It has been subdivided in some areas but lends itself to the provision of open plan accommodation. It has 98 on-site car parking spaces for the exclusive use of Council staff.

Finance Department staff (other than those distributed in One Stop Shops and libraries) are all located in administrative buildings in central Birkenhead. As with Hamilton Building and CYPD, the Director of Finance's preference would be for those staff to remain closely located for reasons of operational efficiency, although there can be flexibility of location for staff within the existing sites.

There is currently no market interest in this site and in the short to medium term it is unlikely that it would be re-let or re-developed. If vacated it is therefore proposed that it be demolished and the site appropriately treated. If this were to occur the Interim Director of Regeneration, Housing and Planning has expressed concerns at the potential negative impact on Hamilton Square of the vacation and clearance of the site.

If this building is vacated and closed the following estimated costs and savings would arise:

One-off costs arising from the vacation of the building and relocation of staff

- | | |
|-----------------------------|----------|
| • Removal / furniture costs | £34,000 |
| • Demolition | £100,000 |

Annual costs

- | | |
|---|------|
| • | £Nil |
|---|------|

Savings

- | | |
|--|----------|
| • Annual building running costs
(premises budget 2012/13) | £202,300 |
| • Backlog maintenance costs | £305,000 |
| • Life cycle maintenance costs | £360,000 |

NORTH AND SOUTH ANNEXES, WALLASEY

The North and South Annexes provide modern four storey office buildings located on either side of Wallasey Town Hall. As noted elsewhere in this report, Wallasey Town Hall has been identified for retention as the democratic centre of governance for the Council.

OFFICE RATIONALISATION

The buildings were identified for retention when it was decided to sell Westminster House.

They need significant refurbishment and there is currently provision of £2.3 m in the capital programme. Two floors of the South Annexe were vacated in case they were needed to relocate staff from Westminster House, and the electrical and ICT wiring within the building was improved to allow for its intensified use. Nevertheless, a comprehensive scheme of refurbishment is required to address disrepair and maximise the future use of both buildings. The cost of this is estimated at £2.24 m.

Both buildings contain asbestos. With the staff moves that will now be undertaken to facilitate the vacation of a major building, the opportunity should be taken to remove that asbestos from each building. The estimated cost of this totals £500k (which is included in the figure of £2.24 m above).

If the buildings were to be vacated to deliver savings previous reports have identified that they should be demolished and the sites cleared. When Cabinet decided to sell Westminster House there was an evaluation of the option of demolishing the Annexes. The following points – which remain valid – were reported to Members at that time:

- Vacation and demolition of the Annexes is considered likely to have a serious impact on the few local businesses in that area of Wallasey Town Hall that derive significant income from staff currently based there. The economic impact on the wider Seacombe area is considered insignificant.
- The Annexes are considered unattractive to the rental market and given their current condition and their location they are unlikely to be re-let as they stand. Disposal of the buildings would not be recommended, as in the long term the sites on which they sit have regeneration potential.
- Demolition of the Annexes would reinforce a perception of abandonment in the Seacombe area, where other recent demolition has further increased the amount of vacant land. (If the Annexes were to be left vacant as an alternative to demolition this would substantially increase the perception of abandonment).
- The setting of the town hall – which is a listed building and is to be retained as a core asset – would be more isolated with the removal of the Annexes and clearance of the sites.

Concerns as to the perception of abandonment and the setting of the town hall can be addressed by intensification of the use of the town hall (for which options will need to be developed) and a high quality landscaping scheme to incorporate the cleared sites.

OFFICE RATIONALISATION

OPTIONS

The following options have been identified for the vacation of a further building or buildings:

Option One

Complete sequence of moves as set out in paragraph 4.6.11 of the report to vacate the South Annexe. Undertake any necessary works to South Annexe before re-occupation, including removal of asbestos. Move Regeneration, Housing and Planning Directorate to three floors of South Annexe. Refurbish and upgrade North Annexe including removal of asbestos. Relocate CYPD from Hamilton Building to North Annexe. Demolish or dispose of Hamilton Building.

Estimated costs	£3,031,600
Estimated savings	£98,700 p.a. (net revenue) £831,000 (backlog maintenance) £1,443,000 (lifecycle maintenance)
Floor space removed	2,881 sq.m.

Option Two

Complete sequence of moves to vacate the North Annexe, as above. Relocate Finance staff from Finance Municipal Building to North Annexe. Demolish Finance Municipal Building.

Estimated costs	£2,823,600
Estimated savings	£202,300 p.a (revenue) £741,000 (backlog maintenance) £1,365,000 (lifecycle maintenance)
Floor space removed	2,645 sq.m

Option Three

Complete sequence of moves to vacate the North Annexe. Relocate Planning and Building Control into South Annexe and Technical Services staff from Cheshire Lines to North Annexe. Move Asset Management staff to Birkenhead Town Hall. Move Finance staff into Cheshire Lines from Finance Municipal Building. Demolish Finance Municipal Building.

Estimated costs	£2,869,600
Estimated savings	£202,300 p.a. (revenue) £741,000 (backlog maintenance)

OFFICE RATIONALISATION

£1,365,000 (lifecycle maintenance)

Floor space removed 2,645 sq.m.

Issues

- This option initiates the exit strategy from Cheshire Lines
- Estimated costs do not include moving CCTV and traffic system controls
- Planning and Building Control should move with agility – support and resources will need to be concentrated on this.

Option Four

(More ambitious)

Complete sequence of moves to vacate the North Annexe. Relocate Planning and Building Control staff to South Annexe and Technical Services staff from Cheshire Lines to North Annexe. Move Asset Management staff to Birkenhead Town Hall. Move Finance staff into Cheshire Lines from Finance Municipal Building. Demolish Finance Municipal Building. Relocate CYPD from Hamilton Building to Cheshire Lines. Demolish or dispose of Hamilton Building.

Estimated costs £3,211,600

Estimated savings £301,000 p.a. (revenue)
£1,136,000 (backlog maintenance)
£1,803,000 (lifecycle maintenance)

Floor space removed 5,526 sq.m.

Issues

- Numbers suggest all staff won't fit based on current figures. However, over the short to medium term this may be achievable if:
 - There are reduced service requirements
 - There are further staff reductions
 - Space is more effectively used in other buildings (e.g. Conway)
 - Agility is driven forward in the affected areas

Option Five

- a) Complete sequence of moves as set out in paragraph 4.6.11 of the report to vacate the South Annexe. Undertake any necessary refurbishment work to South Annexe before reoccupation including

OFFICE RATIONALISATION

removal of asbestos. Move Regeneration Housing and Planning Directorate to three floors of South Annexe. Demolish the North Annexe.

- b) More ambitiously, vacate North Annexe by moving Regeneration, Housing and Planning to Birkenhead (probably Cheshire Lines) and demolish both Annexes.

Estimated costs	(a) £1,783,200	(b) £1,188,000
Estimated savings annual revenue	(a) £77,900	(b) £158,300
Backlog maintenance	(a) £271,000	(b) £436,000
Life cycle maintenance	(a) £558,000	(b) £1,005,000
Floor space removed	(a) 1,445 sq.m	(b) 2,938 sq.m

Issues

- Demolition of the Annexes would remove a further 2 modern buildings from the Council's stock that are suitable for open plan office use.

Summary of costs and savings for each option

Option	Estimated One-off Costs	Estimated Net Savings (p.a.)	Estimated Repair and Maintenance Costs Avoided	Floor Space Removed (sq.m)
1	3,031,600	98,700	2,274,000	2881
2	2,823,600	202,300	2,106,000	2645
3	2,869,600	202,300	2,106,000	2645
4	3,211,600	301,000	2,939,000	5526
5 (a)	1,783,200	77,900	829,000	1445
5 (b)	1,188,000	158,300	1,441,000	2938

Notes

Estimated net annual savings are the budget figures for the buildings less any additional annual costs that will be incurred as a result of changes to ICT arrangements

It should be noted that options 1 to 4 assume the full refurbishments of the North and South Annexes, based on the assumption of their continued long term use. The estimated cost of this is £2.24 m. If the Annexes were to be retained the works would be brought forward as a capital scheme. Option 5 (a) assumes full refurbishment of the South Annexe at an estimated cost of £985,000.

OFFICE RATIONALISATION

Funding will need to be identified for the removal of asbestos and demolition of one or both of the Annexes if Option 5 is preferred. It is suggested costs could be met from the Invest to Save budget.

Where costs are treated as capital it is assumed that they will be met from borrowing. This will incur an additional annual cost of approximately 10% of the sum borrowed and will therefore result in reduced annual savings.

On balance, options 1 and 2 would not be recommended because of the resulting reduction in efficiency for CYPD and Finance departments respectively.

WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	REVIEW OF MAJOR CONTRACTS
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ADRIAN JONES
KEY DECISION?	YES

1 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to provide Cabinet with an update on the review of major contracts undertaken in 2011-12.

2 RECOMMENDATION

- 2.1 That Cabinet notes the progress of this review and the inclusion of the savings identified to date in the overall procurement efficiencies report included elsewhere on this agenda.

3 REASON FOR RECOMMENDATION

- 3.1 Cabinet requested an update on the review of major contracts and the savings arising from it.

4 BACKGROUND AND KEY ISSUES

- 4.1 A project was initiated on 14 April 2011 to review the Top-50 contracts with a view to making savings in 2011-12 and identifying priorities for future contract negotiations. A savings target of £0.5m was included in the 2011-12 budget.
- 4.2 Cabinet on 14 April 2011 authorised the engagement of Price Waterhouse Coopers (PwC) to support these reviews on a 'no win no fee' basis. PwC has considered a number of contracts and is now focussing on (a) waste collection, (b) schedule of rates, (c) telecommunications, and (d) agency staff. To date no savings have been identified by PwC.
- 4.3 The Procurement Unit has worked with staff across the Council to examine where there is potential to make savings on the Top-50 contracts in 2011-12 and beyond. This is in addition to the work undertaken to deliver the general procurement efficiency target of £2m agreed in the 2011-12 budget. There is difficulty in negotiating savings where the contracts have been subject to recent OJEU tenders. Negotiations with contractors are lengthy and where there are service implications these cannot be implemented without extensive consultation and equality impact assessments. The review therefore is limited to identifying potential, not actual, savings.

4.4 The outcome of reviews that do deliver cashable savings in 2011-12 is £422,400 against the budget target of £500,000. This excludes any savings that may arise from the work of PwC.

4.5 **Adult Social Services**

4.5.1. There are seven contracts within Adult Social Services included in the 'Top-50'. The outcomes of these reviews are:-

Contract	Savings 2011-12 £	Savings attributable to this Review £	Potential Options 2012-13 £
1 Residential Services	4,462,000	0	800,000
2 Personal Support	906,000	0	800,000
3 Respite Care	2,285,750	0	0
4 Re-ablement Support	762,314	0	0
5 Supported Living	1,610,650	0	0
6 Assistive Technology	0	0	150,000
7 Meals on Wheels	0	0	26,150
Sub-Total DASS	10,026,714	0	1,776,150

4.5.2 **Residential and Nursing Home Care.** The contract was agreed by Cabinet on 17 March 2011 for up to five years following a twelve month period of consultation. The review could not identify any additional savings in 2011-12. However there may be potential for savings in 2012-13 from a further price review or from an alternative approach to commissioning. There would need to be further consultation on this option.

4.5.3 **Personal Support.** This was a major procurement exercise undertaken in 2011-12. The contract is for up to five years and any variation to it would require further consultation. The review shows that Wirral pays more per hour than some other Councils in the region. Cabinet may wish to consider the option of reducing the hourly rate to bring it more into line with those Councils. Alternatively, a different approach to commissioning could be adopted to deliver savings.

4.5.4 **Respite Care.** The contract was let to re-provide in-house respite care. Savings were reported to Cabinet on 17 March 2011 and these were subsequently amended to £2,285,750 after Cabinet agreed to retain Fernleigh for 2011-12. The review did not identify any additional savings potential.

4.5.5 **Re-ablement Support.** The contract was let to re-provide part of the service which was previously provided in-house by the HART Service. Savings were reported to Cabinet on 17 March 2011. No additional savings arise from the review.

4.5.6 **Supported Living.** This contract was let to re-provide services provided by the in-house Supported Living Service. Savings were reported to Cabinet on 17 March 2011. No additional savings arise from the review.

4.5.7 **Assistive Technology.** A tender for the provision of assistive technology services indicated a potential efficiency of £150,000 based on previous expenditure. However this could not be implemented due to a legal challenge to the highest scoring bid. The savings potential is therefore deferred for consideration in 2012-13.

4.5.8 **Community Meals.** The contract expires in June 2013. The review suggests there is potential to bring this forward and re-tender for a reduced price, frozen-only service, or consideration of charging people the full economic cost of the meal. This would require consultation with people who use the service.

4.6. **Children and Young People**

4.6.1 There are six contracts within the Children and Young People Department that are included in the 'Top-50'. The outcomes of reviewing these are:-

Contract	Savings 2011-12 £	Savings attributable to this Review £	Potential Options 2012-13 £
8 Integrated Transport	125,000	0	0
9 Frozen Foods	65,405	0	0
10 Fruit & Vegetables	17,300	0	0
11 Early Intervention	0	0	140,000
12 Children Residential	0	0	100,000
13 Automotive Products	0	0	0
Sub-Total HRLAM	98,333	0	607,375

4.6.2 **Integrated Transport.** The contract was let in 2010. The agreed saving in 2011-12 was reported to Cabinet on 9 December 2010. The review indicates there are no further savings that could be made from reviewing this contract in 2011-12. The review also highlights the operational difficulty in delivering the service within budget. Until these difficulties are addressed there is limited potential for savings in future years without significant changes to service delivery.

4.6.3 **Frozen Foods.** The contract was agreed by Cabinet on 13 January 2011. The highest scoring tender was accepted which resulted in an overall price reduction of 12.7%.

4.6.4 **Fruit and Vegetables.** The outcome of this tender was reported to Cabinet on 25 November 2010. The highest scoring tender was 6.4% lower than previous costs.

4.6.5 **Early Intervention.** The review did not identify any savings in 2011-12. Contracts are due to be replaced by April 2012. This budget is under pressure from increasing demand.

4.6.6 **Residential Care for Children.** There is no indication of savings in 2011-12. Contracts are due to be replaced by April 2012. Cabinet may wish to consider a notional target of £100,000 in 2012-13. This budget is under pressure from increasing demand.

4.6.7 **Automotive Products.** Savings from the highest scoring tender were reported to Cabinet on 9 December 2010.

4.7 **Finance**

4.7.1 There are four contracts within the Finance Department that are included in the 'Top-50'. The outcomes of reviewing these are:-

Contract	Savings 2011-12 £	Savings attributable to this Review £	Potential Options 2012-13 £
14 Telecommunications	0	0	0
15 Oracle	0	0	0
16 Banking	0	0	2,500
17 Library Books	0	0	14,859
Sub-Total Finance	0	0	17,359

4.7.2 **Telecommunications.** The contract was agreed by Cabinet on 27 May 2010 and let in June 2010. Savings were reported as £10,833 per quarter. PwC has identified this area as having further potential for savings and is currently reviewing previous years' invoices to determine if a rebate can be claimed and ongoing savings made in 2012-13.

4.7.3 **Oracle.** The contract was let in January 2011. The savings are the part year effect in 2011-12.

4.7.4 **Banking.** The contract was extended to March 2013 because of a European Union ruling that RBS must divest part of its business. The contract review suggests that the tender for banking could be brought forward. The transfer of banking arrangements is complex and will take a minimum of six months to complete.

4.7.5 **Library Books.** A new contract needs to be in place by April 2012. Due to the major changes in the Library Service during 2011 this contract was not reviewed.

4.8 **Law HR and Asset Management**

4.8.1 There are nine contracts within the Department of Law HR and Asset Management that are included in the 'Top-50'. The outcomes of reviewing these are:-

Contract	Savings 2011-12	Savings attributable to this Review	Potential Options 2012-13
	£	£	£
18 Auto Meter Reading	0	0	258,000
19 Lifting Appliances	0	0	0
20 Washroom Services	0	0	0
21 Corporate Training	0	0	200,000
22 Occupational Health	0	0	85,000
23 Legal Services	0	0	22,500
24 HR /Payroll System	40,000	0	40,000
25 Schedule of Rates	58,333	0	0
26 Victim Support	0	0	1,875
Sub-Total HRLAM	196,141	0	407,575

- 4.8.2 **Automatic Meter Reading.** Installing automated meter reading devices in all Council buildings was approved by Cabinet on 15 April 2010. However, full implementation has been delayed and no savings achieved in 2011-12. Results from other Councils confirm the saving potential.
- 4.8.3 **Lifting Appliances.** The contract was agreed by Cabinet on 17 November 2010. The highest scoring tender was 15% below previous costs.
- 4.8.4 **Washroom Services.** This contract was awarded in January 2011. The savings are the part year effect in 2011-12.
- 4.8.5 **Corporate Training.** This is a Merseyside Collaborative Contract agreed by Cabinet on 12 January 2012. Savings are estimated to be in the region of 20% of previous costs.
- 4.8.6 **Occupational Health.** The highest scoring tender for the Occupational Health contract indicated a full year saving of £170,000. The award was deferred by the Employment and Appointments Committee on 11 August 2011 and so the savings may not be achieved until 2012.
- 4.8.7 **Legal Services.** Joining the Merseyside Collaborative Contract is expected to deliver 10% savings on current costs based on the experience of other Councils.
- 4.8.8 **HR Payroll Services.** A report to Cabinet on 15 October 2009 identified savings which would accrue over the medium term. The review did not identify any further savings in the short term.
- 4.8.9 **Schedule of Rates.** The savings were reported to Cabinet on 9 December 2010. PwC has identified this area as having further potential for savings and is currently reviewing the contract. At the time of writing this report no further savings have been identified by PwC.
- 4.8.10 **Victim Support** The contract is due for renewal in June 2012. The review identifies potential for 5% saving with a part year effect of £1,875 in 2012-13.

4.9 Technical Services

4.9.1 There are ten contracts within the Technical Services Department that are included in the 'Top-50'. The outcomes of reviewing these are:-

Contract	Savings 2011-12 £	Savings attributable to this Review £	Potential Options 2012-13 £
27 Parking Enforcement	50,000	0	0
28 Graffiti Removal	17,958	0	0
29 Highway Survey	7,998	0	7,998
30 Pay & Display	12,540	0	0
31 Floral Pavilion	11,250	0	33,750
32 Coring	5,000	0	15,000
33 Waste Collection	0	0	570,000
34 PACSPE	0	0	0
35 Street Lighting	0	0	70,000
36 Highway Maintenance	0	0	0
Sub-Total Technical	104,746	0	696,748

4.9.2 **Parking Enforcement.** The contract was agreed by Cabinet on 2 September 2010. The highest scoring tender was accepted; this being a savings of 7.7%.

4.9.3 **Graffiti Removal.** Savings from the highest scoring tender were reported to Cabinet on 9 December 2010; this being 13.75% lower than the tender provision.

4.9.4 **Highway Survey.** The contract was agreed in September 2011. The highest scoring tender resulted in savings of £16,000: £8,000 falling in 2011-12 and £8,000 in 2012-13.

4.9.5 **Pay & Display Tickets.** The highest scoring tender was £8,500 against a provision of £21,000.

4.9.6 **Floral Pavilion Catering.** The contract was agreed by Cabinet on 3 November 2011 and commenced in January 2012. The savings are in the form of anticipated income to the Council.

4.9.7 **Coring.** This is a Merseyside Collaborative Contract, which commenced in December 2011. Savings are based on the new contract price being £20,000 less than previous costs. £5,000 would fall in 2011-12 and £15,000 in 2012-13.

4.9.8 **Waste Collection.** This contract contains a break clause in 2013. PwC is currently reviewing the contract to see if savings can be made which could be fed into the contract review to be undertaken in advance of the operation of the break clause.

- 4.9.9 **Parks and Countryside.** This was a procurement exercise undertaken in 2011-12. The contract was not awarded on the basis that the exercise did not provide sufficient evidence of value for money.
- 4.9.10 **Street Lighting.** This is an OGC framework agreement due for renewal in April 2012. The review found no potential for savings in 2011-12.
- 4.9.11 **Highways Maintenance.** The review identified no potential for savings.

4.10 Regeneration, Housing and Planning

- 4.10.1 There are two contracts within the Department of Regeneration, Housing and Planning included in the 'Top-50'. The outcomes of reviewing these are:-

Contract	Savings 2011-12 £	Savings attributable to this Review £	Potential Options 2012-13 £
37 Loft/cavity Insulation	112,400	0	0
38 Working Wirral	140,000	0	0
Sub-Total RPHS	252,400	0	0

- 4.10.2 **Loft and Cavity Insulation.** Cabinet agreed a provision of £1,049,000 on 22 July 2010. The highest scoring tender shows a saving against this of 10.7%.
- 4.10.3 **Working Wirral.** Cabinet agreed a provision of £1.6m on 13 January 2011. The highest scoring tender submitted was for £1.46m.

4.11 **Corporate Contracts**

- 4.11.1 There are twelve corporate contracts which span all Departments that are included in the 'Top-50'. The outcomes of reviewing these are:-

Contract	Savings 2011-12 £	Savings attributable to this Review £	Potential Options 2012-13 £
39 Agency Staff	0	170,400	130,000
40 Stationery	0	177,000	15,000
41 Cleaning Materials	0	0	15,000
42 Photocopiers (MFD)	0	25,000	75,000
43 Business Consultancy	0	50,000	150,000
44 Mobile Phones	0	0	67,591
45 Work Wear	0	0	13,000
46 Citizens Advice	0	0	13,000
47 Voluntary Support	0	0	5,150
48 Protective Equipment	0	0	3,900

49	Clinical Waste	0	0	4,000
50	Advertising	33,333	0	0
Sub-Total Corporate		33,333	422,400	491,641

- 4.11.2 **Agency Staff.** This Merseyside Collaborative Contract provides savings of 10% on previous costs. The review identified areas where the contract was not fully utilised. Addressing these will result in an additional £130,000 in 2012-13. Savings are in the form of a rebate to the Council.
- 4.11.3 **Stationery.** The review concentrated on using non-branded products. Savings of 41% have been achieved. The contract is due for a review in 2012 and an additional 5% saving is considered achievable in 2012-13.
- 4.11.4 **Cleaning Materials.** The tender for this contract is due to be let. The review suggests 5% savings could be built into the tender for 2012-13.
- 4.11.5 **Photocopiers and MFD's.** The tender evaluation was completed in December 2011 and agreed by Cabinet on 12 January 2012. The review identified savings of £100,000 based on previous costs.
- 4.11.6 **Business Consultancy.** The contract was agreed by Cabinet on 13 October 2011. The review suggests savings of 10% on previous costs.
- 4.11.7 **Mobile Phones.** This is an existing OGC framework agreement. Negotiations with the current provider have resulted in a lower tariff by 31%.
- 4.11.8 **Work Wear.** The contract was agreed by Cabinet on 8 December 2011. The highest scoring tender resulted in a saving of 13% on previous cost.
- 4.11.9 **Citizens Advice.** The procurement process has commenced. The review suggests that a saving of at least 5% may be included in 2012-13. There appears to be significant duplication between this contract and services being provided in-house and therefore there may be scope for savings much greater than 5%.
- 4.11.10 **Voluntary Sector Support.** The procurement process has commenced. The review suggests a target of 5% may be included in 2012-13.
- 4.11.11 **Protective Clothing and Equipment.** The contract needs to let by April 2012. A 5% target may be set for 2012-13.
- 4.11.12 **Clinical and Medical Waste.** The contract needs to let by April 2012. A 5% target may be set for 2012-13.
- 4.11.13 **Advertising.** This contract was let in 2010-11. The savings are the part year effect in 2011-12 reported to Cabinet on 24 June 2010.
- 4.12. The report provides a summary of the reviews undertaken of the top 50 contracts. Savings to be taken into account in 2011-12 are £422,400. All of these are in corporate contracts. £220,400 of this is in the form of a rebate to the Council.

- 4.13 The savings reported in this paper exclude any that arise from the work of PwC.
- 4.14 This report reviews the 50 largest contracts in the General Fund. Reviews have also taken place of the contracts which form part of the Pension Fund and the Insurance Fund. The outcome of the review of Insurance Fund contracts was included in Insurance Fund budget agreed by Cabinet on 24 November 2011. The outcome of the review of Pension Fund contracts was included in the Pension Fund budget agreed by the Pensions Committee on 17 January 2012.

5.0 RELEVANT RISKS

- 5.1 Conducting these reviews provides a clear indication to potential tenderers that the Council is looking for future efficiencies. This leads to tensions and may motivate some providers to inflate future prices. Contrary to this some suppliers are under increasing pressure to retain business with the Council. Accepting lower prices may lead to reductions in quality or risk business sustainability. The Council remains a major purchaser of goods and services and has an important impact in the local economy.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 No other options were considered in the drafting of this report.

7.0 CONSULTATION

- 7.1 Consultation continues with all Departments and suppliers affected by these reviews. There is also ongoing consultation with other Councils in Merseyside to promote the adoption of collaborative contracts that increase the potential for savings through aggregation.
- 7.2 Some of the suggested procurement efficiency savings identified in this report may require consultation before they are agreed and implemented.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

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

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

- 9.1 The savings target agreed by Council is £0.5m in 2011-12.

10.0 LEGAL IMPLICATIONS

- 10.1 All procurement activity and subsequent price negotiations are conducted in strict accordance with the Council's contract procedure rules and European procurement directives.

11.0 EQUALITIES IMPLICATIONS

- 11.1 An equalities impact assessment is considered for all contracts that are tendered or reviewed. Where the impacts are considered material a full

Equality Impact Assessment will need to be undertaken and reported to Cabinet when the policy decision is being made.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 All new contracts include a requirement for suppliers to consider their carbon impact and contribute to the delivery of the Council's carbon reduction targets.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are none arising directly from this report

FNCE/13/12

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APPENDICES

None

REFERENCE MATERIAL

Corporate Procurement Strategy - Cabinet 2 June 2011

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet - Procurement Strategy	2 June 2011
Cabinet - Procurement Strategy	13 October 2011

WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	PROCUREMENT EFFICIENCIES
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ADRIAN JONES
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This is a progress report on procurement activity undertaken in 2011-12. The aim is to deliver £2m procurement efficiency savings per annum. A further policy option was agreed in the 2011-12 budget; to achieve £0.5m through a review of the top-50 contracts, progress on which is reported elsewhere on this agenda. This report shows progress against the combined target of £2.5m and identifies possible procurement savings for 2012-13.

2.0 RECOMMENDATIONS

- 2.1 That Cabinet notes the procurement activity undertaken in 2011-12.
- 2.2. That a procurement saving of £140,000 in Regeneration, Housing and Planning delivered in 2011-12 be replaced by the release of reserves and provisions.
- 2.3. That estimated procurement savings of £1.2m for 2012-13 be agreed.
- 2.4. That estimated savings of £1.6m from the alternative commissioning of services in Adult Social Services be agreed.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 Cabinet requested an update on the impact of procurement activity in 2011-12 and the savings arising from it. Cabinet also requested an assessment of the potential savings that might arise from procurement activity in 2012-13.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 This report provides a summary of the financial impact of procurement contracts that are over £10,000 in value. It excludes minor contracts which are not subject to the same degree of scrutiny and procedural control. It also excludes one-off capital schemes and contracts where the savings accrue to the Pension Fund the Insurance Fund and Schools as these do not have a direct impact on the General Fund.
- 4.2 Also considered out of scope in this exercise are the grants to the voluntary, community and faith sectors. These total £11,346,812 and are subject to a separate commissioning exercise.

- 4.3 The approach to procurement has matured over recent years and with the revision of the Corporate Procurement Strategy agreed by Cabinet on 2 June 2011 a more robust system is now in place. All purchases over £10,000 should now be supported by the Procurement Unit. The revised Contract Procedure Rules have strengthened the governance arrangements as they relate to procurement. However there are still improvements that can be made and opportunities will be identified as part of the change programme. There maybe potential for savings from aggregating the many smaller purchases and managing these centrally by the Procurement Unit. However there is insufficient capacity in the Unit to accommodate this function at this time, without additional investment.
- 4.4 It is also believed that there maybe scope to exploit new ways of tendering such as including 'affordability' and 'innovation' clauses in all new tenders to maximise cost reductions. This will require more sophisticated market and supply chain management practices which could be incorporated into the Procurement Unit. Consideration will be given to moving to a category management structure with greater specialisms in the Procurement Unit.
- 4.5 The information provided in this report, shows the procurement outcomes achieved in 2011-12. It also shows where the Procurement Unit has identified savings potential for 2012-13. As a general rule the proposal is to set a target of an average 5% reduction in contracts that are due to be tendered in 2012-13. This has been the average reduction in contract value achieved by the Procurement Unit since its inception. In some cases where there is compelling evidence through a more detailed understanding of the market this target may be more or less than 5%.
- 4.6 The total value of procurement savings reported in this paper for 2011-12 is estimated at £12,522,223. This is broken down in the Appendix by Department and contract type.
- 4.7 £10m of this relates to the market management projects within Adult Social Services which involved the reduction in fees for residential and nursing home care, respite care and personal support. These were also connected to the re-provision of a range of in-house services including respite, re-ablement support and supported living.
- 4.8 Discounting the previously agreed policy options in 2011-12 this shows the total value of procurement outcomes to be £2.5m. The amount attributable to the review of Top-50 contracts is £422,400, as reported elsewhere on this agenda. The Departmental summary is as follows:-

	Total Efficiency 2011-12 £	Efficiency Slip to 2012-13 £	Contracts 2012-13 £
Adult Social Services	10,176,714	150,000	1,626,150
Children & Young People	221,734	-	248,250
Technical Services	199,746	48,750	745,226

Finance	78,664	-	74,509
Law HR & AM	701,641	533,000	33,195
RH&P	252,400	-	-
Corporate Contracts	891,324	422,591	115,409
TOTAL	12,522,223	1,154,341	2,842,739

4.9 Not all the procurement savings have been delivered in the current financial year. The total value of procurement savings that could have a financial impact in 2012-13 is £3,997,080. As £1,154,341 relates to procurement activity undertaken in 2011-12 this leaves an additional estimate for 2012-13 totalling £2,842,739. This may be supplemented by the findings of the PwC review.

4.10 The report shows that the combined efficiency targets for 2011-12 (£2m procurement efficiency, and £0.5m Top-50 Contract reviews) will be met. However they will not be fully implemented in 2011-12. £2.8m could be considered as the procurement efficiency target in 2012-13.

4.11 Cabinet on 8 December 2011 agreed that the £140,000 procurement saving on the Working Wirral project in 2011-12 should be reinvested in the project. The Director of Regeneration, Housing and Planning proposes to replace this budget saving by the release of a Regeneration, Housing and Planning reserve which will be included in a future report to the Cabinet.

4.12. The Director of Adult Social Services proposes to review how services are commissioned to deliver savings of £1.6m to replace the estimated procurement savings of £1.6m to be delivered from residential services and personal support.

5.0 RELEVANT RISKS

5.1 The options presented in this report follow the outcome of procurement and contract reviews in 2011-12. The contracts due for renewal in 2012-13 have not been subject to equality impact assessments at this stage.

6.0 OTHER OPTIONS CONSIDERED

6.1 No other options were considered in this report.

7.0 CONSULTATION

7.1 Consultation continues with all Departments and suppliers affected by these reviews. There is also ongoing consultation with other Councils in Merseyside to promote the adoption of collaborative contracts that increase the potential for savings through aggregation.

7.2 Some of the suggested procurement efficiency savings identified in this report may require consultation before they can be implemented.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

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

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

9.1 The savings target agreed by Council is £2.5m in 2011-12.

10.0 LEGAL IMPLICATIONS

10.1 All procurement activity and subsequent price negotiations are conducted in strict accordance with contract procedure rules and European procurement directives.

11.0 EQUALITIES IMPLICATIONS

11.1 An equalities impact assessment is considered for all contracts that are tendered or reviewed. Where the impacts are considered material a full Equality Impact Assessment will need to be undertaken and reported to Cabinet when the policy decision is being made.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 All new contracts include a requirement for suppliers to consider their carbon impact and contribute to the delivery of the Council carbon reduction targets.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are none arising directly from this report

FNCE/11/12

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APPENDICES

REFERENCE MATERIAL

Corporate Procurement Strategy, Cabinet 2 June 2011

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet - Procurement Strategy	13 October 2011
Cabinet - Procurement Strategy	2 June 2011
Cabinet - Review of Contract Efficiencies	9 December 2010

Appendix 1 Procurement Outcomes

Contract	Cabinet Reference	Total Procurement Efficiency 2011-12 £	Efficiency Slipped Into 2012-13 £	Potential Procurement Efficiency 2012-13 £
Adult Social Services				
Residential Services	17 March 2011	4,462,000	-	800,000
Personal Support	17 March 2011	906,000	-	800,000
Respite Care	17 March 2011	2,285,750	-	-
Re-ablement Support	17 March 2011	762,314	-	-
Supported Living	17 March 2011	1,610,650	-	-
Assistive Technology	1 September 2011	150,000	150,000	-
Meals on Wheels	June 2013	-	-	26,150
Sub-Total DASS		10,176,714	150,000	1,626,150
Children & Young People				
Children's Advocacy	9 December 2010	-	-	3,100
Integrated Transport	9 December 2010	125,000	-	-
Frozen Foods	13 January 2011	65,405	-	-
Physical Activity	Delegated	14,029	-	-
Fruit & Vegetables	25 November 2010	17,300	-	-
Schools Fire Alarms	April 2012	-	-	1,550
Aiming Higher	1 October 2011	-	-	-
BME Family Support	April 2012	-	-	1,600
Early Intervention	April 2012	-	-	140,000
Children's Residential	April 2012	-	-	100,000
Foster Chair Panel	April 2012	-	-	2,000
Automotive Products	9 December 2010	-	-	-
Sub-Total CYPD		221,734	-	248,250

Contract	Cabinet Reference	Total Procurement Efficiency 2011-12 £	Efficiency Slipped Into 2012-13 £	Potential Procurement Efficiency 2012-13 £
Technical Services				
Parking Enforcement	2 September 2010	50,000	-	-
Graffiti Removal	9 December 2010	17,958	-	-
Highways Survey	Delegated	7,998	-	7,998
Variable Signs	Delegated	25,000	-	-
Pay & Display	Delegated	12,540	-	-
Floral Catering	3 November 2011	45,000	33,750	-
Floral Bar	April 2012	-	-	1,500
Floral Lights	April 2012	-	-	1,500
Winter Bureau	Delegated	3,000	-	-
Engineering Inspection	April 2012	-	-	7,500
Coastal Strategy	23 June 2011	11,000	-	-
Coring	Delegated	20,000	15,000	-
Construction Integrator	9 December 2010	7,250	-	3,750
Urban Traffic Control	August 2012	-	-	7,500
Vehicle/plant hire	June 2012	-	-	3,375
Wildflower planting	April 2012	-	-	2,103
Beach Patrol	April 2012	-	-	70,000
Waste Collection	April 2013	-	-	570,000
Parks & Countryside	3 November 2011	-	-	-
Street Lighting	April 2012	-	-	70,000
Highways Maintenance	April 2014	-	-	-
Sub-Total Technical Services		199,746	48,750	745,226

Contract	Cabinet Reference	Total Procurement Efficiency 2011-12 £	Efficiency Slipped Into 2012-13 £	Potential Procurement Efficiency 2012-13 £
Finance				
Oracle (Domestic)	9 December 2010	2,921	-	-
Telecoms	27 May 2010	32,499	-	-
Project Management	Delegated	5,425	-	-
IT Disposal	Delegated	3,600	-	-
IT Hardware	9 December 2010	-	-	50,000
Oracle (E-Business)	Delegated	22,917	-	-
Card Payment	Delegated	7,212	-	-
Governance & Proxy	MPF	-	-	-
European Equity	MPF	-	-	-
Investment Adviser	MPF	-	-	-
FI Fund Manager	MPF	-	-	-
Data Back-up	December 2012	-	-	500
Internet Feed	June 2012	-	-	-
Civil Litigation	Insurance Fund	-	-	-
Property Adviser	MPF	-	-	-
Actuarial Services	MPF	-	-	-
Web Procedures	April 2012	-	-	2,500
Global Custody	MPF	-	-	-
Corporate Banking	April 2012	-	-	2,500
Printing Overflow	January 2012	-	-	500
PCI-DSS	9 December 2010	4,090	-	-
Library Books	April 2012	-	-	14,859
Cash Collection	April 2012	-	-	3,650
UK Equity	MPF	-	-	-
Sub-Total Finance		78,664	-	74,509

Contract	Cabinet Reference	Total Procurement Efficiency 2011-12 £	Efficiency Slipped Into 2012-13 £	Potential Procurement Efficiency 2012-13 £
Law, Human Resources & Asset Management				
Fire equipment	9 December 2010			4,620
Automatic Meter Reader	15 April 2010	258,000	258,000	0
Lifting Appliances	17 November 2010	7,950	0	0
Washroom Services	Delegated	4,858	0	0
Corporate Training	January 2012	200,000	150,000	0
Occupational Health	17 August 2011	85,000	85,000	0
Legal Services	April 2012	7,500	0	22,500
Retirement Planning	April 2012	0	0	200
Removals Service	April 2012	0	0	4,000
HR/Payroll System	15 October 2009	80,000	40,000	0
Schedule of Rates	9 December 2010	58,333	-	-
Victim Support	June 2012	-	-	1,875
Sub-Total LHRAM		701,641	533,000	33,195
Regeneration, Housing and Planning				
Loft & Cavity Insulation	22 July 2010	112,400	-	-
Working Wirral	13 January 2011	140,000	-	-
Sub-Total RH&P		252,400	-	-

Contract	Cabinet Reference	Total Procurement Efficiency 2011-12 £	Efficiency Slipped Into 2012-13 £	Potential Procurement Efficiency 2012-13 £
Corporate Contracts				
Agency Staff	9 December 2010	300,400	130,000	-
Stationery	14 October 2010	177,000	-	15,000
Cleaning Materials	April 2012	-	-	15,000
Photocopiers & MFD	January 2012	100,000	75,000	-
Business Consultancy	13 October 2011	200,000	150,000	-
Mobile Phones	OGC Framework	67,591	67,591	-
Work Wear	8 December 2011	13,000	-	-
Market Research	Delegated	-	-	2,150
Citizens Advice	April 2012	-	-	13,000
Voluntary sector support	April 2012	-	-	5,150
Protective Equipment	April 2012	-	-	3,900
Clinical Waste	April 2012	-	-	4,000
Office Furniture	April 2012	-	-	5,000
White Goods	June 2012	-	-	1,500
Safety Equipment	April 2012	-	-	2,500
Motor Insurance	April 2012	-	-	-
Vehicle Leases	July 2012	-	-	5,000
Water Coolers	May 2012	-	-	1,042
Financial Leases	October 2012	-	-	4,167
Milk, bread etc	August 2012	-	-	10,000
Electricity	OGC Framework	-	-	10,000
Gas	OGC Framework	-	-	18,000
Advertising	July 2010	33,333	-	-
Sub-Total Corporate		891,324	422,591	115,409
Council Total		12,522,223	1,154,341	2,842,739

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	FREEDOM OF ENTRY CONSIDERATION: A. 234 (WIRRAL) TRANSPORT SQUADRON ROYAL LOGISTIC CORPS (VOLUNTEERS); AND B. 107 (LANCASHIRE & CHESHIRE) FIELD SQUADRON ROYAL ENGINEERS (VOLUNTEERS)
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR JEAN STAPLETON
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report recommends conferring the Freedom of Entry to the Borough on the 234 (Wirral) Transport Squadron Royal Logistic Corps (Volunteers); and the 107 (Lancashire & Cheshire) Field Squadron Royal Engineers (Volunteers), both with Centres in Wirral in recognition of the service provided by each of them. These Squadrons have given support to the Authority and residents of the Borough, during times of conflict and in peacetime. The Council has maintained a close relationship with them over many years, however the Freedom of Entry to the Borough has not been granted to them.

2.0 RECOMMENDATION/S

- 2.1 The cabinet is asked to consider recommending to the Council: That

(1) in accordance with Section 249(5) of the Local Government Act 1972, it places on record its high appreciation of, and the debt of gratitude of the Borough to:

(a) the 234 (Wirral) Transport Squadron Royal Logistic Corps (Volunteers); and

(b) the 107 (Lancashire & Cheshire) Field Squadron Royal Engineers (Volunteers);

and in the light of the long and close association between the Borough and these Squadrons, it resolves that the Freedom of Entry to the Borough be conferred on them both and that they be granted, the right, privilege, honour and distinction of marching through the streets of Wirral on all ceremonial occasions with drums beating, bands playing and flags flying;

(2) the Freedoms of Entry to the Borough be granted at a public/community ceremony to be held in Hamilton Square, Birkenhead on 21 April 2012; and

(3) the ceremony at (2) above be followed by a Medal Parade, officiated over by the Mayor, and a Civic Reception at Birkenhead Town Hall.

3.0 REASON/S FOR RECOMMENDATION/S

3.1 To recognise both Squadrons' service to the country and the local men and women who have served in them in the past and who are serving in them today.

4.0 BACKGROUND AND KEY ISSUES

4.1 The Freedom of the Borough is the highest honour that the Council can bestow on any citizen or body. The Freedom of Entry for a military unit bestows the same honour and respect as conferring the Freedom on an individual. This allows the unit to march through the town and bear arms.

4.2 Section 249(5) of the Local Government Act 1972 allows the Council to confer the Freedom of Entry upon service units which have rendered conspicuous service and have close links with the Borough.

5.0 234 (WIRRAL) TRANSPORT SQUADRON ROYAL LOGISTIC CORPS (VOLUNTEERS)

5.1 234 Transport Squadron's role is to move combat supplies around the theatre of operations. It is equipped with the latest modern vehicles, from motor cycles, landrovers and fuel tankers, to all terrain fork lift trucks. As part of 156 (North West) Transport Regiment RLC (Volunteers) it supports 1 Logistic Support Regiment in Gutersloh, Germany by providing trained and motivated soldiers to augment the regulars as necessary.

5.2 Its main bulk carrying vehicle is the Leyland-DAF DROPS (Demountable Rack Off and Pick up System) MMLC (Medium Mobility Load Carrying) truck, which is capable of being able to load and carry 15 tons of stores or equipment across country, which can be doubled by the coupling of a trailer.

5.3 To enable the Squadron to operate the Hi-tech vehicles and equipment its soldiers are highly trained and skilled in a wide variety of trades, these include: Driver (C&E), Communication Specialists, Chefs, Clerks and Combat Medical Technicians.

5.4 Two members of the Squadron are currently deployed in Afghanistan on Operation HERRICK 15, along with 25 other personnel from the wider Regiment. They are serving with soldiers from 1 Logistic Support Regiment as

part of the Close Support Logistic Regiment which provides logistic support to British forces across Helmand province through Combat Logistic Patrols.

6.0 THE 107 (LANCASHIRE & CHESHIRE) FIELD SQUADRON ROYAL ENGINEERS (VOLUNTEERS)

- 6.1 107 Field Squadron is a unit numbering some 120 personnel. It is based in the Borough of Birkenhead and is under the command of 75 Engineer Regiment based in Warrington. It was originally formed in 1859 as a militia and was based in Church Road in Tranmere prior to its move to the TAC in Harrowby Road Birkenhead on 11 May 1907. The Unit changed from a militia following the formation of the Territorial Army in 1908. It remains' the senior TA unit within the Borough of Birkenhead.
- 6.2 The unit's official war role is to support its parent unit 75 Engineer Regiment to meet its commitments to its partnered regular unit 21 Engineer Regiment in Ripon, North Yorkshire, through augmentation for Major Combat Operations. However, in light of current stabilisation operations, its primary role is to provide trained and motivated soldiers to support Regular Royal Engineer regiments deploying to Afghanistan, as well as to other Army units on operations around the globe. It has, in the last ten years, deployed over 68% of its soldiers on operations in Afghanistan, Iraq, Cyprus and the Balkans. There are currently four soldiers in Afghanistan and another 28 soldiers training for mobilisation in May 2012. It also has a permanent role to assist the civil authorities in times of crisis, such as floods and foot and mouth disease.

7.0 RELEVANT RISKS

- 7.1 There are no risks associated with the proposals.

8.0 OTHER OPTIONS CONSIDERED

- 8.1 The other option is not to agree the recommendations.

9.0 CONSULTATION

- 9.1 The Cabinet is being consulted via this report and if it makes recommendations to the Council that the Freedom of Entry to the Borough be conferred on these Territorial Army Units a specially convened Council meeting will be arranged and the recommendations will only be agreed if a resolution to do so is agreed by not less than two-thirds of the Members voting at the meeting.
- 9.2 The Territorial Army Units concerned have been consulted and are happy for the honour to be conferred on them.

10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 10.1 The Territorial Army Units concerned are made up of volunteer soldiers.

11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 11.1 The cost of each scroll is expected to be in the region of £800 and the cost of a modest Civic Reception can be met from the Civics budget.

12.0 LEGAL IMPLICATIONS

10.1 There are none arising directly out of this report.

13.0 EQUALITIES IMPLICATIONS

13.1 There are no discrimination issues associated with the recommendations.

13.2 Equality Impact Assessment (EIA)

(a) Is an EIA required?

No

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

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

14.0 CARBON REDUCTION IMPLICATIONS

14.1 (*Carbon usage implications? Any other relevant environmental issues?*)

14.2 There are none arising directly out of this report.

15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

15.1 There are none arising directly out of this report.

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APPENDICES

None

REFERENCE MATERIAL

Local Government Act 1972.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

**WIRRAL COUNCIL
CABINET
2 FEBRUARY 2012**

SUBJECT:	ENTERPRISE ZONE - BUSINESS RATES DISCOUNTS
WARD/S AFFECTED:	SEACOMBE / BIDSTON & ST JAMES
REPORT OF:	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR PHIL DAVIES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report details the issue arising from the Localism Act 2011 which gives local authorities the power to award discounts, including Enterprise Zone discounts from 1 April 2012.

2.0 RECOMMENDATION

- 2.1 That Members agree to grant a Business Rate discount of 100% for properties designated within specified areas of the Mersey Waters Enterprise Zone (Wirral site) which will be awarded from 1 April 2012.

3.0 REASONS FOR RECOMMENDATION

- 3.1 Discounts awarded under the new powers will be funded by the Council awarding them. However for discounts awarded in Enterprise Zones the Government has agreed to fund up to 100% of the discounts awarded during the period 1 April 2012 to 31 March 2015. They will be funded for five years from the date they are granted. Therefore, a business that enters the zone in a designated area on 31 March 2015 will be entitled to the discount until 31 March 2020, funded by the Government.
- 3.2 These discounts are covered by the European Union De Minimis Aid rules on state funding and are currently subject to 200,000 euros limit over a three year period. That has the effect of limiting the award to £55,000 per annum to an individual business. The maximum discount amount over a five year period could be £275,000. The maximum discounted Rateable Value will be £122,000.

4.0 BACKGROUND AND KEY ISSUES

Enterprise Zones

- 4.1. The Government announced in March 2011 that there were to be 21 Enterprise Zones. Mersey Waters was included in the first tranche. The site consists of two areas Wirral Waters and Liverpool Waters, known collectively as Mersey Waters.

- 4.2 The majority of the details of Enterprise Zones were covered in a report to Cabinet by the Acting Director of Regeneration, Housing and Planning on 8 December 2011 (Minute 226).
- 4.3 The details in relation to Mersey Waters are at an early stage and still in formulation, however the discount in respect of Business Rates for the zone can be granted from 1 April 2012.
- 4.4 The Council can choose the percentage of discount it awards for business properties in the designated areas of the Zone. The Government has said it will reimburse the costs of providing up to a 100% discount for up to five years for all properties so designated by 31 March 2015. The Government has also stated it will also cover existing businesses within designated areas in the Zones from 1 April 2012.
- 4.5 The current proposals are that an area of 28.3 hectares out of a total area of 83.8 hectares will be designated for Business Rates discount. The final decision regarding designation will be taken by the Liverpool City Region Local Enterprise Partnership.
- 4.6 The Government proposes to change the impact of Business Rates on the funding of local authorities in 2013. The proposal is that any uplift caused by new businesses entering the zone can be retained by the Liverpool City Region LEP for 25 years and distributed for local needs. A final decision on this remains outstanding.

5.0 RELEVANT RISKS

- 5.1 The Local Government Finance Bill may adversely change the impact of Business Rates on the finances of the Council.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 None

7.0 CONSULTATION

- 7.1 None.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 8.1 None.

9.0 RESOURCE IMPLICATIONS, FINANCIAL; IT; STAFFING AND ASSETS

- 9.1 Investment in Mersey Waters may be affected. IT suppliers are amending Business Rates software to take account of the legislation change.

10.0 LEGAL IMPLICATIONS

- 10.1 The Council will be unable to grant a discount for the Enterprise Zones funded 100% by the Government if not formally approved

11.0 EQUALITIES IMPLICATIONS

- 11.1 There are none arising from this report and an Equality Impact Assessment is not required in respect of awarding this specific rates relief.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are none arising from this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are none arising from this report.

FNCE/29/12

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APPENDICES

NONE

REFERENCE MATERIAL

Mersey Waters Enterprise Zone Draft Implementation Plan

SUBJECT HISTORY THE LAST 3 YEARS

Council Meeting	Date
Cabinet (min 226)	8 December 2011
Cabinet (min 396)	14 April 2011

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	<i>LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – WORK PROGRAMME AND EVIDENCE BASE</i>
WARD/S AFFECTED:	<i>ALL WARDS. PETITION FOR A SITE IN LEASOWE AND MORETON EAST (PARAGRAPH 5.29 REFERS)</i>
REPORT OF:	<i>ACTING DIRECTOR OF DEPARTMENT OF REGENERATION, HOUSING AND PLANNING</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>REGENERATION AND PLANNING STRATEGY – CLLR PHIL DAVIES</i>
KEY DECISION?	<i>YES</i>

EXECUTIVE SUMMARY

This report informs Members of the future programme for the preparation of the Council's Local Development Framework; the findings of the latest study of the Borough's housing land supply; and reports on progress on the remaining technical evidence base studies. The report recommends that the Local Development Scheme attached to this report is approved for formal adoption by Council and that the findings of the Strategic Housing Land Availability Assessment Update are made available for consultation before being included in the Proposed Submission Draft Core Strategy.

1.0 RECOMMENDATIONS

- 1.1 That Cabinet recommends to Council that the Local Development Scheme attached to this report is approved and that Council resolves to bring the Scheme into legal effect on the Monday following the date the resolution of Council is passed;
- 1.2 That the findings of the SHLAA Update are published for consultation prior to their inclusion in the Proposed Submission Draft Core Strategy Development Plan Document and their approval as a material consideration for use by Planning Committee in the determination of planning applications; and
- 1.3 That the 2008-based household projections are used as the basis for calculating the Borough's five-year housing land supply in the period between the abolition of the Regional Spatial Strategy and the adoption of the Core Strategy.

2.0 REASON/S FOR RECOMMENDATION/S

- 2.1 To respond to the findings of the Council's Local Development Framework Annual Monitoring Report; provide an up-to-date programme for the preparation of Development Plan Documents; enable the most up-to-date information on housing land supply to inform the land-use policies in the emerging Local Development Framework for Wirral and decisions on individual planning applications; and enable the Council to maintain an ongoing five-year housing land supply.

3.0 BACKGROUND AND KEY ISSUES

- 3.1 Cabinet on 21 July 2011 considered the responses submitted to consultation on the Council's Preferred Options for the emerging Core Strategy Development Plan Document for Wirral and resolved that additional studies be completed before a Draft Core Strategy is published and submitted to the Secretary of State for public examination (Cabinet, 21 July 2011, Minute 80 refers).
- 3.2 Cabinet considered the Council's Local Development Framework Annual Monitoring Report in December, which identified the latest position on the timetable for the preparation of Development Plan Documents and the need for more up-to-date information on the Borough's future housing land supply (Cabinet, 8 December 2011, Minute 224 refers).
- 3.3 The revised timetable for the production of Development Plan Documents has now been formalised into a revised Local Development Scheme for Council approval and the findings of the Strategic Housing Land Availability Assessment Update are now available. An update of progress on the other technical evidence base studies is also provided below.

4 LOCAL DEVELOPMENT SCHEME UPDATE

- 4.1 The Local Development Scheme is required to be published under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended), to set out the timetable for the preparation and revision of Development Plan Documents, including any that may be prepared jointly with one or more other local planning authorities. The last Local Development Scheme for Wirral came into effect, following approval by the Secretary of State, on 22 February 2010 (Council, 15 February 2010, Minute 97 refers)
- 4.2 Following the enactment of the Localism Act 2011, it is no longer necessary to seek the separate approval of the Secretary of State before a Scheme can be adopted but the Council must make up-to-date information on progress available to the public. There is also a need to approve an up-to-date Local Development Scheme to support the soundness of the Joint Waste Development Plan Document which is expected to be submitted to formal public examination in February 2012.
- 4.3 The revised Local Development Scheme attached to this report has been based on the findings of the Annual Monitoring Report approved by Cabinet in December 2011. It is proposed to review progress on a quarterly basis on the Council's website, alongside a review of the risk register set out at Appendix 8 of the Scheme attached to this report.

5 STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT UPDATE

- 5.1 A Strategic Housing Land Availability Assessment (SHLAA) is a technical background document required by national policy to consider all the available sites in the Borough that may potentially be suitable to deliver new housing development. It is an essential part of the evidence base for demonstrating that the Borough has an ongoing deliverable five-year housing land supply and has a longer term 15-year supply to deliver the number of new homes required to meet local needs in the Core Strategy.
- 5.2 National policy requires the SHLAA to look at all land which could have potential for housing. The SHLAA, therefore, effectively looks at what the future land supply for housing could look like with only limited planning restrictions in place. This allows the Council to "test" emerging policy scenarios for their likely implications, such as the

need to use greenfield sites and other sites not currently designated for new housing development. It is then left to the Council to decide on the direction of future strategy and on individual land allocations through its Local Development Framework, taking a wider range of issues into account such as strategic priorities, the need for employment land and the need to preserve local character and amenity. However, the Council's assessment of the direction of the future strategy must have regard to national policy, which is that a five year supply of readily available and developable housing land has to be provided. Proposals in the National Planning Policy Framework (Cabinet 22 September 2011, minute 124 refers) are that this will be extended to a 'rolling supply' of specific deliverable (i.e. available, in a suitable location, achievable and viable) sites sufficient to provide five years supply plus an allowance of 20% to ensure choice and competition in the market for land.

5.3 The first SHLAA for Wirral, prepared by Roger Tym and Partners supported by A. P. Sheehan, was based at April 2008 (the "SHLAA 2008", Cabinet, 2 September 2010, Minute 121 refers) and was subject to public consultation alongside the publication of the Council's Preferred Options for the Core Strategy in November 2010 (Cabinet, 23 September 2010, Minute 143 refers). Cabinet considered the report of consultation responses and resolved that the SHLAA should be updated to April 2011, to be carried out in-house alongside an independent achievability assessment to be undertaken by A.P Sheehan (Cabinet, 21 July 2011, Minute 80 refers).

5.4 The main objectives of the SHLAA Update were to:

- re-evaluate the sites included in the SHLAA 2008, to identify any changes;
- incorporate, where appropriate, any amendments identified through consultation;
- assess any new sites for their suitability, availability and achievability; and
- identify the housing land supply position for the 15 year period from April 2011

5.5 A copy of the main SHLAA Update Report and its associated documents is available on the Council's internet Document Library but the main findings are summarised below:

Changes Since April 2008

5.6 A number of policy and legislative changes have been introduced since the SHLAA 2008 was undertaken.

Regional Spatial Strategy for the North West (RSS)

5.7 The Secretary of State's Regional Spatial Strategy for the North West (GONW, September 2008) and the Council's Unitary Development Plan (adopted in February 2000), currently constitute the statutory Development Plan for Wirral. In the context of housing, the RSS sets out an annual average housing target for Wirral of 500 net dwellings up to 2021 and the intention to focus new residential development to promote economic growth and regeneration in the east of the Borough.

5.8 The Government intends to abolish Regional Spatial Strategies through the Localism Act, which received Royal Assent on 15 November 2011. The abolition of RSS is currently awaiting the outcome of a Strategic Environmental Assessment, which is subject to consultation with a deadline for comments by 20 January 2012. Although the RSS housing requirement still forms part of the statutory development plan, it is important that the Council can provide a robust evidence base to support a locally-derived housing requirement once RSS is finally revoked.

National Policy

- 5.9 At the national level, the Coalition Government has updated Planning Policy Statement 3 (Housing): to reflect a new definition of previously developed land, to exclude private residential gardens; and remove the national indicative minimum density target of 30 dwellings per hectare.
- 5.10 The Government has also recently consulted on a new National Planning Policy Framework (NPPF), to replace the existing suite of national Planning Policy Guidance Notes and Planning Policy Statements (Cabinet 22 September 2011, Minute 124 refers). It is anticipated that the final version of the NPPF will be published in April 2012.
- 5.11 The requirement to provide for up to 15-years' development in the Development Plan; maintain a rolling five-year supply of housing sites; and consider applications favourably where a five-year supply cannot be demonstrated appears in both PPS3 and the NPPF. The draft NPPF also includes an additional allowance of 20% on the initial five-year supply, effectively requiring an immediately available housing land supply of six years.

Core Strategy

- 5.12 The Council consulted on a range of potential housing targets as part of the Preferred Options for the Core Strategy based on the RSS 'Option 1' figure advised in the Conservative Party pre-Election Green Paper Open Source Planning; housing need; housing capacity; and market deliverability (Cabinet, 23 September 2010, Minute 143 refers). Consultation feedback indicated that the majority of respondents wanted more account to be taken of the local housing needs identified in the Council's Strategic Housing Market Update which were based on CLG household projections (Cabinet, 21 July 2011, Minute 80 refers).

Interim Planning Policy for New Housing Development

- 5.13 The Council has operated an Interim Planning Policy since RPG13 was issued in 2003, with amendments in October 2005, to promote urban regeneration and housing market renewal. The Policy was retained following the publication of RSS in September 2008 and a series of appeal decisions which continued to support it.
- 5.14 Despite the five-year housing land supply coming under increasing pressure, Inspectors have so far continued to support the Policy on the basis of the importance of urban regeneration in the Regional Spatial Strategy, in line with the advice in paragraph 69 of PPS3. The only recent exception has been the approval of the subdivision of a single dwelling into two dwellings which were already in use at Redstones Farm in Irby.

Liverpool City Region Overview Study

- 5.15 A Liverpool City Overview Study, based on the SHLAA 2008, concluded that 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 beyond 2020. The potential to accommodate these shortfalls in other authorities (including Wirral) 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 (Cabinet, 21 July 2011, Minute 76 refers).

Changes in Housing Delivery

- 5.16 Between April 2003 and April 2008 Wirral recorded an annual average of 367 housing completions net of clearance. Although this was below the annual requirement of 500 net dwellings set by RSS, Wirral had exceeded the annual requirement in both 2006/07 and 2007/08, before the onset of the national recession. Since then, between 2008 and 2011, Wirral has delivered an annual average of 210 net housing completions and in 2010/11, registered 97 net completions, the lowest figure recorded since the beginning of the RSS period in 2003. Market conditions have, therefore, had a significant impact on the ability of developers to deliver new housing to the pre-recession levels envisaged in RSS.

Newheartlands Housing Market Renewal Initiative

- 5.17 Newheartlands was a long term national regeneration project to tackle the causes and symptoms of housing market failure, vacancy and decline at the heart of the Merseyside conurbation. In Wirral, the boundary designated by the Government in April 2002 included Birkenhead, Tranmere, Seacombe and parts of Bidston and Liscard. The programme has been very successful in securing a number of homes for acquisition and clearance, renovating a range of existing properties and providing new high quality housing on former clearance areas.
- 5.18 Following the Government's Comprehensive Spending Review, HMRI funding ceased prematurely at the end of March 2011. Despite funding cuts, the objectives of housing market renewal continue to form a prominent part of the Council's Housing Strategy and the Council's ongoing Housing Investment Programme is based on the completion of previous priorities and initiatives in Birkenhead, Rock Ferry, Tranmere and Wallasey. The Council has secured HMRI Transitional Funding to the value of £2.7 million (Economy and Regeneration Overview and Scrutiny Committee 16 January 2012 refers), which will be used to support housing market renewal priorities alongside funding from the New Homes Bonus and the Regional Housing Fund, in partnership with the Council's preferred regeneration partners, Keepmoat and Lovell.

Mersey Heartlands Growth Point

- 5.19 In July 2008, the Government confirmed 'Mersey Heartlands' as one of 21 second-round New Growth Points (NGP). Under the NGP, accelerated housing supply was to be pursued alongside housing market renewal in Merseyside's regeneration priority areas. The ambition for the Mersey Heartlands NGP was to achieve a level of housing growth that was 20 per cent greater than the dwelling targets set by the RSS during the period 2008-2017. The Council's commitment to growth within this area was shown in the outline approval of up to 15,200 new dwellings at Wirral Waters but no new housing development has yet taken place.
- 5.20 National funding for the Growth Point programme also ceased in March 2011.

Methodology

- 5.21 The SHLAA Update has been produced in accordance with the agreed SHLAA 2008 methodology, subject to consultation feedback and data updates. The SHLAA Update also considers a number of new sites. These include:
- sites submitted through consultation on the SHLAA 2008 between November 2010 and January 2011;
 - a review of housing refusals since April 2003, which were not included in the SHLAA 2008 (except that sites where the reasons for refusal were unlikely to be able to be overcome have continued to be excluded);
 - sites where planning permission for housing had lapsed prior to 1 April 2011;
 - additional sites identified through the National Land Use Database held by HCA;
 - Council-owned sites that had or were likely to be declared surplus to requirements in future years; and
 - additional vacant sites identified by officers during site visits.
- 5.22 The main SHLAA Update Report makes clear that the inclusion of a site in the SHLAA Update should not be taken as a Council endorsement of its future development and does not in any way prejudice decisions to be taken by the Council in relation to preferred directions of growth in the Core Strategy, site identification in site-specific Development Plan Documents or the determination of individual planning applications.

Site Assessment Criteria

- 5.23 In accordance with the original methodology, the sites included in the SHLAA Update have been subject to a comprehensive assessment of their 'suitability', 'availability' and 'achievability'.
- **Suitability** has been assessed by scoring each site against criteria related to recreational open space, nature and earth science conservation, employment land, flooding and Green Belt. Physical problems or 'bad neighbour' constraints have also been considered.
 - **Availability** has been assessed by scoring each site against criteria related to whether the site was owned by a willing developer, owner or public sector body, whether the site had an established low intensity or single use, or whether the site was known to have complex ownership.
 - **Achievability** has been assessed by scoring each site for economic viability based on an independent assessment of a selection of new sites by A.P. Sheehan. The achievability assessment of SHLAA 2008 sites, also undertaken by A.P. Sheehan, has remained unchanged unless new evidence has been presented to indicate otherwise.
- 5.24 The assessments of suitability, availability and achievability have been used to place each site into one of three 'Category' bands:
- **Category 1** sites are considered to be suitable for housing and **deliverable** within five years.
 - **Category 2** sites are considered to be **developable** but may have some additional constraints which mean they are more likely to be delivered within a 6-10 year period.

- **Category 3** sites are considered to be **not currently developable** and are subject to constraints which could only make them deliverable within an 11-15 year period.

5.25 **Small sites** have also been included but have not all been subject to a detailed assessment due to the high numbers involved. An assumption has, therefore, been made relating to their likely delivery, based on the assessment of a selection of new sites from within the same Settlement Area.

5.26 Sites which already had **planning permission** for housing development at April 2011 have been assessed separately as 'outstanding commitments'. A 20 per cent non-implementation rate has been applied to take account of permissions that may not be developed, in line with the approach taken in the SHLAA 2008.

5.27 The SHLAA Update has included sites in the Green Belt, in line with the approach taken in the SHLAA 2008, but these were discounted towards the end of the process because of the extent of the assessed capacity within the urban areas over 15 years.

Consideration of Petition Site

5.28 A petition of 366 names was received in April 2011, following the close of the consultation period for the SHLAA 2008, prompted by the marketing of land at Ditton Lane for residential development, which requested that the Council "designates the site as unsuitable for development in the next Local Development Framework". The site has been assessed in accordance with the SHLAA 2008 methodology and has subsequently been removed from the ongoing supply as the majority of the site falls within a functional floodplain. In order for development to be considered suitable on this site, it would need to be demonstrated that flood mitigation measures could be successfully implemented.

Assessment Findings

Table 1: Sites Assessed as Deliverable Within Five Years From April 2011

Number of Dwellings (gross)	Category 1 Sites			Site with Planning Permission (-20%)			GRAND TOTAL	% of Borough Total
	PDL ¹	GF ²	TOTAL	PDL	GF	TOTAL		
Settlement Area 1 – Wallasey	104	43	147	442	10	452	599	16.1
Settlement Area 2 – Commercial Core	63	0	63	49	0	49	112	3.0
Settlement Area 3 – Birkenhead	321	138	459	1,022	130	1,152	1,611	43.2
Settlement Area 4 – Bromborough & Eastham	209	44	253	414	6	420	673	18.0
Settlement Area 5 – Mid-Wirral	67	126	193	98	16	114	307	8.2
Settlement Area 6 – Hoylake & West Kirby	67	20	87	33	9	42	129	3.5
Settlement Area 7 – Heswall	27	36	63	25	13	38	101	2.7

¹ Previously developed land

² Greenfield land

Number of Dwellings (gross)	Category 1 Sites			Site with Planning Permission (-20%)			GRAND TOTAL	% of Borough Total
	PDL ¹	GF ²	TOTAL	PDL	GF	TOTAL		
Settlement Area 8 – Rural Areas	0	0	0	197	2	199	199	5.3
TOTAL	858	407	1,265	2,280	186	2,466	3,731	

5.29 Table 1 above includes Category 1 sites identified as deliverable within the first five years, together with planning permissions at April 2011 (discounted by 20 per cent), excluding Wirral Waters sites. It demonstrates that 84 per cent of the total five year supply is on previously developed land, above the RSS target of 80 per cent. The largest potential capacity lies within the urban area in Settlement Area 3 - Birkenhead, with Settlement Areas 1 – Wallasey and Settlement Area 4 – Bromborough and Eastham also demonstrating significant capacity.

5.30 The capacity in Table 1 includes the following:

- **188** units and **6.36** hectares of land on sites designated for employment purposes.
- **223** units and **13.27** hectares of land on sites designated as urban greenspace or currently used or designated for recreation.
- **94** units and **5.66** hectares of land on sites within a designated Conservation Area.
- **30** units and **2** hectares of land on residential garden sites.
- **559** units and **26.14** hectares of land on sites currently held back by the Council's Interim Planning Policy for New Housing Development.

5.31 Removing these sites would reduce the gross supply from 3,731 to 2,907 dwellings.

5.32 Wirral Waters could provide additional dwellings between 2011 and 2016 but the latest figures are not yet available.

Table 2: Sites Assessed as Developable Within Six to Ten Years From April 2011

Number of Dwellings (gross)	Category 2 Sites		TOTAL	% of Borough Total
	PDL	GF		
Settlement Area 1 – Wallasey	150	34	184	8.3
Settlement Area 2 – Commercial Core	461	0	461	20.8
Settlement Area 3 – Birkenhead	219	88	307	13.9
Settlement Area 4 – Bromborough & Eastham	599	93	692	31.3
Settlement Area 5 – Mid-Wirral	59	141	200	9.0
Settlement Area 6 – Hoylake & West Kirby	73	60	133	6.0
Settlement Area 7 – Heswall	25	52	77	3.5

Number of Dwellings (gross)	Category 2 Sites		TOTAL	% of Borough Total
	PDL	GF		
Settlement Area 8 – Rural Areas	132	26	158	7.1
TOTAL	1,718	494	2,212	

5.33 Table 2 above includes Category 2 sites identified as developable within the first ten years, again, excluding Wirral Waters sites. It demonstrates that 78 per cent of the total 6 – 10 year supply is on previously developed land, slightly below the RSS target of 80 per cent. The largest potential capacity lies within the urban area of Settlement Area 4 – Bromborough and Eastham.

5.34 The capacity in Table 2 includes the following:

- **546** units and **24.71** hectares of land on sites designated for employment purposes.
- **205** units and **6.92** hectares of land on sites designated as urban greenspace or currently used or designated for recreation.
- **129** units and **3.73** hectares of land on sites within a designated Conservation Area.
- **48** units and **1.02** hectares of land on sites at high risk of flooding (Flood Zone 3a).
- **77** units and **4.49** hectares of land on residential garden sites.
- **165** units and **6.65** hectares of land on sites currently in use with potential for conversion but with no indication of delivery within the first five years.
- **843** units and **34.23** hectares of land on sites currently held back by the Council's Interim Planning Policy for New Housing Development.

5.35 Removing these sites would reduce the gross supply from 2,212 to 671 dwellings

5.36 Wirral Waters could provide additional dwellings between 2016 and 2021 but the latest figures are not yet available.

Table 3: Sites Assessed as Not Currently Developable Within Eleven to Fifteen Years From April 2011

Number of Dwellings (gross)	Category 3 Sites		TOTAL	% of Borough Total
	PDL	GF		
Settlement Area 1 – Wallasey	52	95	147	2.8
Settlement Area 2 – Commercial Core	3,172	41	3,213	62.3
Settlement Area 3 – Birkenhead	241	131	372	7.2
Settlement Area 4 – Bromborough & Eastham	280	49	329	6.4
Settlement Area 5 – Mid-Wirral	154	784	938	18.2
Settlement Area 6 – Hoylake & West Kirby	2	25	27	0.5

Number of Dwellings (gross)	Category 3 Sites		TOTAL	% of Borough Total
	PDL	GF		
Settlement Area 7 – Heswall	28	14	42	0.8
Settlement Area 8 – Rural Areas	91	0	91	1.8
TOTAL	4,020	1,139	5,159	

5.37 Table 3 above includes Category 3 sites identified as not currently developable within the first ten years, excluding Wirral Waters sites. It demonstrates that 78 per cent of the 11 - 15 year supply is on previously developed land, slightly below the RSS target of 80 per cent. Outside Wirral Waters, the largest potential capacity lies within the Commercial Core in and around the docks hinterland.

5.38 The capacity in Table 3 includes the following:

- **3,213** units and **90.53** hectares of land on sites designated for employment purposes.
- **1,333** units and **55.35** hectares of land on sites designated as urban greenspace or currently used or designated for recreation.
- **846** units and **10.55** hectares of land on sites within a designated Conservation Area.
- **2,252** units and **65.22** hectares of land on sites at high risk of flooding (Flood Zone 3a).
- **39** units and **3.24** hectares of land on residential garden sites.
- **60** units and **1.59** hectares of land on sites currently in use with potential for conversion but with no indication of delivery within the first five years.
- **530** units and **23.4** hectares of land on sites currently held back by the Council's Interim Planning Policy for New Housing Development.

5.39 Removing these sites would reduce the gross supply from 5,159 to 303 dwellings

5.40 Wirral Waters could provide additional dwellings between 2021 and 2026 but the latest figures are not yet available.

Table 4: Small Sites at April 2011

Number of Dwellings (gross)	Small Sites		TOTAL	% of Borough Total
	PDL	GF		
Settlement Area 1 – Wallasey	53	44	97	15.6
Settlement Area 2 – Commercial Core	67	0	67	10.8
Settlement Area 3 – Birkenhead	132	99	231	37.1
Settlement Area 4 – Bromborough & Eastham	4	46	50	8.0
Settlement Area 5 – Mid-Wirral	48	40	88	14.1

Number of Dwellings (gross)	Small Sites		TOTAL	% of Borough Total
	PDL	GF		
Settlement Area 6 – Hoylake & West Kirby	25	19	44	7.1
Settlement Area 7 – Heswall	19	27	46	7.4
Settlement Area 8 – Rural Areas	0	0	0	0.0
TOTAL	348	275	623	

5.41 Table 4 above includes small sites which were not subject to a detailed achievability appraisal. It demonstrates that 56 per cent of the total supply of small sites is on previously developed land, below the RSS target of 80 per cent.

5.42 The capacity in Table 4 includes the following:

- **54** units and **1.16** hectares of land on sites designated for employment purposes.
- **91** units and **2.69** hectares of land on sites designated as urban greenspace or currently used or designated for recreation.
- **20** units and **0.7** hectares of land on sites within a designated Conservation Area.
- **19** units and **0.53** hectares of land on sites at high risk of flooding (Flood Zone 3a).
- **52** units and **1.69** hectares of land on residential garden sites.
- **5** units and **0.15** hectares of land on sites currently in use with potential for conversion but with no indication of delivery within the first five years.
- **328** units and **9.71** hectares of land on sites currently held back by the Council's Interim Planning Policy for New Housing Development.

5.43 Removing these sites would reduce the gross supply from 623 to 184 dwellings

Calculation of Five, Ten and Fifteen Year Housing Land Supply

5.44 Table 5 below uses the figures above to set out the Borough's five-year housing supply when measured against the current RSS requirement of 500 per year, which was produced in the context of a growing economy and was based on the higher 2003-based household projections.

Table 5: Five Year Supply 2011 – 2016 Based on RSS Requirement

	Data Item	Number of Dwellings
A	RSS Housing Requirement 2003 - 2011 (500 x 8 years)	4,000
B	Demolitions 2003 - 2011 (actual)	1,901
C	Gross Completions 2003 - 2011 (actual)	4,495
D	Net Completions 2003 - 2011 (new build plus net gain from conversions less demolitions)	2,466
E	Shortfall (backlog) of completions against target 2003 – 2011 (A - D)	1,534
F	Five year projected demolitions (200 p.a)	1,000

	Data Item	Number of Dwellings
G	5 year gross housing target 2011 - 2016 including shortfall and projected demolition replacement (500 x 5 + E + F)	5,034
H	Current five year gross supply	3,895
I	Annual requirement over 5 years (gross) (G/5)	1,007
J	Years' supply (H/I)	3.9

5.45 This analysis is based on the following assumptions:

- Projected demolitions over the five year period from 2011 (Row F) are based on the known programmes of the Council and Registered Providers of social housing and the median average of actual demolitions since 2003.
- The five year gross housing target (Row G) assumes that the shortfall against RSS between 2003 and 2011 will be met in the five year period from April 2011. If this backlog is met over a ten year period, the SHLAA demonstrates capacity equivalent to a 4.6 year supply.
- The current five year gross supply (Row H) includes Category 1 sites that were considered deliverable within the first five years, small sites calculated as being deliverable within the first five years and extant planning permissions at April 2011 (the last discounted by 20 per cent to reflect non-implementation).
- The calculation assumes that all Category 1 sites, small sites and extant planning permissions are fully developed and that the Council's Interim Planning Policy for New Housing Development does not continue to apply.

5.46 Table 6 below sets out the five year housing land position when set against the latest 2008-based national household projections. The analysis is based on the same assumptions as for Table 5 above.

Table 6: Five Year Supply 2011 – 2016 Based on DCLG 2008-Based Household Projections

	Data Item	Number of Dwellings
A	Increase in Households 2008 – 2011 (average 200 pa)	600
B	Demolitions 2008 - 2011 (actual)	548
C	Gross Completions 2008 – 2011 (actual)	1,211
D	Net Completions 2008 - 2011 (new build plus net gain from conversions less demolitions)	631
E	Shortfall (backlog) of completions against target 2008 - 2011 (A – D)	-31
F	Five year projected demolitions (200 p.a)	1,000
G	5 year gross housing target 2011 - 2016 including shortfall and projected demolition replacement (2,200³ + E + F)	3,169

³ This reflects an increase of 400 (200 per annum) households between 2011 and 2013 and 1,800 (600 per annum) between 2013 and 2016

	Data Item	Number of Dwellings
H	Current five year gross supply	3,895
I	Annual requirement over 5 years (gross) (G/5)	634
J	Years' supply (H/I)	6.1

The calculation in Row G reflects projected household growth between 2011 and 2016, which increases from 200 per annum between 2008 and 2013 to 600 per annum between 2013 and 2018.

- 5.47 Table 5 demonstrates that the SHLAA Update does not identify sufficient capacity to meet the RSS requirement within the five year period from 2011, without Wirral Waters. When the RSS backlog and projected demolitions are taken into account, the SHLAA Update demonstrates a 3.9 year supply. The continuing application of the Interim Planning Policy could reduce this supply to 3.2 years. Additional units at Wirral Waters could, however, deliver an additional supply.
- 5.48 When measured against the DCLG 2008-based household projections in Table 6, the SHLAA Update demonstrates a potential surplus against requirements, at 6.1 years' supply. The continuing application of the Interim Planning Policy could reduce this supply to 5.1 years. This indicates that if the Council adopts the 2008-based household projections as its local housing requirement, sufficient capacity is likely to exist within the Borough to accommodate future household growth. Additional units at Wirral Waters could deliver an additional supply.
- 5.49 The Council has granted permission for 100 additional units since April 2011 on sites not identified in the SHLAA and is in negotiation with a number of developers to bring sites forward for additional housing development.
- 5.50 Calculations showing figures for the ten and fifteen year supply are contained within the main SHLAA Update Report in the Council's internet Document Library but demonstrate a shortfall of 1.9 years against the RSS target over ten-years (increased to 4.0 years by the continuation of the Interim Planning Policy) or a 10.8 year supply against the household projections, without Wirral Waters (reduced to 8.0 years by the continuation of the Interim Planning Policy); and a 16.4 year and 21.3 year supply over fifteen years, without Wirral Waters (reduced to 13.2 and 17.2 years dependent upon future policy decisions).

Windfall Sites

- 5.51 Although the majority of potential sites have been included in the SHLAA Update, it is still reasonable to assume that some unidentified sites will come forward. In the SHLAA 2008, the consultants estimated that unidentified sites could be expected to deliver a further 416 dwellings over the period 2013 to 2026. An additional allowance for windfalls was not, however, included in the SHLAA supply figures as national policy discourages a reliance on unidentified supply (PPS3, 2010, paragraph 59 refers).
- 5.52 Previously unidentified sites have, in practice, been a significant source of new planning permissions for housing in Wirral. For example, since 2008, 316 units have been granted planning permission on sites which were not identified in the SHLAA

2008. The lifting of the Interim Planning Policy could also serve to release additional sites, not yet identified in the SHLAA Update. This demonstrates that windfalls could still form a significant part of Wirral's ongoing housing land supply, again, subject to market conditions. However, in order to comply with PPS3, windfall sites have not been included in the final supply figures quoted above.

- 5.53 It is not currently possible under existing national policy to consider reducing vacancy within the existing stock or using the number of properties for sale to contribute towards the assessment of housing requirements or the five or fifteen year supply.

Overall Conclusions on the Findings of the SHLAA Update

- 5.54 The SHLAA Update analysis above highlights a shortfall in housing land supply when measured against the RSS requirement over the five and ten year periods from 2011, without Wirral Waters. Across the fifteen year period, the SHLAA Update demonstrates a potential surplus against the RSS requirement, reflecting the significant capacity of sites that are not currently developable, which are included in Category 3. In order to meet the RSS requirement over the five and ten year periods, a number of sites from Category 2 and Category 3 may need to be brought forward sooner. This includes a number of sites currently allocated for employment uses, designated as urban greenspace or currently in use for recreation. Alternatively, additional sites may need to be identified. This process would need to be greatly accelerated, if the Interim Planning Policy for New Housing Development continued to be applied unless sufficient housing completions could be delivered at Wirral Waters over the next five to ten years.
- 5.55 When measured against the 2008-based household projections, the SHLAA Update demonstrates that Wirral's identified capacity might be able to accommodate projected household growth within the five, ten and fifteen year periods from 2011, without Wirral Waters, if the Interim Planning Policy was no longer applied. The household projections cannot, however, lawfully be applied while the RSS is still in place.
- 5.56 While the Government is committed to abolishing the RSS, the timetable for its removal is still uncertain and may be subject to a future judicial review. This means that the Council may need to plan on the basis of RSS remaining in place for the foreseeable future. This may also have implications for the future content of the Core Strategy, if RSS is not abolished before the Draft Core Strategy is published and submitted to the Secretary of State for public examination. In the interim, until a five year supply can be re-established, planning applications for housing may need to be considered favourably in line with paragraph 69 of PPS3.
- 5.57 On this basis, it would be premature to withdraw the Interim Planning Policy, at this stage, while RSS and its spatial priorities still form part of the statutory Development Plan for Wirral and the need to regenerate the older urban areas is still apparent and a key part of the Council's ongoing housing strategy.
- 5.58 It is, however, important to note that predicting when each site is likely to come forward for development can only be based on the best evidence available at the time. The placing of a site into one of the three Category bands is therefore only intended to give an indication of the likely deliverability and potential timing of a site's development.
- 5.59 The inclusion of a site in Category 1 or 2 should not be taken to represent a Council endorsement of its future development, as the categorisation process does not fully take account of factors that would be considered when selecting a site for allocation or

determining a planning application, for example, under paragraph 69 of PPS3. Equally, it should not be concluded that a site assigned to Category 2 or 3 could not come forward earlier or cannot be allocated for development, if it can be demonstrated that the constraints identified can be mitigated or overcome.

- 5.60 Due to the economic climate, a number of sites have been assessed as suitable and available but are not considered deliverable in the current market. If the economic situation improves, it is reasonable to assume that some of these sites could come forward sooner. It is therefore important that the SHLAA is continually monitored to reflect changes in the housing market. National guidance recommends an annual update through the Council's Annual Monitoring Report.

6. PROGRESS ON OTHER EVIDENCE BASE STUDIES

- 6.1 BE Group were appointed in November 2011, to provide updated labour supply and demand forecasts (Cabinet, 21 July 2011, Minute 80 refers). Work has been delayed by the availability of revised economic forecast data from The Mersey Partnership (TMP), which should now be completed by the end of January 2012, enabling the update to the Council's Employment Land and Premises Study to be completed by the end of February 2012.
- 6.2 The Council's retained retail consultants GVA Grimley were instructed to update the quantitative analysis of the Borough's future retail capacity in October 2011 (Cabinet, 21 July 2011, Minute 80 refers). A draft report has now been received and the findings will be reported to Cabinet once the final report has been confirmed.
- 6.3 The Water Cycle Study being undertaken by Scott Wilson (Cabinet, 14 October 2010, Minute 176 refers) is at draft stage and is currently subject to consultation with utilities providers and the Environment Agency. The draft report is now expected to be finalised by the end February 2012.
- 6.4 The Liverpool City Region (LCR) Districts commissioned Merseyside EAS (MEAS) to prepare an Ecological Framework in late 2008, as a mechanism to minimise risk to the Districts in meeting Regional Spatial Strategy policy expectations. The main aims of the Framework have been to:
- inform Local Development Frameworks and other key plans
 - provide an integrated functional framework of ecological services
 - provide the ecological component of a LCR Green infrastructure Framework
 - provide a key delivery tool for regeneration, climate change and biodiversity
 - provide an enhanced sub-regional framework for the delivery of regional targets
 - future-proof the Districts against the Coalition Government's new approach towards ecological networks
- 6.5 The Framework identifies a series of Core Biodiversity Areas (CBAs) within each of the six Districts based on existing international, national and local designated sites, Priority Habitats identified under Section 41 of the Natural Environment and Rural Communities Act 2006 and UK Biodiversity Action Plan Priority Habitats. Each CBA is surrounded by a 50m wide Search Area for Potential Habitat Expansion (SAPHE) which is intended to highlight the areas with greatest potential for habitat creation to protect and enhance the CBA. The SAPHE is in turn surrounded by a 50m 'connectivity zone' which is intended to protect and increase the linkages between the CBAs. The final components of the Framework are linear features: in Wirral the

railway and motorway corridors (including the Wirral Way) and water courses have been mapped to date but linkages could also include other features such as hedgerows and ditches. Protection for these areas comes under Article 10 of the Habitats Directive and Planning Policy Statement 9. As such, local authorities are required to make provisions for the management and maintenance of these networks and to protect them from development.

- 6.6 The work completed by MEAS to date comprises three consultation reports (two on methodology, one on wider consultation); a User Guide; District Profiles; GIS layers; Metadata Report; and a Strategic Overview – Assets and Opportunities document.
- 6.7 There are no new statutory requirements arising from the Framework, which in effect brings together the wide range of protected sites, plants and animals into a more coherent whole. It also identifies where improvements would best be located and the District Profiles provide a resource to inform choice. The Framework takes forward the existing nature conservation designations, legislative requirements and duties and does not introduce any new elements or designations. In Wirral's case it will form part of the evidence base alongside the Wirral Biodiversity Audit (commissioned by the Council in 2008 and reported to Members in 2009) and the emerging Green Infrastructure Strategy work. The mapping in particular will require further refinement, which will need to be taken forward at district level.
- 6.8 The revised Wirral Open Space Assessment (Cabinet, 21 July 2011, Minute 80), which is now being prepared in-house, is near to completion and is expected to be reported alongside the Draft Core Strategy in July 2012.
- 6.9 The tender for the Wirral Green Infrastructure Strategy (Cabinet, 13 January 2011, Minute 283) is still to be advertised, following the completion of preparatory data analysis in-house to minimise future consultancy costs.
- 6.10 A separate evidence base is now also being prepared in-house to determine the infrastructure requirements for each of the Settlement Areas identified in the Core Strategy (8 December 2011, Minute 225 refers). The work is expected to be reported to Cabinet alongside the Draft Core Strategy in July 2012.
- 6.11 The contract for transport modelling has not yet been let (Cabinet 21 July 2011, Minute 80 refers), pending confirmation of the availability of monies from the Council's capital programme and the finalisation of the SHLAA Update and the revised Employment Land and Premises Study.

7.0 RELEVANT RISKS

- 7.1 The delivery of the timetable set out in the Local Development Scheme attached to this report is subject to a separate risk assessment, at Appendix 8 of the Scheme, which will be subject to quarterly review and published on the Council's website. A number of essential background studies have been delayed by the need to undertake additional work in-house rather than under contract to a third party.
- 7.2 A failure to provide and take account of the evidence in the SHLAA Update could result in the rejection of the Core Strategy for Wirral at any future public examination

by an Inspector appointed by the Secretary of State and in costs being awarded against the Council for unreasonable behaviour at planning appeals.

- 7.3 The analysis set out above is highly sensitive to market conditions which may improve or worsen over the periods being considered, despite the involvement of an independent industry expert. Some of the calculations are also highly dependent on the delivery of large numbers of similar types of housing as part of a single development scheme at Wirral Waters, which may or may not be supported by the market within the periods being considered.
- 7.4 RSS is subject to proposed abolition but to an uncertain timetable. The national household projections are also subject to regular review and the publication of the preliminary results from the national 2011 Census could have significant implications for any future projections, which may be published when the Core Strategy is being considered at public examination. Housing and population data is regularly monitored and reported on at least an annual basis, with reports to Cabinet as and when required and any future changes will need to be addressed as each stage in the preparation of the Core Strategy is reached.

8.0 OTHER OPTIONS CONSIDERED

- 8.1 An up-to-date timetable for the production of Development Plan Documents is a statutory requirement and is required to support the soundness of the Joint Waste Development Plan Document at public examination. Options related to the speed at which individual documents are prepared are subject to the need to satisfy statutory requirements and the availability of resources, including support for other responsibilities including development management.
- 8.2 The SHLAA is an essential technical background document which sets out the Council's projected housing land supply over the next 15 years to inform development plan preparation and decisions on individual planning applications. Decisions on the policy response to the findings of the SHLAA Update and other evidence base studies will be considered as part of the ongoing preparation of the Draft Core Strategy Development Plan Document, which will be the subject of a further report to Cabinet later in the year. The main options likely to be available to the Council are already set out within the body of this report.
- 8.3 Withdrawing the Interim Planning Policy for New Housing Development has also been considered but has been discounted at this stage while RSS remains in place because of the Council's continuing regeneration commitments and because the draft Core Strategy (which is close to being finalised) will continue to focus on urban regeneration.

9.0 CONSULTATION

- 9.1 There is no legal requirement to undertake public consultation on the content of the Local Development Scheme. The timetable included in the Scheme is based on the findings of the Council's Local Development Framework Annual Monitoring Report and an estimate of the time needed to complete the work necessary to secure a sound Development Plan Document.

- 9.2 The sites included in the SHLAA Update are based on responses to consultation undertaken between November 2010 and January 2011 alongside the publication of the Council's Preferred Options for a Core Strategy for Wirral, in line with the standards contained within the Council's Statement of Community Involvement adopted in December 2006. It is recommended that the findings of the SHLAA Update documents are made subject to public consultation, including key housing stakeholders, before inclusion in the Draft Core Strategy Development Plan Document.
- 9.3 The Liverpool City Region Ecological Framework has been prepared in consultation with the relevant sub-regional stakeholders.

10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 10.1 There are no implications arising directly from this report. The Interim Planning Policy has, however, supported the Council's strategies for regeneration in areas of greatest need.

11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 11.1 A.P.Sheehan has undertaken the independent viability appraisal of the SHLAA Update, at a total cost of £5,100 plus VAT against a potential budget of £6,000. BE Group are expected to undertake the update to the Employment Land and Premises Study at a total cost of £3,000 against a potential budget of £6,000 and GVA Grimley are expected to undertake the update of retail capacity at a total cost of £4,413 against a potential budget of £5,000 (Cabinet, 21 July 2011, Minute 80 refers).
- 11.2 The Liverpool City Region Ecological Framework was prepared at no additional cost to the Council, as part of the existing core contract with the Merseyside Environmental Advisory Service, the Council's specialist environmental advisors (Cabinet, 8 December 2011, Minute 223 refers).

12.0 LEGAL IMPLICATIONS

- 12.1 Following consultation with the public and/or stakeholders, the SHLAA Update and other evidence base studies will need to be adopted by the Council for inclusion in the Local Development Framework and as a material consideration in future planning decisions.

13.0 EQUALITIES IMPLICATIONS

- 13.1 An Equality Impact Assessment (EIA) is not required as the Local Development Scheme only sets out the timetable for future work and the findings from the SHLAA Update and other evidence base studies will form part of the background to the policy choices to be included in the Council's Local Development Framework, which will itself be subject to a future EIA as part of the preparation of the Core Strategy and Joint Waste Development Plan Document.

14.0 CARBON REDUCTION IMPLICATIONS

- 14.1 The implications for carbon reduction are not directly addressed within the SHLAA Update or other evidence base studies. Although the spatial distribution and more

modern design of new housing could have carbon reduction implications, this will be dealt with through the policies and proposals to be contained within the Draft Core Strategy for Wirral and the Joint Waste Development Plan Document. The Local Development Scheme will only have carbon reduction implications in so far as the policies contained within the documents proposed will promote carbon reduction.

15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

15.1 The SHLAA Update and other evidence base studies will form an essential part of the evidence base for the emerging Local Development Framework for Wirral. Once adopted, the SHLAA Update and other evidence base studies will be used to inform the spatial strategy to be contained within the Core Strategy for Wirral; as a starting point for the consideration of sites to bring forward as part of a future Site Specific Land Allocations Development Plan Document; and could be a material consideration in the determination of individual planning applications.

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APPENDICES

Appendix 1 – Amended Local Development Scheme (February 2012)

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council – Local Development Framework - Approval of Amended Local Development Scheme (Minute 97)	15 February 2010
Cabinet – Local Development Framework for Wirral – Strategic Housing Land Availability Assessment (Minute 121)	2 September 2010
Cabinet - Local Development Framework for Wirral – Core Strategy Development Plan Document (Minute 80)	21 July 2011
Cabinet – Local Development Framework – Annual Monitoring Report (Minute 224)	8 December 2011

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WIRRAL METROPOLITAN BOROUGH COUNCIL

SECTION 15

PLANNING AND COMPULSORY PURCHASE ACT 2004

LOCAL DEVELOPMENT SCHEME FOR WIRRAL

FEBRUARY 2012

**BROUGHT INTO EFFECT
BY RESOLUTION OF THE COUNCIL
FROM [DATE] 2012**

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CONTENTS

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1 INTRODUCTION

- 1.1 The Local Development Scheme for Wirral is a statutory document setting out the programme for the preparation of the Council's Local Development Framework (or Local Plans), produced in accordance with section 15 of the Planning and Compulsory Purchase Act 2004.
- 1.2 Development Plan Documents within the Framework will form part of the statutory Development Plan for the area and will play a major role in the determination of individual planning applications and in other decisions taken by the Council and by others under the Town and Country Planning Acts.

2 BACKGROUND

- 2.1 The first Local Development Scheme for Wirral was approved by the Secretary of State on 31 March 2005 and came into effect on 20 May 2005. Subsequent reviews took place in July 2006, July 2007 and January 2010.
- 2.2 This current document replaces the Local Development Scheme adopted by the Council on 15 February 2010.
- 2.3 Local Development Schemes no longer need to be approved by the Secretary of State before they can come into effect.

3 THE DEVELOPMENT PLAN FOR WIRRAL

- 3.1 The statutory Development Plan for the Metropolitan Borough of Wirral currently comprises the Unitary Development Plan for Wirral, adopted by the Council in February 2000.
- 3.2 The North West of England Plan - Regional Spatial Strategy to 2021, issued by the Secretary of State in September 2008, is to be revoked, once the appropriate provision of the Localism Act comes into force, in early 2012.

Unitary Development Plan

- 3.3 A list of the policies and proposals "saved" beyond September 2007 can be viewed on the Council's website at <http://www.wirral.gov.uk/downloads/1856>.
- 3.4 The Unitary Development Plan Written Statement and Proposals Map can be viewed through the Council's website at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/unitary-development-plan>.

- 3.5 The Unitary Development Plan will gradually be replaced by documents contained within the emerging Local Development Framework (or Local Plans) for Wirral.

4 THE LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL

- 4.1 The Local Development Framework for Wirral is a collection of Local Development Documents that will set out the future policies for the development and use of land within the Metropolitan Borough of Wirral.

- 4.2 These Documents will, over time, include:

- a Local Development Scheme;
- a Statement of Community Involvement;
- a Core Strategy Development Plan Document;
- a Site Allocations Development Plan Document;
- a Joint Waste Development Plan Document;
- a series of Neighbourhood Planning documents, including Neighbourhood Development Plans, prepared by the local community;
- a series of Supplementary Planning Documents;
- a Proposals Map; and
- a series of Monitoring Reports.

- 4.3 The links between the various documents are set out in Appendix 1.

- 4.4 Adopted Development Plan Documents, Neighbourhood Development Plans and the Proposals Map will have status alongside the Unitary Development Plan, as part of the statutory Development Plan for Wirral, until the Unitary Development Plan is fully replaced.

- 4.5 A list of the Local Development Documents that have already been adopted is provided at Appendix 6.

- 4.6 This review of the Local Development Scheme provides for the completion of the Core Strategy and Joint Waste DPD and the preparation of a Site-Allocations DPD.

Key Milestones

- 4.7 The future timetable for the Council's preparation of Development Plan Documents is set out in Appendix 3. A separate profile for each of the Development Plan Documents is attached at Appendix 4.

- 4.8 A continuously up-dated record of progress will be made available on the Council's website at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework>.

- 4.9 The information takes account of the changes proposed in the Localism Act 2011.

5 DOCUMENTS PROPOSED OR IN PREPARATION

Core Strategy Development Plan Document

- 5.1 The Core Strategy Development Plan Document is intended to set the long term vision, objectives and spatial strategy for future development in the Borough over the next 15 years.
- 5.2 The Core Strategy will also provide the framework for other area-based or site-specific matters to be addressed in subsequent Development Plan Documents and in Neighbourhood Planning documents.
- 5.3 The Core Strategy is now at the final stages of preparation. Public consultation on Issues, Vision and Objectives took place in February 2009, on Spatial Options in January 2010 and on Preferred Options in November 2010. Reports of consultation are available for each stage of the process undertaken so far.
- 5.4 Appendix 4.1 sets out the amended timetable for the remaining stages of the production of the Core Strategy. The timetable following submission of the Core Strategy will, however, largely be determined by the Planning Inspector appointed to undertake the independent public examination of the soundness of the proposals.
- 5.5 The target date for the adoption of the Core Strategy, following submission to public examination in October 2012, is now August 2013.
- 5.6 Links to documents forming part of the evidence base to the Core Strategy can be viewed at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/evidence-base>.

Site Allocations Development Plan Document

- 5.7 The preparation of a site-specific Site Allocation Development Plan Document, to show how the Core Strategy will be implemented in each local area and to replace the Unitary Development Plan Proposals Map, will be the first priority following the adoption of the Core Strategy.
- 5.8 Appendix 4.2 sets out the indicative timetable for the production of this Document. The target date for the adoption of the site-specific allocations Development Plan Document would currently be August 2015. The final timetable will be reviewed following the adoption of the Core Strategy.
- 5.9 Other site or area-specific Development Plan Documents may also be produced related to the future of Birkenhead including Wirral Waters

and to cover issues such as heritage and green infrastructure. A timetable for the production of these Documents will be included in a future review of the Local Development Scheme, once the necessary resources have been identified.

Joint Waste Development Plan Document for Merseyside and Halton

- 5.10 The proposal to prepare a Joint Waste Development Plan Document to cover Halton, Knowsley, Liverpool, Sefton, St Helens and Wirral was brought forward in the first review of the Local Development Scheme.
- 5.11 The Joint Waste DPD is intended to promote sustainable waste management, ensure that Merseyside and Halton contribute to meeting identified needs for all waste streams and identify suitable sites for new waste-related development.
- 5.12 Work has been managed on behalf of the Authorities by the Merseyside Environmental Advisory Service, advised by a Waste DPD Steering Group, with representatives from each Authority, reporting to the Liverpool City Region Leaders and Chief Executives. The costs of preparation have been shared between the six District Councils based on the level of waste arisings within each district.
- 5.13 The Joint Waste DPD is now at the final stages of preparation. Consultation was undertaken on Issues and Options in March 2007, on Spatial Strategy and Sites in November 2008, on Preferred Options in May 2010 and on Additional Sites in May 2011. The Proposed Submission Draft Waste DPD was published in November 2011.
- 5.14 Appendix 4.3 sets out the future timetable, with a target date for adoption of December 2012, following submission for public examination in February 2012.
- 5.15 Progress on the preparation of the Joint Waste Development Plan Document can be viewed at <http://wasteplanningmerseyside.gov.uk/site.do>

Supplementary Planning Documents

- 5.16 The Local Development Scheme is no longer required to set out the timetable for the preparation of Supplementary Planning Documents.
- 5.17 Four Supplementary Planning Documents, for flat developments, telecommunications, food and drink and parking were adopted in accordance with earlier Local Development Schemes. Work on any further Supplementary Planning Documents was, however, postponed until work on the Core Strategy could be further advanced.
- 5.18 The need for additional Supplementary Planning Documents will be identified in the Proposed Submission Draft Core Strategy but is currently expected to include:

- Housing Design and Layout;
- Green infrastructure Design and Layout;
- Town Centre Design Guidelines;
- Water Environment;
- Developer Contributions; and
- Area Action Plan Guidelines for Birkenhead.

Neighbourhood Planning Documents

- 5.19 Neighbourhood Planning documents are prepared by the local community and adopted by the Council to provide further detail on planning proposals within local areas.
- 5.20 Devonshire Park Residents Association, Hoylake Village Life, and Central Liscard Area Residents Association have been nationally designated as Neighbourhood Planning “Front Runners”. Initial consultation on likely proposals began in Devonshire Park in August 2011 and in Hoylake in November 2011 to decide how the new powers for neighbourhood planning will be taken forward.
- 5.21 Further applications may also be submitted by other appropriate community groups during the period of this Local Development Scheme. Although the timetable for preparation of relevant documents will be led by the local communities involved, they will need to be taken account of in future reviews of the Scheme.
- 5.22 Progress on the preparation of neighbourhood planning documents can be viewed at [\[web-link\]](#).
- 5.23 The preparation of Neighbourhood Planning documents is governed by separate national Regulations.

6 DOCUMENT AVAILABILITY

- 6.1 Council documents forming part of the emerging Local Development Framework for Wirral will be made available for public inspection at One Stop Shops, public libraries and at the public counter of the Technical Services Department in Birkenhead and on-line at <http://wirral-consult.limehouse.co.uk/portal> in accordance with the standards set out in the Council’s Statement of Community Involvement.
- 6.2 Documents from previous stages of consultation can be viewed at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework>. Paper copies will also continue to be available, on request, from the Regeneration, Housing and Planning Department, for a reasonable charge.

7 RESOURCES

- 7.1 The Strategic Development Service in the Regeneration, Housing and Planning Department has primary responsibility for the preparation of the Local Development Framework, co-ordinated by a team of eight officers in the Forward Planning Section, reporting to the Council's Cabinet, subject to the Economy and Regeneration Overview and Scrutiny Committee.

8 RISK ASSESSMENT

- 8.1 The principal risks to the delivery of the timetable set out in this Local Development Scheme are set out in Appendix 8 and will be kept under constant review.
- 8.2 The risk register will be regularly updated on the Council's web site at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/local-development-scheme>.

9 MONITORING & REVIEW

- 9.1 Progress on DPD preparation is reviewed in the Council's Monitoring Reports. The latest information on progress is also available at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework>
- 9.2 Previous Monitoring Reports for Wirral can be viewed on the Council's website at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/annual-monitoring-reports>.

10 USEFUL CONTACTS

- 10.1 Forward Planning, Strategic Development, Regeneration, Housing and Planning Department, North Annexe, Wallasey Town Hall, Brighton Street, Wallasey CH44 8ED
- Andrew Fraser, Forward Planning Manager: 0151 691 8218
 - John Entwistle, Principal Forward Planning Officer: 0151 691 8221

11 BACKGROUND DOCUMENTS

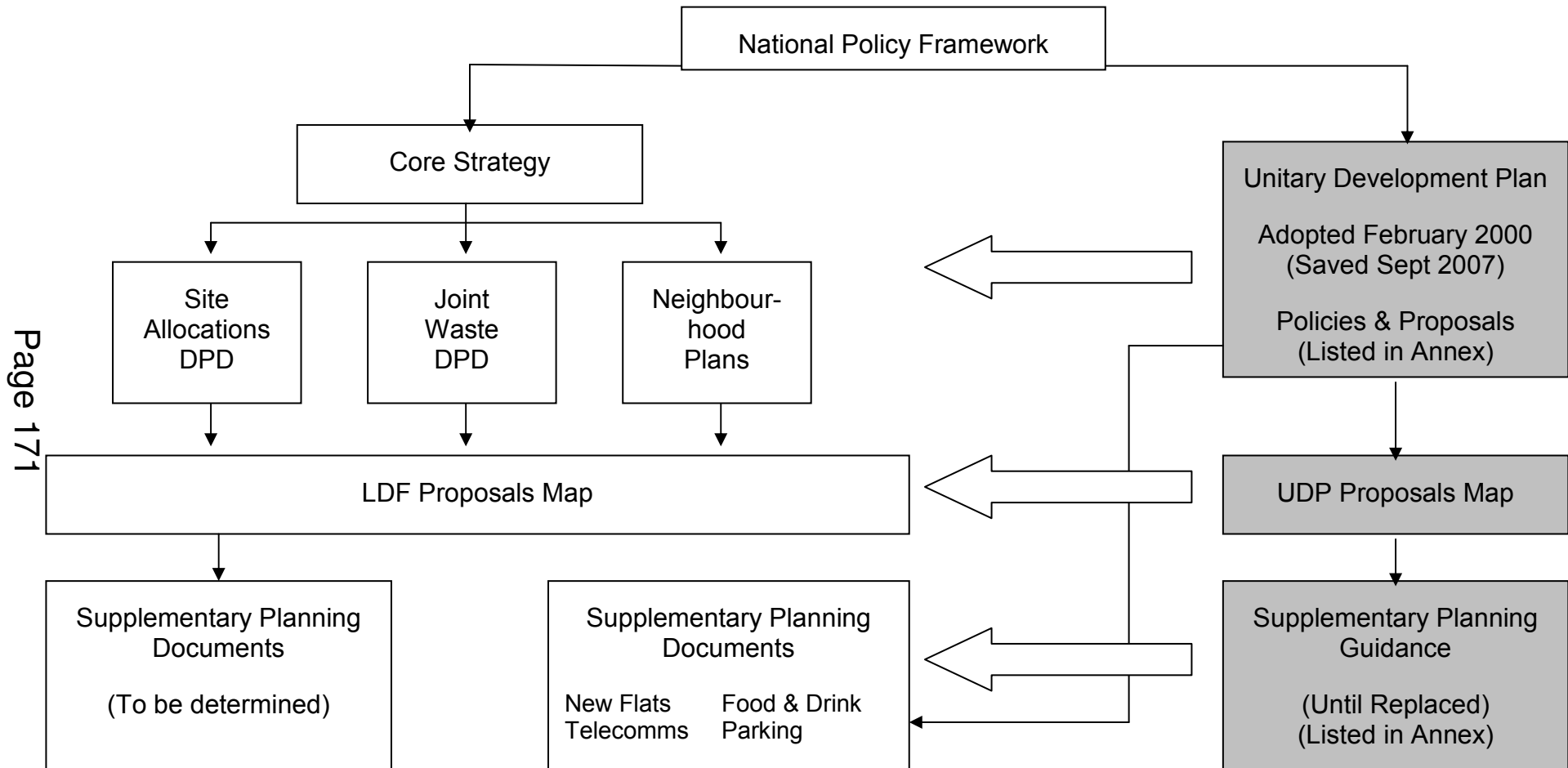
- 11.1 The following documents provide additional information on Local Development Framework processes and requirements:
- Planning and Compulsory Purchase Act 2004 (HMSO 2004, Chapter 5)
 - Localism Act 2011 (HMSO 2011, Chapter 20)
 - The Town and Country Planning (Local Development) (England) Regulations 2004 (HMSO, SI 2004 No 2204)

- The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008 (HMSO SI 2008 No.1371)
- The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2009 (HMSO SI 2009 No.401)¹
- The Environmental Assessment of Plans and Programmes Regulations 2004 (HMSO, SI 2004 No 1633)
- The Conservation (Natural Habitats &c) Regulations 1994 (HMSO, 1994 No 2716) (as amended)
- Planning Policy Statement 12 (PPS12): Creating Strong Safe and Prosperous Communities through Local Spatial Planning (CLG, 2008)²
- The Plan Making Manual (www.pas.gov.uk)
- Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents (ODPM, 2005)

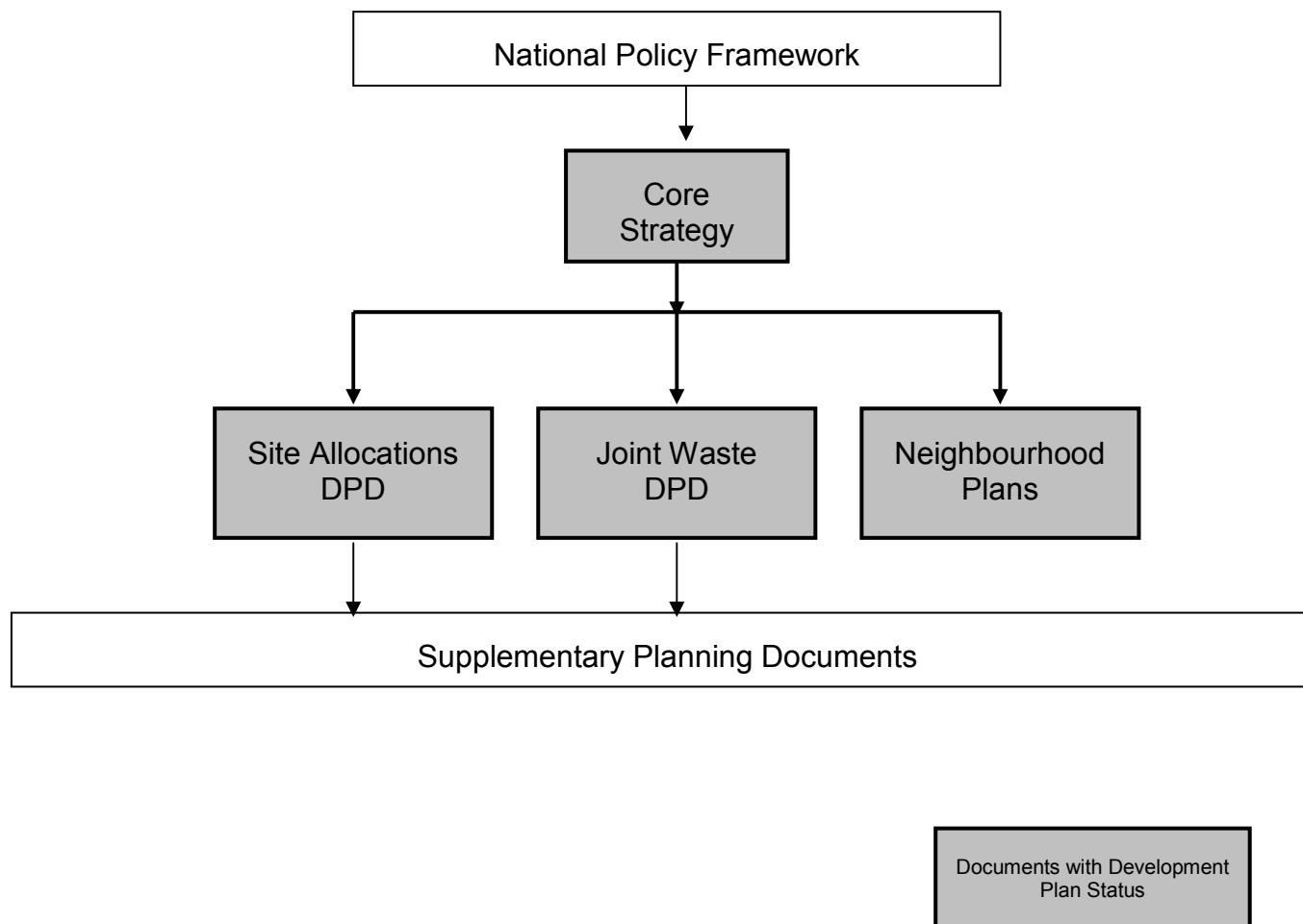
¹ SI 2004 No 2204; 2008 No 1371; and 2009 No 401 are expected to be replaced and supplemented by new Local Planning and Neighbourhood Planning Regulations, following the enactment of the relevant provisions of the Localism Act 2011 in early 2012

² PPS12 is expected to be replaced by a National Planning Policy Framework in early 2012

Appendix 1 – Document Linkages



Appendix 2 – Chain of Conformity



Appendix 3 - Document Production 2009/2014

			2011/12												2012/13												
Document	Type	Ref	Q1			Q2			Q3			Q4			Q1			Q2			Q3			Q4			
			A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	
Core Strategy	DPD	4.1											C						D			S		P		E	
Site Allocations	DPD	4.2																									B
Merseyside Joint Waste	DPD	4.3		C							D			S		P		E				R		A			

			2013/14												2014/15												
Document	Type	Ref	Q1			Q2			Q3			Q4			Q1			Q2			Q3			Q4			
			A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	
Core Strategy	DPD	4.1			R		A																				
Site Allocations	DPD	4.2						I						C				D			S		P		E		

			2015/16												2016/17												
Document	Type	Ref	Q1			Q2			Q3			Q4			Q1			Q2			Q3			Q4			
			A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	
Site Allocations	DPD	4.2			R		A																				

KEY

B = Start Work, Research and Scoping

I = Initial Consultation

C = Preferred Options Consultation

D = Publication of Proposed Submission Draft

S = Submission to Secretary of State

P = Pre-Hearing Meeting

E = Examination Hearing

R = Receipt of Inspector's Report

A = Adoption

Appendix 4 – Local Development Document Profiles

APPENDIX 4.1 - DEVELOPMENT PLAN DOCUMENT PROFILE ³

Document Name: Core Strategy		Status: Development Plan Document
Purpose: To provide the long-term vision, objectives and spatial strategy for the Borough and the framework for future Development Plan Documents		
Coverage: Borough wide		Time Period: 15 years
Chain of Conformity: National Planning Policy Framework Wirral Sustainable Community Strategy		Post Adoption Monitoring & Review: Annual Monitoring Report 5 Yearly Assessment
Departmental Responsibility: Regeneration Housing and Planning Department		Contact: Andrew Fraser, Forward Planning Manager 0151 691 8218
Key Milestones		Key Stakeholders: Homes and Communities Agency Local Strategic Partnership The Mersey Partnership Primary Care Trusts Wirral Area Forums Highways Agency Environment Agency Natural England Countryside Council for Wales English Heritage Local Amenity Societies Developers & Landowners Utilities Providers Cheshire West and Chester Council Liverpool City Council Sefton Borough Council Flintshire County Council
Commencement:	July 2005*	
SA Scoping:	July 2006*	
Initial Consultation:	September 2007*	
Issues Vision and Objectives:	February 2009*	
Spatial Options: (Regulation 25)	January 2010*	
Preferred Options: (Regulation 25)	November 2010*	
Settlement Areas (Regulation 25)	January/February 2012*	
Publication: (Regulation 27)	July/August 2012	
Representations: (Regulation 28/29)	July/September 2012	
Submission: (Regulation 30/31)	October 2012	
Pre-Hearing Meeting:	December 2012	
Hearing:	February 2013	
Inspectors Report:	June 2013	
Adoption:	August 2013	
Re-Publish Proposals Map:	No	

³ Dates marked * have already been achieved

APPENDIX 4.2 - DEVELOPMENT PLAN DOCUMENT PROFILE

Document Name: Site Allocations		Status: Development Plan Document	
Purpose: To allocate land for new residential, employment, retail and other uses to implement the policies of the Core Strategy Development Plan Document.			
Coverage: Borough wide		Time Period: up to 15 years	
Chain of Conformity: National Planning Policy Framework Core Strategy Wirral Sustainable Community Strategy		Post Adoption Monitoring & Review: Annual Monitoring Report 5 Yearly Assessment	
Departmental Responsibility: Regeneration Housing and Planning Department		Contact: Andrew Fraser, Forward Planning Manager 0151 691 8218	
Key Milestones		Key Stakeholders:	
Commencement:	March 2013	Homes and Communities Agency Wirral Strategic Housing Partnership Wirral Investment Network Local Strategic Partnership Developers & Landowners Highways Agency Environment Agency Natural England English Heritage Countryside Council for Wales Local Amenity Societies Wirral Area Forums Utilities Providers Technical Services Department Cheshire West and Chester Council Liverpool City Council Sefton Borough Council Flintshire County Council	
SA Scoping:	March 2013		
Issue and Options: (Regulation 25)	September/ October 2013		
Preferred Options: (Regulation 25)	March/April 2014		
Publication: (Regulation 27)	July 2014		
Representations: (Regulation 28/29)	July/Sept 2014		
Submission: (Regulations 30/31)	October 2014		
Pre-Hearing Meeting:	December 2014		
Hearing:	February 2015		
Inspectors Report	June 2015		
Adoption:	August 2015		
Re-Publication of Proposals Map:	Yes		

APPENDIX 4.3 - DEVELOPMENT PLAN DOCUMENT PROFILE⁴

Document Name: Merseyside Joint Waste Development Plan Document		Status: Joint Development Plan Document ⁵
Purpose: To establish up-to-date policies for the provision of waste management facilities.		
Coverage: Halton Borough, Liverpool City and the Metropolitan Boroughs of Knowsley, Sefton, St Helens and Wirral		Time Period: 15 years
Chain of Conformity: National Planning Policy Framework National Waste Strategy Core Strategy		Post Adoption Monitoring & Review: Annual Monitoring Reports
Departmental Responsibility: Regeneration Housing and Planning Department		Contact: Andrew Fraser, Forward Planning Manager 0151 691 8218
Key Milestones		Key Stakeholders: Merseyside Waste Disposal Authority Waste Operators Merseyside Local Authorities and Halton Local Amenity Societies Technical Services Department
Commencement:	December 2006*	
SA Scoping:	December 2006*	
Issues and Options: (Regulation 25)	March 2007*	
Spatial Strategy (Regulation 25)	November 2008*	
Preferred Options: (Regulation 25)	May 2010*	
Preferred Options 2 (Regulation 25)	May 2011*	
Publication: (Regulation 27)	November 2011*	
Representations: (Regulation 28/29)	November 2011/ January 2012*	
Submission to SoS: Regulations 30/31)	February 2012	
Pre-Hearing meeting:	April 2012	
Hearing:	June 2012	
Inspector's Report:	October 2012	
Adoption:	December 2012	
Re-Publication of Proposals Map:	Yes	

⁴ Dates marked * have already been achieved

⁵ The Councils for Knowsley, Liverpool, St Helens, Sefton, Wirral and Halton have formally agreed the timetable for the production of the Joint Waste DPD. Further details are set out at paragraph 5.10 above.

Appendix 5 - Summary of Content and Procedures

(i) Core Strategy

1. The Core Strategy is intended to set out the vision, objectives and spatial strategy for the Borough, for a period of up to fifteen years. The Core Strategy will indicate broad locations but will not be site specific.
2. Following the consideration of issues and options, a draft Strategy must be published for public consultation before being submitted to the Secretary of State for independent public examination.
3. The Core Strategy must be prepared in conformity with national policy and be prepared in co-operation with neighbouring authorities.

(ii) Statement of Community Involvement

4. The Statement of Community Involvement is intended to set local standards for community involvement in planning decisions.
5. A draft Statement must be produced to ask the community how they would wish to be consulted on Local Development Documents and planning applications. Once adopted, all Local Development Documents must be prepared in conformity with the standards set out in the Statement.

(iii) Development Plan Documents

6. Development Plan Documents are site-specific or topic based documents and can include strategies such as master plans and action area plans produced in support of area-based regeneration initiatives. They can contain detailed policies for development management and set out land allocations for uses such as housing, retail and employment.
7. Development Plan Documents must be prepared using the same statutory processes as the Core Strategy. Following the consideration of issues and options, a draft Document must be published for public consultation before being submitted to the Secretary of State for independent public examination.
8. Development Plan Documents must be prepared in conformity with the Core Strategy, as well as with national policy.

(iv) Proposals Map

9. A Proposals Map must be prepared alongside adopted Development Plan Documents to illustrate the geographical application of the Council's policies to a recognised scale. It will include areas designated for protection, such as the Green Belt and Conservation Areas, as well as land allocated for development.
10. The Proposals Map must be kept up-to-date and must be amended every time a new site-specific Development Plan Document is adopted.

(v) Supplementary Planning Documents

11. Supplementary Planning Documents do not have status as part of the Development Plan but will be material considerations in planning decisions if produced in accordance with statutory procedures, including public consultation. Supplementary Planning Documents are not subject to independent public examination.
12. Supplementary Planning Documents cannot be used to allocate land for development and must be clearly linked to the application of an adopted policy or proposal from another adopted Development Plan Document.

(vi) Monitoring Reports

13. Monitoring Reports must be published to report on progress and on the delivery of development. Reports must be no more than a year apart.

(vii) The Unitary Development Plan

14. The Unitary Development Plan is an “old-style” Borough wide development plan produced under the previous development plan system and adopted in February 2000. The majority of the policies and proposals in the Unitary Development Plan have been “saved” to remain in force beyond September 2007. A list of deleted policies is included at Appendix 7.
15. “Saved” policies and proposals will remain in force until they are replaced by part of a “new-style” document. The Core Strategy will replace some of the higher-level policies. Other more detailed policies will need to be replaced by Local Development Documents still to be produced. The status and anticipated destination of each of the policies and proposals in the Unitary Development Plan is set out in an Annexe to the Local Development Scheme.

(viii) Supplementary Planning Guidance

16. The Council currently operates over 40 “old-style” Supplementary Planning Guidance Notes to provide further advice to applicants on development management. These Notes have not been prepared under the new procedures and a programme of review will need to be undertaken to prepare a new series of Supplementary Planning Documents.

(ix) Sustainability Appraisal

17. The Council is under a legal duty to exercise plan-making functions with the objective of contributing to the achievement of sustainable development.
18. Development Plan Documents must be accompanied by a statutory sustainability appraisal report.

(x) Strategic Environmental Assessment

19. Development Plan Documents and Supplementary Planning Documents must also be formally assessed for their likely effects on the environment, in consultation with the Consultation Bodies: English Heritage, Natural England and the Environment Agency.
20. Where the environmental effects are likely to be significant, an additional environmental report must be prepared as part of the sustainability appraisal process.

(xi) Habitats Directive Assessment

21. Development Plan Documents and Supplementary Planning Documents must be formally assessed to ensure that the proposals will not have an adverse effect on the conservation objectives of European Sites⁶.

(xii) Neighbourhood Planning Documents

22. Neighbourhood Planning documents, including Neighbourhood Development Plans and Neighbourhood Development Orders, are prepared by a qualifying body or community organisation and adopted by the Council following a local referendum.
23. Neighbourhood Planning documents must be in general conformity with the strategic policies contained in the Development Plan for the area and with national policy.

⁶ Designated by the European Union as Special Areas of Conservation, Special Protection Areas and Offshore Marine Sites

Appendix 6 – Adopted Local Development Documents

1. *Statement of Community Involvement*

Statement of Community Involvement - Adopted December 2006

- a copy of the final document can be viewed at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/statement-community-involvement>

2. *Supplementary Planning Documents*

SPD1 – Designing for Development by Mobile Phone Operators – Adopted October 2006

- a copy of the final document can be viewed at <http://www.wirral.gov.uk/downloads/1285>

SPD2 – Designing for Self-Contained Flat Development and Conversions – Adopted October 2006

- a copy of the final document can be viewed at <http://www.wirral.gov.uk/downloads/1279>

SPD3 – Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments – Adopted October 2006

- a copy of the final document can be viewed at <http://www.wirral.gov.uk/downloads/1282>

SPD4 – Parking Standards - Adopted June 2007 – a copy of the final document can be viewed at <http://www.wirral.gov.uk/downloads/1310>

Appendix 7 – Policies and Proposals No Longer in Force

Unitary Development Plan for Wirral (adopted February 2000)

1. Part One Policies:

Policy HSG1 – New Dwelling Requirement

Policy WMT1 – Landfill Provision

2. Part Two Policies and Proposals:

Policy EM10 – Birkenhead and Eastham Dock Estates

Policy EM11 – Bidston Observatory and the Proudman Oceanographic Laboratory

Proposal HS2 – Land at Noctorum Way, Noctorum

Proposal HS3 – Land to the East of Fender Farm, Moreton

Proposal RE3 – New Neighbourhood Indoor Sports Facilities

Proposal RE4 – New Neighbourhood Swimming Pool, Beechwood

Policy RE5 – Criteria for the Protection of Playing Fields

Policy RE7 – Criteria for the Protection of School Playing Fields

Proposal TL3 – Land for Tourism Development at Wirral Waterfront

Policy TL6 – The Control of Tourism in Port Sunlight

Proposal TL8 – Land at the Former Derby Pool, New Brighton

Proposal NC9 – Dibbinsdale Nature Centre

Proposal TR4 – Birkenhead Central Bus Facility

Policy WM10 – Requirements for the Environmental Assessment of Waste Disposal Facilities

Policy WA7 – Heswall Drainage Catchment Area

Policy CO3 – Tourism and Leisure in the Coastal Zone

Appendix 8 – Risk Assessment

Risk	Description	Control Measures
Political	Risk of political approval being withheld and/or change of leadership and/or direction and/or political priorities	Consultation and involvement of Members in the LDF preparation process in order to provide ownership, leadership and commitment to future implementation
Financial - constrained Council budgets, increases in Planning Inspectorate fees	Risk of inadequate financial provision hindering progress and scope of work required	Regularly report on budget requirements and minimise financial expenditure to ensure value for money, including joint and partnership working wherever feasible.
Staff turnover and recruitment difficulties	Staff turnover is difficult to predict. Risk of loss of key staff to other employment would severely affect our ability to progress the LDF work programme in a timely manner	Take prompt action to fill vacancies with staff with the appropriate skills. If considered appropriate, secure additional resources through use of consultants, temporary staff and internal secondment
Staff absence (e.g. long term sickness/maternity leave)	Reduced capacity causing slippage in programme	Consider interim arrangements such as temporary appointments, use of agency staff or secondment, subject to resources The adequacy of staffing levels will be evaluated through the ongoing monitoring of the preparation of the LDF
Lack of in-house skills for specialised areas of policy work/background studies	Slow progress causing a slippage in programme Evidence base challenged or undermined Quality compromised	Obtain training for areas where expertise is lacking Review staffing requirements as part of annual service reviews Expand partnership working, where possible In some cases it will be more efficient to engage consultants where specialist skills are required to short timescales and in-house development is unrealistic
Pressure on staff time due to competing work streams	Diverts team from LDF work causing slippage in programme	Ensure LDF is recognised as a corporate priority Identify key staff to be “shielded” from other work, wherever possible

Risk	Description	Control Measures
Legal	<p>Risk of non-compliance with legal procedures and requirements and/or judicial review leading to adopted DPD being quashed and additional workloads</p> <p>Changes in plan-making requirements/procedures can also result in delays</p>	<p>Ensure relevant legislation/ regulations are checked and complied with at each stage</p> <p>It is not possible to easily plan for further changes to the planning system. The Council will endeavor to deal with new requirements with minimum disruption to the timetable as part of ongoing monitoring</p>
Third Parties	<p>Risk of comments and representations from third parties causing delay (including lengthening of examination) and/or additional expense from unexpected volumes and/or unforeseen issues arising</p>	<p>Consultation and involvement of relevant stakeholders</p> <p>Ensure timetable is realistic but has some flexibility built in</p> <p>Monitor progress against LDS</p> <p>Consider the need for additional resources as part of ongoing monitoring</p>
Joint working with other internal departments and/or external authorities causes delay	<p>Key milestones in programme not met</p>	<p>Ensure timescales for DPDs realistically reflect partner authorities ability to contribute to joint working</p> <p>Ensure commitment to milestone dates and resource allocation is obtained from relevant parties in advance</p>
Capacity of the Planning Inspectorate	<p>Examination and/or Inspectors Report is delayed</p> <p>Key milestones in programme not met</p>	<p>Close liaison with the Planning Inspectorate to ensure early warning of any problems</p> <p>The Council has sought to minimise the volume of issues to be resolved at examination, through ensuring a robust evidence base and wide pre-submission public consultation.</p>
Soundness – DPD found unsound by Planning Inspectorate	<p>DPD cannot be adopted without significant additional work, possibly including repeated stages of preparation and consultation</p>	<p>Ensure DPDs are legally compliant, founded on a robust evidence base, accompanied by appropriate assessments and appraisals and well-audited community and stakeholder engagement</p> <p>Use of DPD self-assessment toolkit (published by national advisor PAS)</p> <p>Maintain awareness of best practice</p>

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WIRRAL COUNCIL

ECONOMY AND REGENERATION OVERVIEW AND SCRUTINY

COMMITTEE (16TH JANUARY 2012)

SUBJECT:	OUTCOME OF WIRRAL'S HOUSING MARKET RENEWAL TRANSITIONAL FUNDING BID INCLUDING PROPOSED EXIT PLAN AND SUGGESTED AMENDED HOUSING INVESTMENT PROGRAMME FOR 2011/12
WARD/S AFFECTED:	ALL WARDS
REPORT OF:	ACTING DIRECTOR OF REGENERATION, HOUSING AND PLANNING
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR GEORGE DAVIES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to provide an update to members on the outcome of the Housing Market Renewal Initiative Transitional Funding bid and to outline amendments to the Council's Housing Investment Programme for 2011/12 to incorporate the Housing Market Renewal Transitional Funding. The report recommends that this change be referred to Cabinet.

1.2 The report also advises members on proposals to prepare the exit plan for Wirral's Housing Market Renewal Programme.

2.0 RECOMMENDATION/S

2.1 That the contents of this report be noted.

2.2 That the proposed changes to the Housing Investment Programme for 2011/12 be reported to Cabinet.

3.0 REASONS FOR RECOMMENDATION/S

3.1 A commitment was previously given in November 2011 to report the outcome of the HMRI Transitional Funding bid.

3.2 A report on the final situation with the HMRI was added to the work programme for the Economy and Regeneration Overview and Scrutiny Committee.

3.3 The Council approved its Housing Investment Programme for 2011/12 on 13th October 2011. Amendments are now required to incorporate the additional resources secured through the HMR Transitional funding.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 Since 2003 Wirral Council has benefited from substantial financial resources provided through the national Housing Market Renewal Initiative, along with our local authority partners, Sefton and Liverpool, under the umbrella of the 'Newheartlands' Pathfinder. These resources have allowed the Council and its private sector partners to intervene in failing private sector housing markets in the neighbourhoods of Rock Ferry, Tranmere, Birkenhead and Wallasey. The interventions began to tackle a range of low demand issues including, amongst others, derelict and abandoned housing, low property values, anti-social behaviour and poor property conditions. In recognition of the scale and deep rooted nature of the range of problems, it was originally envisaged that the HMRI would be a 15 year programme with funding being released on a competitive basis in 3 year tranches. Alignment with other associated public funding streams and resources from the private sector provided match funding to substantially boost the impact of the various interventions.
- 4.2 Building on previous and ongoing successful housing regeneration investment schemes, the initial HMRI interventions were targeted in Rock Ferry and Tranmere with more limited interventions dealing with 'hot spots' in Birkenhead and Wallasey. Over time, as the initiative progressed, greater resources were focused on Birkenhead, with the intention to move into the Wallasey area towards the later half of the HMRI.
- 4.3 Following the Government's Comprehensive Spending Review in 2010, the HMRI was terminated from the end of March 2011, along with another main source of housing regeneration funding distributed through the Regional Housing Pot. This decision was unexpected and led to a number of challenges. The main challenge involved property acquisition commitments exceeding the resources available, largely in North Birkenhead. Property owners and residents had reasonable expectations of moving house after agreeing a sale price but there was insufficient funding available to meet all of these expectations. Towards the end of the 2010/11 the Council was successful in both securing and utilising £2.1m of additional capital resources from the Homes and Community Agency to assist with these acquisitions. The additional funding enabled completion of both a number of urgent acquisitions and capital resources (Regional Housing Pot / Growth Point) to be carried over from 2010/11 to fund committed clearance schemes in 2011/12.
- 4.5 After the announcement of the demise of HMRI, pathfinder authorities were encouraged to seek alternative funding through the new national Regional Growth Fund. Wirral submitted 2 'Round 1' bids in conjunction with local authority and preferred developer partners and a further 'Round 2' bid however these bids were unsuccessful as the funding was substantially oversubscribed.
- 4.6 In addition to the Regional Growth Fund, the Government has also made available £5m in transitional revenue funding to the HMRI Pathfinders over the next 2 years to provide local capacity to exit former HMRI areas. A bid was submitted with the aim of providing a specialist resource to be able to review and rework intervention programmes within the Merseyside Market Renewal area. The Merseyside bid was successful and it has been awarded £330,000 over 11/12 and 12/13. Wirral will receive £44,000 in 2011/12 and £48,000 in 2012/13. Centrally, this will provide funding to sustain a small team of experienced staff formerly part of Newheartlands. The team will conduct a review of the programme, engineer projects in the short to medium term using the new policy framework and assist with financial feasibility work as new models are explored.
- 4.7 More recently the Government has also made available £30m transitional capital funding to the 5 worst affected HMR areas to achieve a structured exit to the HMRI

programme and to specifically help people trapped in stalled clearance schemes. Merseyside is one of these 5 areas and a joint bid for resources was submitted in July this year. Wirral's share of the original bid was £3.9m. This was subsequently amended downwards to £2.9m following a request from the HCA for all bidding authorities to exclude the cost of acquiring occupied RSL housing units. The capital funding is conditional upon Wirral providing at least 100% match funding. This will be a combination of RHP and Growth Point under-spend from 2011/12, existing and projected capital receipts from property sales and New Homes Bonus (previously agreed by Cabinet on 21st July 2011).

5.0 THE HOUSING MARKET RENEWAL TRANSITIONAL CAPITAL FUNDING

- 5.1 I am pleased to be able to report that it was announced in November 2011 that the HMRI Transitional bid has been successful and that Wirral will receive £2.7m additional capital funding. Although slightly less than anticipated, this funding, when combined with match funding will enable the completion of most of the existing clearance commitments throughout the former HMRI area. It may be possible to make up the shortfall with New Homes Bonus to complete the programme. This will be subject to a separate report in due course.
- 5.2 The table in Appendix 1 provides the detail of Wirral's revised HMR Transitional Funding bid and shows how the resources will be used. It should be noted that since the bid was submitted in July, work has been continuing on committed acquisitions, using some of the match funding resources. As such, a proportion of the units identified in Appendix 1 have already been acquired. It should also be noted that there is no compulsion to utilise all of the Transitional Funding in the current financial year. This will allow both negotiations with property owners to continue and support any future CPO action, should this be necessary to acquire the remaining interests.
- 5.3 In summary, the HMR Transitional Funding along with match funding will enable:
- ◆ Birkenhead Area 1 – completion of the remaining acquisitions and demolitions in Milner Street and Carrington Street area, with or without the use of Compulsory Purchase Order(s). This site is one of the committed sites that will subsequently be made available to our partner developer, Keepmoat Homes.
 - ◆ Birkenhead Area 2 – subject to Cabinet Approval for the Neighbourhood Options Appraisal for Area 2 on 2nd February 2012, completion of the remaining acquisitions and demolition of properties in Thorneycroft Street and Plumer Street area, with or without the use of Compulsory Purchase Order(s) and demolitions be also be completed
 - ◆ Bray Street – completion of the last property acquisition and demolition, with or without the use of a CPO. The majority of this site has been released to our partner developer Keepmoat Homes and building work has started on at least 58 new homes.
 - ◆ Belmont – completion of the remaining housing acquisitions in Belmont. Subject to Cabinet approval, this is likely to result in demolition of all derelict housing in Belmont at some point in the future.
 - ◆ Church Road, Tranmere – completion of the remaining acquisitions in the Church Road area, with or without the use of Compulsory Purchase Orders. This scheme involves a number of sites that will be transferred to our partner developer Lovell for both housing and retail redevelopment. Work has commenced on the provision of services to the retail site
 - ◆ Borough Road, Tranmere – completion of the remaining acquisitions and, subject to cabinet approval, demolitions in the Borough Road area. This site will be landscaped in the short term and, in the medium to longer term, will be considered for redevelopment

6.0 HMRI EXIT PLAN

6.1 As part of the transitional Funding bid, a commitment has been given to develop a comprehensive exit strategy with local communities and politicians within the next 12 months. Work on developing this plan will now start in earnest.

6.2 At the onset of the HMRI, community involvement in developing and delivering the program was actively encouraged and, over time, good working relationships have been built with various community groups, as well as with individual residents and property owners. Wirral residents also participate in the Newheartland's Residents' Panel which has continued to meet after the demise of the program and the Newheartland's governance structure. It is intended to continue with this ongoing engagement to develop and agree a robust exit plan to secure the longer term sustainability of the investment previously made in local neighbourhoods.

7.0 AMENDMENTS TO THE HOUSING INVESTMENT PROGRAMME 2011/12

7.1 The Housing Investment Programme 2011-12 builds upon priorities and initiatives in previous reports and consists of the following initiatives:

- Birkenhead Clearance
- Rock Ferry (Sevenoaks/Fiveways) Clearance
- Tranmere (Church Road) Clearance
- Tranmere (Borough Road/Belmont) Clearance
- Wallasey (Trafalgar Road) Clearance
- Facelift Improvements
- Private Sector Home Improvements
- Private Rented Sector Home Improvements
- Healthy Housing Initiative
- Empty Properties
- New Build

7.2 The addition of HMR Transitional Funding has now been incorporated into this programme and will be spent in Birkenhead and Tranmere as per the condition that resources can only be used to acquire occupied housing units located in clearance schemes. As previously mentioned in 5.2 the resources can be spread over a number of financial years, thus facilitating ongoing negotiations and possible future CPO action.

7.3 The table in Appendix 2 details the revised Housing Investment Programme for 2011/12 and incorporates all of the HMRI Transitional Funding. In summary, the additional resources will enable the completion of the ongoing clearance schemes in Birkenhead and Tranmere, although it is likely that a proportion of the budget will be spent in 2012/13 and 2013/14. Future proposals for expenditure beyond 2011/12 will be reported to Cabinet.

8.0 RELEVANT RISKS

8.1 As with all outstanding acquisitions there is a risk that owners may not agree to sell to the Council. In this case the use of Compulsory Purchase Orders (CPO) may be necessary. There is a risk that the Council could lose a future Local Public Inquiry following an objection(s) to a CPO. Members should note that the land assembly already achieved during the HMRI programme has been by negotiation only, without the need to resort to CPO, however, consideration is now being given to the use of

CPO powers to secure the outstanding acquisitions in Tranmere and Birkenhead, and for this activity to commence where necessary within the next 12 months.

- 8.2 Failure to agree a comprehensive Exit Plan with residents could have a negative impact on the sustainability of previous investment.

9.0 OTHER OPTIONS CONSIDERED

The HMRI Programme was developed following an extensive community engagement programme and masterplanning exercises to establish priorities for the housing intervention areas. The proposed revised Housing Investment Programme reflects the need for the Council to finish the outstanding schemes originally started as part of the former HMRI and facilitate new housing provision boosting local housing markets on the eastern side of the borough.

10.0 CONSULTATION

- 10.1 The results of the “Wirral’s Future, be part of it” consultation campaign are reflected in the Housing Capital Programme, which also supports the revised Corporate Objectives. Extensive consultation takes place during the delivery of the Housing Capital Programme in the form of options appraisals, ongoing dialogue with partners, customer feedback surveys etc and the annual review of the Private Sector Housing and Regeneration Assistance Policy. This feedback informs the delivery itself, which is dynamic as opposed to static over the life of the programme.

- 10.2 The ability to complete the stalled demolition schemes and progress the cleared site redevelopments will meet the aspirations of local residents following consultation undertaken as part of various masterplanning events and Neighbourhood Options Appraisals as well as ongoing consultation with private sector developers.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 11.1 The HMRI Transitional Funding secured will enable the completion of the outstanding and stalled demolition schemes and the subsequent site redevelopments, where applicable. This will meet community expectations raised at the beginning of the HMRI.

- 11.2 The HMR Programme, working in partnership with Together Neighbourhood Management Pathfinder, Riverside Housing Association, local voluntary organisations and community members, facilitated the establishment of a Neighbourhood Resource Centre (NRC) within a vacant Council owned commercial property in Church Road. This has enabled a variety of services, including housing advice and information on programme activities, to be provided to residents within the local community. Public sector agencies, such as the PCT and Merseyside Police, and voluntary / community organisations have undertaken activities from the NRC, including training and employment courses which have been undertaken in conjunction with Involve Northwest. An example of the type of activities available for local residents is the opportunity to gain registration through the Construction Skills Certification Scheme to assist individuals in finding employment in the construction sector and this has proved very popular along with the healthy eating Bag-A-Bargain scheme which is now operating from the centre. The NRC was recently nominated for a ‘Spirit of Merseyside’ award aimed at recognising and celebrating the achievements and work of voluntary sector organisations and received the Community Cohesion Award in recognition of the work undertaken in helping to bond the local community and create a sense of belonging amongst residents. Whilst the premises used for the NRC was acquired for

clearance purposes it is intended to continue using the building for the NRC until it becomes necessary to demolish to facilitate the redevelopment of the site by Lovell.

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 12.1 The remaining Private Sector Housing Renewal Team, with support from other Council departments will be responsible for the residual clearance programme and other core private sector housing functions such as empty properties, financial assistance and statutory enforcement of minimum standards. In addition, this team will oversee the residential redevelopment of sites assembled through the HMRI programme. The remaining team has been substantially reduced in number but has been able to retain the core skills to be able to continue to deliver the programme and is currently being funded by a combination of the Council's own resources, the Community Fund and NHS Wirral. Funding is currently in place to maintain the team until the end of March 2012.
- 12.2 The remaining Private Sector Housing Renewal team will be focussing on the delivery of the targets agreed in connection to the Community Fund, the Council's Corporate Plan, the HCA and the HMRI Transition Funding.
- 12.3 The financial resources identified in this report will enable the delivery of the Housing Investment Programme for 2011/12, as detailed in Appendix 1.
- 12.4 It is not possible, at this stage, to quantify exactly the total capital receipts that might be achieved from the disposal of surplus HMRI assets, including land, but current market conditions may mean that certain assets would be better sold by private treaty, which could offer an opportunity to maximise receipts. Receipts could subsequently be used to offset liability costs and support the HMRI exit strategy.
- 12.5 Planned demolitions will reduce the potential income generated under the New Homes Bonus for the following year but any new development and the reuse of empty properties will offset this loss by providing an additional income in future years

13.0 LEGAL IMPLICATIONS

- 13.1 There will be legal implications if clearance schemes result in the use of Compulsory Purchase Orders to secure sites for redevelopment

14.0 EQUALITIES IMPLICATIONS

- 14.1 The revised Housing Investment Programme will have a positive impact on some of the most socially and economically deprived areas of the Wirral. The programme will improve the quality of housing, bring back into use vacant dwellings and the redevelopment of cleared sites with new build will help promote greater choice, increase quality and choice of housing for all local people.
- 14.2 An Equality Impact Assessment has previously been completed in 2009 for the combined delivery of the clearance, refurbishment and new build schemes in line with Housing Market Renewal Programme and the Private Sector Housing and Regeneration Assistance Policy. This Assessment has been reviewed in light of the revised programme for 2011/12.

15.0 CARBON REDUCTION IMPLICATIONS

- 15.1 The completion of the residual clearance programme will provide sites for housing redevelopment to at least level 3 of the Code for Sustainable Homes providing sustainable, lower carbon homes into the future.
- 15.2 The works completed in connection with the Neighbourhood Facelift Scheme incorporate energy efficiency measures and micro generation through solar thermal panel installations. These works reduce the carbon footprint of 100 year old houses into the future.

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 16.1 The HMRI programme has directly supported the Council's strategy for urban regeneration and the re-use of brownfield land and has supported the implementation of the Council's Interim Planning Policy for New Housing Development. The revised Housing Investment Programme for 2011/12 will continue to support these objectives. Relevant Planning Permission will be required for any housing redevelopment. Renewed planning permissions for the remainder of phase 1 (W/APP/10/01205, 148 dwellings approved 26th January 2011) and phase 2 of Rock Ferry (W/APP/10/01206, 78 houses and 57 apartments approved 26th January 2011) have been granted to enable the development to be completed. Planning permission for the mixed use scheme of 100 dwellings, 55 apartments and 9 A1 retail units at Church Road in Tranmere was granted 1st April 2011(W/APP/11/00038). Planning Permission for the redevelopment of the Bray Street site with 58 housing units was approved in October 2011.

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APPENDICES

Appendix 1 – HMRI Transitional Funding Expenditure Table

Appendix 2 – Amended Housing Investment Programme 2011/12

REFERENCE MATERIAL

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

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
New Homes Bonus Allocation 2011-2012	21st July 2011
Wirral's Housing Market Renewal Programme End of Year Report 2010-11 and Housing Investment Programme 2011/12	13th October 2011

APPENDIX 1 - HMRI TRANSITION FUNDING BID EXPENDITURE TABLE

Category	Street / block name	Site size (ha)	Adjacent areas benefiting (description and hectares)	Total no of homes (inc demolished)	No. of vacant homes	% vacant homes	(Possibly temporary) Sustainable End State	Wider benefits (inc cost savings)	Costs to acquire homes £000	Assumptions	Resident Relocation Costs £000	Assumptions	Sustainable End State Costs £000	Assumptions	Total cost £000	Funding sought £000	Local Matched Funding £000	Match Funding Source	Match Funding Status	No of commercial interests	No of households
1	Miner/Carrington St, Birkenhead	1.674	Both pairs of streets adjoin the Laird Street retail corridor with direct connectivity to Birkenhead town centre and the motorway network, which provides links to other areas of economic growth such as Chester and Liverpool. These adjacent areas will benefit from having a residential population that may either use local facilities or be employed by them. On the opposite side of Laird Street a recent multi-million pound Group Repair scheme invested in the existing pre-1919 housing stock providing a long term future for these particular properties (4.5ha). To the west of the site is an estate of former 1970's Council houses, now owned by Wirral Partnership Homes. These properties have also undergone major private investment to bring them up to the Decent Homes Standard, and redevelopment of the site will further strengthen the local housing market and help secure the future of this particular estate. The site is also close to the Birkenhead dock system and the major redevelopment scheme Wirral Waters which will provide a wealth of new employment opportunities over time.	138	133	96%	Site transferred to Keepmoat as part of development agreement.	Redevelopment of these sites independently or together will remove blight and complement previous public sector investment schemes and the proposed private development of Wirral Waters. New housing provision and increased housing choice will strengthen the local housing market and reinforce comprehensive regeneration of the area. Scheme completion would eliminate ongoing liability costs associated with security, environmental management, council tax and utilities saving the Council an estimated £200k p.a. These sites form part of a development agreement with Keepmoat Homes to build 310 new homes in Birkenhead, which will lever in £10m private sector funds.	730	10 units @ av purchase price £73k each (5 occupied, 5 empty)	199	4 home loss payments @ £7,300 each, 4 disturbance allowances @ £850 each, 3 relocation loans @ £45k each, 1 Business extinguishment @ £25k.	255	5 loss payments @ £5,475 each, 70 demolitions @ £3k each (inc. security & service disconnection)	1184	564	620	RHP / Growth Port	Confirmed	1	4
3	Thornycroft / Plumer St, Birkenhead	1.262	Site immediately adjacent to Birkenhead Park which has undergone substantial investment during the last decade, providing a major recreational facility within easy reach of any future residents. Site also adjoins Laird Street which is a major transport route connecting Birkenhead and Wirral to Chester and Liverpool via the M53 Motorway. The site perimeter includes existing pre-1919 housing stock and a small estate of 1970s bungalows owned by Wirral Partnership Homes. These existing properties will directly benefit from the future redevelopment of the site due to a stronger and more desirable local housing market both retaining and attracting residents to the area. The site is also close to the Birkenhead dock system and the major redevelopment scheme Wirral Waters which will provide a wealth of new employment opportunities over time. New housing provision around and close to the Wirral Waters Scheme will reinforce the comprehensive regeneration of the area as a whole.	94	58	62%	Site transferred to Keepmoat as part of development agreement.	New housing provision and increased housing choice will strengthen the local housing market and reinforce comprehensive regeneration of the area. Scheme completion would eliminate ongoing liability costs associated with security, environmental management, council tax and utilities saving the Council an estimated £200k p.a. This site forms part of a development agreement with Keepmoat Homes to build 310 new homes in Birkenhead, which will lever in £10m private sector funds.	1938	25 units @ £77.5k each (30 units - 11 RSL owned)	657	Home Loss £7,300, Disturbance £850, Potential relocation loan £45k.	317	6 loss payments @ £5,812.50 each, 8 demolitions @ £3k each (inc security & service disconnection) @ £3k each.	3112	1167	1945	RHP / Growth Port / Capital Receipts	Confirmed	0	30
1	Brey St, Birkenhead	1.58	Site forms part of the North West gateway to the Otton Conservation Area and is located in both a prominent and elevated position, making it visible from the main transport access route that is Boreas Road. The site is also close to the central shopping area of Birkenhead and Birkenhead Library. The built environment surrounding the site in question has undergone private investment in recent years and has seen some regeneration, however the blight that is Belmont risks decaying the area in the longer term. Redevelopment of the Belmont site will complete the regeneration of the local area.	48	47	98%	Site transferred to a developer with no expectation of additional / future gap funding.	Removal of blight from a prominent road junction on periphery of a conservation area (Otton). Complementary to adjacent private sector investment including church restoration, a new built environment and commercial refurb of an existing terrace. Reduction in local authority costs associated with public safety and environmental issues (approx. £20k p.a). This site will be developed in partnership with one of the Council's preferred developers and will lever in over £5m of private sector funding.	75	1 occupied unit @ estimated £75k.	53	Home Loss £7,300, Disturbance £850, Potential relocation loan £45k.	9	3 demolitions @ £3k each (inc security & service disconnection)	137	128	9	Capital Receipts	Confirmed	0	1
1	Belmont, Birkenhead	1.054	Site is located on a major transport route linking various neighbourhoods to Birkenhead and Liverpool (Via the Kingsway Tunnel) and forms part of a larger traditional linear retail/commercial provision. The realisation of direct retail and commercial units and the provision of a new smaller retail centre will substantially improve both the look and feel of the northern end of the Church Road corridor, boosting confidence in the neighbourhood resulting in an improved local housing market. There has already been a major private sector residential redevelopment immediately adjacent to the northern perimeter of the site indicating confidence in the area and its plans. Previous additional housing investment in the immediate area at Hot Hill, Farnax Road and Lighton Road has strengthened the housing offer in the area (1.25ha). Finishing the redevelopment of Church Road will be the final piece in the jigsaw that secures the future of the higher Tranmere.	20	19	95%	Site transferred to a developer with no expectation of additional / future gap funding.	Reduction in local authority costs associated with public safety and environmental issues (approx. £3k p.a). This site is part of a development agreement with Lovell to build 510 homes and eighth shops in Tranmere and Rock Ferry, which will lever in £10m private sector funds.	375	1 occupied unit @ £35k, 5 units @ average cost of £50k.	54	Home Loss £8,500, Disturbance £850, Potential relocation loan £45k.	79	5 loss payments @ £4,350 each, 19 demolitions @ £3k each (inc. security & service disconnection)	508	139	369	Capital Receipts / New Homes Bonus	Confirmed	7	1
1	Church Rd, Tranmere	2.372	Site is located on a gateway access road serving both Birkenhead and Liverpool (Via the Kingsway Mersey Tunnel) which has been a hot bed of new development in recent years. Removing what is currently a blight on the local area will improve the visual amenity both for local residents and people using Borough Road and those living in Shaw Street (0.22ha) immediately adjacent to the Borough Road site.	106	101	95%	Site transferred to Lovell as part of development agreement.	Reduction in local authority costs associated with public safety and environmental issues (approx. £20k p.a). This site is part of a development agreement with Lovell to build 510 homes and eighth shops in Tranmere and Rock Ferry, which will lever in £10m private sector funds.	1040	9 units @ average cost £130k (5 occupied, 3 vacant)	433	4 business relocation loans @ £45k each, 4 com. disturbance allowances @ £50k each, 1 res. disturbance allowance @ £850, 4 loss payments @ £3750 each & 1 home loss payment @ £13k.	92	3 loss payments @ £3,750 each, 21 demolitions (inc. security & service disconnection) @ £3k each.	1565	823	742	Capital Receipts / New Homes Bonus	Confirmed / Unconfirmed	4	1
3	Borough Rd, Tranmere	0.16	Site is located on a gateway access road serving both Birkenhead and Liverpool (Via the Kingsway Mersey Tunnel) which has been a hot bed of new development in recent years. Removing what is currently a blight on the local area will improve the visual amenity both for local residents and people using Borough Road and those living in Shaw Street (0.22ha) immediately adjacent to the Borough Road site.	13	9	69%	Site clearance and landscaping pending future redevelopment.	Removal of blight from a prominent through road to Birkenhead/Liverpool and Otton, which will have direct effect on Shaw St terrace. Reduction in local authority costs associated with public safety and environmental issues (approx. £20k p.a).	160	4 units @ average cost £40k each	101	£45k Business Relocation Loan, £30k com. disturbance allowance, 4 loss payments @ £3k each, 3 home loss payments @ £4k each & 3 res. disturbance allowances @ £650 each.	40	13 demolitions @ £3k each (inc security & service disconnection) + £1k landscaping costs	301	141	160	New Homes Bonus	Unconfirmed	1	3
Total Wirral				8.3	>6.97	419	367		4318		1687		792		6807	2962	3845			13	40

APPENDIX 2: REVISED HOUSING INVESTMENT PROGRAMME 2011/2012

	RHP Carry Over	Capital Programme	Growth Point	Community Fund	Wirral NHS	Capital Receipts & Recycled Contributions*	Revenue & Reserves	HMRI Transition Funding*	New Homes Bonus	Total
Clearance										6,510,570
Birkenhead	504,572	83,272	648,529			294,155		2,430,000		3,960,528
Rock Ferry									90,000	90,000
Tranmere	160,919	376,728				762,395		270,000		1,570,042
Wallasey	890,000									890,000
Improvements to retained stock										1,980,512
Private Sector Facelift Scheme						1,018,212				1,018,212
Equity Renewal Loans	10,327	90,000								100,327
Home Repair Assistance	13,464	300,000				8,499				321,963
Cosy Homes Heating		250,000								250,000
Empty Property Work	30,010	125,000							30,000	185,010
Healthy Homes (Fire Safety Loans)		105,000								105,000
Staffing & Resources										924,000
				600,000	21,000		303,000			924,000
TOTAL FUND	1,609,292	1,330,000	648,529	600,000	21,000	2,083,261	303,000	2,700,000	120,000	9,415,082

* Not all to be spent in 2011/12

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WIRRAL COUNCIL

CABINET – 2nd FEBRUARY 2012

REPORT OF THE ACTING DIRECTOR OF REGENERATION, HOUSING AND PLANNING

SUBJECT:	THORNEYCROFT, PLUMER & RUNDLE STREETS NEIGHBOURHOOD OPTIONS APPRAISAL
WARDS AFFECTED:	BIDSTON & ST JAMES
REPORT OF:	ACTING DIRECTOR OF REGENERATION, HOUSING & PLANNING
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR GEORGE DAVIES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is for Members to note the findings of the Thorneycroft, Plumer and Rundle Streets Neighbourhood Options Appraisal (NOA) and to approve the recommendation for clearance and subsequent housing redevelopment as part of the Housing Market Renewal Exit Strategy.
- 1.2 Appendix B of this report contains exempt information set out in paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972 and includes details regarding the current position with negotiations to acquire individual properties

2.0 RECOMMENDATIONS

- 2.1 Members note the findings of the Thorneycroft, Plumer and Rundle Streets Neighbourhood Options Appraisal (NOA) and approve the recommendation for clearance action involving 1-39 and 2-46 Thorneycroft Street, 1-39 and 4-26 Plumer Street, and 12-30 and 41-55 Rundle Street, with subsequent housing redevelopment of the cleared site.
- 2.2 Members agree to authorise the continued acquisition of the remaining privately owned buildings by negotiation and agreement with individual owners.

3.0 REASONS FOR RECOMMENDATIONS

- 3.1 Based on the range of information collected as part of the NOA process, the consultation feedback and the number of residents and owners leaving the area over the course of the NOA, it is considered that comprehensive acquisition and demolition of all the houses in Area 2 (including Thorneycroft Street, Plumer Street and Rundle Street) with subsequent residential development is the most satisfactory option in this case. As things currently stand this will involve the acquisition of the remaining 31 housing units.

4.0 BACKGROUND & KEY ISSUES

- 4.1 Members will be aware that the Government established the Housing Market Renewal Fund in 2003 and that the Council started a programme of investigative work in relation to the future of houses, land and commercial interests located in various 'high housing market stress' areas on the eastern side of the borough.

- 4.2 Members endorsed a framework for regeneration for the North Birkenhead area on 16 June 2005, which set out a ten to fifteen year vision for the area based on preliminary investigative work and a variety of stakeholder consultation sessions and surveys carried out by consultants, GVA Grimley. This framework for regeneration proposed the potential clearance and redevelopment of Milner, Carrington, Thorneycroft, Plumer and Rundle Streets, amongst others, which warranted a more detailed assessment of the neighbourhood in the form of a Neighbourhood Options Appraisal (NOA).
- 4.3 Following a consultation event at Portland Primary School on the 16 May 2006, it was recognised that residents from the North Birkenhead area had some concerns about the long term future of Milner, Carrington and Rundle Streets but initially felt that Thorneycroft and Plumer Streets were more sustainable. In response to these findings, the Council decided to examine the locality in more detail and divided it into two areas (see appendix A). A detailed Neighbourhood Options Appraisal (NOA) was subsequently undertaken in Area 1 which resulted in an ongoing acquisition for clearance programme. This was approved by Cabinet on April 3rd 2008.
- 4.4 During the Area 1 NOA process the Council was approached by a number of property owners in both Area 1 and 2 wanting to sell and move on. Members endorsed the adjustment of the 2007-08 acquisitions programme on 6 September 2007 to include acquisitions within the two areas pending the final NOA Area 1 report. This was in view of public opinion, the likely outcome of the NOA and availability of financial resources to meet demand from property owners in the area who wanted to sell. Acquisitions were focused primarily in Area 1 although a limited number were made in Area 2.
- 4.5 A peripheral survey of residents in Area 2 undertaken during the Area 1 NOA showed that 36% of those consulted thought their properties should have been included in the Area 1 NOA, and a further 11% expressed a desire to leave the area completely.
- 4.6 The Cabinet report of 3rd April 2008 advised of the interest expressed by residents in Area 2 in disposing of their properties to the Council and that the Council would continue to monitor opinion in Area 2, with the option of carrying out a more detailed appraisal in the future. Over time the level of enquiries led to the start of a NOA in Area 2. This was approved by Cabinet on 15th October 2009.
- 4.7 Cabinet also agreed to the continued acquisition of properties in Area 2 in response to those residents wishing to sell to the Council before the result of the Area 2 NOA was determined.
- 4.8 The 2008-2011 HMRI programme was approved by Cabinet on 9th July 2008 and included provision for the Area 2 NOA as part of the Birkenhead Phase 2 Initiative.
- 4.9 Following the Comprehensive Spending Review in 2010 the Government announced that both the HMRI programme and the Regional Housing fund would finish at the end of March 2011. This announcement was unexpected as the HMRI was originally planned to be a 15 year programme but was cancelled prematurely after 8 years. This announcement has delayed the completion of the Area 2 NOA due to the uncertainty about future resources to finalise ongoing projects originally started as part of the former HMRI.
- 4.10 Following the cessation of HMRI the Council has been actively bidding for resources to enable the completion of the Area 2 NOA and other HMRI projects. I am pleased to be able to report that in November 2011 the Council successfully secured £2.7 million of capital funding from HMRI Transitional Resources, which were allocated in recognition of the residents stranded in partly completed clearance schemes. These resources can only be used to acquire occupied properties and have to be match funded.

5.0 NOA FINDINGS – HOUSING CONDITIONS

- 5.1 Area 2 consists of 93 residential properties in Thorneycroft, Plumer and Rundle Streets. Officers have undertaken a number of house condition surveys where access could be gained and consulted residents and owners about problems which they may be encountering within the neighbourhood, together with their perceived aspirations for the area.
- 5.2 The current method for measuring housing conditions was introduced as part of the Housing Act 2004 and is called the Housing Health and Safety Rating System (HHSRS). The aim of the HHSRS is to identify health and safety hazards within dwellings which may result in illness or injury occurring during the next 12 months. These hazards are then scored and are classed as either 'Category 1' or 'Category 2' hazards. Where a 'Category 1' hazard is identified the Council has a statutory duty to deal with the hazard and where a 'Category 2' hazard is found action is discretionary.
- 5.3 Officers have carried out 45 house condition surveys representing over 48% of the total dwellings within Area 2, which are predominantly early 1900's terraced brick-built houses. . The number of surveys completed covers almost 58% of the properties in Area 2 which were occupied at the start of the NOA in October 2009. Approximately 26.6% of properties inspected have 'Category 1' hazards which require the Council to take action. The most common hazards identified were 'excess cold' and 'falls associated with stairs or steps'. The Council is legally obliged to utilise enforcement powers to ensure that all 'Category 1' hazards are mitigated either through improvements or demolition. The average cost of achieving an acceptable minimum standard would be in the region of £5,000 per property with Category 1 hazards; however, it should be noted that this amount represents the cost of repairs only and does not include any consideration of associated legal costs for enforcement in the event of an appeal.
- 5.4 In addition to assessing work needed to meet the minimum legal standards, costs associated with upgrading properties to meet the Government's 'Decent Homes Standard' have been calculated. The average cost to achieve the Decent Homes Standard is estimated to be in the region of £7,000 per property, with over 93% of the properties surveyed in the NOA area failing to reach the more desirable standard.
- 5.5 It was also noted that a small number of properties may have been subject to structural movement and further investigations by the Technical Services Department were carried out. The results of these surveys indicated that a representative sample of properties suffered from structural problems, which would require quite extensive remedial works in order to make the properties structurally sound. These recommended works include underpinning of load-bearing walls, roof strengthening and strengthening works to the front elevations. The average figure for these works is in the region of £28,000 per property. This figure does not incorporate any costs associated with temporary alternative accommodation, which may be necessary due to the extent of the structural rehabilitation works.
- 5.6 The value for money of investing in refurbishing stock in Area 2 to any of the standards set out above must be considered in the context of local housing market performance. The low demand for accommodation in Area 2, as evidenced by the number of owner-occupiers who have sold up and left the area prior to the result of the NOA being known, does not support the case for refurbishment as there is insufficient evidence that the properties will be let or sold following refurbishment. This is particularly relevant in the current housing market.

- 5.7 Standard Assessment Procedure 2005 (SAP) ratings for energy efficiency were also calculated for a 26% sample of the properties inspected and the results were analysed by an external agency (Energy Projects Plus). The SAP rating demonstrates the energy efficiency of a property on a scale of 0 to 100 with 0 being the least energy efficient. The average SAP rating for the representative sample within the NOA was 54.7, which compares favourably with the national average of 46 and the borough average of 49. However, it should be noted that these are sample averages and that there may be significant variation between individual properties. Also, options to incorporate further energy efficiency measures to improve SAP ratings, reduce energy consumption and lower carbon dioxide emissions will increase refurbishment costs and may be limited due to building design. Poor energy efficiency of properties contributes to fuel poverty and in turn can lead to poor health and financial difficulties especially in relation to current fuel price levels.
- 5.8 On the basis of house condition surveys undertaken, it is reasonable to conclude that although the majority of properties would not meet the Decent Home Standard and would require some intervention, there does seem to be a perception amongst residents that poor housing conditions exist (see paragraph 6.5). Officers encountered common complaints regarding narrow/steeply pitched stairs and small rear bedrooms, often used as storage only due to insufficient dimensions.
- 5.9 During the NOA a number of voluntary acquisitions were made by the Council (see 8.3). Once acquired, as requested by remaining residents, every effort was made to maintain property security without boarding up property openings. Over time the vacancy rate has increased and, unfortunately, properties have been damaged by theft and arson. This damage is now widespread and will greatly increase the costs involved in undertaking improvements to make the properties both habitable and desirable.
- 6.0 **CONSULTATION**
- 6.1 Prior to the start of the Neighbourhood Options Appraisal, in 2005 a masterplanning exercise was carried out in Birkenhead involving a series of 'drop in' sessions and consultation events at local venues. The findings of the masterplan indicated that there was strong local support for extensive redevelopment and regeneration in North Birkenhead, particularly in the NOA Areas 1 and 2.
- 6.2 In addition to house condition surveys, officers carried out owner/resident consultation interviews on a one to one basis wherever possible. This has allowed the Council to capture relevant information such as occupation, tenure and household income. More importantly, the interview went through the issues that each household felt were detrimental to the area and the different courses of action under consideration. Owners/residents were then given the opportunity to select the option they would prefer to be implemented to resolve the issues in the area.
- 6.3 At the beginning of this Options Appraisal in October 2009, over 57% of the occupied properties within Area 2 were owner-occupied, with just over 28% owned by private landlords and 14% owned by Registered Social Landlords. Of the 78 occupied properties, 48 consultation interviews were completed, equating to just over 61.5% of the area's residents.
- 6.4 The residents and absentee landlords who did not offer their opinion on the NOA process were approached by Council Officers on numerous occasions over the preceding few months and were sent newsletters requesting appointments. Despite this and door to door calling by officers, the remaining households proved to be either uncooperative in allowing access or in keeping appointments that had been made.

6.5 Area 2 survey findings underline the many social problems that residents in these streets face and those issues that residents perceive are at an unacceptable level with detrimental effects on the neighbourhood. These include anti-social behaviour, poor housing conditions, drug dealing, derelict properties, irresponsible landlords/tenants, graffiti, litter, and noise. A full breakdown of these issues is shown below:

Issues having a detrimental effect on the area	% of households that agree
Anti-social behaviour	50
Irresponsible tenants	43.75
Litter	39.58
Derelict Properties	37.5
Irresponsible Landlords	37.5
Dogs/Dog Fouling	35.4
Vandalism	31.25
Alleys (drains/rubbish)	31.25
Crime/Fear of crime	31.25
Drug dealing	29.16
Lack of children's play areas	29.16
Noise from people	27.08
Housing Conditions	25
On street Parking	22.91
Noise from roads	10.41
Graffiti	8.33
Poor Transport Links	6.25
Lack of local facilities	4.16
Lack of retail facilities	2.08
Prostitution	2.08
Racial Harassment	0

6.6 Most households were found to have below average income, with the majority group earning between £10-15k per annum. Over half of the households were in receipt of welfare benefits or tax credits. This is indicative of the low incomes and poverty associated with this ward and has implications for the level of investment which would be required to support any potential repair scheme.

6.7 As part of the consultation, residents in Area 2 were asked what they would most like to see happen in the area. They were given a number of possible options that were explained to them and asked for a preference. These options ranged from a 'do nothing' approach through to renovation schemes and more radical options of demolition and redevelopment.

48 households from the 78 occupied properties in the area responded and a breakdown of these results is shown below:

Preferred course of action for the area	% support
Full Demolition & Redevelopment	45.83
Retention & Improvement	29.16
Group Repair	16.66
Do nothing/ other	8.33
Partial Demolition & Redevelopment	0
Use of Neighbourhood Wardens	0
Environmental Improvements	0

- 6.8 The main findings of the consultation with residents in the area can be summarised by saying that although the same amount of people opted for overall retention and refurbishment as opted for demolition, the most favoured single option was in fact demolition and redevelopment.
- 6.9 Absentee landlords were also consulted with regard to the future of the properties in NOA Area 2 and they were equally split in their opinion on whether the properties in the area should be retained or demolished.
- 6.10 The level of feedback from the absentee landlords was on a similar scale to that of the residents, in that although they made up 28% of the ownership of the total properties in the area at the beginning of the NOA in October 2009, only the owners of two-thirds of these properties offered their opinion.
- 6.11 Of the landlords who responded, the owners of 6 properties opted for full demolition and redevelopment, the owners of 6 more chose retention and no form of demolition, and the owners of the 4 remaining properties that responded had either no opinion or a variety of opinions with no clear indication for or against retention or some form of demolition.

7.0 **NOA FINDINGS – THE HOUSING MARKET**

- 7.1 The majority of the residential buildings in the Birkenhead ADF area are largely pre-1919 terraced stock, which accounts for 48.9% of all housing in the area. Most of this is in North Birkenhead, off the Laird Street corridor. The median house price in the Birkenhead ADF stood at £65,500 in quarter 1 of 2010, based on sales in that period. This represented a 7% fall on the same period a year earlier.
- 7.2 The median house price across Wirral, which showed an annual increase of 3%, is at least double that of the Birkenhead ADF, and the price gap between Birkenhead and the Wirral grew between quarter 1 of 2009 and quarter 1 of 2010, yet fell when compared with similar properties throughout the former Newheartlands Pathfinder. On a national level house prices increased over the 12 months to the first quarter of 2010, and are nearly three times as high as in the Birkenhead ADF.
- 7.3 Levels of vacant and long term voids in the Birkenhead area are twice as high as those across the rest of the Borough, which illustrates low demand and a lack of interest in living in the area. The majority (93.7%) of housing stock in the Birkenhead ADF is in the lowest Council Tax Band (Band A), the number of which has fallen slightly since 2005 resulting from targeted demolition of poorer quality stock low demand stock in other clearance schemes. In contrast, only 40.3% of properties across the borough are in Council Tax Band A.
- 7.4 If the properties in Area 2 were acquired and demolished, the cleared site would be approximately 1.7 hectares (4.3 acres) and whilst the housing on the site is currently unpopular, it would be an attractive site for new-build housing. This is due in part to the Council's Interim Policy for New Housing Development, the proposed residential redevelopment of the adjacent Area 1 site and the ongoing residential redevelopment of the Bray Street site. Assuming that planning permission for residential development was forthcoming and the interim policy remains unchanged, the site may have a development value which would realise a high quality development. This site would be developed in partnership with Keepmoat as the Council's preferred developer for Birkenhead, and potentially an RSL who could provide a proportion of social housing.

8.0 STRATEGIC ACQUISITIONS

- 8.1 As previously mentioned the Area 2 NOA commenced in October 2009. Prior to this date the Council was approached by a number of property owners requesting that their properties were acquired. During the financial year 2006/07, a limited amount of funding was available to make some strategic acquisitions and was utilised in this area. A total of 7 property acquisitions were agreed in order to assist property owners in difficult circumstances, particularly residents who were the targeted victims of anti-social behaviour. A further 4 properties were bought prior to the start of the NOA in Area 2.
- 8.2 By agreeing to acquire a limited number of properties, residents' expectations were raised and this resulted in the Council receiving an increased demand from owners who wanted to sell their properties for a variety of reasons such as:
- Inability to sell their home due to low demand
 - Preference for moving to another area
 - Property being vacant and inability to re-let
 - Property not suitable for needs
 - Anti-social behaviour and other social issues
- 8.3 Members agreed to the acquisition proposals outlined in the Cabinet report of 15th October 2009 and to date the Council has acquired a total of 62 properties in Area 2, has agreed in principle to acquire another 1, and has also negotiated a property swap with the 2 of the RSLs at no extra financial cost to the Council, with the exception of associated fees and disturbance payments for residents. Negotiations remain ongoing with the remaining RSL to acquire the remaining 9 RSL properties. In total this represents a potential acquisition rate of over 76% of the housing stock in Area 2 already. Properties have been acquired at average values for the Birkenhead ADF area as a whole, or slightly above. All acquisitions have been made on a voluntary basis only and reinforce the lack of commitment to the future of these properties, initially established by the consultation exercise. There are currently 8 owner-occupiers and 14 private landlord owned properties remaining. Appendix B provides detail about current property ownership in Area 2.

9.0 CONCLUSION

- 9.1 The physical condition of the properties is mixed with structural remediation and energy improvements likely to be the largest expenditure items. While retention and rehabilitation would be the cheapest option the rapid physical deterioration over recent months and sharp escalation in crime has stigmatised the area to the point that this is not considered to be a viable option into the future. The area has been suffering from low demand and the majority of houses are now vacant. This has been endorsed by both the market appraisal and the majority of the residents and owners, both former and remaining. Any improvement option would result in the retention of houses that were designed and built over 100 years ago, of which there is an oversupply within the former HMRI area. An improvement scheme would also rely on the willingness of individual owners to both participate and in many cases, invest their own money to bring the properties up to a standard fit for the 21st century.
- 9.2 The consultation undertaken with a range of interested parties including both residents and absentee owners, in conjunction with the large number of Area 2 properties already sold to the Council on a voluntary basis has established that a large majority favour relocation from the area. This substantially strengthens the case for clearance. Redevelopment of any cleared site would complement the residential redevelopment of the adjoining Area 1 site, which is

currently being assembled. This would provide a mix of wider property types built to current standards and would achieve diversification in the local housing market.

9.3 Based on the range of information collected as part of the NOA process, the consultation feedback and the number of residents and owners leaving the area over the course of the NOA, it is considered that comprehensive acquisition and demolition of all the houses in Area 2 (including Thorneycroft Street, Plumer Street and Rundle Street) with subsequent residential development is the most satisfactory option in this case. As things currently stand this will involve the acquisition of the remaining 31 housing units.

9.4 In relation to the non residential properties 96-114 Laird Street, inclusive; these are included within the Laird Street Traditional Suburban Centre, as defined under Policy SH2 in the adopted Wirral UDP. As these properties form part of a rationalised Suburban Centre and are largely occupied it is suggested that these units should be excluded from the demolition involving the housing to the rear. In relation to the Baptist Church, also on Laird Street; the Minister and the congregation were consulted on their opinion of the prospective regeneration of the area at several meetings, and did not give an opinion for or against any of the possible options. The Church itself is fully active and as such it is suggested that the church should be retained and not be part of any proposed demolition works in the NOA Area 2.

10.0 RELEVANT RISKS

10.1 Negotiations to voluntarily acquire properties have proved to be successful to date and it is envisaged that continuing negotiations with the remaining owners will result in the completion of the site assembly over time. There is a risk that these negotiations may not succeed and compulsory purchase powers might be necessary.

10.2 The remaining residents and/or owners may object to the outcome of the NOA and mount a campaign against the decision. It is considered that the Council has collected sufficient evidence to support and defend the decision to acquire, demolish and redevelop the Area 2 site.

11.0 OTHER OPTIONS CONSIDERED

11.1 A range of options for action (see 6.7) have been considered as part of the NOA process.

12.0 CONSULTATION

12.1 Extensive consultation has been undertaken throughout the NOA process, as discussed in 4.2 above

13.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

13.1 The completion of the Area 2 NOA and a decision on the most satisfactory course of action for dealing with the housing will determine the future of this particular area in line with community expectations raised at the beginning of the HMRI.

14.0 RESOURCE IMPLICATIONS:

14.1 FINANCIAL

- 14.1.1 Area 2 acquisitions made to date have cost in the region of £5.6m. This figure includes compensation to residents and owners, relocation loans and security. To assemble the whole site it is estimated that a total of £2.8m will be required to purchase and demolish the remaining housing units.
- 14.1.2 The Housing Investment Programme for 2011/12 makes provision for a number of acquisitions in Area 2, however, these are restricted to ongoing commitments made before the demise of the HMRI programme earlier this year. The Council has recently been successful at bidding for HMRI Transitional Funding and has secured £2.7m to support remaining residents in clearance schemes. Although slightly less than anticipated, this funding, when combined with match funding, will enable the completion of most of the existing clearance commitments throughout the former HMRI area, based on estimates made at the time of the bid. This funding is matched by a combination of capital reserves carried over from 2010/11, new Homes Bonus and new capital receipts generated through the sale of strategic HMRI acquisitions. These resources will be partly used to complete the site assembly of Area 2 and it is envisaged that this will be achieved over 2011/12, 2012/13 and 2013/14.
- 14.1.3 Financial resources mentioned in 14.1.2, above, will be used to purchase properties, make discretionary payments equal to the Statutory Homeloss/loss and Disturbance payments and fund the Council's new Relocation Loans. Resources will also be used to fund various activities supporting clearance including security costs and demolition.
- 14.1.4 Members should be aware that demolition and eventual residential redevelopment is not the cheapest option but is considered to be the best approach for dealing with the inherent problems of the area in the long term.
- 14.1.5 Planned demolitions will reduce the potential income generated under the New Homes Bonus for the following year but any new development and re-use of empty properties will offset this loss by providing an additional income in future years.

14.2 IT

- 14.2.1 There are no IT implications.

14.3 STAFFING

- 14.3.1 The remaining Private Sector Housing Renewal Team, with support from other Council departments, will oversee the acquisition and demolition process and subsequent residential redevelopment. The remaining team has been substantially reduced in number since the demise of HMRI but has been able to retain the core skills to be able to continue to deliver the programme and is currently being funded by a combination of the Council's own resources, the Community Fund and NHS Wirral. Funding is currently in place to maintain the team until the end of March 2012.

14.4 ASSETS

- 14.4.1 Successful acquisitions will increase the value of the Council's assets in the area. Following demolition, the site will be subsequently redeveloped for housing use by the Council's partner developer, Keepmoat Homes. Provisional Development Appraisals anticipate a Capital Receipt in the region of £288,000, however, recent experience with the Bray Street site has established that the actual land value may well be substantially lower than originally anticipated. The actual value will be determined before handing the site over to developer.

The receipt will be split between the Council and the HCA on a proportional basis, based on the value of the previous investment made in assembling the site.

15.0 LEGAL IMPLICATIONS

- 15.1 Should negotiations fail to secure the whole site over time a further report will be prepared presenting the case for compulsory purchase.
- 15.2 Longer term, there will be legal implications in relation to the preparation of the lease in connection with Keepmoat Homes and the eventual residential redevelopment of the site

16.0 EQUALITIES IMPLICATIONS

- 16.1 The Council's Homemovers Service is available to help all residents wanting to relocate away from the area, some of whom are considered to be vulnerable.
- 16.2 It is intended that the recommended course of action (acquisition and demolition) will have a positive impact on one of the most socially and economically deprived areas of Wirral and successful acquisition of properties will contribute to achieving delivery of the North Birkenhead masterplan.
- 16.3 An Equality Impact Assessment has previously been completed in 2009 for the combined delivery of the clearance, refurbishment and new build schemes in line with former Housing Market Renewal Programme and the Private Sector Housing and Regeneration Assistance Policy. This Assessment has recently been reviewed and a separate EIA has been completed to cover both NOAs and clearance schemes

17.0 CARBON REDUCTION IMPLICATIONS

- 17.1 The proposal to redevelop this area will assist in the creation of a sustainable community for the future. The residential redevelopment will take into account modern building practice and will be built to at least Code 3 of the Code for Sustainable Homes. In the longer term, evidence suggests that the CO2 emissions for the new houses will be substantially lower than those for the current houses.

18.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

The site is designated as a Primarily Residential Area, in the Wirral Unitary Development Plan (UDP saved by direction of the Secretary of State on 28th September 2007). The site is within the inner area of the City Region shown on the map with Policy LCR1 of the Northwest Regional Spatial Strategy (September 2008). The site is also located within a regeneration priority area identified in the Interim Planning Policy 'New Housing Development' (October 2005)

- 18.1 Although the Government intends to abolish RSS, subject to the outcome of consultation on Environmental Assessment, it will remain part of the statutory development plan until formally revoked.
- 18.2 Housing development in this location would be consistent with the principles of urban regeneration and the aim to revitalise the area through comprehensive area based regeneration schemes as set out in RSS and the UDP.

- 18.3 Planning applications are currently subject to UDP Policy HS4 'Criteria for New Housing Development' and RSS Spatial Principles which contain criteria for securing good design, including community safety and security, landscaping and public open space with children's play areas.
- 18.4 Once properties are acquired all openings are to be secured by metal sheets at ground and first floor levels. Regular monitoring throughout the acquisition phase will be undertaken with available staffing resources to ensure property integrity is maintained. It should be noted that with the demise of the HMRI the Council no longer has the Wardens Service to regularly monitor Council owned vacant properties.
- 18.5 There have been incidents of police intervention under the Crime & Disorder Initiative and it is hoped that the comprehensive regeneration of this area will alleviate difficult environmental conditions.
- 18.6 Demolition and residential redevelopment will employ 'secure by design' thus designing out potential crime at an early stage.
- 18.7 Relevant Planning Permission will be required for any housing redevelopment.
- 18.8 Demolition consent would also be required before the properties are demolished, and it is unlikely that an environmental impact assessment would be required for the redevelopment of the site.

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APPENDICES

A. Map to show NOA Area 1 and NOA Area 2

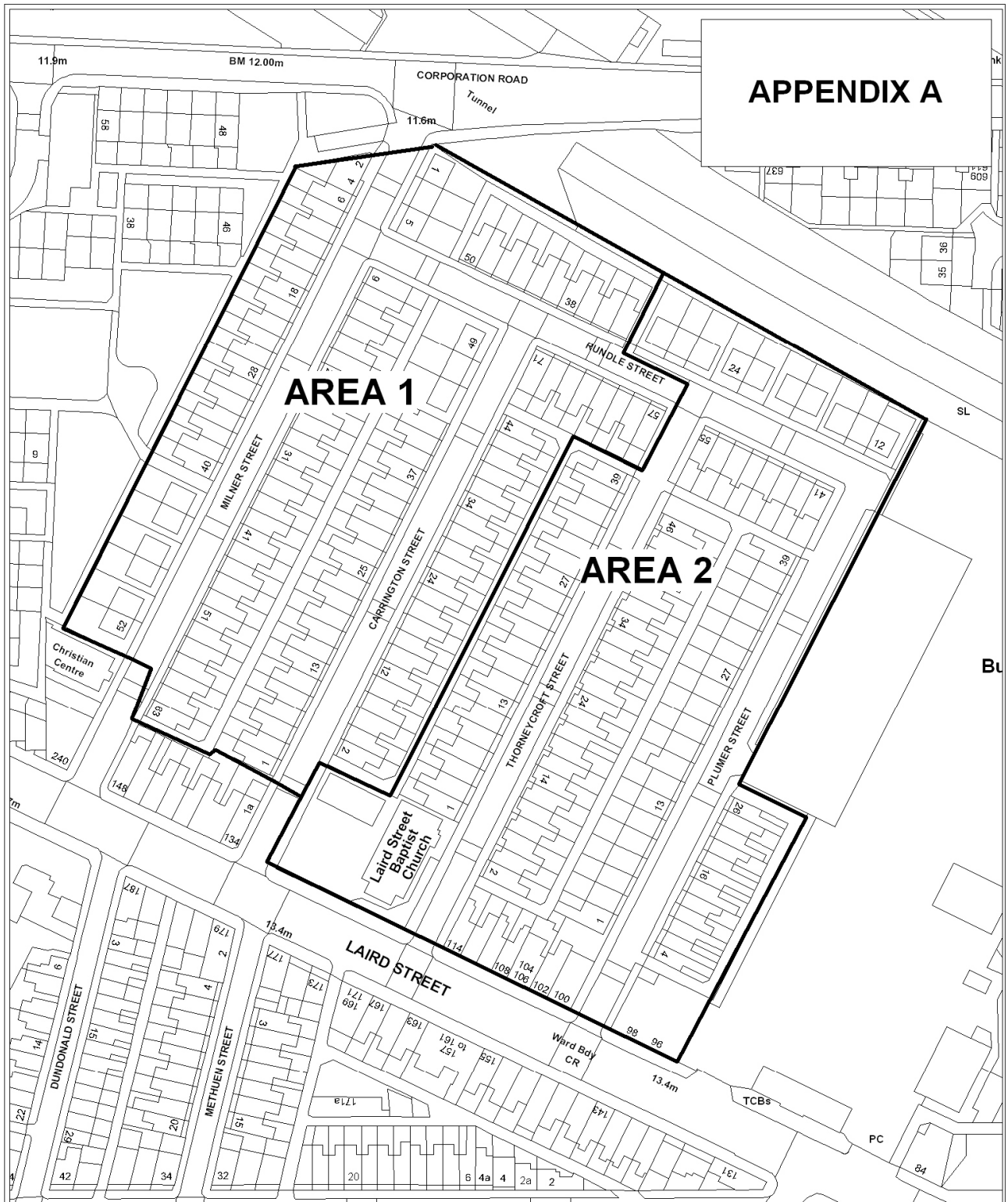
B. Map showing property ownership details in NOA Area 2 and progression of negotiations

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Thorneycroft, Plumer and Rundle Street, Birkenhead Neighbourhood Options Appraisal and Strategic Acquisitions	Cabinet 15 th October 2009
Wirral's Housing Market Renewal Programme End of Year Report 2010-11 Housing Investment Programme 2011/12	Cabinet 13 th October 2011

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WIRRAL COUNCIL

CABINET

30 JANUARY 2012

SUBJECT:	APPOINTMENT OF CHIEF INSPECTOR OF WEIGHTS AND MEASURES
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>BILL NORMAN, DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>BRIAN KENNY CABINET MEMBER FOR ENVIRONMENT</i>
KEY DECISION? (YES

1.0 EXECUTIVE SUMMARY

1.1 To recommend that following the retirement of John Malone, then Chief Inspector of Weights and Measures, that the position of 'Chief Inspector of Weights and Measures', be held by Gillian Vicary concomitant with her designated post of Trading Standards Operations Manager. The appointment of this position is required under the provisions of the Weights and Measures Act 1985.

2.0 BACKGROUND

2.1 The Weights and Measures Act 1985 (the Act) lays down a regulatory framework for the statutory control of weighing and measuring equipment and the regulation of sales of goods by quantity or number. The Act also details the specification and calibration of the equipment used by local authorities to determine the accuracy of traders' equipment. The Department for Business, Innovation and Skills and the National Measurement Office jointly discharge government overview.

2.2 Section 69 of the Act defines a "local weights and measures authority", for each metropolitan district, as the council of that district. For the purposes of the Act Wirral Council is a weights and measures authority.

2.3 Section 52 of the Act states that it shall be the duty of a local weights and measures authority to enforce the provisions of the Act within the area of the authority.

2.4 The local authority is required under Section 70 of the Act to submit an annual report to the Secretary of State, detailing activity under the Act.

3.0 APPOINTMENT OF CHIEF INSPECTOR OF WEIGHTS AND MEASURES

3.1 Section 72 of the Act further requires that each local weights and measures authority shall from time to time appoint from persons holding certificates of qualification under section 73 of the Act and reasonably remunerate a chief inspector of weights and measures.

3.2 A chief inspector shall be responsible to the local weights and measures authority for the custody and maintenance of the local standards, working standards and testing and stamping equipment provided for the area for which s/he was appointed and generally for the operation of arrangements made to give effect in that area for the purposes of the Act.

4.0 RECOMMENDATION/S

4.1 That Cabinet recommends to Council that the Trading Standards Operations Manager, Gillian Vicary, be appointed to the position of Chief Inspector of Weights and Measures for the Metropolitan Borough of Wirral.

3.0 REASON/S FOR RECOMMENDATION/S

3.1 There is a statutory requirement to appoint a person, holding certificates of qualification to take the position of Chief Inspector of Weights and Measures. Gillian Vicary being the most senior officer, holding the required certificates of qualification, is the most appropriate appointment.

4.0 BACKGROUND AND KEY ISSUES

4.1 The Trading Standards Division has recently undergone a restructure and the previous Chief Inspector of weights and measures has now retired from the local authority. Within the current structure the Operation Manager, Gillian Vicary holds the required statutory qualification referred to in section 73 of the Act.

5.0 RELEVANT RISKS

5.1 Without the appointment the council's ability to enforce the relevant act is adversely affected

6.0 OTHER OPTIONS CONSIDERED

6.1 None relevant

7.0 CONSULTATION

7.1 Not necessary

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 *None*

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

9.1 The position of 'Chief Inspector of Weights and Measures' is a title and therefore there are no additional resources to accompany this position.

10.0 LEGAL IMPLICATIONS

10.1 Section 72 of the Weights and Measures Act 1985 requires that each local weights and measures authority appoint from persons holding certificates of qualification under section 73 of the Act, a Chief Inspector of Weights and Measures. Failure to make the appointment puts the Council in breach of its statutory duty.

11.0 EQUALITIES IMPLICATIONS

11.1 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

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

11.2 This is an administrative change and in itself has not equalities implications

12.0 CARBON REDUCTION IMPLICATIONS

12.1 *None*

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 *None*

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APPENDICES

None

REFERENCE MATERIAL

Weights and Measures Act 1985

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	UTILITY CONTRACT RENEWAL
WARD/S AFFECTED:	ALL
REPORT OF:	LAW, HR & ASSET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR BRIAN KENNY
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform Members of the impact on the Council Budget of annual changes to the Council's electricity and gas supply contract prices provided under the framework agreement with Government Procurement Service following the end of the 2010/11 contracts on 30 September 2011.
- 1.2 The new contract prices have significantly increased the purchase price of energy for individual accounts. However, the disposal of properties and a number of schools attaining academy status has reduced the number of properties that have to be covered by the energy budget.
- 1.3 Cost projections have shown that it is necessary to increase the General Fund energy budget for Street Lighting by £342,000 in 2011/12 and £492,000 in 2012/13. Other budgets for Electricity and Gas are to remain unchanged. This reflects consideration of cost, energy usage projections and unit energy prices.
- 1.4 Individual Schools are likely to face increases in costs which will need to be met from within their delegated budgets.

2.0 RECOMMENDATION/S

- 2.1 That it be noted that the offer made by Government Procurement Service was competitively tendered and was accepted using Delegated Authority.
- 2.2 That the impact of the revised energy contracts be reflected in the 2011/12 General Fund energy budget for Street Lighting and the increase of £342,000 be met from the General Fund balances.
- 2.3 That the impact of the revised energy contracts be reflected in the 2012/13 General Fund energy budget for Street Lighting and the increase of £492,000 be met from the General Fund balances.
- 2.4 That schools are advised of the additional costs that will impact on their budgets.
- 2.5 That it be acknowledged that, despite changes to the budget provisions that are lower than unit price increases, individual sites will see their energy tariffs rise significantly. Managers are therefore directed to make every effort to save energy at every opportunity.

- 2.6 That it be acknowledged that no provision has been made for the 2012 contract renewals at this stage. Given the unpredictability of the markets further reports will be presented to Cabinet as information is received.
- 2.7 That the revision to the projected annual allowance cost of the Carbon Reduction Commitment for Wirral Council is noted and that the Budget for 2011/12 and 2012/13 is reduced from £532,000 to £203,613.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The recommendations are made to ensure sufficient budget provision to cover anticipated energy costs. Energy cost projections have been undertaken using the new tariff structures and agreed with the Department of Finance following examination of previous expenditure.
- 3.2 The Council has disposed of a number of sites and is taking actions to reduce emissions of carbon dioxide by reducing energy use. Reductions in energy use have contributed to budget changes that are lower than the energy price increases.
- 3.3 Although overall budget figures have not increased in direct proportion to the energy price increases received from the suppliers, individual sites will see energy unit costs rise significantly. Managers are therefore directed to take further steps to save energy at every opportunity.

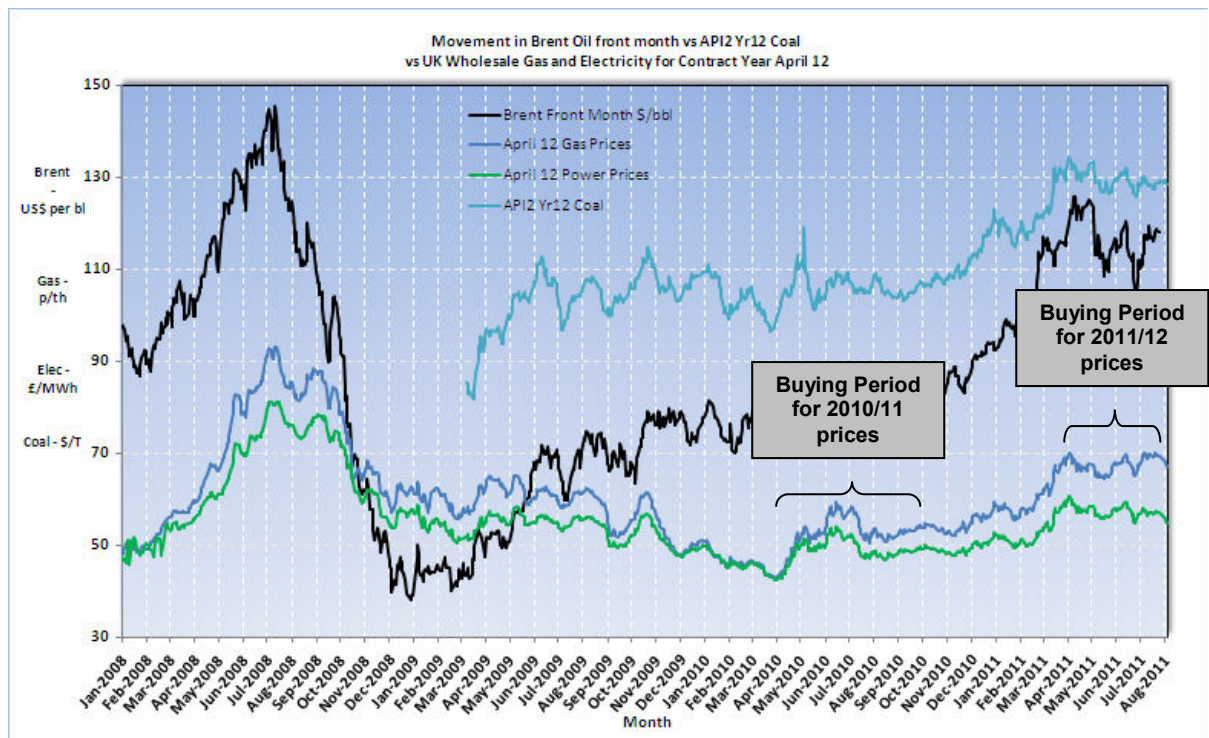
4.0 BACKGROUND AND KEY ISSUES

4.1 Market Conditions

4.1.1 After the October 2010 prices were fixed, the market reacted to a number of significant events and prices rose sharply before purchasing for the October 2011 energy contract renewals began:

- 2010 saw the coldest December on record, during which new records were set almost daily for highest ever gas demand. December saw total gas demand at 130% of the normal seasonal levels.
- Markets then saw prices falling until the impact of the push for regime change across the Middle-East and North Africa. This saw oil prices reaching a level, taking account of currency effects, higher than the levels of July 2008.
- Finally the earthquake and tsunami in Japan caused rumours of greater demand for Liquefied Natural Gas (LNG) to substitute for closed nuclear generation, while Germany closed much of its nuclear "fleet", leading to greater demand for gas and coal.

4.1.2 The graph below shows the difference in wholesale gas and electricity prices between the buying period that determined the current (2011/12) prices and the market conditions that preceded the fixing of the 2010/11 prices. It can be seen that the wholesale prices from April 2011 were generally higher than those a year previously.



4.1.3 The Government Procurement Service market commentary notes a confused picture of the forward energy markets towards the end of summer 2011. Early forecasts of snow in October were proven wrong. The mild autumn and increased flows of gas from Norway and Holland in early October saw gas prices reaching lows that have not been seen for some time. GPS has reported that forward trading levels are low. The speculation is that many energy traders have not bought forward in significant volumes going into winter which would lead to an expectation that prices are set to stay at current levels or fall.

4.2 Contract Renewal Details

4.2.1 The energy content of the four contracts detailed below is purchased on our behalf by Utility Traders at Government Procurement Service (GPS), an executive agency of the Cabinet Office, over the six months prior to the October renewal. The individual energy suppliers then provide a dedicated customer service team to supply and administer a particular contract.

- **Non-Half Hourly Electricity Contract (NHH):** This contract is administered by British Gas Business on behalf of GPS, and is provided to sites with a maximum demand of less than 100kw of electricity in a half hourly period.
- **Half Hourly Electricity Contract (HH):** This contract is administered by EDF Energy on behalf of GPS, and is designed for sites requiring over 100kw of electricity in a half hourly period.
- **Natural Gas Contract (All Sites):** This contract is administered by Corona Energy on behalf of GPS, and supplies all sites with natural gas.
- **Street Lighting Contract:** This contract is administered by EDF Energy on behalf of GPS. It includes street lighting, associated highways lighting, traffic control systems and car parks.

4.2.2 New energy prices are accepted by GPS on Wirral Council's behalf under delegated powers first provided by a Service Level Agreement (SLA) between the Council and OGCBS (Office of Government Commerce Buying Solutions) received on 22/09/2006. The Authorised Signatory was CJB Hughes, Group Solicitor. In 2010, the SLA was superseded by a Customer Access Agreement (CAA) that covers the current renewal round.

4.2.3 The contracts normally operate for a period of twelve months from October to September each year when the prices are reviewed by GPS. Owing to contractual changes within the framework agreement over which the Council has no control, the EDF prices for HH and Street Lighting are only provided until 31 March 2012. The Council has been informed that prices covering the period 1 April 2012 to 30 September 2012 will be issued early in 2012.

4.2.4 At present, it is not possible to be certain if the EDF prices from 1 April 2012 to 30 September 2012 will rise, fall or stay the same. EDF have stated that these prices will be issued early in 2012. Once the prices are received, the impact on the budget can be assessed and any necessary increases or decreases will be reported to Cabinet as required. If the prices remain the same and no changes to the budget are required, no further report will be submitted.

4.2.5 For the reasons detailed in section 4.1 above utility prices in general have seen significant increases over the last twelve months.

4.2.6 As there are individual tariff structures within the NHH, HH and Gas contracts based on operational profiles, transportation and metering costs, each site is individually priced based on the various detailed information. Therefore the average price increase for each contract has been calculated. The Non-Half Hourly contract has seen an average increase of 19.1%; the Half Hourly contract has seen an average increase of 26.2% for the period 1 October 2011 to 31 March 2012. The average price of gas compared to last year's prices has risen by 29.6%. The contract price for street lighting has increased by 26.86% for the period 1 October 2011 to 31 March 2012.

4.3 Carbon Reduction Commitment Energy Efficiency Scheme (CRCEES)

4.3.1 The CRCEES Reporting Update included as Item 27 of the Cabinet meeting of 8 December 2011 (Draft Minute 234 refers) showed that the estimated purchase of allowances and other operating expenses will cost £487,583. Contributions from Wirral Schools and the Pension fund of £283,970 will reduce the impact on general fund budgets. As a consequence of this the current budget of £532,000 for 2011/12 and £2012/13 can be reduced by £328,387.

5.0 RELEVANT RISKS

5.1 Overestimating or underestimating the energy budget could lead to sub optimal allocation of resources and could adversely affect resources required for the delivery of essential services. The details contained in this report are based on an assessment of expenditure as opposed to a simple increase to the budget. It assumes that energy consumption will be similar to the projections that have been calculated.

6.0 OTHER OPTIONS CONSIDERED

6.1 This report describes the annual energy tariff changes delivered by the framework agreement provided under Wirral Council's contract with Government Procurement Service. There are consequently no other options for consideration other than breaking the contract. This option is discounted as it would most likely lead to higher costs.

7.0 CONSULTATION

7.1 Consultation with the Department of Finance and the Asset Management Group concerning the content of this report has taken place.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

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

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

9.1 The projected costs for 2011/12 and 2012/13 are based on energy projections. An exercise has been undertaken to compare usage and budgets. This has enabled increases in electricity and gas to be contained within existing budgets. For street lighting expenditure has been more in line with its budget and the rise in prices has been reflected in the recommended budget increase. The containment of energy increases have also been mitigated by the impact of energy efficiency measures that have been implemented over a number of years by the Council.

Service / Contract		Original Budget 2011/12	Required Budget 2011/12	Required Budget 2012/13
		£	£	£
GENERAL FUND				
Electricity		2,094,000	2,094,000	2,094,000
S/ Lighting		1,235,000	1,577,000	1,727,000
Gas		1,514,000	1,514,000	1,514,000
NET TOTALS		4,843,000	5,185,000	5,335,000
SCHOOLS				
Electricity		1,548,000	1,563,000	1,563,000
Gas		1,204,000	1,215,000	1,215,000
TOTAL IMPACT		2,752,000	2,778,000	2,778,000

9.2 Compliance with the Council's Carbon Budget will assist efforts to reduce costs further. The Sustainability Unit is working with managers and staff to reduce consumption of energy that will reduce energy costs and carbon emissions.

9.3 Use of a managed contract for buying energy can be shown to have saved the Council money. The Government assesses the Government Procurement Service (GPS) savings model for each of their 'portfolios'. The GPS energy portfolio expenditure is currently £1.3 billion for the UK of which £190 million

can be influenced. A number of specific savings areas are reported to Cabinet Office and total predicted saving nationally for 2011/12 is £30m. This represents approximately 16% of the amount that can be influenced. Assuming these relationships to apply to each Customer, they suggest the 2011/12 benefit of Wirral Council using the Government Procurement Service managed service to be approximately £232,000 in avoided cost.

- 9.4 Current financial projections for the CRC Scheme are £487,583 in 2011/12 and 2012/13, assuming the Environment Agency introduces no additional cost elements. The current budget provision is £532,000 and contributions to the Councils CRC payment are due from Wirral Schools and the Merseyside Pension Fund. A saving from the 2011/12 and 2012/13 budget of £328,387 have been recommended and reflect the costs and contributions due.

10.0 LEGAL IMPLICATIONS

- 10.1 There are no legal implications.

11.0 EQUALITIES IMPLICATIONS

- 11.1 There are no equalities implications.

- 11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

- 12.1 The significantly increased unit costs for energy provide an additional incentive to reduce energy use and thus reduce carbon emissions. The Sustainability Unit will ensure that Managers and Staff are made aware of the price increases and continue to provide advice and assistance that will reduce energy use and reduce carbon emissions.

- 12.2 Meeting the reduction targets set out in the Carbon Budget by rationalisation of the Council's estate and by improving energy efficiency will help to reduce the impact of higher energy tariffs.

- 12.3 The Council cannot claim emissions reduction from the purchase of renewable sources of energy, because the Electricity Generators are required to claim these emissions as part of their licence agreements. As a result, the amount of CO₂ indirectly attributable to the purchase of certified green electricity by the Council will reduce emissions by approximately 11,800t. CO₂. This will be reported in the locally published Greenhouse Gas Emissions Report that succeeds National Indicator 185 as requested by the Department of Energy and Climate Change (DECC) as part of the Single List of Central Government requirements from Local Government (2011/12).

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 13.1 There are no planning or community safety implications.

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APPENDICES

None

REFERENCE MATERIAL

Energy market and procurement report for October Locked Contracts – October 2011, Government Procurement Service

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet (CRCEES Update – Item 27)	8 December 2011
Cabinet	9 December 2010
Cabinet	14 January 2010
Cabinet	5 February 2009
Cabinet	9 July 2008

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WIRRAL COUNCIL

CABINET

2ND FEBRUARY 2012

SUBJECT:	<i>LOCAL TRANSPORT SETTLEMENT - ADDITIONAL FUNDING: INTEGRATED TRANSPORT BLOCK (ITB) 2011/12</i>
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>DIRECTOR OF TECHNICAL SERVICES</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>STREETSCENE AND TRANSPORT SERVICES COUNCILLOR HARRY SMITH</i>
KEY DECISION?	<i>NO</i>

1.0 EXECUTIVE SUMMARY

- 1.1 This report draws Members' attention to a recent letter, dated 14 December 2011, announcing an extra £50 million allocated nationally to the Integrated Transport Block (ITB) of the Local Transport Settlement 2011/12, resulting in an additional £1.915 million being allocated to Merseyside. At its meeting of 9th January 2012, the Merseytravel 'Local Transport Plan Delivery, Bus & Merseytram Committee' recommended approval for an allocation for Wirral of £193,000 for this financial year.
- 1.2 The additional funding presents an opportunity to enhance the 2011/12 Transport Capital Programme that was approved by Cabinet on 17 March 2011 (minute 352 refers).
- 1.3 A copy of the letter received by Merseytravel from the Department for Transport (DfT) is attached to this report as **Appendix 'A'**.

2.0 RECOMMENDATION

2.1 That Cabinet:

(1) Accept the provision of the additional funding from Merseytravel and approve the proposed projects and schemes identified within this report, subject to final approval by the Merseyside Integrated Transport Authority (MITA) at its meeting of 9th February 2012;

(2) Delegate authority to the Director of Technical Services, in conjunction with the Cabinet Member for Streetscene and Transport Services and Party

Spokespersons, to make necessary adjustments to the priorities identified within the proposed projects should the need arise.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 This additional funding will be used to achieve the Corporate Plan goal “have a safe and well maintained highway network for all users” and support the LTP3 goal to “ensure the transport system promotes and enables improved health and well being and road safety”.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 Further to the Chancellor of the Exchequer’s Autumn Statement, the DfT wrote to the Chief Executive of Merseytravel in its role as the MITA to confirm an extra £50 million that was to be allocated nationally to the 2011/12 Local Transport Settlement. According to the DfT’s current Integrated Transport Block needs-based formula, an allocation of £1.915 million has been made to Merseytravel.
- 4.2 Following the Local Transport Act 2008, the MITA has formal statutory responsibility for the Local Transport Plan (LTP), however, Merseyside’s LTP implementation programme is delivered by the Merseyside Transport Partnership (MTP), comprising of Merseytravel and the five Merseyside District Councils. Merseytravel’s Local Transport Plan Delivery, Bus & Merseytram Committee considered a report on 9th January 2012 on the distribution of the additional £1.915 million and agreed to allocate £193,000 to Wirral Council. Members should note that this allocation requires ratification by the MITA at its meeting on 9th February 2012.
- 4.3 This funding is particularly welcome following the reduction in LTP capital funding since 2010/11, and presents an opportunity to deliver additional transport projects during 2011/12 in accordance with the Corporate Plan goal “have a safe and well maintained highway network for all users” and support the LTP3 goal to “ensure the transport system promotes and enables improved health and well being and road safety”.
- 4.4 A copy of the letter dated 14 December 2011 from the DfT is attached to this report as **Appendix ‘A’**.

5.0 PROPOSED PROJECTS (Additional £193,000 for 2011/12)

- 5.1 It is proposed to utilise the additional £193,000 funding to undertake projects to convert four ZEBRA crossings to signal-controlled PUFFIN crossings. The proposed projects will allow the achievement of the Council’s Corporate Plan goal to “have a safe and well maintained highway network for all users” and to

reduce the number of people killed or seriously injured in road traffic accidents.

5.2. **Appendix ‘B’** lists all the last remaining old style ‘ZEBRA’ crossing facilities remaining within the Borough.

5.3 It is proposed to convert the following four of the remaining pedestrian ‘ZEBRA’ crossings to the newer ‘PUFFIN’ type signalised crossing facilities:

<u>Location</u>	<u>£</u>
Price Street, Birkenhead (<i>‘Single’ PUFFIN</i>)	£35,000
Welton Road (Croft Retail Park), Bromborough (<i>‘Single’ PUFFIN</i>)	£35,000
Pensby Road / Grange Mount, Heswall (<i>‘Single’ PUFFIN</i>)	£40,000
Wallasey Road / Liscard Grove / Newton Road, Liscard (<i>‘Dual’ PUFFIN</i>)	£83,000
TOTAL	£193,000

5.4 The proposed conversion from ZEBRA to the newer signalised PUFFIN type pedestrian crossing facility would be expected to reduce the number of accidents at these locations, reduce delays, eliminate the potential for the common driver and pedestrian confusion over who has priority as well as increasing pedestrian convenience and safety particularly for school children, persons with disabilities and older people.

6.0 RELEVANT RISKS

6.1 Failure to undertake the identified programme of works, due to the tight timeliness of delivery, would result in a lost opportunity to benefit from introducing additional Capital schemes that will address the Council’s Corporate Plan goal “have a safe and well maintained highway network for all users” and support the LTP3 goal to “ensure the transport system promotes and enables improved health and well being and road safety”.

6.2 Reliability of the existing equipment and the ability to maintain the equipment is reducing year on year. Further wear & tear and any repairs required to the equipment use up increasingly limited revenue resources.

7.0 OTHER OPTIONS CONSIDERED

- 7.1 Alternative projects have been considered (see remarks in Appendix B) but the ones identified in the report have been selected as they offer benefits of timeliness of delivery within the current financial year (2011/12).
- 7.2 The proposed projects identified within this report will further enhance the Council's opportunity to address the Council's Corporate Plan goal to "have a safe and well maintained highway network for all users" and to reduce the number of people killed or seriously injured in road traffic accidents.

8.0 CONSULTATION

- 8.1 Where appropriate, consultation will be undertaken with adjacent properties potentially affected by the changes, and Ward Members.

9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 9.1 There are none arising directly from this report.

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

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

11.0 LEGAL IMPLICATIONS

- 11.1 As defined by the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act 2000 and the Traffic Management Act (TMA) 2004. Traffic signals including pedestrian crossings are part of the public highway. The Council has a duty under the Highways Act (1980) to adequately maintain the public highway. The Council has a duty under the Traffic Management Act (2004) to reduce delay and congestion on the road network. Puffin crossings can cancel a pedestrian demand should the pedestrian decide not to cross or crosses in a gap in traffic. This results in traffic not being stopped unnecessarily, helping to support the Council's duty under the TMA (2004).

12.0 EQUALITIES IMPLICATIONS

- 12.1 An Equality Impact Assessment (EIA) has been carried out.

13.0 CARBON REDUCTION IMPLICATIONS

13.1 Climate change and sustainability are top of the political agenda for many authorities, including Wirral, and this project submission will strongly support this agenda by replacing 'Zebra' Crossings with 'Puffins'. New 'Extra Low Voltage' (ELV) signal equipment will also have a lower energy consumption and reduce the amount of CO₂ that is produced. LED (Light Emitting Diode) optics consume approximately 80% less power than a standard 50 Watt signal halogen lamp. These are used instead of signal lamps that would require replacing every six months.

14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

14.1 There are no specific planning implications arising from this report.

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APPENDICES

Appendix 'A' - Local Transport Settlement 2011/12 (Additional Funding):
Confirmation letter from Department for Transport dated 14th December 2011.

Appendix 'B' - List of existing ZEBRA crossings

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
CABINET (Local Transport Capital Funding & The Integrated Transport Block (ITB) Programme 2011/12)	17th March 2011
CABINET (Council Capital Programme 2011/12)	21st February 2011
CABINET (Provisional Local Government Finance Settlement)	13th January 2011

Existing ZEBRA crossingsAPPENDIX 'B'

<u>Location</u>	<u>Remarks</u>
Allport Lane (Bromborough Precinct)	Further investigatory work required - not prioritised for inclusion in 'Proposed Projects' for 2011/12
Caldy Road / Ludlow Drive, West Kirby	Further investigatory work required - not prioritised for inclusion in 'Proposed Projects' for 2011/12
Church Road / Whitfield Street, Tranmere	Potential Conversion of Zebra to Puffin crossing as part of HMRI project
Meols Drive, West Kirby	Conversion of Zebra to Puffin crossing to be funded from Section 278 Legal Agreement (implementation imminent)
Pensby Road / Grange Mount, Heswall	Prioritised for inclusion in list of 'Proposed Projects' for implementation 2011/12
Price Street, Birkenhead	Prioritised for inclusion in list of 'Proposed Projects' for implementation 2011/12
Old Chester Road / Pembroke Court	Conversion of Zebra to Puffin crossing to be funded from 2012/13 Transport Capital programme (Walking Strategy)
Rock Ferry-New Ferry Bypass, Bromborough	Petition received for improved crossing facilities. Improvements to be funded from LSS (for implementation 2012/13)
Sandy Lane / Kirby Park, West Kirby	Further investigatory work required - not prioritised for inclusion in 'Proposed Projects' for 2011/12
Upton Road / Warren Drive, Upton	Further investigatory work required - not prioritised for inclusion in Proposed project for 2011/12
Valley Road, Bidston	Further investigatory work required - not prioritised for inclusion in 'Proposed Projects' for 2011/12
Wallasey Road / Liscard Grove, Liscard	Prioritised for inclusion in list of 'Proposed Projects' for implementation 2011/12
Welton Road (Croft Retail Park), Bromborough	Prioritised for inclusion in list of 'Proposed Projects' for implementation 2011/12

Mostaque Ahmed
Regional and Local Major Projects
Department for Transport
Room 2/14
33 Horseferry Road
London
SW1P 4DR
Direct Line: 020 7944 6451

Neil Scales
Chief Executive
Merseytravel ITA
Sent by email to:
Neil.scales@merseytravel.gov.uk

Web Site: www.dft.gov.uk

14 December 2011

Dear Mr Scales

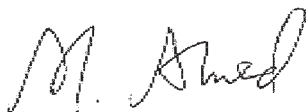
LOCAL TRANSPORT SETTLEMENT 2011/12

Further to the Chancellor of the Exchequer's Autumn Statement I am writing to confirm that an extra £50 million is being allocated to the Integrated Transport Block for 2011/12. This additional funding is being issued under the same grant conditions as the capital block funding for highways maintenance and small transport improvement schemes that were announced in December 2010. Therefore only the allocations listed in Annex A have changed in the attached Local Transport Capital Block Funding (Integrated Transport and Highway Maintenance) Specific Grant Determination 2010: No 31/1859. This determination includes a declaration that you and your Authority's Chief Internal Auditor are required to sign and return to the Department for Transport by 30 September 2012.

This additional funding will be provided on 15 December as capital grant and is not ring-fenced. It has been calculated through the current Integrated Transport Block needs-based formula and the allocation for your area is £1,915,000.

Please contact the Local Transport Funding team at LT.PLANS@DFT.GSI.GOV.UK or on 0207 944 2249 for queries relating to the capital block funding allocations outlined in this letter or any other matter. I shall be writing shortly to confirm funding arrangements for 2012/13.

Yours sincerely,



Mostaque Ahmed

cc ITA Treasurer
each Metropolitan District in your area

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WIRRAL COUNCIL

CABINET – 2 FEBRUARY 2012

COUNCIL – 13 FEBRUARY 2012

SUBJECT:	JOINT RECYCLING AND WASTE MANAGEMENT STRATEGY
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF TECHNICAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	CLLR BRIAN KENNY, ENVIRONMENT
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

1.1 This report provides Members of the Cabinet with information relating to the Joint Recycling and Waste Management Strategy for Merseyside (JRWMS), formerly the Joint Municipal Waste Management Strategy (JMWMS) and associated complementary Wirral District Council Action Plan (DCAP). The Merseyside and Halton Waste Partnership, with the Merseyside Recycling and Waste Authority MRWA being the lead authority, have developed the Strategy. The MRWA Board Members ratified the Strategy on the 18th November and are now seeking ratification from the Merseyside Councils. This reports represents part of the Council's formal process for the ratification of the Strategy.

The JRWMS and Wirral Council's DCAP will become the Council's strategic documents to support the delivery of the corporate goal "Minimising Waste by Encouraging Waste Reduction and Recycling".

Members of the Sustainable Communities Overview and Scrutiny Committee have been kept up to date with the progress of the Strategy and the supporting public consultation exercise and recently endorsed that the Strategy be referred to Cabinet.

This report details the resolutions of the 26th September Sustainable Communities Overview and Scrutiny Committee and also provides Members with information relating to the context of the Strategy review, updating on national policy as well as the outcomes that result in the Strategy's key commitments, which will be delivered through Wirral Council's District Action Plan.

2.0 RECOMMENDATIONS

2.1 Cabinet is requested to: -

- (a) Endorse the process that has been undertaken to develop the new Joint Municipal Waste Management Strategy;
- (b) Subject to any comments they wish to submit on its contents, approve the Strategy and associated District Council Action Plan (DCAP) as it currently stands and refer to Council for ratification;
- (c) Note the current work being carried out on the Environmental Streetscene Services Contract Review described in section 10.0;
- (d) Note that further work will be undertaken to update the DCAP in preparation for the European Waste Framework Directive requirement for Member States to produce a Waste Prevention Programme by 2013;
- (e) Request that, following the ratification of the JRWMS, the Merseyside Waste Levy Payment Mechanism review is undertaken as soon as possible and the progress of this work be reported to an appropriate Cabinet meeting.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The MRWA, (formerly called Merseyside Waste Disposal Authority) and the Merseyside Waste Collection Authorities, of which Wirral Council is one, are required by law (Waste and Emissions Trading Act 2003) to produce a joint Strategy for the management of Merseyside's municipal waste. This JRWMS needs to take into consideration relevant European and national policy and legislation which recognises that the continued disposal of waste in landfill sites is unsustainable as it diminishes limited valuable resources and significantly contributes to climate change through biodegradable materials breaking down to be released as greenhouse gases.
- 3.2 The JRWMS is focused on delivery of the EU Waste Framework Directive's household waste recycling target for Member States of 50% by 2020 and maximising carbon reduction benefits in the long-term sustainable management of municipal waste for the period 2011 to 2041.
- 3.3 The original version of the Strategy was updated in 2008 to bring it into line with subsequent changes in legislation, policy and performance. Indeed, in approving £90m of PFI credits to support the Refuse Recovery Contract (RRC) procurement, DEFRA made it clear to MRWA that a new JRWMS that reflects a realistic programme of activity that will deliver the statutory 50% 2020 recycling target was imperative.
- 3.4 To fulfil the requirements of the JRWMS and work towards a recycling target of 50% the Council may well be required to commit additional financial resources. The current Environmental Streetscene Services Contract Review seeks to maximise the efficiency and performance of the existing contract to minimise any future Council investment. Wirral's strategic approach to recycling and waste

prevention must also take account of the requirements of other priority areas, such as carbon reduction.

- 3.5 Officers believe that Wirral Council's ability to commit to a Strategy that requires a 50% recycling target will be better known once Wirral's Environmental Streetscene Services Contract Review has been concluded. Notwithstanding this, the requirement of the MRWA for Member authorities to ratify the proposed Strategy is recognised and it is recommended that this Cabinet acknowledge the excellent work carried out by the MRWA and endorse the Strategy.
- 3.6 Officers further recognise that a pooled Merseyside Target of 50% recycling has been accepted through the JRWMS public consultation process and a number of consultation workshops where Wirral officers and Elected Members were present. Officers believe that this is an ambitious target for Merseyside but one that we should collectively strive to meet through continued partnership working with the MRWA and other Merseyside Districts. A review of the current Levy Payment Mechanism is essential in order to financially incentivise districts to invest in additional waste collection infrastructure.
- 3.7 At the meeting of the Council on 12th December 2011, Motion 90, Members resolved that the Council:
- Believes that (subject to the implementation of a new Levy Payment Mechanism that incentivises district investment in recycling) the Council can reach and should exceed a 50% recycling target by 2020 or much sooner, helping to reduce the carbon footprint of the Council and the amount paid for waste disposal.

The motion instructs the Director of Technical Services to undertake a number of work areas to increase recycling such as:

- Increasing the range of and proportion of materials that are recycled with particular focus on materials realising the most carbon savings, such as textiles and WEEE (Waste Electrical and Electronics Equipment)
 - To examine new ways to reduce landfill, such as through the introduction of food waste collections.
- 3.8 In terms of legislative requirements, there are three principle pieces of legislation that Wirral have to adhere to. This reflects the changing nature on the focus of waste management with a greater emphasis on actions that prevent or minimise waste.

Requirement	Legislation
Requirement by law to produce a Joint Strategy	Waste and Emissions Trading Act 2003

Reduce greenhouse gas emissions by 80% of the 1990 levels by 2050	Climate Change Act 2008
To recycle 50% of waste from households by 2020	Waste Framework Directive 2011
By December 2013 Member states of the European Union have to produce Waste Prevention Programmes	Waste Framework Directive 2011
Requirement that efforts to manage waste are prioritised in line with the waste hierarchy and to reduce the carbon impact of waste.	Waste Framework Directive 2011

4.0 BACKGROUND AND KEY ISSUES

4.1 Members involvement to date

4.1.1 Workshops

The first step in the review of the JRWMS involved an 'Issues and Options' study which was undertaken in 2008/09. This considered the current policy and legislative context in order to short list key strategic objectives and the associated mechanisms for their delivery. It also reflected the ongoing procurement process for residual waste treatment infrastructure on Merseyside. The study produced a long list of thirty-three themes, which were identified for consideration.

Elected Members and senior officers with responsibility for waste management across Merseyside and Halton and the MRWA took part in a series of workshops, resulting in the following shortlist:

- Reduce the climate change / carbon impacts of waste management
- Maximise prevention of waste
- Maximise landfill diversion / recovery of residual waste
- Maximise sustainable economic activity associated with waste management
- Reduce the ecological footprint of waste management activities
- Promote behavioural / cultural change that delivers the Strategy objectives
- Promote the use of renewable energy
- Achieve high recycling = 50-55%
- Promote resource efficiency
- Provide sufficient capacity for waste management activity

The delivery options identified to secure these outcomes ranged from waste prevention and reuse; bespoke food waste collection and composting; incentives to recycle; managed weekly collections; trade waste recycling; common recycling collection regimes across Merseyside; collection round route optimisation; and joint/shared service working.

4.1.2 Sustainable Communities Overview and Scrutiny Committee

On the 10th March 2011 (Minute 128), the Sustainable Overview and Scrutiny Committee commented on, noted and endorsed the work completed to date on the Joint Recycling and Waste Management Strategy for Merseyside.

The most recent report to Members on the draft Strategy, taking into account previous comments was presented to the Sustainable Communities Overview and Scrutiny Committee on the 26th September 2011 along with a presentation from the Director of Strategy and Resources from the MRWA.

Members resolved (Minute 128) that:

- 1) The Director of Strategy and Resources be thanked for his informative presentation
- 2) The process that has been undertaken to develop the new Joint Municipal Waste Management Strategy be endorsed
- 3) The draft Strategy and associated District Action Plan as they currently stand be endorsed
- 4) The current work being carried out under the Environmental Streetscene Services Contract Review is noted and progress on this work be reported to this Committee in January 2012
- 5) A final version of the JMWMS and draft Wirral DCAP, taking into account the Committee's comments, be referred to the Cabinet for consideration, prior to them being presented to the Council for formal approval
- 6) A final Wirral DCAP, outlining the Council's intentions with regards to recycling and waste prevention (and associated future targets) be brought back to this Committee no later than June 2012, once the Environmental Streetscene Services Contract Review regarding the seven year break clause has been concluded
- 7) Following the ratification of the JMWMS a request be made that the Merseyside Waste Levy Payment Mechanism review must be undertaken, as soon as possible, and the progress of this work be monitored by this Committee

4.2 MRWA

On behalf of the Merseyside and Halton Waste Partnership (MWP), the MRWA have led on the development of the Joint Recycling and Waste Management Strategy for Merseyside. This process began in 2009 and involved a range of stakeholders, including elected Members of Wirral Council and senior officers, two public consultation exercises in Wirral, as well as two presentations by senior

officers from the MRWA to the Sustainable Communities Overview and Scrutiny Committee. The MRWA Board ratified the Strategy on the 18th November 2011 and the MRWA intend to publish the Strategy towards the end of March 2012. The MRWA have also commissioned a Strategic Environmental Assessment (SEA) report, which sits with the Strategy as a formal document.

4.3 Informing the Strategy development

Two important projects to inform the Strategy were conducted in Wirral as well as throughout Merseyside during 2010 as follows:

4.3.1 Waste Composition and Growth Analysis

An analysis of the household waste composition across all of the Merseyside local authority areas was undertaken which demonstrated that 28% of the household waste stream consists of food waste which is a high proportion but typical of an urban area. The results showed that St Helens, Sefton, and Wirral have the lowest weekly residual waste arsing, which is due to their higher recycling performances.

Consideration has been given to projections for waste growth or reduction for Merseyside, which for the past five years have shown a reduction of 2% per annum. When considering the projected domestic dwelling increases, waste quantities could increase by 10% by 2020 but as a consequence of the recession, the anticipated changes in waste composition and rising public awareness of waste prevention, the JRWMS projects a 0.6% growth in waste up to 2015 followed by a 0.2% increase up to 2020.

Waste prevention is a fundamental component of the JRWMS, which will maximise carbon and financial savings and ensure compliance with the EU requirement for Waste Minimisation Plans to be in place by 2013.

4.3.2 Public Consultation

MRWA commissioned EnVenture Ltd to manage the public consultation on the Issues and Options stage of the review in autumn 2010. This incorporated a number of public consultation activities relative to the high level Strategy objectives and delivery options referred to above. The public consultation exercise was delivered during the period October to December 2010 and incorporated initial awareness raising in local media, followed by 3,022 residents being directly canvassed (605 in Wirral), ten focus groups (of which two were held in Wirral), and an e-consultation exercise in which 275 people participated.

Key findings were as follows:

- General public satisfaction with waste management on Merseyside
- Complexity and differences of waste collection services being an issue for the public

- Positive response to the increase in recycling achieved
- Surprise at the quantity of food waste thrown away
- Recycling is rooted as being perceived as a household chore
- Support to the 50% recycling performance target, promoting the use of renewable energy, and behavioural / cultural change activity
- Residents of Wirral are among the most informed on Merseyside on climate change
- Residents of Wirral were less likely to carry out any waste prevention / minimisation measures. (This indicates a need for further promotion and education in this area)

5.0 JRWMS OUTCOMES

The Aims, Objectives and Targets of the Strategy are set out in **Appendix A** of this report and can be summarised as follows:

- To meet a 50% recycling rate of household waste by 2020;
- To support a pathway towards zero waste to landfill and set a 10% landfill target for municipal waste by 2020 and 2% by 2030;
- To set carbon reduction targets to reduce the carbon footprint of municipal waste management service on Merseyside;
- To maximise waste prevention and set targets to reduce the kilograms of waste produced per household on Merseyside by 2020 and 2030;
- To raise awareness and understanding of waste management issues to encourage and support residents to change their behaviour and take part, particularly in waste prevention and resource efficiency activities; and
- To reduce the ecological footprint of waste management activities on Merseyside.

Additional strategic recommendations are also identified in **Appendix B**. The Levy Payment Mechanism, which is the payment that Wirral Council makes to the MRWA is to be reviewed to ensure that the mechanism is fair and positively benefits the Local Authorities of Wirral, St Helens, Knowsley, Liverpool and Sefton to deliver the Strategy Objectives. Currently, districts pay a fixed amount to the MRWA per tonne of waste that is delivered to them, regardless of whether this waste is recycled or sent for disposal and this has two major implications for Wirral Council: firstly, districts that are performing well, such as Wirral, are effectively subsidising those districts that are under performing as the current levy apportions out overall savings to all districts through lower levy (price per tonne) costs; secondly, It is very difficult to justify a business case for introducing new waste schemes if the district investing in them does not benefit proportionately from the landfill diversion savings. The Strategy commits to a levy review but it must be noted that any changes to the existing levy must be agreed by all districts in order to be implemented.

6.0 JRWMS PRIORITY DELIVERY OPTIONS

It is recognised that to deliver the Strategy there will be a need for flexibility for each of the five Waste Collection Authorities and the MRWA to identify and prioritise the delivery options that they feel will best achieve the overall strategic objectives based on their current performance and available resources. A menu of ranked Priority Delivery Options are identified within the JRWMS which have been assessed and then prioritised in terms of deliverability of the objectives from a technical, cost, and value for money perspective. The Priority Delivery Options are attached as **Appendix C** of this report and range from recycling promotion campaigns to significant service changes such as shared services, and the provision of managed weekly collections, green waste charging and food waste collections. Members will be aware that Wirral have already made some of these big decisions. An alternate weekly collection of waste has been in operation since 2006 (Priority Option 2) and we have operated a no-side waste policy for many years (Priority 9). The Council's current corporate goal "Minimising Waste by Encouraging Waste Reduction and Recycling" has an action plan that is monitored annually by the Sustainable Communities Overview and Scrutiny Cabinet and more frequently by the Technical Service Department Management Team and Environment Portfolio Holder. The current plan outlines projects that are in progress or planned to start this financial year that directly support the draft DCAP and proposed JRWMS.

7.0 JRWMS SECONDARY DELIVERY OPTIONS

A menu of Secondary Delivery Options is also presented in the JRWMS and included as **Appendix D** to this report. These are options that did not rank as highly as the Priority Delivery Options in the assessment process but are still recognised as contributing to the delivery of a number of strategic outcomes. Utilisation of these options would compliment the Priority Delivery Options and include such activities such as the recycling of street sweepings and bulky waste charging. Public opinion has been canvassed on the strategic outcomes and the related delivery options and the feedback received from the representative sample of Merseyside residents was that they considered the approach, objectives, targets, and ranking of the options to be appropriate.

8.0 COMMITTING TO THE JRWMS

8.1 Ratification Timetable

Ratification Process	Date
Sustainable Communities Overview and Scrutiny Committee	10 th March 2011 & 26 th September 2011*
Cabinet	2 nd February 2012
Council	13 th February 2012
Strategy Published	April 2012

* Completed

Wirral Council officers have previously presented reports to the Sustainable Communities Overview and Scrutiny Committee on the 10th March 2011 and the 26th September 2011.

Subject to Cabinet approval the intention is to seek full ratification from the Council at the 13th February 2012 Council meeting.

8.2 District Council Action Plans (DCAPs)

To ensure that the necessary actions are implemented at a more local level to secure the achievement of the outcomes of the JRWMS, each Merseyside Local Authority will approve their individual District Council Action Plan (DCAP). This document will outline their specific 'road map' to delivering the outcomes of the Strategy utilising the identified delivery options, as they deem appropriate. As the DCAPs are seen as essential contributing factors to the realisation of the JRWMS outcomes they will be a key component of the Strategy approval process and be published alongside it following ratification. (A copy of Wirral's draft DCAP is attached in **Appendix E** to this report).

Therefore Wirral's DCAP effectively translates the requirements of the JRWMS into an appropriate set of actions and timescales for the Council and its partners.

In producing the DCAP, the performance of the current service was evaluated and officers have developed a timetable that will involve proposals being developed and submitted to Cabinet to enable Wirral to contribute to the Strategy's 50% household waste recycling target by 2020.

Members will be aware that Wirral has significantly improved waste and recycling performance since 2006.

Since 2006, the Council has continued to invest in education and communication to the community on waste and recycling issues as well as the continued roll out of services to residents.

The Council continues to increase the range of materials that can be recycled and is currently working with the MRWA to explore the recycling of litterbin waste and also mixed plastic waste and working as requested by Notion 90: Increasing Recycling, to find new ways of recycling new items such as WEEE and Textiles.

Officers expect to provide more details once the trials have taken place and in time for the Environmental Streetscene Services contract being presented to Cabinet in April this year.

9.0 WASTE PREVENTION

Officers believe that the Council currently needs to expand the Strategy regarding waste prevention and reuse and as part of the DCAP will be exploring options below with partners around this building on existing work.

- Providing consistent and relevant messages on waste prevention across Merseyside
- Reduce food waste
- Encourage diversion of textiles from the residual bin
- Promote home and community composting
- Promote 'Smart shopping' to reduce packaging, food waste etc.
- Reduce unwanted mail
- Encourage and facilitate greater donation of unwanted goods (reuse and repair), including small electronic equipment

Local Authorities are required by law to demonstrate that the waste hierarchy (which ranks waste prevention and reduction as higher than recycling or composting) has been applied before finally recycling waste. Officers believe that the Council should develop a comprehensive waste prevention programme in line with the Waste Framework Directives requirement.

An over arching Waste Prevention Programme is in the process of being developed by the MWP, with the MRWA leading.

Wirral's contribution to this will be reflected in more detail through ongoing development of the DCAP.

11.0 ENVIRONMENTAL AND STREETSCENE SERVICES CONTRACT – SEVEN YEAR BREAK CLAUSE REVIEW

The Council have an opportunity to re-negotiate terms within the Environmental and Streetscene Services Contract due to a 7-year break clause option that we are able to activate from August 2013. As well as seeking financial benefits from this opportunity, there is an opportunity to review the way in which we deliver some of our services in order to improve them – with the aim of increasing public satisfaction and recycling performance. Below is a list of areas where officers in Technical Services are carrying out investigative work with Biffa Waste Services as part of that review being led by the Director of Finance:

- Improving value for money of the current garden waste recycling services
- Encouraging community ownership and responsibility with regards to alleyways and associated fly tipping
- A bring site options review study
- Improving efficiencies in Street Cleansing, to include optimising the recycling of litter
- Reviewing waste receptacle provision and collection frequency in areas where contamination of grey bins is high

- Exploring the financial benefits of introducing a Trade Waste collection service.
- Introduction of kerbside small Waste Electrical and Electronic Equipment (WEEE) recycling

11.0 RELEVANT RISKS

11.1 The European Union will fine Member States if recycling targets are not met. The UK proposed Localism Bill intends to pass (should the scenario arise of the UK not meeting its 50% target) the fines onto Local Authorities that ministers believe have not contributed enough towards meeting the target.

12.0 OTHER OPTIONS CONSIDERED

12.1 As part of the Strategy a range of delivery options have been developed. Wirral's DCAP (Appendix E) recommends the options that are likely to deliver the outcomes identified in the draft Strategy.

13.0 CONSULTATION

13.1 There have been two periods of public and stakeholder consultation as part of the development of the JRWMS. There has also been a Strategic Environmental Assessment of the delivery options contained within the Draft Strategy and of the Draft Strategy itself.

14.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

14.1 Strategic Voluntary, Community and Faith Groups have been consulted as part of the consultation. The Merseyside Waste Partnership continues to work with groups.

15.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

15.1 Members are to note that officers are exploring significant work areas (as identified in Section 9 of the report), to help Wirral to meet the JRWMS target of 50% by 2020, options will be developed as part of the Environmental Streetscene Services Contract Review process and will be presented to Cabinet with the full financial implications.

16.0 LEGAL IMPLICATIONS

16.1 Wirral Council has a duty to collect and recycle household waste under the Environmental Protection Act 1990. Members are asked to note that the proposed Localism Bill contains legal mechanisms that could fine Local Authorities if the UK was not to meet its 50% recycling target by the year 2020.

17.0 EQUALITIES IMPLICATIONS

17.1 The waste collection services provided by the Council have had Equality Impact Assessments undertaken. Any future services will also be subject to Equality Impact Assessments.

18.0 CARBON REDUCTION IMPLICATIONS

18.1 Delivering the strategies aims, objectives and targets will significantly reduce the carbon impact of waste.

19.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

19.1 There are no planning and safety implications as a result of this report.

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APPENDICES

- A. JRWMS Strategic Aims, Objectives and Targets
- B. JRWMS Additional Strategic Recommendations
- C. Menu of Ranked Priority Delivery Options
- D. Menu of Ranked Secondary Delivery Options
- E. Wirral Council DCAP

REFERENCE MATERIAL

Joint Recycling and Waste Management Strategy for Merseyside: Resources 2011-2041". (This document has been placed in the Members' Room at Wallasey Town Hall)

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Sustainable Communities Overview and Scrutiny Committee	10 th March 2011
Sustainable Communities Overview and Scrutiny Committee	26 th September 2011

APPENDIX A: JRWMS STRATEGIC AIMS, OBJECTIVES AND TARGETS

No.	Aim	Strategic Objectives and Targets
1	Reducing the climate change/carbon impacts of waste management	<p>Demonstrate continuous improvement in the reduction of carbon emissions from the Local Authority Collected Municipal Waste (LACMW) management service on Merseyside.</p> <p>All waste management choices should seek to optimise carbon reduction wherever practicable.</p> <p>Commitment to review every 5 years that the CO₂ impact of the Strategy has reduced.</p> <p>Baseline: CO₂ impact is 33,384 tonnes of CO₂ in 2011.</p>
2	Maximise waste prevention	<p>Reduce the total amount of waste arisings produced per household on Merseyside by 8% by 2030 to:</p> <p>1,227 kg per household by 2020 and 1,180 kg per household by 2030.</p> <p>Baseline: 1,300 kg to total waste arisings per household in 2009/10.</p>
3	Maximise landfill diversion/recovery of residual waste	<p>Where waste is not re-used, recycled or composted, ensure that value can be recovered from it e.g. alternative products, heat, power.</p> <p>Reduce the amount of LACMW landfilled to 10% by 2020 and 2% by 2030.</p>
4	Maximise sustainable economic activity associated with waste management	<p>Encourage sustainable economic activity associated with waste management. This can be achieved through the adoption of sustainable procurement policies and working with supply chain organisations to improve the management of resources and recyclables.</p>
5	Reduce the ecological footprint of waste management activities	<p>Demonstrate continuous improvement in reducing the ecological footprint of municipal waste management services on Merseyside</p> <p>Baseline: 0.038 hectares per person in 2011.</p>
6	Promote behavioural/cultural change that delivers the Strategy objectives	<p>The Partnership will work to raise awareness of waste and resource management issues, to lead by example and encourage residents to get involved and make it easier to take part in waste prevention and re-use activities.</p>
7	Promote the use of renewable energy	<p>All waste management decisions/infrastructure decisions to take account of the opportunities for using/generating renewable energy and fuels.</p>
8	Achieve high recycling	<p>Meet statutory recycling targets and exceed</p>

	rates	where there are opportunities to deliver environmental and economic benefits. Recycle 50% of household waste by 2020.
9	Promote resource efficiency	Reduce the amount of scarce resources entering the waste management system, recognising the value of materials that are produced as waste and supporting opportunities for greater producer responsibility.
10	Provide sufficient capacity for waste management activity	Provide a flexible waste management service that gives residents a range of options to reduce, re-use, recycle and compost the waste they produce and provide sufficient capacity to deal with any waste remaining.

APPENDIX B: ADDITIONAL STRATEGIC RECOMMENDATIONS

	Recommendation	Description
A	Review of the Levy payment mechanism	Establish a working group of Elected Members from each District to lead a review of the current payment mechanism to fund the Waste Disposal Authority to ensure that a new payment mechanism is fair and positively benefits Districts adopting options to deliver the Strategy objectives. Supports Objectives: 2, 3, 8, 9 and 10
B	Lobby Government, retailers and others	Elected Members to actively lobby Government, engage local retailers, businesses and manufacturers and residents to support activities to reduce waste, encourage resource efficiency and partnership working on Merseyside Supports Objectives: 1, 2, 4, 5, 6, 7, 8, and 9
C	Incentive schemes	Districts to look at opportunities to establish incentive schemes for residents or stakeholders to deliver the Strategy objectives. Supports Objectives: 1, 2,3, 4, 5, 6, 8, and 9
D	Develop the economic potential and benefits of waste and resource management	The Partnership will seek to support activities, which help and advise Merseyside businesses to be more sustainable and competitive by minimising their resource use and managing their wider wastes effectively in a low carbon economy. Supports Objectives: 1, 2, 3, 4, 5, 6 and 9

APPENDIX C: MENU OF RANKED PRIORITY DELIVERY OPTIONS

Rank	Delivery Option	Description
1	Joint Working	Local Councils to consider joining forces to deliver services which could include: joint collection contracts, shared collections services, joint communications, education and awareness, and governance etc. Supports Objectives: 1, 2, 4, 5, 6, 8 and 9
2	Frequency of Household Waste Collections	Local Councils to consider the best local system for the collection of refuse and recyclables - the right frequency of collections for the right materials in the right area. This could be a weekly household collection of materials such as recyclables one week and rubbish that cannot be recycled or composted the next week. Sefton and Wirral districts have already implemented changes to the frequency of their household waste collections. Supports Objectives: 1, 2, 3, 5, 6, 8 and 10
3	Collection Round/Route Optimisation	Local Councils to review collection rounds for refuse and recycling to ensure that optimum round configuration is in place and best use of vehicles is being made. Supports Objectives: 1, 6, 7, 8 and 10
4	Green Waste Charging	Districts to consider introducing a charged garden waste collection service to residents to incentivise waste prevention and home composting. This will vary according to local circumstances. Supports Objectives: 1, 2, 3, 5, and 10
5	Recycling Campaigns	Active campaigns to support existing or new recycling collections schemes encourage participation or reduce contamination of materials. Supports Objectives: 4, 6, 8 and 9
6	Re-use/Refurbishment Support	In kind/financial support to schemes to deliver and increase re-use and refurbishment activity (which could involve retailers, manufacturers and third sector). Supports Objectives: 1, 2, 3, 4, 5, 6, 8, 9 and 10
7	Food Waste collections plus treatment (Anaerobic Digestion or In-Vessel composting)	Consider introducing separate collections for food waste. Knowsley and Sefton currently have opt-in schemes. Treatment of food waste by either Anaerobic Digestion (AD) or by In-Vessel Composting (IVC). The Options Assessment ranked AD higher than

		IVC. Supports Objectives: 1, 3, 4, 6, 7, 8, 9, 10
8	Bulky Waste Re-use	Implement schemes to increase the amount of bulky waste re-use either through support to third sector schemes or active segregation of bulky collections. Supports Objectives: 1, 2, 3, 4, 5, 8, 9, 10
9	No side waste – common policy	Consider a consistent approach across Merseyside regarding collections of any rubbish bags that do not fit inside a householder's residual waste bin. Supports Objectives: 1, 2, 3, 5, and 8
10	Sustainable procurement policies (in house)	Introduction of procurement policies that will influence behavioural change for all waste management related services e.g. in terms of specifying the use of recycled materials, low carbon construction materials (to good practice standards in new build and refurbishment) and low carbon transport activities. Supports Objectives: 1, 4, 7 and 9
11	Trade Waste Recycling	Districts to look at the opportunity to introduce or extend trade waste recycling schemes and collections. MRWA to consider the use of HWRCs and MRFs for commercial waste recycling. Supports Objectives: 1, 3, 5, 6, 8 and 10
12	Re-use campaigns	Re-use focussed campaigns to promote re-use activity and local support services. Supports Objectives: 1, 6, 8 and 9
13	In house Waste Prevention and recycling	Districts to lead by example through the implementation of in-house waste reduction, re-use and recycling schemes. Supports Objectives: 1, 2, 5, 6, 7, 8 and 9
14	Waste Prevention campaigns¹	Active campaigns to promote waste prevention activities and local initiatives. Supports Objectives: 1, 2, 3, 6, 8 and 9

¹ The Options Assessment report acknowledges that, in isolation, waste prevention campaigns are not ranked highly in the value for money assessment. However, such campaigns are an integral part of other waste prevention options and behavioural change elements and recommends they should be a priority delivery activity.

APPENDIX D: MENU OF RANKED SECONDARY DELIVERY OPTIONS

Rank	Delivery Option	Description
15	Reduced residual bin size/maximum recyclable	Reduced bin size for residual waste introduced to incentivise recycling behaviour, also need to ensure sufficient capacity available for recyclable materials. Supports Objectives: 1, 2, 3, 5 and 8
16	Street sweepings recycling	The introduction of a composting or recycling service for street sweepings. Supports Objectives: 1, 3, 5, 6, 8 and 10
17	All Waste Collection Authorities to collect the same materials for recycling	All districts to collect the same materials in the recycling collection schemes, focused on the dry recycling collection scheme. Supports Objectives: 1, 3, 5, 6, 8 and 10
18	HWRC Recycling/Re-use Sites Only	The option for MRWA to promote HWRCs as centres for primarily reusable and recyclable material e.g. provide some sites that accept material for re-use, recycling and composting only. The option to reduce the number of sites offering services for non-recyclable waste disposal. Supports Objectives: 1, 3, 5, 6 8 and 10
19	Depot, facility sharing, modal transport	Consider options for sharing of facilities and alternative transport infrastructure involved in service delivery. Supports Objectives: 4, 5, 6, 9 and 10
20	Bulky Waste Charging	Consider charging residents for Council bulky waste collections (as an incentive to increase use of community based re-use services). Supports Objectives: 2, 3, 5 and 8
21	Common recycling systems for all Waste Collection Authorities	All districts switch to the same recycling collection system e.g. a co-mingled collection scheme feeding into the MRWA Waste Management Recycling Contract/All districts collect the same materials whether co-mingled or kerbside sort scheme. Supports Objectives: 1, 3, 5, 6, 8 and 10

APPENDIX E



**WIRRAL
DISTRICT COUNCIL
WASTE
ACTION PLAN
2012 - 21**

Jan 2012

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1.0 INTRODUCTION

Wirral is a peninsula of 60.35 square miles, which lies between the estuaries of two rivers. Wirral Borough Council is the ninth largest metropolitan district in the country and the third largest metropolitan authority in the Northwest. It comprises 25% of the Merseyside area. The other four local authorities that make up Merseyside are Liverpool City Council, St Helens Metropolitan Borough Council, Knowsley Metropolitan Borough Council and Sefton Metropolitan Borough Council.

The Council's Draft Corporate Plan includes the following statements in relation to the Your Neighbourhoods theme:

- Reducing Wirral's carbon footprint is an important priority for us and we work in partnership with local residents, partners and the private sector to address this.
- We have made impressive year on year progress to improve the amount of waste recycled in Wirral. Forty per cent of all household waste is now recycled and we will continue to build on this success, improving our recycling rates and reducing waste being sent to landfill sites.
- Local residents in all parts of Wirral have told us that having streets that are clean and tidy is an important priority to them. We will ensure that we deliver a reliable street cleansing service in all parts of the Borough and use feedback from local residents to help us maintain standards. Wherever possible we will trace and prosecute flytippers.

Motion 90: Increasing Recycling raised on the 12th December 2011 by the Council, instructs states the following direction for the Council:

(1) Is reminded of its support of The Joint Recycling and Waste Management Strategy for Merseyside which includes a commitment to recycle 50% of household waste by 2020.

(2) Believes that (subject to the implementation of a new Levy Payment Mechanism that incentivises district investment in recycling) it can reach and should exceed this target much sooner, helping to reduce the borough's carbon footprint and reduce the amount paid out for waste disposal.

(3) Is reminded that it agreed unanimously (Council, 12th July 2010, Minute 22) "to request that the Director of Technical Services continues to examine new ways to reduce waste to landfill, such as through the introduction of food waste collections (taking account of existing work undertaken to date), the collection of recyclable material from businesses, increasing the range of recyclable material that can be

taken to the council's recycling collection points and working with MWDA to increase the range of materials that can be placed in grey bins".

(4) Instructs the Director of Technical Services to present a report to the next available Sustainable Communities OSC, and calls on the Leader to request a Cabinet report, setting out the contribution and progress Wirral has made since 12th July 2010. This report shall also include, but not be limited to, options for;

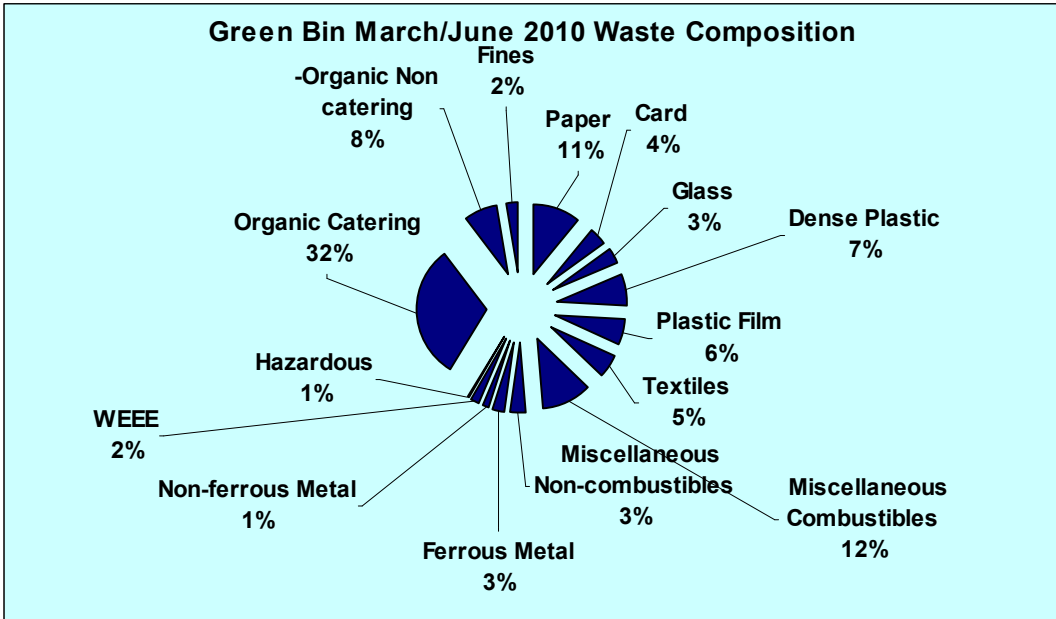
- (i) increasing the range and proportion of materials that are recycled with particular focus on materials realising the most carbon savings, such as textiles and WEEE (Waste Electrical and Electronic Equipment)
- (ii) supporting the development of improved facilities and services for the recycling of trade and commercial wastes, recognising that a local green infrastructure will support the development of local businesses;

(5) Instructs the Director of Technical Services to present a report to the Sustainable Communities OSC, and invites the Leader to request a Cabinet report, before the end of the municipal year proposing a Wirral Council Action Plan that clearly sets out the mechanism by which Wirral will achieve the objectives included in The Joint Recycling and Waste Management Strategy for Merseyside.

(6) Also calls on the Leader to instruct the Director of Technical Services to work with the Merseyside Waste and Recycling Authority and other Merseyside authorities to modernise the levy mechanism and design a new system which more accurately reflects the benefits of recycling and the disposal costs of non recyclable waste.

This document is Wirral's Recycling Action Plan and provides a summary of the Council's recycling performance to date as well as showing how future performance can be met to enable the Council to participate in meeting the objectives and targets of the Merseyside Joint Recycling and Waste Management Strategy.

The purpose of the document is to ensure that Wirral minimises the amount of waste that is landfilled. Wirral have already made significant improvements in performance since 2006, but there is still more that can be done as highlighted by the pie chart below which shows the current contents of Wirral's green landfill bins. The amount of food waste in a green bin equates to around 30% of the bin (by weight).



1.1 The Merseyside & Halton Waste Partnership and Joint Recycling and Waste Management Strategy (JRWMS)

The District Councils of Merseyside and Merseyside Recycling and Waste Authority (MRWA) work together through the Merseyside and Halton waste partnership. The Merseyside districts and MRWA have formed a joint waste management strategy (JRWMS) to which all parties are committed, to ensure a cohesive, cost effective and environmentally beneficial approach is taken with the delivery of waste management services across Merseyside. This action plan document is part of the suite of Strategy documents and provides the local (District) delivery mechanism for achieving the aims and objectives of the JRWMS. Halton Borough Council maintains working links with the Merseyside authorities through the waste partnership and has an aligned waste management strategy.

All Merseyside District Councils participated in the development and approval of associated documents, objectives and targets in the JRWMS. The JRWMS is available from (link will be included in final document).

A key outcome of the partnership is to identify areas where districts and the MRWA can work together to reduce costs and improve service delivery. This is an ongoing area of work and includes:-

- Sharing best practice, discussions and potential co-operation across authorities and other partner organisations
- Develop and apply joint procurement programmes
- Consider and develop cross boundary working
- Define longer term future targets

Joint aims, objectives and targets have been agreed through the strategy development process, these are translated at a local level through the actions within this document.

1.2 Approval

- The ratification process of the Joint Recycling and Waste Management Strategy and Wirral Council District Council Action Plan was as follows:
- Sustainable Communities Overview and Scrutiny Committee 10th March 2011
- Sustainable Communities Overview and Scrutiny Committee 26th September 2011
- Cabinet 2nd February 2012
- Council 13th February 2012

1.3 Recent, Current and Future Performance

Recent waste performance and estimates for future years in the table below

Table 1.1 Service Performance Data

Description	2007/8 Actual	2008/9 Actual	2009/10 Actual	2010/11 Actual	[2015] Projected	[2017] Projected	[2020] Projected
% of household waste Recycled	21.1%	22.3%	21.7%	25.34%	See section 3	See section 3	See section 3
% of household waste Composted	10.9%	14.0%	14.9%	14.63%	See section 3	See section 3	See section 3
% of household waste Recycled and Composted	32.0%	36.3%	36.6%	39.97%	See section 3	See Section 3	See section 3
Number of kilograms of household (hh) waste collected per person	436.29	436.26	422.77	427.27	[Future reporting kg of hh waste per household]	[Future reporting kg of hh waste per household]	[Future reporting kg of hh waste per household]

1.4 Current Waste Management Services

This section summarises the key initiatives and services offered by Wirral Council for municipal waste management. The service details are included as a set of tables with key service parameters identified.

1.4.1 Waste Prevention and Reuse

The Council promotes a number of waste minimisation and prevention activities through the Council's website, call centre and face-to-face at roadshows, community events and compost giveaways. These include, Love Food Hate Waste, reusable nappies, reducing junk mail, repaint, community swap days, home composting and furniture/household item reuse.

Wirral joined the other Merseyside districts in a joint Love Food Hate Waste (LFHW) campaign which has been an initiative since April 2009. The Council has continued to build on this by providing Wirral Health Trainers with the necessary training to add LFHW to their information service to residents. LFHW also still plays a major role in our community events, with information, cookery demonstrations and freebies designed to help residents reduce their food waste.

The Council has signed up to the national "Get Composting" scheme. As part of the scheme, low price compost bins are available to residents from as little as £15 for a 220-litre Compost Converter or £18 for a 330-litre model. A wide range of other home composters and composting accessories are also available to Wirral residents, including wormeries, kitchen caddies and bases as well as water butts. In addition, home composting is promoted at community road shows and compost giveaways. We also work closely with a social enterprise to provide wormeries to schools and community organisations.

The Council promotes a number of outlets to allow residents to donate or sell their goods for reuse. These are: Wirral Independent Recycling Enterprise (WIRE), the British Heart Foundation and Freecycle and Freegle.

1.4.2 Household Residual Waste Collections

Description	Collection details
Coverage	100% (145, 753)
Service provider	Biffa Waste Services Limited
Term of contract	2006 – 2020 (7 year break clause 2013). Option for further 7 year extension at 2020.
Receptacles	240L : collected fortnightly (137, 650)

	households) Sacks: (367 households) Communal 7736 households
Frequency	Most of the Borough is Fortnightly; some collection sack collection properties and communal bulk bin collection properties have a more frequent collection due to the nature of the location and container.
Side waste / other local authority policies	All waste presented by residents is to be placed into bins.

1.4.3 Kerbside Dry Recyclable Collections

Description	Collection details
Coverage	100% (145,753)
Service provider	Biffa Waste Services Limited
Frequency	Fortnightly with the exception of properties on the box collection which receive a weekly collection.
Term of contract	2006 – 2020 (7 year break clause 2013) . Option for further 7 year extension at 2020.
Receptacles	240L (137,327) Kerbside Box (367) Remainder of the Borough has communal recycling areas and has a mixture of containers
Materials collected	plastic bottles, glass (no glass in kerbside box), paper, card, cans and tins
Destinations of materials	Failand Paper Services Ltd AMG Resources Ltd UPM Abitibi Consolidated Recycling Europe Reuse Collections Ltd Alutrade J&A Young Ltd

	Roydon Polythene Exports Ltd European Metal Recycling European Metal Recycling Eurokey Recycling Ltd Morecambe Metals * Correct at time of printing destinations subject to market change.
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1.4.4 Kerbside Green waste Collections

Description	Collection details
Coverage	74.2% (108,000 households)
Service provider	Biffa – consigned to Armstrong's, Horwich
Frequency	Fortnightly (with 2-3 week break over Christmas)
Term of contract	5 year contract let in June 2009
Receptacles	240L Wheelie bins
Materials collected	Green garden waste
Destination of materials	Diggle Green Farm, Warrington.

1.4.5 Bring Sites

There are 15 Bring sites currently in operation by Wirral Borough Council.

Details of Councils bring sites provided in Table 1.2

Table 1.2

Material	No. Of Sites	Collection Organisation
Glass (colour separated)	13	(ReUse) Berrymans
Cans	13	Biffa Waste Services Limited
Paper	15	Biffa Waste Services Ltd
Books	2	Oxfam
Textiles	13	Oxfam, Salvation Army, J Williams Textiles, Recycling Solutions Northwest

		Limited.
Cardboard beverage packaging	7	Tetrapak
Shoes	6	Oxfam and European Shoe Recycling
Carrier Bags	3	Asda Bromborough
Low Energy Light Bulbs	1	Recolight

1.4.6 Other Waste Services

Other waste services	
Trade waste	Collection contractor: Biffa Tonnes: (Council office waste 400tpa recycling, 800tpa residual) Destinations: Bidston Waste Transfer Loading Station
Street cleansing (sweeping)	Collection contractor: Biffa Tonnes: Anticipated tonnage for full year 10/11 4,333t Destinations: Bidston Waste Transfer Loading Station
Gully emptying	Collection contractor: Colas Tonnes: 628.32t
Hazardous household waste - Needles	Collection contractor: PCT Tonnes: not included in the figures
Clinical Infectious (patients treated at home by the PCT)	Collection contractor: PCT (no separate collection) Tonnes: minor
Municipal Parks and Grounds	Collection contractor: Colas Tonnes: Parks waste collected by both Biffa and Colas. Destinations: Bidston Waste Transfer Loading Station
Bulky waste	Tonnes: 481t (3.5 tonne caged tipper) Charge £20 for up to six items. Destinations: Bidston Waste Transfer Loading Station

Third Party Recycling.	The Council works with a number of organizations such as local charities that recycle approximately 700 tonnes (predominantly textiles) of materials annually for the benefit of the environment and community.
------------------------	---

1.5 Future Plans – Summary

This section of the District Council Action Plan provides a summary of the authority's future plans by service area.

1.5.1 Waste Prevention and Reuse

Wirral Council will implement the relevant actions in the waste prevention action plan (supporting the Joint Recycling and Waste Management Strategy), currently covering the topics:-

- Providing consistent and relevant messages on waste prevention across Merseyside
- Reduce food waste
- Encourage diversion of textiles from the residual bin
- Promote home and community composting
- Promote 'Smart shopping' to reduce packaging, food waste etc.
- Reduce unwanted mail
- Encourage and facilitate greater donation of unwanted goods (reuse and repair), including small electronic equipment
- Support actions with robust evidence through appropriate research and development

The implementation of this plan is 2011 – 2014, and it will be reviewed to determine ongoing actions on waste prevention and reuse post- 2014.

1.5.2 Residual Collections

- The contract for the delivery of the residual waste collection service is operated by Biffa Waste Services Ltd, and is due to run for almost all of this District Council Action Plan (DCAP) period (up to 2020), although there is a break clause in 2013.
- Residual waste is delivered as specified by the Merseyside Recycling and Waste Authority (MRWA) and whilst at present is sent to landfill, the MRWA is currently in the latter phases of procuring replacement residual waste treatment capacity that

is anticipated to deliver an additional recycling contribution of [c. 2.5%] of the waste passing through the facility. This recycling is separately identified in the projections in section 3 of this DCAP.

1.5.3 Kerbside recycling

- The contract for the delivery of the recycling collection service is operated by Biffa Waste Services Ltd, and is due to run for almost all of this District Council Action Plan (DCAP) period (up to 2020), although there is a break clause in 2013.
- Recyclate collected via this contract are sent to Veolia, the contractor responsible for sorting and sale of recyclate through a contract with MRWA.
- Wirral Council seeks to explore expanding the range of plastics collected through the kerbside service to include other dense plastics, yoghurt pots etc not currently accepted into the Veolia contract. This will entail the involvement of the MRWA and Veolia and appropriate sorting technologies and markets being both cost effective and available to accept the recyclate.
- Wirral Council intends to explore options for increasing the amount of small electrical items recycled.

1.5.4 Diverting Organic Waste from landfill

- The contract for the delivery of the green waste collection service is operated by Biffa Waste Services Ltd, and is due to run for almost all of this District Council Action Plan (DCAP) period (up to 2020), although there is a break clause in 2013.
- Wirral Council will seek to further expand the coverage of the green waste collection service to the optimum number of households available in the borough.
- Wirral Council will review the business case for diverting kitchen waste from landfill.

1.5.5 Bring Site Review

- Wirral Council will review the bring site service taking into account the cost of the service, the current materials collected on the kerbside service and also the best methods for collecting any new materials that there may be opportunities for collecting, with a particular emphasis on Textiles and Waste Electrical and Electronic Equipment (WEEE).

1.5.6 Other Services

- Wirral Council will keep under review the potential for offering a dedicated trade waste service in consideration of joint working and the shared services initiatives being delivered through the Merseyside & Halton Waste Management Partnership. Current linkages with trade waste advisers (Groundwork / Enworks programme), the Veolia trials for trade waste recycling at HWRCs and the Bidston trials on trade waste recycling will inform any future trade waste initiatives.
- Wirral will seek to work (through MRWA and Veolia) to identify opportunities for recycling litterbin waste.

1.5.7 Carbon Metric of Waste

Carbon metrics is a measurement used to measure the Carbon Dioxide equivalent emission savings made from the recovery of secondary resources from the waste stream and the displacement of the primary alternative. Put simply, it looks at the whole life of a product, from its inception as a raw material to it's end place as a waste or resource that is recycled or recovered.

Carbon metric weightings for different wastes are important to take account of when looking at reviewing operational waste collection services. It is important to recognise that the National Waste Strategy has a 50% recycling/composting target based on the weight of materials diverted from landfill. Wirral Council as part of the Joint Municipal Waste Strategy for Merseyside recognise that Carbon Metrics is an important tool for decision making in relation to waste policies, whilst also acknowledging the need to meet Strategy targets of 50% of household waste recycled/composted by 2020.

2.0 ACTION PLAN

This Action Plan identifies actions and initiatives developed by Wirral Council and its contractors as well as those developed by the Options Assessment Report as part of the Joint Recycling and Waste Management Strategy for Merseyside. Wirral has already undertaken significant changes in the Waste and Recycling Service since 2006 and this was recognised by the Department of Environment Food and Rural Affairs (DEFRA) by Wirral being the second most improved local authority for recycling performance in 2007/08. In order to achieve the Joint Recycling and Waste Management Strategy target of 50% of household waste recycled/composted by the year 2020, Wirral has a number of options detailed in the following plan to consider with the future management of waste. An obvious option is to reduce the amount of food waste that is thrown away each year.

This plan will be monitored annually and will be supported by the Waste Awareness and Prevention Plan for Merseyside and the Council's own waste communication plan. Any initiatives proposed to deliver the action plan will be scrutinised by the Sustainable Communities Overview and Scrutiny Committee before being submitted to the Council for

formal consideration, especially where significant changes to services are involved and/or additional financing is required.

Table 2.1 Action Plan Summary Tables
Colour Key for Responsibility of Actions

1	District	2	District & Partnership	3	District & MRWA	4	MRWA
---	----------	---	------------------------	---	-----------------	---	------

Action	Target	2011/12				Target	2012/13				Target	2013/14				Target
		Implemented Q1	Implemented Q2	Implemented Q3	Implemented Q4		Implemented Q1	Implemented Q2	Implemented Q3	Implemented Q4		Implemented Q1	Implemented Q2	Implemented Q3	Implemented Q4	
1. Wirral to promote waste minimisation / reuse / recycling actions within joint waste prevention action plan		1	1	1	1		1	1	1	1		1	1	1	1	
2. Wirral to review garden waste collection service coverage						>75 % coverage	1									
3. Wirral to explore business case for food waste minimisation campaign.							1									
4. Wirral to review collection contracts as per contract break clauses.							1	1	1							
5. Wirral to review bring bank services.			1													
6. Merseyside Waste Partnership to review the Financial Waste Levy Mechanism							2	2	2			2	2			
7. Wirral & MRWA to explore mixed plastics recycling viability									3							
8. Wirral & MRWA to explore litter bin waste recycling			3													
9. Minor review of DCAP										1					1	
10. Wirral to commit to Waste Prevention Programme.												3				
11. Resource Recovery contract commences operation																
12. Improve the quality of co mingled collected kerbside recycling.		3	3	3	3											

Table 2.1 Action Plan Summary Tables (contd)
 Colour Key for Responsibility of Actions

1	District	2	District & Partnership	3	District & MRWA	4	MRWA
---	----------	---	------------------------	---	-----------------	---	------

Action	Target	2016/17				Target	2017/18				Target	2018/19				Target
		Implemented Q1 Q2 Q3 Q4					Implemented Q1 Q2 Q3 Q4					Implemented Q1 Q2 Q3 Q4				
13. Major review of DCAP		1														
14. Wirral to review collection contracts as per contract break clauses.						1	1	1								
15. Wirral to procure new collection contract or continue with 7 year extension of existing contract as per contract break clauses.												1	1			
16. Wirral to potentially implement food waste collection service.																
17. Wirral Council to meet national recycling rate and the Joint Recycling and Waste Management Strategy recycling rate for Merseyside.															50%	
18. Wirral Council to exceed national recycling rate and the Joint Recycling and Waste Management Strategy recycling rate for Merseyside.																

Wirral Council Actions and Merseyside Waste Strategy Objectives

The following matrix identifies which of the Strategy Objectives are influenced by each action within the DCAP. Where an action contributes towards delivery of a Strategy objective it is coded 1, where there is a 'partial or indirect contribution', this is coded 2 and 'no significant contribution' is left blank.

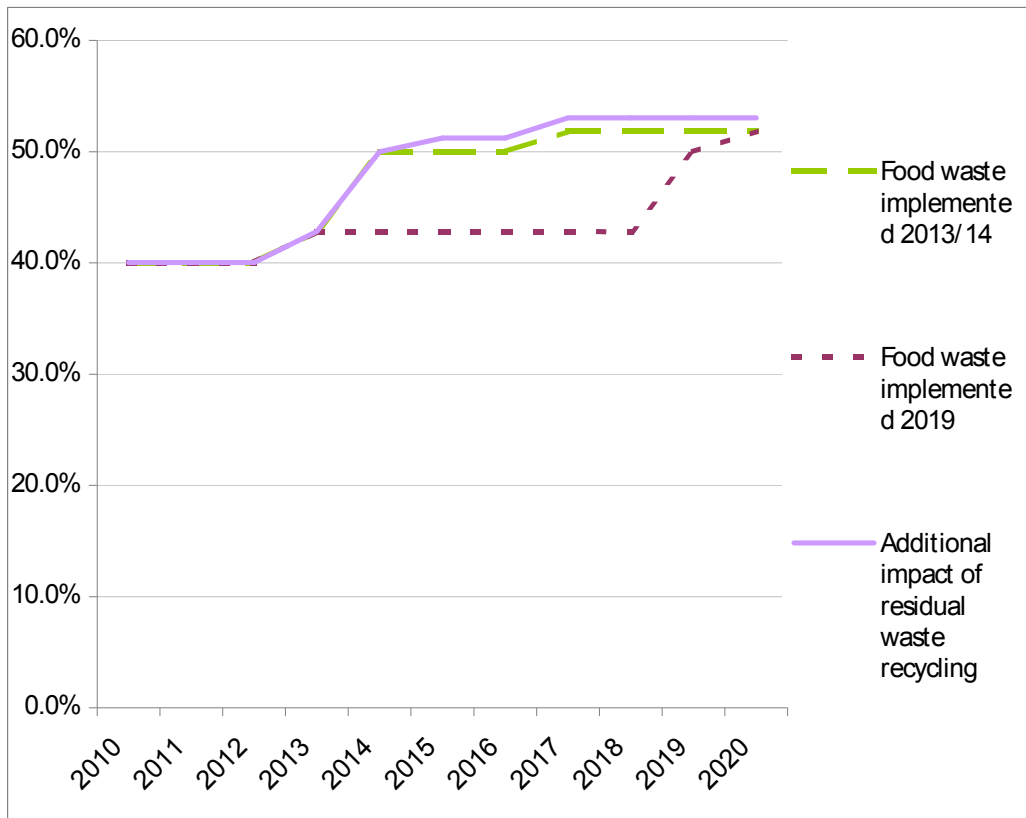
	Objective 1 Reducing the climate change / carbon impacts of waste management	Objective 2 Maximise Waste Prevention	Objective 3 Maximise landfill diversion / recovery of residual waste	Objective 4 Maximise sustainable economic activity associated with waste management	Objective 5 Reduce the ecological footprint of waste management activities	Objective 6 Promote behavioural/cultural change that delivers the Strategy objectives	Objective 7 Promote the use of renewable energy	Objective 8 Achieve high recycling rates	Objective 9 Promote Resource Efficiency	Objective 10 Provide sufficient capacity for waste management activity
1. Wirral to promote a waste minimisation / reuse / recycling actions within joint waste prevention action plan	2	1	1		2	1		1	1	
2. Wirral to review garden waste collection service coverage	2		2		2	2		1	2	
3. Wirral to explore business case for food waste collection.	2		1	2	2	1	2	1	1	
4. Wirral to review collection contracts as per contract break clauses.										

	Objective 1 Reducing the climate change / carbon impacts of waste management	Objective 2 Maximise Waste Prevention	Objective 3 Maximise landfill diversion / recovery of residual waste	Objective 4 Maximise sustainable economic activity associated with waste management	Objective 5 Reduce the ecological footprint of waste management activities	Objective 6 Promote behavioural/cultural change that delivers the Strategy objectives	Objective 7 Promote the use of renewable energy	Objective 8 Achieve high recycling rates	Objective 9 Promote Resource Efficiency	Objective 10 Provide sufficient capacity for waste management activity
5. Wirral to review bring bank services.										
6. Merseyside Waste Partnership to review the Financial Waste Levy Mechanism	2	2	2	2	2	2	2	2	2	2
7. Wirral & MRWA to explore mixed plastics recycling viability	2		1	2	2	1		1	1	2
8. Wirral & MRWA to explore litter bin waste recycling	2		1	2	2	1		1	1	2
9. Minor review of DCAP										
10. Wirral to commit to waste prevention programme.	2		1	2	2	1	2	1	1	1
11. Resource Recovery contract commences operation	1		1		2		1	2		1
12. Improve the quality of co mingled collected kerbside recycling.				2	2	2		2		
13. Major review of DCAP										
14. Wirral to review collection contracts as per contract break clauses.										

	Objective 1 Reducing the climate change / carbon impacts of waste management	Objective 2 Maximise Waste Prevention	Objective 3 Maximise landfill diversion / recovery of residual waste	Objective 4 Maximise sustainable economic activity associated with waste management	Objective 5 Reduce the ecological footprint of waste management activities	Objective 6 Promote behavioural/cultural change that delivers the Strategy objectives	Objective 7 Promote the use of renewable energy	Objective 8 Achieve high recycling rates	Objective 9 Promote Resource Efficiency	Objective 10 Provide sufficient capacity for waste management activity
15. Wirral to procure new collection contract or continue with 7 year extension of existing contract as per contract break clauses.										
16. Wirral to potentially implement food waste collection service.	2		1	2	2	1	2	1	1	1
17. Wirral Council to meet national recycling rate and the Joint Recycling and Waste Management Strategy recycling rate for Merseyside.	2		1	2	2	1		1	1	1
18. Wirral Council to exceed national recycling rate and the Joint Recycling and Waste Management Strategy recycling rate for Merseyside.	2		1	2	2	1		1	1	1

3.0 INDICATIVE PROJECTED PERFORMANCE

The following graph indicates the potential delivery envelope for ensuring the 50% recycling rate is delivered by 2020 using the actions specified in the Action Plan. Modelling¹ estimates that ~52% recycling performance is likely when all services are fully optimised. The modelling at the moment is based on Wirral implementing a food waste collection service. The Council believes that there is a real opportunity to implement a waste prevention campaign to significantly prevent food waste going to landfill by education rather than collecting food waste from residents.



¹ Enviro SKM Waste Strategy model

4.0 RISK ISSUES

Risk issues will be monitored and managed using established Wirral Council Processes and will be reported to the Councils Risk Management Team. Risks will be managed at the Merseyside level through the Senior Officers Working of the Merseyside Waste Partnership.

5.0 REVIEW OF DISTRICT ACTION PLAN

The DCAP will be checked against progress on an annual basis and reviewed where fundamental changes or significant deviations from projected performance occur. There will also be a complete review at the point of the Joint Recycling and Waste Management Strategy review (2016/17).

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	ANNUAL REPORT ON PARKING ENFORCEMENT
WARD/S AFFECTED:	ALL WARDS
REPORT OF:	DIRECTOR OF TECHNICAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR HARRY SMITH STREETSCENE AND TRANSPORT SERVICES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report sets out information and data on the performance of the Council's parking enforcement operations for the period 2010/2011 (information for the periods 2008/2009 & 2009/2010 was reported to Cabinet on the 3 February 2011). Parking enforcement within Wirral is undertaken through the provisions of Part 6 of the Traffic Management Act 2004, enacted in March 2008 which requires local authorities to produce and publish an annual report about their parking enforcement activities.

2.0 RECOMMENDATION/S

- 2.1 It is recommended that Cabinet note the contents of the report and approve the details within the report being published on the Council's website.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The Council is required to produce an annual report and to publish its findings to comply with the statutory guidance relating to Part 6 of the Traffic Management Act 2004.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Traffic Management Act 2004 (TMA) places a statutory Network Management Duty on the Council to manage the traffic network to ensure the expeditious movement of all traffic modes.
- 4.2 Part 6 of the TMA came into effect on 31st March 2008 and changed Decriminalised Parking Enforcement (DPE) to Civil Parking Enforcement (CPE). Part 6 of the TMA provides for a single framework in England for the civil enforcement of parking, bus lanes and some moving traffic offences. The aim of CPE is to provide for a reasonable, transparent and proportionate system of parking enforcement that is applied consistently across the country. The objective is to increase public confidence by providing a system that can be seen to be balanced and fair to the motorists whilst satisfying the Council's transport and parking duties and its policy aspirations.
- 4.3 The introduction of the TMA has meant a number of changes for parking enforcement services across the country. The Act introduced a number of new

contraventions to be managed through the civil enforcement process; these have included enforcement of:

- Bus Lane
- Dropped kerbs
- Double parking
- Vehicle 'Drive-Aways' (VDAs) – drivers that leave the scene before a PCN can be issued by a CEO
- Pedestrian Crossing zigzags
- Some moving traffic contraventions e.g. failure to comply with no entry signs / failure to comply with no right/left turn signs

The effects and implementation of the TMA were considered by Cabinet on 13 March 2008 [Minute 534 refers]. The policy adopted for parking enforcement and appeals within Wirral is under review; and will be considered at a future Cabinet meeting. From the above list only the enforcement of dropped kerbs and pedestrian crossing zigzags have been adopted in addition to the existing yellow line, loading restrictions, parking places and parking restriction enforcement. Some of the other elements such as moving traffic offences have yet to be fully introduced in statute.

- 4.4 Statutory Guidance issued under the TMA requires that Councils should produce an annual report on their parking enforcement activities and that this report should contain financial, statistical and performance related data in respect of its parking operations. Reports should be made available to the public with the aim of improving the public's understanding of the Council's aims and objectives in relation to parking and their acceptance of Civil Parking Enforcement.
- 4.5 As well as providing the statistical information required by the Statutory Guidance this report includes a brief overview of the Parking Enforcement Service and its contributions to the Council's overall aims and objectives. The Council receives a significant number of requests for information under the Freedom of Information Act for parking related data and statistics. By including the most frequently requested statistical data in this report this information can be made more easily and freely available to the public.
- 4.6 This report covers the period 1st April 2010 to 31st March 2011. Future reports will be produced annually allowing performance and statistics to be compared year on year.
- 4.7 Parking Enforcement In Wirral** - The overall aim of the Parking Enforcement Service is to provide, operate and enforce on and off street parking in accordance with Council objectives and in the interests of road safety, traffic management and crime prevention
- 4.8 Since November 2003, the Council has been operating Decriminalised Parking Enforcement to control parking, waiting and loading restrictions across the Borough. On the ground, enforcement is carried out by the Council appointed enforcement contractor NSL Services Group. This contract was renewed in

November 2010 following a competitive tendering exercise to provide the service until November 2015.

4.9 Civil Enforcement Officers (CEOs) (formerly parking attendants) issue Penalty Charge Notices (PCNs) to motorists who contravene parking regulations. The Council enforces waiting and loading restrictions to:

- Improve road safety
- Reduce congestion
- Support the local economy
- Improve access for emergency vehicles
- Improve access to public transport
- Reduce commuter parking in residential areas

4.10 It should be stressed that the Council does not carry out parking enforcement as a revenue raising exercise. Neither NSL Group nor individual civil enforcement officers have targets for PCNs issued and there are no payments or bonuses based on the numbers of PCNs issued.

4.11 It is a legislative requirement that all income received from penalty charge notices and on-street pay and display parking is used only to fund the provision of the parking service and that if any surplus is achieved this must be reinvested into transport and environmental related schemes in Wirral.

4.12 **School Parking** – As in many other parts of the country, parent parking outside schools is a problem and generates a high number of complaints. The Council is committed to enforcing parking restrictions in these areas; in particular school entrance zig zags; but also engaging with schools, their staff and parents in an education and awareness role. Joint patrols have continued to take place between CEOs and Police Community Support Officers to help tackle these issues. A rolling programme of enforcement at problem school sites is ongoing.

4.13 **CCTV Enforcement** – This mode of parking enforcement was introduced through Part 6 of the TMA 2004. Enforcement by CCTV is restricted to locations that have proven difficult to enforce with any reasonable level of success, by conventional means. In this context success is measured by there being a reasonably high level of compliance with the restrictions in force. CCTV enforcement is also focussed on locations which have a known history of road traffic accidents, locations near to high generators of vulnerable road users (i.e. children near schools) and some busy shopping areas, which rely on roadside deliveries and are affected by persistent short duration parking. Typical locations therefore include school entrance zig-zag markings, pedestrian crossing zig-zag markings and some local and town centres shopping streets.

4.14 **PERFORMANCE INFORMATION 2010/2011** - The following tables provide information about PCNs issued in Wirral, payments made and appeals received.

4.15 In 2008 the government introduced two rates for PCNs issued; a higher level at £70 and a lower level at £50. The level appropriate for individual PCNs is

determined by the specific contravention and is set in the TMA legislation. Appendix A to the report details the appropriate PCN amounts for contraventions enforced in Wirral. In accordance with policy, all PCN amounts are reduced by 50% if the PCN is paid within 14 days of issue.

Penalty Notices Issued						
	Total All PCNs Issued		Issued On-Street		Issued Off-Street	
	09/10	10/11	09/10	10/11	09/10	10/11
Number of Higher level PCNs issued	19530	15908	17772	14348	1758	1560
Number of Lower level PCNs issued	15804	13479	5391	4558	10413	8921
Total Number of all PCNs issued	35334	29387	23163	18906	12171	10481

Table 1 – Penalty Notices Issued

4.16 The 2009/10 figures are shown in the tables above and below for comparison purposes. It can be seen from Table 1 that in 2009/10 a total of 35,334 PCNs for parking contraventions were issued and this reduced to 29,387 in 2010/11. The fall in the numbers of PCNs is not unique to Wirral and reflects a continuing trend seen across most of the country with the exception of London. The reduction is considered to be partly an effect of higher levels of compliance and partly due to the effect of current economic climate which is reducing the numbers of vehicle trips and the volume of parking within town centres. This trend is looking to continue in 2011/12, but to a lesser degree.

4.17 PCNs can be paid at a number of different stages. If paid with 14 days of issue the amount is reduced by 50%. If a PCN remains unpaid despite formal reminders its amount can increase by a further 50%. Unpaid parking debts can be registered at County Court and passed to certificated bailiffs for collection.

PCN Payment Volumes						
	Total for PCNs Issued		Issued On-Street		Issued Off-Street	
	09/10	10/11	09/10	10/11	09/10	10/11
Number of PCNs paid at discount rate (50%)	17653	15024	11939	9970	5714	5054
Number of PCNs paid in full at non-discount rates	2821	2505	1966	1763	855	742

Table 2 – PCN Payment volumes

4.18 From Table 2 above it can be seen that payment is made on approximately 60% of all PCNs issued in the period (this is consistent with previous years). It is not possible to recover debts from all notices issued for a number of reasons. These include PCNs cancelled following appeal and vehicle owners being untraceable. If only closed cases are considered, ie cases still ongoing are removed from the above figures the recovery rate increases to around 64%.

4.19 Cases which have not been appealed or cancelled and which the Council have been unable to recover payment may ultimately be referred to bailiffs for collection after the debt has been registered in County Court. In 2009/10 a total of 2612 cases were registered and in 2010/11 the figure was 3685 cases. The typical recovery rate for cases passed to bailiffs is 20-25% of the total debt passed over. Although this may seem low, it is typical across the industry with the primary reasons for non recovery being 'gone aways', i.e. the debtor is untraceable, or that the debtor has no reasonable means of payment or assets that can be levied.

4.20 As can be expected, the Council receive a significant volume of written appeals in relation to PCNs issued. After consideration of an appeal, the Council may uphold the PCN or cancel it for a number of reasons. Some reasons are statutory and some are discretionary. Statutory reasons include errors in issuing or processing of the PCN. For discretionary cancellations, the Council has a set of adopted policies and the large majority of PCNs which are cancelled following appeal fall into this group. Table 3 below details the volumes of appeals and cancellations. Typical reasons for cancelling PCNs on discretionary grounds include:

- Motorist had a valid disabled badge but forgot to display it.
- Motorist had purchased a valid pay and display ticket but this had fallen from the windscreen.
- Motorists had a valid permit for a permit controlled area but forgot to display it.
- Vehicle has broken down and driver provides proof or evidence.
- Loading or unloading of goods and driver provides proof or evidence.

Appeals Received						
	Total for PCNs Issued		Issued On-Street		Issued Off-Street	
	09/10	10/11	09/10	10/11	09/10	10/11
Number of PCNs appealed	12925	9476	7466	5307	5459	4169
Number of PCNs cancelled following appeal	8347	6295	4498	3393	3849	2902
Number of PCNs written off (driver untraceable, systems errors etc)	969	905	703	616	266	289

Table 3 – Appeals Received

4.21 Full information about the Council's Policy on representations and appeals is available on the Council website. As stated in section 4.3 above this policy is under review; as contained in a Report to this Cabinet meeting.

4.22 If a motorist remains dissatisfied with the Council's decision following an appeal then they may make a further appeal to the Traffic Penalty Tribunal. This is an independent appeals process that is free for motorists to use. Decisions made

by the tribunal adjudicators are binding on both the Council and the motorist. The following Table 4 details appeals to and decisions made by the adjudicator.

Adjudicator Appeals received						
	Total for PCNs Issued		Issued On-Street		Issued Off-Street	
	09/10	10/11	09/10	10/11	09/10	10/11
Number of appeals to independent adjudicator	116	72	99	57	17	15
Number of appeals allowed by independent adjudicator	35	19	33	16	2	3
Number of appeals refused by independent adjudicator	32	34	27	25	5	9
Number of appeals not contested by the Council & allowed by the adjudicators	50	19	49	16	1	3

Table 4 – Adjudicator Appeals received

- 4.23 The number of tribunal appeals in 2010/11 has remained proportionate with the previous year's figures. The Council has seen a percentage increase in the number of appeals refused by the adjudicator i.e. won by the Council; which has risen from 39% to 47%.
- 4.24 Due to the nature of parking enforcement, it is inevitable that some complaints will be received. In 2009/10 a total of 8 complaints were received and these were split fairly evenly between complaints about enforcement officer conduct or attitude and those about parking enforcement policy. In 2010/11 the number of complaints had risen to 24; half of these were in relation to the parking enforcement policy and half in relation to the conduct of the civil enforcement officers. Complaints made against the conduct of the CEOs are fully investigated and recorded. The complainant will always receive a response from the CEOs manager. The majority of complaints in relation to the parking enforcement policy are made following the issue of a PCN and include the drivers parking appeal. These complaints should therefore be considered as an 'informal appeal' rather than as a complaint. However, all complaints were resolved as quickly as possible and during Stage 1 of the Council's complaints procedure.
- 4.25 CEOs are the frontline of the service, and frequently meet and interact with the owners of vehicles whilst undertaking their duties. Unfortunately parking enforcement can be an emotive issue and this inter-action can result in conflict situations usually in the form of verbal abuse and less frequently physical abuse. In 2009/10 there were 33 physical assaults/incidents recorded on NSL staff and in 2010/11 the number was 54 assaults/incidents. NSL Services have developed a close working relationship with Merseyside Police to ensure that when these type of incidents do occur they are dealt with promptly and appropriately. A 'Partnership Plus' has been agreed in principal between NSL,

the Council and Merseyside Police. The 'Partnership Plus' agreement or memorandum of understanding outlines the responsibilities of the Police, the Council and NSL regarding:

- Reporting and investigating allegations of assault on NSL staff
- Information/intelligence sharing
- Joint patrolling opportunities
- Training
- Civil and local emergency support
- Creating a safer working environment for NSL staff
- Enhancing community and multi-agency support in relation to the reduction of crime, the fear of crime and anti-social behaviour.

4.26 As a result of this close working relationship there were 2 successful prosecution cases in 09/10 and a further 4 in 2010/11. A number of the less serious incidents were dealt with by the Police through the issue of Fixed Penalty Notices. This positive support and outcomes may have lead to the CEOs reporting more incidents rather than there being more incidents then in the previous year.

4.27 FINANCIAL INFORMATION 2010/2011 - The enforcement service is one element of the overall parking services function which includes management and operation of the Council's public free car parks, Pay & Display car parks and on-street parking operations. Income from penalty notices is used to fund the provision of the enforcement service. It is not possible to exactly identify the precise expenditure on some elements of enforcement as many back office tasks are undertaken by staff whose duties include other roles within parking services not directly related to enforcement. Any differences between income and expenditure are accommodated within the overall parking budget. The following table shows enforcement income and expenditure for the above period.

Financial Information	2009 – 2010	2010 – 2011
Item	£	£
Income - Penalty Charge Notice	868,000	818,000
Expenditure - Enforcement Contractor (NSL Group) costs, back office staffing and overheads, IT/Court fees/Adjudicator Fees	860,000	849,000
Net Surplus or Deficit (negative)	8,000	-31,000

Table 5 – Financial information

- 4.28 From Table 5 above it can be seen that the provision of the service is essentially self financing through PCN revenue received, although for the period of 2010/11 there was a deficit of £31,000. This accords with the statutory guidance offered by The Secretary of State, which states that Civil Parking Enforcement should not be viewed as a way of raising revenue.
- 4.29 The biggest expenditure within parking enforcement is the contract for provision of parking enforcement services. Wirral commenced a new five year contract in November 2010 with NSL Services Group for this service. Under the new contract the deployment of CEOs was reviewed to ensure that the Council continue to deliver an efficient, effective and economical service. Through ongoing appraisals of the levels of compliance, enforcement level and frequencies can be adjusted to achieve compliance at the most economic cost.
- 4.30 Wirral's aim is to increase compliance with parking restrictions through clear, well designed, legal and enforceable parking controls that will also provide a means by which we can effectively deliver wider transport strategies and objectives.

5.0 RELEVANT RISKS

- 5.1 Failure to produce or publish the report could impact on the reputation of the Council as it may be perceived that the Council has something to hide. It would also be contrary to the statutory guidance issued by the Secretary of State not to produce this information. In fact much of the information in the report has already been released through freedom of information requests and this report will provide a standard format to release this type of information for similar requests in the future.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 None available.

7.0 CONSULTATION

- 7.1 None, this report is a statistical analysis of the parking operation for the periods stated.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 8.1 There are no implications under this heading.

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

- 9.1 The report is for noting, there are no specific implications under this heading.

10.0 LEGAL IMPLICATIONS

- 10.1 There are no implications under this heading.

11.0 EQUALITIES IMPLICATIONS

- 11.1 There are no specific implications under this heading, however, effective parking control can assist vulnerable road users such as blue badge holders.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no specific implications under this heading, however, effective control of parking can have an impact in reducing the effects of transport on the environment.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no implications under this heading.

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APPENDICES

APPENDIX A – Contravention Codes and Penalty Charge Rates (appended)

REFERENCE MATERIAL

Statistical information contained within this report has been obtained from the Si-Dem Debt Management system used by the Council to manage and administer parking enforcement cases. Information can be obtained by contacting the Parking Services Team.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet report Traffic Management Act 2004 - Interim Parking Strategy	13 March 2008
Cabinet report Annual Report on Parking Enforcement	3 February 2011

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APPENDIX A

CONTRAVENTION CODES, OBSERVATION PERIOD AND PENALTY CHARGE RATE

Code	Description	Current Observation Period	Penalty Charge Rate
ON STREET			
1	Parked in a restricted street during prescribed hours	3 minutes	£70
2	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	instant	£70
5	Parked after the expiry of paid for time	5 mins (instant if more than 5 mins expired)	£50
6	Parked without clearly displaying a valid pay & display ticket or voucher	5 minutes	£50
7	Parked with payment made to extend the stay beyond initial time	instant	£50
12	Parked in a residents' or shared use parking place or zone without clearly displaying either a permit or voucher or pay and display ticket issued for that place	5 minutes	£70
16	Parked in a permit space without displaying a valid permit	5 minutes	£70
19	Parked in a residents' or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay and display ticket	instant	£50
20	Parked in a loading gap marked by a yellow line	5 minutes	£70
21	Parked in a suspended bay/space or part of bay/space	instant	£70
22	Re-parked in the same parking place or zone within specified no return period	instant	£50
23	Parked in a parking place or area not designated for that class of vehicle	5 minutes	£70
24	Not parked correctly within the markings of the bay or space	instant	£50
25	Parked in a loading place during restricted hours without loading	5 minutes	£70
26	Parked more than 50 cm from the edge of the carriageway and not within a designated parking place	instant	£70
27	Parked adjacent to a dropped footway	instant	£70
30	Parked for longer than permitted	15 minutes	£50
40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	instant	£70
42	Parked in a parking place designated for police vehicles	instant	£70
45	Parked on a taxi rank	instant	£70
46	Stopped where prohibited (urban clearway)	instant	£70
47	Stopped on a restricted bus stop/stand	instant	£70
48	Stopped in a restricted area outside a school	instant	£70
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	5 minutes	£70
62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	instant	£70
99	Stopped on a pedestrian crossing or crossing area marked by zig-zags	instant	£70
OFF STREET			
70	Parked in a loading area during restricted hours without reasonable excuse	instant	£70
73	Parked without payment of the parking charge	instant	£50
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	instant	£70
80	Parked for longer than the maximum period permitted	15 minutes	£50
81	Parked in a restricted area in a car park	instant	£70
82	Parked after the expiry of paid for time	5 mins (instant if more than 5 mins expired)	£50
83	Parked in a car park without clearly displaying a valid pay and display ticket or voucher or parking clock	5 minutes	£50
85	Parked in a permit bay without clearly displaying a valid permit	instant	£70
86	Parked beyond the bay markings	instant	£50
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	instant	£70
89	Vehicle parked exceeds maximum weight or height or length permitted in the area	instant	£70
90	Re-parked within time limit for no return period	instant	£50
91	Parked in a car park or area not designated for that class of vehicle	instant	£70
92	Parked causing an obstruction	instant	£70
95	Parked in a parking place for a purpose other than the designated purpose for the parking place	instant	£50

Instant - indicates that a nil observation period applies and a penalty notice will be issued instantly.

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	WIRRAL COASTAL STRATEGY – ADDITIONAL WORKS
WARD/S AFFECTED:	ALL, WITH PARTICULAR RELEVANCE TO COASTAL WARDS
REPORT OF:	TECHNICAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR HARRY SMITH, STREETSCENE AND TRANSPORT SERVICES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report is to notify Members of the Director of Technical Services' decision to extend the contract for the Wirral Coastal Strategy in order to undertake additional works in accordance with Contract Procedure Rule 21.1.1(ii).
- 1.2 The additional works and the Wirral Coastal Strategy helps deliver Corporate Objectives under the "Your Neighbourhood" theme to improve the quality of the local environment.
- 1.3 The Wirral Coastal Strategy is fully grant aided by the Environment Agency (EA). The EA has approved the additional expenditure required for the additional works.

2.0 RECOMMENDATION/S

- 2.1 That Members note the decision of the Director of Technical Services to extend the Wirral Coastal Strategy contract by the award of additional works to the existing consultant, in accordance with Contract procedure Rule 21.1.1(ii).

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The contract for the Wirral Coastal Strategy was tendered in December 2010 and awarded on a 50:50 quality: cost ratio. The successful consultant, AECOM, demonstrated strength in both quality, coming 2nd out of 6 tenderers, and value for money by submitting the lowest tender. The contract sum of £89,314 was let as a lump sum priced contract with a priced activity schedule.

- 3.2 The use of the delegated authority of the interim Head of Technical Services to accept the AECOM tender was reported to the Sustainable Communities Overview and Scrutiny Committee on 7th June 2011 [Minute 12 refers]. Following discussions with the Director of Finance's Corporate Procurement Unit additional works can be awarded to AECOM as they have recently competitively demonstrated value for money by submitting the most economically advantageous tender for the Wirral Coastal Strategy.
- 3.3 The decision to award additional works is an exception to procurement procedure under the Contract Procedure Rule 21.1.1(ii) where the Council seeks to procure goods and/or services through the extension of an existing contract.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The specification for the Wirral Coastal Strategy stated that the most current data should be utilised for the assessment of flood and coastal erosion risk at Wirral. Since the award of the contract the EA have issued revised Flood Hazard Mapping (FHM) for north Wirral which has been assessed by AECOM as part of the Wirral Coastal Strategy. Additionally and subsequent to the issue of the FHM, the EA have also revised their guidance on climate change and additional works are now required to revise the outputs of the FHM and take into account the revised climate change guidance.
- 4.2 Furthermore, since the start of the Wirral Coastal Strategy, the Mersey Docks and Harbour Co. Ltd. has initiated an exercise to consider the long term benefits that could be realised through the re-use of dredging arisings from the Mersey Estuary within Liverpool Bay. This initiative may have a beneficial impact for some of Wirral's coastal defences where long term policies for coastal defence become more reliant on natural processes. Some initial work on the feasibility of the use of dredging arisings within Liverpool Bay has already been commissioned by Sefton Council, however a more detailed study on the environmental impact of the use of dredging arisings combined with an assessment of dune development, particularly at Leasowe, would be invaluable in informing the decision making process for the Wirral Coastal Strategy.
- 4.3 AECOM have submitted fee estimates for the additional works using the rates supplied for the Wirral Coastal Strategy Contract as follows:

- | | |
|--|---------|
| 1. Additional Flood Inundation Modelling and analysis allowing for revised climate change guidance | £13,950 |
| 2. Leasowe Dune Development Assessment | £10,856 |

The combined value of additional works equates to £24,806. The original contract value was £89,314.

5.0 RELEVANT RISKS

- 5.1 The coast is subject to flood and erosion risk. The management plan developed as part of the Wirral Coastal Strategy to reduce these risks will be in line with the policies identified in the Shoreline Management Plan. By undertaking the additional works the management plan will also be based upon the most up-to-date knowledge and guidance available.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 Consideration was given to tendering the additional works as separate contracts, however this approach was disregarded due to the projected impact on the work programme for delivery of the strategy. Furthermore AECOM have already undertaken significant work on the assessment of model outputs which will provide continuity for the work item 1. above. AECOM have also indicated that any delay to the strategy programme can be minimised by utilising resources on the assessment of flood and coastal erosion risk elsewhere throughout the strategy area.

7.0 CONSULTATION

- 7.1 The Council has already undertaken consultation with the public and coastal stakeholders in determining the issues and objectives for the strategy.
- 7.2 A second stage of consultation will be undertaken on the draft strategy plan.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

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

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

- 9.1 Grant aid funding for the full cost of the strategy has been approved by the Environment Agency. The Environment Agency have also approved the grant aid funding for the additional works described in this report.
- 9.2 The strategy will provide the business case for the future management of Wirral's coastal assets.

10.0 LEGAL IMPLICATIONS

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

11.0 EQUALITIES IMPLICATIONS

11.1 There are no specific implications arising from this report.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no specific implications arising from this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 The policy recommendations from the Shoreline Management Plan and their delivery through the Wirral Coastal Strategy will be taken into account when formulating the policies in Wirral's Core Strategy.

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APPENDICES

None

REFERENCE MATERIAL

Flood and Coastal Erosion Risk Management Appraisal Guidance, Environment Agency, March 2010.

Wirral Council Contract Procedure Rules.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet – Adoption Of The Shoreline Management Plan	2 September 2010
Cabinet – Wirral Coastal Strategy and Acceptance of Environment Agency Grant Aid	4 November 2010
Sustainable Communities Overview & Scrutiny Committee – Decisions Taken Under Delegated Powers – Tender Acceptance	7 June 2011

Assessing Impact of Policy and Funding Decisions

1. What is being proposed?
Additional works under the Wirral Coastal Strategy arising from changes to guidance on Climate Change and an initiative by Mersey Docks and Harbour Company Ltd.
2. Is the proposal part of the Corporate Plan? If so, which objective?
It is not directly linked to the Corporate Plan, however the Wirral Coastal Strategy and the additional work items fit within the commitment under 'Your neighbourhood' to improve quality of the local environment.
3. Has a criteria been drawn up for making a decision? If so, what are the criteria?
The decision is that of the Director of Technical Services using Contract procedure Rule 21.1.1 (ii)
4. Have you consulted or taken advice from anyone (internal or external) to inform your decision? If so please state who.
Corporate Procurement Unit
5. What information, data or research have you used to inform your decision?
Information from the recent tendering exercise
6. Will the proposal have a favourable or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?
No known impact
7. What is your decision?
The management of flood and coastal erosion risk is not known to discriminate either favourably or negatively against any of the protected groups identified and therefore no EID is required.
8. Please document the details of this impact assessment in a memo, set of minutes, in a report, or equality impact assessment and send a copy to Kevin Adderley, who will store the information confidentially and organise the relevant details for publishing on the internet in conjunction with the Corporate Equality Manager.

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	<i>PUBLIC HEALTH TRANSITION</i>
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>FIONA JOHNSTONE, DIRECTOR OF PUBLIC HEALTH</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>COUNCILLOR ANNE MCARDLE, PORTFOLIO HOLDER SOCIAL CARE & INCLUSION</i>
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

1.1 Under the Health and Social Care Bill currently making its way through Parliament, Wirral Council will be given new statutory duties across the three 'domains' of public health. These are:

- Health improvement – including reducing lifestyle related ill-health and inequalities in health, and addressing the underlying determinants of health
- Health protection – including ensuring that comprehensive plans are in place across the local authority, NHS and other agencies to respond to infectious disease outbreaks and other public health emergencies
- Health service improvement – by providing NHS Commissioners, including Clinical Commissioning Groups, with expert advice and support to improve and evaluate the quality and efficiency of health services.

Previous reports on public health reform have been brought to Cabinet. Further policy guidance has now been published on the new public health system which is to be in place by April 2013. The guidance outlines the public health roles for local authorities and for the new Executive Agency – Public Health England.

1.2 This report summarises the key steps and activities that will need to be put in place to enable a successful transition of public health responsibilities from the NHS to the Council. It also proposes that public health should start working in shadow form from April 2012, under a memorandum of agreement, so that the Council has the opportunity to understand those responsibilities in more depth, and so that public health staff can develop a good understanding of how the Council works.

2.0 RECOMMENDATION/S

2.1 It is recommended that the Chief Executive is instructed by Cabinet to work with the Director of Public Health to bring back a proposal to Cabinet on the future structure and operation of public health within the Council.

- 2.2 It is recommended that, subject to the satisfactory outcome of consultation, the Chief Executive ensures that a Memorandum of Understanding (as detailed in Appendix 2), or other appropriate arrangements are put in place to allow the public health function to operate in shadow form during 2012/13.
- 2.3 It is recommended that Cabinet endorses the membership and purpose for the Public Health Transition Steering Group provided in Appendix 1.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The reform of public health and its impact on local authorities will require a considerable amount of work to be undertaken to ensure that responsibilities are transferred in a safe and timely manner. It will also be critical to ensure that the day-to-day delivery of public health responsibilities during transition are not adversely affected.
- 3.2 Creating a position where the Council and its future public health function is able to have as much time as possible to build a robust infrastructure and way of working will be valuable. Operating in shadow form would allow staff within the local authority to gain an understanding of how public health responsibilities can be delivered most effectively, and for public health staff who transfer to the local authority to become familiar with Council systems and procedures.

4.0 BACKGROUND AND KEY ISSUES

4.1 Update on Policy Guidance

In the last report to Cabinet in October 2011 on public health reform it was noted that there were a number of pieces of guidance still to be published by the Department of Health. These included

- The public health outcomes framework.
- An operating model describing how PHE will work.
- Further details about implementing public health in local government and the role of the DPH.
- Public health funding – establishing the baseline for expenditure, details of the allocation methodology, the health premium and shadow allocations.
- An HR Concordat with local government on the transition process.
- A People Transition Plan for the HR process of transfer to PHE.
- A comprehensive workforce development strategy – consultation in the autumn.

- 4.1.1 The HR Concordat was published on 17th November 2011 by the Local Government Association and the Department of Health. The Concordat provides guiding principles and Human Resource (HR) standards for the transfer of PCT public health commissioning activity and functions (“senders”) to local authorities (“receivers”), and a fair and consistent approach to managing the related detailed HR processes in a local context. The concordat also outlines the indicative timescales for change and the obligations on NHS and local government employers and trade unions on managing the change.

- 4.1.2 On 20th December the Department of Health published 'The new public health system', which has a summary document supported by two short 'fact-sheet' style documents on how Public Health will operate in Local Government, and the Operating Model for Public Health England.
- 4.1.3 At the time of writing this report we are still awaiting the publication of the Public Health Outcomes Framework and the shadow funding allocation. The lack of funding information is a key risk to being able to make substantive plans for transition, but is expected to be published during January 2012.

4.2 **The New Public Health System**

The guidance on the New Public Health System issued on 20th December identifies the following local responsibilities.

- a) Local authorities will have a new duty to promote the health of their population. They will also take on key functions in ensuring that robust plans are in place to protect the local population and in providing public health advice to NHS commissioners.
- b) Through the health and wellbeing board they will lead the development of joint strategic needs assessments and joint health and wellbeing strategies, which will provide the means of integrating local commissioning strategies and ensuring a community-wide approach to promoting and protecting the public's health and wellbeing.
- c) To enable them to deliver these new public health functions local authorities will employ Directors of Public Health, who will occupy key leadership positions within the local authority.
- d) Real improvement will be secured by local authorities putting the public's health into their policies and decisions. However, they will also have responsibilities for commissioning specific public health services and will be supported with a ring-fenced public health grant.
- e) While local authorities will be largely free to determine their own priorities and services, they will be required to provide a small number of mandatory services (sexual health services, NHS health checks, National Child Measurement Programme, providing public health advice to NHS Commissioners and ensuring plans are in place to protect the health of the public).
- f) A ring-fenced public health grant will support local authorities in carrying out their new public health functions. Shadow allocations for local authorities in 2012/13 will be published to support planning for the transition.

The operating model for Public Health England describes the agency as having three key business functions:

- It will deliver services to protect the public's health through a nationwide integrated health protection service, provide information and intelligence to

support local public health services, and support the public in making healthier choices.

- It will provide leadership to the public health delivery system, promoting transparency and accountability by publishing outcomes, building the evidence base, managing relationships with key partners, and supporting national and international policy and scientific development.
- It will support the development of the public health workforce, jointly appointing local authority Directors of Public Health, supporting excellence in public health practice and providing a national voice for the profession.

Public Health England will bring together the wide range of public health specialists and bodies into one integrated public health service. Its organisational design will feature:

- a national office including national centres of expertise and hubs that work with the four sectors of the NHS commissioning board
- units that act in support of local authorities in their area
- a distributed network that allows Public Health England to benefit from locating its information and intelligence and quality assurance expertise alongside NHS and academic partners across the country.

Public Health England will be an executive agency of the Department of Health. It will have its own Chief Executive who will have operational independence.

4.3 Managing Transition

To ensure an effective transition for Wirral, a Public Health Transition Steering Group is to be established. It will hold its first meeting on the 25th January 2012, and will have representatives of both the sending and receiving organisations, staff representatives, finance staff, human resources and trade union representatives.

The Transition Steering Group will be responsible for the following workstreams:

- Ensuring a robust transfer of systems and services
- Delivering public health responsibilities during transition and preparing for 2013/14
- Workforce
- Governance
- Enabling infrastructure
- Communication and engagement

The Department of Health will be seeking assurance through the SHA clusters that robust plans are in place.

The first draft of the transition plan for Wirral is attached at Appendix 1. This will be developed into a final plan by the end of March 2012.

An initial plan is to be submitted to the Strategic Health Authority by 20 January, with a further finalised transition plan by end of March 2012. At the

time of writing this report, the first draft transition plan is being drawn up. The final draft will be agreed alongside the Annual Business Plan for Public Health at the PCT Cluster Board Meeting in March 2012. One of the key principles underpinning the development of the transition planning is that it should be done jointly with the local authority. This should be achieved through the membership of the Transition Steering Group.

4.3.1 Memorandum of Understanding

To promote the development of effective working of public health within the local authority, it is proposed that a Memorandum of Understanding (MOU) be drawn up that both protects the staff in respect of their existing Terms and Conditions, and the local authority in terms of any liability relating to staff and finances. The draft MOU is attached at Appendix 2, and has been reviewed by both Council and PCT legal and human resources teams. If approved in principle, it will be finalised and consulted on with employees and trade unions. It would be welcome if, after appropriate consultation, it was possible to put the MOU in place by April 2012 to enable the public health function to start to operate in shadow form within the Council for the year prior to formal transfer.

5.0 RELEVANT RISKS

A risk register will be drawn up by the Transition Steering Group. The key risks and impacts identified to date include those in the following table. The risk register will contain an assessment of the likelihood and controls to be put in place.

Risk	Potential Impact
Inadequate level of funding within local public health ring-fence to support local public health functions	Cuts in services currently provided
Failure to clarify public health responsibilities and organisational roles of the Local Authority, Public Health England and the NHS at a local level	Duplication/lack of coordination, potential to improve health outcomes is lost.
Public health responsibilities not embedded in all relevant parts of the new local system	Prevention not incorporated into care pathways Unable to maximise improvement and health inequality reduction opportunities.
New operating models do not provide for adequate public health support for local health emergency preparedness, resilience and response	Unable to respond effectively to major/public health incidents
Organisational barriers to access to information	Public health unable to access NHS data for health improvement, health protection and healthcare quality; thereby compromising the public health response
IM&T arrangements insufficient to support public health monitoring and service delivery	Inability to measure impact, uptake and outcomes.
Local authority does not embed public health action across all its functions	Duplication/lack of coordination, potential to improve health outcomes is lost.

6.0 OTHER OPTIONS CONSIDERED

6.1 Not applicable for this report

7.0 CONSULTATION

7.1 Consultation on transition of staff

As mentioned in section 4.3.1 above, there will be a need to ensure meaningful consultation with staff affected by the transfer of functions.

7.2 Commissioned public health activity

Depending on the local public health budget, and on policy decisions made within the Council, there could be a need to consult. This could arise from a reduction in investment available, or a change in focus responding to understanding of needs through the Joint Strategic Needs Assessment.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 The public health function currently commissions a significant amount of voluntary and community sector activity. In 2010/11 this amounted to £3.7 million of investment. There is an opportunity to ensure that this commissioning is integrated into any approach to commissioning from the VCF sector by the local authority.

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

9.1 **Financial**

When the financial allocations are published in shadow form they will need to be assessed against existing expenditure, and against the future plans for public health on Wirral.

9.2 **IT**

Transferring staff will need to be trained in the use of Wirral Council IT systems. Clarification will be sought on whether the existing computer hardware will transfer across with staff, and appropriate software and network links put in place.

9.3 **Staffing**

The HR workstream of the Public Health Transition Steering Group will take into account the advice of the LGA that:

- All matters relating to the statutory transfer of public health functions and any staff transfers are of course subject to the passage of the Health and Social Care Bill 2011 and royal assent
- Staff identified as working in the public health functions that will transfer to local government on a statutory basis under the Health and Social Care Bill 2011 will do so on a TUPE or TUPE-like basis under COSOP (see section 2.5)

- Local authorities and PCTs are strongly encouraged to work together jointly with relevant trade unions to prepare for the transfer (see sections 1.5 and 3.4)
- Arrangements should be agreed locally to help transferring staff to engage more closely with their eventual new employers in the transition year 2012-13
- However, no staff should transfer employment in advance of the due date of 1st April 2013 which is the date the statutory responsibilities transfer
- Councils are strongly encouraged to implement best employment practice, taking account of the need for future recruitment and retention of specialist public health staff

9.4 **Assets**

A review of the existing assets associated with the public health function will need to be reviewed to ensure that either appropriate transfer takes place, or other arrangements are put in place.

10.0 **LEGAL IMPLICATIONS**

10.1 Where functions are transferring from the PCT to the local authority, both the receiver and sender organisations have a responsibility (a statutory responsibility where the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) applies) to inform and consult representatives of employees affected by transfer or potential transfer situations, and the organisations should cooperate fully to ensure that the responsibilities can be complied with in full. Equally, in any potential redundancy situations, employers have obligations (in some cases statutory) to inform and consult employees and trade unions. In some cases, these information and consultation duties may take place simultaneously. Each employer would be expected to take appropriate legal advice.

11.0 **EQUALITIES IMPLICATIONS**

11.1 The LGA local government transition guidance notes that: 'Employers must comply with all relevant employment and equalities legislation, and be expected to follow best employment practice when implementing the proposed changes. Any decisions in respect of appointments to jobs, identification of employees as 'affected by change' or 'at risk' and selection for redundancy must be fair, transparent and made with reference to justifiable, objective criteria.'

11.2 Equality Impact Assessment (EIA)

- | | |
|---------------------------------------|---|
| (a) Is an EIA required? | No (<i>delete as applicable</i>) |
| (b) If 'yes', has one been completed? | Yes (specify date) / No (<i>delete as applicable</i>) |

Equality Impact Assessments will be undertaken if any service change decisions are taken during transition.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 *Not applicable for this report*

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 *Not applicable for this report*

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APPENDICES

Appendix 1: Public Health Checklist for Transition

Appendix 2: Draft Memorandum of Understanding

REFERENCE MATERIAL

The New Public Health System, Department of Health, 20 December 2011. This can be found at <http://healthandcare.dh.gov.uk/public-health-system/>

Transition planning for Local Authorities and primary care trusts
www.dh.gov.uk/health/2012/01/transition-planning

Local government guidance on public health workforce matters
www.dh.gov.uk/health/2012/01/public-health-workforce/

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet Report	3 October 2011
Health & Wellbeing OSC	13 September 2011
Cabinet Report	17 March 2011
Health & Wellbeing OSC	18 January 2011

Public Health Transition Plan 2012-2013

**Draft Plan
as at January 2012**

DRAFT

Introduction

1. This first draft Public Health Transition Plan is designed to provide an overview of the work that is being undertaken on Wirral to enable transition of Public Health functions from NHS Wirral to Wirral Council to be as effective as possible, and to ensure continuity of delivery through 2012-13 and into 2013-14.
2. In drawing up this response we have taken into account the latest public health guidance, and the 'Public Health Checklist for local use' issued via NHS North of England.

Public Health Transition Project Infrastructure

3. The PH Transition Steering Group is in place which has met several times following their first meeting in November 2010. It has now been reviewed and a revised membership will ensure the delivery of a number of key workstreams (including HR, Finance and Commissioning). Appendix One shows Transition Steering Group structure together with the membership and purpose of each workstream.

Ensuring a robust transfer of systems and services

4. **Establishing a clear set of arrangements as to how the local public health system will operate during 2012/13 in readiness for the statutory transfer in 2013**

An annual plan is being drawn up to support the delivery of public health functions during 2012/13. A Memorandum of Understanding is being proposed to allow public health staff to start working in shadow form with the Local Authority from April 2012. This is due to be considered by the local authority Cabinet on 2nd February 2012, and will be part of the final transition plan submitted to the Cluster PCT.

5. **Creating a clear local plan which sets out the main elements of transfer including functions, staff and commissioning contracts for 2013/14 and beyond**

Following the publication of the overview of the new PH system by the Department of Health on the 20th December 2011, the workstream groups identified in Appendix One will now develop a clear local plan that covers the areas stated.

6. **Establishing transition milestones**

Appendix Two provides an outline of the high level milestones for the Public Health transition during 2012-2013. The key milestones will be the approval of the transition plans in March 2012, and the MOU becoming operational from April 2012.

Ensuring a clear local plan for developing the JSNA in order to support the H&WB strategy

A recent paper outlining how the JSNA for Wirral is being developed and refreshed was presented to the Health & Wellbeing Board in December 2011. The presentation clearly identified a timeline and actions that will need to be taken to ensure that we have a draft Health and Wellbeing Strategy in place by July 2012. To support this, Wirral has been successful in securing sponsorship by the National Leadership Academy Place Based Leadership Programme. This resulted in the agreement of a Development Plan which has six projects agreed by the Health & Well being Board. The JSNA and the Joint Strategic Health Strategy has been identified as one of those projects. It has been agreed for the following six projects to be addressed in the following order:

1. Making Difficult Decisions
2. Board Leadership Behaviours
3. JSNA and the Joint Strategic Health Strategy
4. Extending Engagement
5. Public Health Programme and Transition
6. Understanding how the H&WB can support the reshaping of services

The existing multi-agency JSNA Executive Board will continue to lead the ongoing development and utilisation of robust joint intelligence and strategic needs assessment to inform strategic planning and strategic commissioning of services in Wirral through Wirral's Health & Wellbeing Board's Joint Health & Wellbeing Strategy.

7. Ensuring a smooth transfer of commissioning arrangements for the services described in *Healthy Lives, Healthy People* that Local Authorities will be responsible for commissioning

The Commissioning Working Group is a sub group of the PH Transition Steering Group as shown in Appendix One. This group will work on developing a clear plan in order for transition to be as effective as possible.

8. Ensuring a smooth transfer of those PH functions and commissioning arrangements migrating to NHS CB and PHE

The PH Transition Steering Group has responsibility for overseeing the transfer of these staff and will develop a plan upon receipt of more guidance clarifying the functionality of these bodies and clarifying the process for the transfer of these areas. Discussions are in place for Dental Public Health transition. It is unclear at this point how screening and vaccination/immunisation commissioning will operate at NHS CB level, so this is an area we will wish to explore between January and March.

9. Delivery of a core offer providing LA based public health advice to Clinical Commissioning Groups

The Public Health team is currently working with our local clinical commissioning groups and with the emerging commissioning support organisation to propose how local authority public health advice can be delivered. The agreement will form part of the Memorandum of Understanding which details the functions of public health, and then it is likely that the MOU will be the mechanism by which we agree the relationships and commitments between local CCGs and the Local Authority public health function.

Delivering public health responsibilities during transition and preparing for 2013/14

10. Consideration of how future mandated services are to be delivered during transition and in the new local public health services:

This will clearly be affected by the level of budget received from 2013, and until that information is available it is difficult to estimate the exact impact. Under Local Authority decision making processes, Cabinet will have to agree the budget allocation for 2013/14.

10.1 Appropriate access to sexual health services

All commissioned services will maintain service throughout 2012-13. Commissioners and providers foresee no undue strains on services to the public. A number of core contracts are timed to cease on 31st March 2013 triggering a re-tendering process to be completed during 2012-13. This will see the integration of reproductive and sexual health services (RSH) community based services across the Wirral sexual health economy providing a 'one-stop shop' model to the public.

10.2 Plans in place to protect the health of the population

The Director of Public Health will continue to ensure that there are plans in place to protect the health of the population from threats ranging from relatively minor outbreaks to full scale emergencies. Public Health currently lead on emergency preparedness within NHS Wirral and will work with appropriate partners when the operational guidance for the system-wide emergency preparedness, resilience and response model is communicated to enable there to be a robust and resilient handover of responsibilities.

There will be local plans for immunisation and screening as well as acute provider's plans for prevention and control of infection.

10.3 Public health advice to NHS commissioners

There is a Public Health representative on the Boards of all three Clinical Commissioning Groups on the Wirral. This is either the Director of Public Health or the Deputy Director of Public Health. These PH reps have played an active role since the formation of the Boards. All the CCG Boards are

supportive of the PH role and proactively engage with Public Health when seeking advice.

It is anticipated that the NHS Commissioning Board (NHSCB) will have effective working arrangements with public health professionals from the local authority. Public Health England will also be providing advice to the NHSCB.

10.4 National Child Measurement Programme

Over recent years, the School Nursing Service has consistently achieved 97% coverage and 100% of parents have received feedback letters following the measurement programme. For 2012-13 NHS Wirral have enhanced the commissioning of the programme to include additional capacity for a school nurse trainer to contact all parents of children who are recorded as obese to encourage them to take up the offer of additional support, including attendance at a weight management programme. In addition, financial support will be available for those schools where obesity levels are high, for them to identify appropriate evidence based measures to increase healthy weight within their school community. Delivery of the NCMP will not be impacted by our intention to review and commission the School Nursing specification from 2013, as delivery of the NCMP will be included as a priority within the revised service specification.

10.5 NHS Health check assessment

Health checks in Wirral are currently provided solely by GP practices (with lifestyle support from the Community Programme, Smoking Cessation services etc. This will continue during transition. Following transition of this responsibility to the local authority we will expect to review the provision of health checks with the aim of:

- securing more meaningful referral and outcome data
- encouraging increased referrals into lifestyle support services

11. **Ensuring clarity around the delivery of critical PH services/programmes locally, specifically:**

11.1 Screening programmes

It is clear that screening will be a core responsibility of Public Health England but that Local Authority will have a role in challenging, supporting and reviewing the delivery of the programmes. The details of the Public Health England role and the delivery approach and interaction with local public health teams is yet to be shared. The role of the Director of Public Health in ensuring that screening programmes are based on and deliver population needs seems strengthened.

NHS North West wrote to all Directors of Public Health (Autumn 2011) requesting them to review all our screening programmes in order to consider the transition risks and the actions in place. A standard set of questions was

developed for this purpose by NHS North West, and these questions have been answered for all Wirral current screening programmes. As a result we have a comprehensive view of the status of the NSC screening programmes on the Wirral, the commissioning processes and the issues. Public Health is committed to collaborative working to address the generic risks across the cluster, and a smooth handover of screening responsibilities to the new organisations. The funding issues for some of the programmes are less well understood at this time.

It is expected that the Health and Wellbeing Board scrutiny of health services will also encompass screening.

There are risks within the system during transition (also applicable to immunisation programme):

- i. The potential of an overall loss of capacity
- ii. Changes to governance and accountability arrangements that may fully not be understood by stakeholders
- iii. Loss of capacity to adequately identify and respond to clinical screening incidents
- iv. Professional and clinical isolation of public health screening staff

The PH Transition Steering Group will monitor risks associated with the transition and take action to mitigate / escalate these as appropriate.

11.2 Immunisation programmes

During transition, we do not envisage any significant change to the local provision of V&I programmes. The role of Immunisation Coordinator (and support staff) will remain. Governance of local V&I programmes will be maintained via the Wirral Immunisation Steering group and the Health Protection Strategy Group.

A service specification will be developed for the midwifery element of the seasonal flu programme.

During the transition year, V&I training (including new immuniser core training and update training) will be commissioned by Wirral's Public Health department. From 2013/14, the commissioning of V&I training will become the responsibility of the CCGs. A handover plan is currently under development.

Given the crucial V&I role played by CHIS, an interim support arrangement will be put in place to ensure that data requests are dealt with adequately during transition. We await the recommendations of the CHIS Transition Steering Group and Public Health England regarding future commissioning of the service.

With a view to 2013/14, we will await further clarification regarding the extent of the local public health role in provision of local V&I programmes. Future commissioning responsibilities for V&I at a local level have been described so

far as supporting, reviewing and challenging delivery, making local plans and advising whether local programmes are meeting the needs of the population. The future role has also been described as providing 'challenge and advice to the NHS Commissioning Board'. The precise nature of this and the processes for achieving this have yet to be detailed.

11.3 Drugs & alcohol services

There is no concern regarding the commissioning of the delivery of these services which are currently performing effectively. In drawing up commissioning plans for 2013/14 we will be using our multi-agency DAAT to ensure that we can increasingly make the most of partnership opportunities which might emerge through reform.

11.4 Infection prevention & control

This has been identified as an area that requires strengthening following the retirement of the former Director of Infection Prevention and Control (DIPC) from Women's Services. The Director of Public Health has DIPC responsibility and has been working with the Health Protection Unit to support them in recruiting a Consultant in Health Protection on a 12 month fixed term basis. The postholder will have a number of programmed activities focused on supporting the Director of Public Health in ensuring that NHS Wirral fully meets its statutory responsibilities and all other obligations relating to health protection, particularly for Healthcare Associated Infections (HCAI) and TB commissioning. This is an area where we would expect to work on a wider footprint than the borough alone, and will explore with our colleagues in both Cheshire and Merseyside.

11.5 Summary of Collaboration between Cheshire & Merseyside Directors of Public Health

The Directors of Public Health (DsPH) in Cheshire and Merseyside (CM) operate as a federation to maximise their capacity to reduce health inequalities and improve and protect the health and wellbeing of communities across CM.

In 2003 the CM DsPH established Cheshire and Merseyside Partnerships for Health (ChaMPs) which is an award winning public health network that includes Local Authorities, NHS, Police, Fire Service and the Third sector. The ChaMPs annual Business Plan and delivery programme is overseen by a multi-agency Steering Group Chaired by Sefton MBC CEO and led by the CM DsPH. ChaMPs is currently funded via the CM PCTs and enhanced by external funding from a variety of sources. In 2011/2012 the collaborative investment from CM PCTs to the network was £413,270 with an additional £578,000 external investment. The total investment funds a dedicated Programme team and 2 NW Programmes that ChaMPs currently hosts.

The CM DsPH recognise that working collaboratively across CM secures financial gain by the exploitation of economies of scale through improved

commissioning, reduced management cost, by sharing specialist public health expertise, and opportunity to attract external income. The following are examples of work delivered through the ChaMPs Network approach:

Building strategic partnerships – facilitated strategic partnerships such as the City Region Safer Healthier Communities Board and Cheshire Warrington Health and Wellbeing Commission, enabling multi-agency collaborations focusing on reducing alcohol harm.

Reduced costs in commissioning:

Procedures of low clinical value – provided strategic direction and public health expertise and evidence to Directors of Commissioning and Finance to develop a strategic framework for procedures of low clinical priority that influenced contractual arrangements across CM and enabled an **estimated £40M in savings**

Specialist healthy weight management services – developed evidence based standardised healthy weight management pathway and set an agreed BMI threshold to reduce the demand for bariatric surgery. By implementing the threshold and based on 2008/2009 referrals CM PCTs would have seen a reduction of 277 bariatric referrals with an **estimated £1.87M savings**

Improved outcomes:

Bowel cancer screening pilot – developed with GPs a social marketing project to target non-responders for bowel cancer screening with the early findings showing **an increase in responders of 8%**. This work has received national best practice reviews and is being nationally shared

Award winning alcohol and healthy weight social marketing campaigns – developed targeted campaigns that have shown a reduction in alcohol consumption in harmful drinkers and an improvement of healthy eating in children

In the transition period the DPHs are focusing on local integration, enhanced by aggregation of some functions where there is evidence this would reduce cost and improve outcomes. This includes:

- specialist public health expertise to commission PH programmes for Local Authorities, support CCGs and ensure the responsibilities of the NHS Commissioning Board are discharged effectively
- ensure health protection, within the context of PHE retains local sensitivity
- maximise public health intelligence expertise and ensure strategic coherence
- engage effectively with Cheshire and Merseyside wide partnerships
- ensure organisations are in the optimum position to take up the new health premium and benefit from the new CM PHE Unit.

The CM DsPH have collaborated effectively for 8 years and are committed and engaging with local government to develop an effective, efficient, fit for purpose public health system at the Cheshire & Merseyside level post-2013.

12. **Establishing a clear local plan which sets out the main elements of transfer including functions, staff and commissioning contracts for 2013/14 and beyond.**

The PH Transition Steering Group has responsibility for overseeing these main elements and will ensure the workstream sub-groups shown in Appendix One will deliver the required outcomes. The functions and structure of public health will be described within the Memorandum of Understanding.

Workforce

13. **Working in accordance with the principles encapsulated within the Public Health Human Resources Concordat**

There is an HR Working Group that reports into the PH Transition Steering Group and they will ensure changes adhere to the HR transition principles stated within the Public Health Human Resources Concordat. There is senior HR representation from both NHS Wirral and Wirral Council on both these groups.

There is currently the intention to operate in shadow form within Wirral Council from from 1 April 2012. This is subject to Council agreement in February. A Memorandum of Understanding (MOU) regarding the public health function has been drafted that encapsulates the principles within the Concordat. The draft MOU has been shared with staff within the department, and appropriate consultation will take place involving trade unions.

Governance

14. **Ensuring robust internal accountability and performance monitoring arrangements for the transition year**

A monthly Public Health Governance meeting was established in June 2011 which is designed to provide effective local assurance that governance of the public health programme is being appropriately managed. This is currently chaired by the Vice-Chair of NHS Cheshire, Warrington & Wirral PCT Cluster and to support the transition of responsibility to the local authority the Portfolio Holder for Social Care & Inclusion also attends. The Director of Public Health and other senior colleagues of the Public Health team are members of the meeting.

Monthly reports are produced to ensure effective monitoring of progress against performance targets, PH Annual Plan, spend plan, forward plan and the risk register. Any under performance or variance is highlighted and appropriate action agreed upon and subsequently monitored.

The schemes of delegation will be considered as the detail of the transition is worked through.

15. Establishing and testing robust arrangements in place for key public health functions during transition

15.1 Accountability and governance

The PH Transition Steering Group will be monitoring the status of risks identified on the risk register as being present during such a transition and mitigating those actions appropriately. The status of risks will only be deemed closed when the DPH is appropriately assured. They will manage the issues log and address matters appropriately. The PH Transition Steering Group will ensure the NHS Cheshire, Warrington and Wirral Cluster will be kept updated regarding progress made by the PH Steering Group during transition.

This risk register will also be shared with senior PH managers at the monthly Public Health Governance meetings. The Wirral Health Protection Strategy Group will also identify any concerns that may be prevalent regarding the transition period.

It is to be noted that further guidance is required for those public health functions that will have a different operating model to the present approach.

The Director of Public Health is currently accountable directly to the Cluster PCT Chief Executive and the local authority Chief Executive, through 1:1 meetings and appropriate reporting ensures that accountability for the public health functions is delivered.

15.2 Details of how the DPH, on behalf of LA, assures themselves about the arrangements in place

When there has been significant changes associated with the transition, then the DPH will seek assurance from relevant agencies that processes are in place and that the relevant people have been communicated to and trained appropriately. The DPH will also seek assurance that appropriate members of the public health team within the local authority are able to interact with partners, when appropriate.

The PH Transition Steering Group will also be monitoring the status of risks identified on the risk register as being present during such a transition and mitigating those actions appropriately. The status of risks will only be deemed closed when the DPH is appropriately assured.

15.3 Lead DPH arrangements for Emergency Planning and how it works across the LRF area

At the LRF level, it is planned for a lead DPH from a local authority within the LRF area will co-ordinate the public health input to planning, testing and responding to emergencies across the local authorities in the LRF area. Together with the lead director for NHS emergency preparedness from the NHS Commissioning Board, the DPH will co-chair the Local Health Resilience Partnerships (LHRPs) and represent the LHRPs at the LRF.

We are awaiting further clarity from the Department of Health as over the coming months they develop more operational guidance for the system-wide emergency preparedness, resilience and response model.

16. Clinical governance arrangements during transition including for example arrangements for the reporting of SUIs/incident reporting and Patient Group Directions

Public health related incidents are escalated to the lead PH Consultant, sometimes via the lead PH commissioner, who will then liaise with appropriate stakeholders and organise a Root Cause Analysis (RCA) or an investigation meeting, as appropriate. The PH Consultant would also liaise with QA / SHA / NTA colleagues, as appropriate. Serious Untoward Incidents (SUIs) are reported to the multi-agency Wirral Health Protection Strategy Group and also to the monthly PH Governance meetings. The PCT Cluster are also informed of SUIs.

Patient Group Directions are currently used for the safe provision of local vaccination programmes. Governance arrangements for PGDs are tight and will remain so. Each one is signed off according to a strict protocol, which is led by the V&I lead from Medicines Management in collaboration with the HPU for Cheshire & Merseyside.

17. Agreement of a risk sharing based approach to transition between the PCT Cluster and the Local Authority.

The Memorandum of Understanding articulates how particular staffing and financial risks will be managed during 2012/13, and further work will be considered as the implications of transition are worked through. The PH Transition Steering Group (refer to Appendix One which shows good representation from senior personnel from both NHS Wirral and Wirral Council) will consider how this approach may be taken forward.

The PH Transition Steering Group also regularly review operational risks that arise during the transition period. It is the responsibility of the Steering Group to monitor and review these risks and take action, where appropriate, to mitigate these risks.

18. Developing an agreed approach to sector led improvement

The preparation 'toolkit' being produced in early February 2012 plans to support transition describing best practice and also to inform sector-led improvement and support needs for 2012-13. This will be reviewed upon its

publication and any appropriate action will be taken with the relevant parties to progressing sector-led improvement.

19. Engagement of the local authority in the PCT cluster approach to PH transition

The Chief Executive of Wirral Council has participated in the PH Transition Steering Group since its first meeting in November 2010. In March 2011, Wirral Council's Chief Executive visited NHS Wirral and delivered a briefing session to the Public Health staff within NHS Wirral outlining the position at that moment in time.

In October 2011, the Director of Public Health has also presented papers to Wirral Council's Cabinet meeting outlining the future public health responsibilities being placed on local authorities and providing an overview of future milestones.

In June 2011, Wirral Councillors attended one of two Public Health awareness sessions designed to further enhance their awareness regarding the role, activities and responsibilities of Public Health.

Wirral Council's Chief Executive, Deputy Chief Executive / Director of Finance, Head of HR & OD and Head of Communications & Community Engagement are also members of the Public Health Transition Steering Group (refer to Appendix One) which will be meeting regularly in 2012-2013.

The Director of Public Health is a member of the Council's Chief Officer Executive Team and able to discuss any operational issues on behalf of the Cluster through that route.

20. Process for formally signing-off PH Transition Plan by Wirral Council

A paper outlining the Public Health Transition Plans will be presented to Wirral Council's Cabinet meeting on 2 February 2012 by the Director of Public Health.

There will be more detailed plans as the plans and budgets develop and with a clear timeline. Consequently, future papers relating to the transfer of functions, staff and commissioning contracts from NHS Wirral to Wirral Council will be presented to the appropriate committee meeting within the local authority.

Enabling infrastructure

21. Identification of sufficient capability and capacity to deliver the transition plan

The multi-agency membership of the PH Transition Steering Group and

workstream groups has been agreed with relevant individuals actively involved in delivering the required outcomes. There are currently no anticipated problems regarding the capability and capacity of identified resources.

22. Identification and resolution of significant financial issues

These will be addressed through the finance workstream of the PH transition steering group. Risks are largely linked to the outcome of the publication of the shadow budget.

23. PCT cluster/LA agreed novation /other arrangements for the handover of all agreed PH contracts

This is an area which will need to be considered as the implications of transition are worked through. The Commissioning workstream group will progress these arrangements.

24. Clinical and non-clinical risk and indemnity issues identified and arrangements agreed for contracts

This is an area which will be considered as the implications of transition are worked through. The Commissioning workstream group will progress these arrangements.

25. Plans to ensure access to IT systems, sharing of data and access to health intelligence in line with information governance and business requirements during transition and beyond transfer

There is a Facilities workstream group that will be tasked with delivering work around IT systems and telecommunications. This work will progress once a decision has been made regarding the location of the office accommodation to be used by the Public Health team. Milestone date for this position by end of June 2012 (See Appendix Two). The PH Transition group are responsible for ensuring data sharing protocols and related governance requirements are in place.

26. Issues in relation to facilities, estates, asset registers been resolved

At this point a full assessment of any issues has not been undertaken and will form part of the work of the transition group. They will also form part of the work being done to understand how the public health grant will support a local public health function. It is anticipated that current equipment being used by the PH team would be part of the transfer. The future location of office accommodation for Public Health staff needs to be determined which will then enable appropriate plans to be developed and delivered to ensure staff are working in appropriate working conditions and accessing Wirral Council's IT system.

27. **Plan in place for the development of a legacy handover document during 2012/13**

The legacy handover document will be produced for January 2013 (See Milestone summary within Appendix Two). This document will provide guidance / be a record to: NHSCB, Wirral Council, CCGs, PH England and other partner agencies as appropriate. The first draft will enable engagement with partners to ensure an accurate and informative document is completed. The PH Transition Steering Group will ensure that its development is monitored and on schedule.

Communication and Engagement

28. **Establishing a robust communications plan**

The Communications & Engagement workstream group will be in place by March 2012 (see Appendix One). This group will develop a robust communications plan and will ensure this feeds into the communications network for Health & Wellbeing Board which is being established. Members of the communications network will receive a briefing note which will be produced following meetings of the PH Transition Group over the next 12 months. There will be more formal communications sent to relevant partners in a timely manner informing them of progress regarding the transition.

29. **Engagement plan involving stakeholders, patients, public, providers of PH services, contractors and PHE**

The Communications & Engagement workstream group will be in place by March 2012 (see Appendix One). This group will develop a robust engagement plan and will ensure that there is appropriate and timely engagement with the relevant partners.

In addition, the public health workstream of the Health & Wellbeing Board will support continued relationships and engagement of a wide range of stakeholders in delivering on public health outcomes.

Finance

30. Public health budgets for the financial year 2012/13 are in the process of being set, these budgets are based on the recurrent and non-recurrent control totals set by the PCT. Consistent with this financial year the budget for the coming year will be expressed in terms of the commissioning responsibilities for activities in April 2013 as determined by the DOH, these include the Local Authority, Public Health England, the National Commissioning Board and CCGs.

The shadow budget for Public Health is due to be published shortly, when it is, it will become clear whether there is a gap between the budgets set and

that which will transfer to the Local Authority in April 2013. If a shortfall in budget is determined, there will be a process of prioritisation of activities undertaken in order to ensure the gap is met by the end of the next financial year.

Next Steps

31. Following publication of the new PH policy papers in December 2011, the Public Health Transition Steering Group now has more clarity to progress work and is able to ensure a robust approach is taken for planning an effective transition and providing clear outcomes for the transition workstream groups to deliver. It will convene in January 2012 and will meet on a regular basis.
32. NHS Wirral aims to use the preparation 'toolkit' that is currently being co-produced by the Department of Health and the Local Government Association, which is anticipated to be published in early February 2012.
33. Await the financial allocations for the shadow budget and review the financial implications resulting from this information and plan the necessary action.
34. Review and respond appropriately to further information and guidance regarding the transition.
35. Communicate and engage with all the regular stakeholders as appropriate.

Fiona Johnstone
Director of Public Health
Wirral

Kevin Carbery
Public Health Business Manager / Head of Emergency Planning
NHS Wirral

10th January 2012

Proposed Workstreams for Managing the Public Health Transition

Public Health Transition Steering Group				
Membership:				
Wirral Council <ul style="list-style-type: none"> Portfolio Holder for Social Care & Inclusion Chief Executive Head of HR & OD Director of Finance Head of Communications & Community Engagement 	NHS Wirral <ul style="list-style-type: none"> Vice-Chair NHS Cheshire, Warrington & Wirral PCT Cluster Director of Public Health Deputy Director of Public Health Director of Comms & Engagement 	<ul style="list-style-type: none"> HR Manager PH Strategy Manager PH Business Mgr 	NHS Wirral Staff Reps <ul style="list-style-type: none"> Staff Rep (PH team) Staff Rep (PH team) Staff Rep (DAAT) Staff Rep (PHIT) 	
<i>Workstreams:</i>				
Human Resources	Finance	Facilities (inc IT, telecomms and office location)	Commissioning	Communications & Engagement
Wirral Council: <ul style="list-style-type: none"> Director of HR HR Officer NHS Wirral <ul style="list-style-type: none"> Director of Public Health HR Manager Workforce Information PH Business Manager Staff Side <ul style="list-style-type: none"> TU Staff side(s) – as appropriate 	Wirral Council: <ul style="list-style-type: none"> Director of Finance Head of Finance NHS Wirral <ul style="list-style-type: none"> Director of Public Health Director of Finance Senior Management Accountant PH Business Manager 	Wirral Council: <ul style="list-style-type: none"> Estates Manager IT Manager IT / Telecom Officer NHS Wirral <ul style="list-style-type: none"> PH Business Manager Capital Projects & Premises Mgt Corporate Support Manager 	Wirral Council: <ul style="list-style-type: none"> Commissioning Mgr Governance Manager NHS Wirral <ul style="list-style-type: none"> Deputy Director of Public Health Public Health Strategy Manager Head of H&WB, Children & Young People Acting Head of H&WB, Healthy Communities Head of Performance & Intelligence PH Consultant Senior Mgt Accountant PH Business Manager 	Wirral Council: <ul style="list-style-type: none"> Head of Comms & Community Engagement NHS Wirral <ul style="list-style-type: none"> Director of Comms & Engagement Head of Communications Head of Involvement & Patient Experience PH Strategy Mgr Head of Health & Wellbeing, Children & Young People Acting Head of H&WB, Healthy Communities PH Business Mgr

Appendix One (continued)

Overview of Purpose of the PH Transition Steering Group & different workstream groups

Working Group	Draft Purpose
PH Transition Steering Group	<ul style="list-style-type: none">• To ensure that the PH Transition is implemented as effective as possible.• Manage and monitor the different workstreams and address any problem areas• Manage the risks associated with the transition & address appropriately.
Human Resources	<ul style="list-style-type: none">• To assess all aspects of the HR Workstream associated with the transfer of Public Health services are delivered and facilitate a joint partnership approach to the management of the Public Health TUPE transfer of staff and services to Wirral Borough Council and ensure that joint consultations, discussions, decisions and liabilities are appropriately overseen.
Finance	<ul style="list-style-type: none">• To ensure that the funding related to all current PH activity is appropriately allocated to LA, PH England & NHS Commissioning Board. To compare the shadow budget to real budgets and ensure plan is developed to address the variance.• Agree with Wirral Council what the future planned budget commitments are and understand any budget pressures.• Establish costs of support functions; office accommodation• Establish who will be closely supporting & monitoring the PH spend at an operational Finance level
Commissioning	<ul style="list-style-type: none">• To ensure a seamless transition with the PH team liaising closely with relevant colleagues / decision making groups within LA when making contractual decisions that will be the responsibility of LA from April 2013.• Agree the process by which either NHS or LA contractual processes need to be followed.• To ensure that appropriate contractual processes are fully abided by and followed for any decisions made after April 2013.
Facilities (inc IT, telecomms and office location)	<ul style="list-style-type: none">• To ensure that PH staff can access Wirral Council's IT system and telecoms in an appropriate and timely manner.• Facilitate a decision regarding the location of PH office space and take action, as appropriate.
Communications & Engagement	<ul style="list-style-type: none">• Ensure a robust communication plan is developed and delivered which considers Health & Well being Board; CCGs; NHSCB; Health Watch; local professional networks etc.• Ensure a robust engagement plan is developed and delivered involving stakeholders, patients, public, providers of PH services, contractors and PH England.• Map out all current PH communication & engagement activity and ensure plans are in place so PH staff receive appropriate support during and after the transition.

Note: The purpose of these groups may change over time as more guidance emerges and the planning becomes more detailed.

Appendix Two

Milestones for Public Health Transition

Agreed transition plan in place for public health <ul style="list-style-type: none">○ Draft plan to be considered by the PH Governance meeting on 8th February 2012○ Transition Plan to be presented to NHS Cheshire Warrington Wirral Cluster Board on 7th March 12○ Transition Plan to be presented to Wirral Council's Cabinet meeting on 2nd February 2012○ NHS Cheshire Warrington Wirral Cluster to have integrated plans in place on 16th March 2012 – plan to be agreed with Local Authorities	March 2013
Development of a communication and engagement plan	First draft March 2012
Agreed approach to the development and delivery of the local public health vision	June 2012
Agreed arrangements on public health information requirements and information governance	September 2012
Test arrangements for delivery of specific public health services (in particular screening and immunisation)	October 2012
Test arrangements for the role of public health in emergency planning (in particular the role of the Director of Public Health and local authority based public health)	October 2012
Ensure early draft of legacy and handover documents	October 2012
Delivery of final legacy and handover documents	January 2013
Agree local arrangements for local authority to take on public health functions Shadow form	April 2012
Statutory handover (subject to Health & Social Care Bill)	April 2013

Appendix 2

DRAFT PROPOSAL FOR A MEMORANDUM OF UNDERSTANDING

DATED

(1) NHS CHESHIRE, WARRINGTON & WIRRAL
(2) WIRRAL COUNCIL

Memorandum of Understanding
Alignment of PCT staff to Wirral Council

THIS MEMORANDUM OF UNDERSTANDING IS MADE ON [insert date]

PARTIES

- (1) NHS CHESHIRE, WARRINGTON & WIRRAL whose principal place of business is at Quayside, Greenalls Avenue, Stockton Heath, Warrington WA4 6HL, and
- (2) WIRRAL COUNCIL whose principal place of business is at Town Hall, Brighton Street, Wallasey, Wirral, CH44 8ED

1. Glossary

- 1.1. If a word or term in this Memorandum of Understanding ('this Memorandum of Understanding') is capitalised, it will have the meaning set out in the Glossary in Schedule 1.

2. Purpose

- 2.1. The PCT has agreed to align certain employees to fulfil the Functions ("being the oversight, management and governance of the Public Health functions, with the exception of Business planning and continuity which sits within Emergency Planning within the PCT ") under the management of WIRRAL COUNCIL.
- 2.2. This Memorandum of Understanding does not set out every detail about the alignment of staff and the incidental arrangements. It sets out a high level summary of the basis of the agreement between the Parties.
- 2.3. With the exception of paragraphs 5 to 12 inclusive (Key Terms, Costs, Information sharing and Data Protection Act; Confidentiality and Intellectual Property, Freedom of Information, Counterparts, Governing Law and Third Party Rights), and the provisions of the 1st and 2nd Schedule, this Memorandum of Understanding is not intended to be legally binding upon the Parties.

3. Background

- 3.1. Statute (the National Health Service Act 2006) enables the PCT to work jointly with local councils in the interests of efficiency. Additionally the Local Government Act 2007 extended the wellbeing powers given to local councils under sections 2(1) and 3(5) of the Local Government Act 2000.
- 3.2. The PCT has been working jointly with WIRRAL COUNCIL for several years under joint commissioning arrangements in a number of areas, including some senior joint appointments, for example the Director of Public Health.
- 3.3. The Government set out in July 2010 its intention to abolish Primary Care Trusts by March 2013. The Government's White Paper also set out intentions to transfer public health functions from Primary Care Trusts to new arrangements located in upper tier local councils.
- 3.4. The PCT and WIRRAL COUNCIL are entering into this Memorandum of Understanding to begin the permanent movement of public health functions, from the PCT to WIRRAL COUNCIL.
- 3.5. Both parties recognise that in future a permanent transfer of some staff may take place subject to certain safeguards and approvals. For the avoidance of doubt, however, this Memorandum of Understanding executes a temporary alignment of staff on an interim and temporary basis, as defined in the Department of Health Letter from Sir David Nicholson dated 17 February 2011,(to view letter go to

http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Dearcolleagueletters/DH_124440) and not a transfer of staff.

4. Timetable

- 4.1. The Parties intend this Memorandum of Understanding to take effect from [insert date]

5. Key Terms

- 5.1 From [insert date], WIRRAL COUNCIL shall be responsible through the Director of Public Health for the oversight, management and governance of the Public Health functions with the exception of business planning and continuity. WIRRAL COUNCIL shall utilise its existing management and governance arrangements in connection with the functions. In practice, this will mean that:
- 5.1.1 the Aligned Staff and Transferring Functions will be managed on a day to day basis by WIRRAL COUNCIL, but for the avoidance of doubt the PCT shall retain ultimate managerial control of the Aligned Staff ;
 - 5.1.2 the Aligned Staff shall remain employees of the PCT
 - 5.1.3 the WIRRAL COUNCIL Chief Executive, or his nominated deputy, shall attend such relevant meetings of the Boards of the PCT as the PCT may reasonably require for the purposes of discussing the operation of the Transferring Functions; and
 - 5.1.4 WIRRAL COUNCIL, with the cooperation of the PCT, shall ensure that appropriate organisational governance procedures are in place for the oversight of the Transferring Functions and will provide the PCT with periodic assurances and risk reports regarding the services.
- 5.2 WIRRAL COUNCIL will undertake the Transferring Functions with all reasonable skill and care, in accordance with all Change Management Policies, guidance and legislation applicable to the Transferring Functions in such a manner
- 5.2.1 so as to ensure business continuity of the Transferring Functions;
 - 5.2.2 that is consistent with the PCT and WIRRAL COUNCIL discharging their statutory functions; and in cooperation with all relevant stakeholders.
 - 5.2.3 that is consistent with the principles of the national Public Health Human Resources Concordat.
- 5.3 The PCT will follow its own managing change policies for any consultation within the transition.
- 5.4 The PCT shall take all reasonable steps to ensure the cooperation of the Aligned Staff with WIRRAL COUNCIL in respect of their responsibilities under paragraph 5.2 and this Memorandum of Understanding in general.
- 5.5 The Transferring Functions under this Memorandum of Understanding shall be provided on a cost neutral basis. There shall be no payment made for the day to day management function provided by WIRRAL COUNCIL
- 5.6 The Aligned Staff to be deployed to WIRRAL COUNCIL under this Memorandum of Understanding will be so deployed on the basis more particularly set out at Schedule 2.

- 5.7 The Aligned Staff shall not immediately move their work location to offices within the premises of WIRRAL COUNCIL, but may be required to do so in the future in accordance with the provisions of their contracts of employment.
- 5.8 The term of this Memorandum of Understanding will be from [insert date] until 31 March 2013 or until the PCT ceases to exist or ceases to have responsibility for the Transferring Functions, whichever is the earlier, unless terminated earlier in accordance with paragraph 5.8 or 5.9 below.
- 5.9 This Memorandum of Understanding may be terminated by written agreement between both Parties signed under hand by the agreed representatives of both Parties. Termination agreed in this way shall not take effect until any required period of consultation with the Aligned Staff and other affected staff is completed and in any case not until three months after the date of the signed agreement to terminate.
- 5.10 This Memorandum of Understanding will terminate on the full transfer of Aligned Staff to WIRRAL COUNCIL should that transfer be agreed between the Parties or required by statute, statutory instrument or by Order
- 5.11 The PCT shall provide support services to WIRRAL COUNCIL under this Memorandum of Understanding in respect of the Aligned Staff to include payroll, human resources (including training) and insurance and commissioning staff functions commensurate with the duties of the employing organisation as set out at Schedule 2.
- 5.12 WIRRAL COUNCIL shall not provide support services to the PCT under this Memorandum of Understanding.
- 5.13 Without prejudice to the provisions of paragraph 1. of the 2nd Schedule, both parties shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither party intends that the other party shall be liable for any loss it suffers as a result of this Memorandum of Understanding.
- 5.14 The Parties share financial risks to the extent described under existing agreements between the Parties.
- 5.15 Senior managers of WIRRAL COUNCIL shall report to WIRRAL COUNCIL on all matters relating to the operational management and oversight of the Transferring Functions. WIRRAL COUNCIL shall take over the oversight, management and governance of the functions and shall utilise its existing management and governance arrangements in connection with these Functions.
- 5.16 The agreed representative for each Party will be: the Chief Executive Officer for each Party.
- 5.17 Disputes will be referred to the Chief Executive Officer of each Party as defined in clause 5.16.
- 5.18 The financial liability of each staff group within the Transferring Functions is set out in Schedule 2 of this Memorandum of Understanding.

6. Costs

- 6.1. The PCT and WIRRAL COUNCIL agree to pay their own costs and expenses incurred in connection with the negotiation, preparation and signing of this Memorandum of Understanding and any of the documents mentioned herein.

7. Information sharing and Data Protection Act

- 7.1 The Parties shall registered under the Data Protection Act 1998 (“DPA”) and the Parties will duly observe all their obligations under the DPA which arise in connection with this Memorandum of Understanding and
- 7.1.1 to take appropriate technical and organisational measures against accidental loss or destruction of and damage to any personal data; and
 - 7.1.2 not to transfer any personal data outside the countries of the European Economic Area without and only to the extent of any written consent of the relevant data subject and the other Parties.
- 7.2 Notwithstanding the general obligation in this clause, where any Party is processing personal data (as defined by the DPA) as a data processor for any other Party (as defined by the DPA), that party shall ensure that it has in place appropriate technical and organisational measures to ensure the security of the personal data (and to guard against unauthorised or unlawful processing of the personal data and against accidental loss or destruction of, or damage to, the personal data), as required under the Seventh Data Protection Principle in Schedule 1 to the DPA.
- 7.3 The Parties undertake to:
- 7.3.1 provide the each other with such information as another Party may reasonably require to satisfy itself that they are complying with its obligations under the DPA;
 - 7.3.2 promptly notify the relevant Party of any breach of any security measures required to be put in place pursuant to the DPA; and
 - 7.3.3 ensure that it does nothing knowingly or negligently which places another party in breach of that Party’s obligations under the DPA.
- 7.4 The provisions of this clause shall apply during the continuance of this Memorandum of Understanding and indefinitely after its expiry or termination.
- 7.5 Subject to the requirements of this Clause 7 and the Data Protection Act the Parties agree throughout the Period of the Memorandum of Understanding to co-operate with others in the provision to the others of information reasonably required to enable them to report on their statutory obligations and planning overall strategies to meet statutory obligations

8. Confidentiality and Intellectual Property

- 8.1 Each Party acknowledges that it is a public authority within the meaning of Schedule 1 of the Freedom of Information Act 2000. In consideration of each Party providing confidential information to the other in connection with the Memorandum of Understanding or any tender or transfer of services, the PCT and WIRRAL COUNCIL each agree not to (and will make sure that no officer, employee or agent acting on its behalf will) disclose to any other party any confidential information concerning or in connection with the Parties or this Memorandum of Understanding, subject to its obligations under the Freedom of Information Act 2000, the Code of Practice on Openness in the NHS (4 August 2003) and any other applicable laws, rules, regulations and guidance. PCT employees will be required to consider conflict of interest if commissioning services from WIRRAL COUNCIL.
- 8.2 All written information and data made available by one Party (“the Disclosing Party”) to the other (“the Receiving Party”) hereunder is confidential (“Confidential Information”) and each Party undertakes to treat such Confidential Information with the same care as it would reasonably treat its own confidential information.
- 8.3 Each Party will ensure that its staff comply fully with the principles and requirements set out in the Caldicott Report.

- 8.4 Each Party undertakes that the transmission of patient related information will comply with the PCT's Information Governance requirements and will be sent to safehaven addresses whether transmitted electronically, by facsimile or post.
- 8.5 Each Party will use all reasonable endeavours to ensure that the Confidential Information is not copied or disclosed to any third party whatsoever.
- 8.6 Upon written request of the Disclosing Party on expiration or termination of this Memorandum of Understanding the Receiving Party will return to the Disclosing Party all Confidential Information not previously returned.
- 8.7 The obligations contained in this clause will survive termination of this Memorandum of Understanding by ten (10) years.
- 8.8 Information shall not be considered as Confidential Information where it is:
- 8.8.1 already in the public domain other than through default of the Receiving Party;
 - 8.8.2 already in the Receiving Party's possession with no obligation of confidentiality; or
 - 8.8.3 Independently developed by the Receiving Party without reference to the Confidential Information.
- 8.9 Any samples, plans, drawings or information relating to the subject matter of this Memorandum of Understanding supplied to or specifically produced by one Party for another, together with the copyright, design rights or any other intellectual property rights in the same, shall be the exclusive property of the Disclosing Party and shall be used solely by the Receiving Party for the purposes of this Memorandum of Understanding.

9. Freedom of Information

- 9.1 The Parties acknowledge that the other Parties are subject to the requirements of the Freedom of Information Act and the Environmental Information Regulations 2004 and each Party shall assist and co-operate with the others (at their own expense) to enable the other Parties to comply with these Information disclosure obligations.
- 9.2 Where a Party receives a Request for Information ("Request for Information" means any request for information made pursuant to the Freedom of Information Act 2000 or the Environmental Information Regulations 2004") in relation to information which it is holding on behalf of any other Party, it shall (and shall procure that its sub-contractors shall):-
- 9.2.1 transfer the Request for Information to the other Party as soon as practicable after receipt and in any event within two Working Days of receiving a Request for Information;
 - 9.2.2 provide the other Party with a copy of all information in its possession or power in the form that the other Party requires within five Working Days of that Party requesting that information; and
 - 9.2.3 provide all necessary assistance as reasonably requested by the other Party to enable that Party to respond to a Request for Information within the time for compliance set out in section 10 of the Freedom of Information Act or regulation 5 of the Environmental Information Regulations 2004.

- 9.3 Where a Party receives a Request for Information which relates to this Memorandum of Understanding, it shall inform the other Party of the Request for Information as soon as practicable after receipt and in any event within two Working Days of receiving a Request for Information.
- 9.4 If a Party determines that information (including Confidential Information) must be disclosed, then it shall notify the other Party of that decision at least two Working Days before disclosure.
- 9.5 The Parties shall be responsible for determining at their absolute discretion whether the Information:-
- 9.5.1 is exempt from disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004;
- 9.5.2 is to be disclosed in response to a Request for Information.
- 9.6 The Parties acknowledges that the other Party may, acting in accordance with its obligations under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 or in accordance with a decision of the Information Commissioner, the Information Tribunal or other similar court or tribunal be obliged under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 to disclose Information:-
- 9.6.1 without consulting with the other Party, or
- 9.6.2 following consultation with the other Party and having taken its views into account.
- 9.7 The Parties agree and acknowledges that any information disclosed in accordance with paragraph 9.6 above will not amount to a breach of any part of this Memorandum of Understanding.

10. Counterparts

This Memorandum of Understanding may be executed in any number of counterparts, each of which when executed will constitute an original of this Memorandum of Understanding, but all the counterparts shall together constitute the same Memorandum of Understanding.

11. Governing law

This Memorandum of Understanding and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

12. Third party rights

This Memorandum of Understanding is for the benefit of, and where applicable, is binding on the Parties and their respective successors and assigns. Anyone who is not a party to this Memorandum of Understanding will not have any rights under this Memorandum of Understanding.

SCHEDULE 1

GLOSSARY

Aligned Staff: Those staff detailed under Schedule 2 who will remain employees of the PCT but be managed on a day to day basis by WIRRAL COUNCIL for the PCT under the terms of this Memorandum of Understanding

Confidential Information shall mean any information which has been designated as confidential by any Party in writing or that which ought to be considered as confidential (however it is conveyed or on whatever media it is stored) including information which relates to the business, affairs, properties, assets, trading practices, Services, developments, trade secrets, intellectual property rights, know-how, personnel, customers and suppliers of either Party, all personal data and sensitive personal data within the meaning of the Data Protection Act 1998;

Transferring Functions The functions and management arrangements to be undertaken by WIRRAL COUNCIL under this Memorandum of Understanding, as set out in paragraph 5.1

PCT The PCT being the organisations with which the Aligned Staff have their contract of employment

Employee Emoluments All employment related outgoings including salaries, wages, bonus or commission, holiday pay, expenses, national insurance and pension contributions and any liability to taxation;

Parties The PCT and WIRRAL COUNCIL;

Interpretation:

- References to any statute, statutory instrument, regulations or guidance are references to those as from time to time amended, replaced, extended or consolidated.
- References to any statutory body shall include its statutory successor(s) or assign(s).

SCHEDULE 2

STAFF ALIGNMENT ARRANGEMENTS

- 1.1. The Parties agree the following arrangements for the alignment of Aligned Staff to WIRRAL COUNCIL
- 1.2. The Aligned Staff shall remain employed by the PCT in accordance with their contracts of employment and the PCT shall remain entirely responsible for all payments due to or with respect to them including all PAYE (Pay As You Earn) and NHS Pension Scheme payments and for any action which may be required in relation to the employment of the Aligned staff such as action in respect of conduct, attendance or performance but the PCT shall consult with WIRRAL COUNCIL about any such proposed action and should WIRRAL COUNCIL become aware of any act or omission of the Aligned Staff which may constitute any material breach of their terms or conditions then WIRRAL COUNCIL shall notify the PCT.
- 1.3. For the avoidance of doubt, the period of the alignment of staff is intended to end upon the termination of this Memorandum of Understanding.
- 1.4. The Parties shall consult with each other about any proposal to make any change to the terms and conditions of employment of the Aligned Staff but it shall be the responsibility of the PCT to consult with the Aligned Staff about such changes to terms and conditions and ultimately to implement any changes.
- 1.5. WIRRAL COUNCIL shall be responsible for ensuring that the Aligned Staff receive appropriate supervision, appraisals and reviews where their previous line management arrangements within the PCT no longer exist following their alignment
- 1.6. All Aligned Staff under this Memorandum of Understanding will have an entitlement to annual leave in line with their NHS (National Health Service) terms and conditions of employment. Arrangements for holiday absences will be initially discussed and agreed with the operational line manager, who will ensure that relevant PCT receives a contemporaneous note of all holidays taken and those planned for each member of staff.
- 1.7. WIRRAL COUNCIL will ensure that if there is a change in location to premises which it controls there are sufficient resources in order for the Aligned Staff based at those premises to be operationally effective. This will include sufficient desks, chairs, (but not telephony and computer equipment), together with a secure and safe internet connection.
- 1.8. Where the Parties agree there is a business need for the same the Parties will provide Aligned Staff with equitable access to mobile telephones, which will be regularly maintained.
- 1.9. Aligned Staff will complete paperwork required by the PCT and will have access to stationery and resources to enable them to function on a day to day basis.
- 1.10. All Aligned Staff will be deployed to work with WIRRAL COUNCIL. They will be accountable to the Director of Public Health, through their respective line management structure regardless of professional background. This will include accountability for performance activity and budget management against the respective service and management of their workload.
- 1.11. All parties will work to the highest standards of service quality and will strive for continuous improvement and use the following PCT or WIRRAL COUNCIL equivalent codes of organisational practice.

a) Clinical Governance

- b) Infection Prevention and Control
 - c) Patient Information Confidentiality
 - d) Information Security and Governance, including the transmission and receipt of personal identifiable information using safehaven procedures.
 - e) Controls Assurance
 - f) Audit
 - g) Equipment maintenance, testing and calibration standards
 - h) Care Quality Commission (CQC) Quality and Safety Outcomes
 - i) Reporting of Risks and Incidents
 - j) All relevant standard operating procedures regarding the services covered by this Memorandum of Understanding.
- 1.12 Access to reports on performance against the above standards will be made available at the reasonable request of any Party.
- 1.13 All Parties will take account of the key principles of the NHS Constitution and operate within all NHS standards, guidance, protocols, policies and mandates and deliver the services with due care and diligence.
- 1.14 All Parties will comply with all regulations and guidelines set by the statutory bodies and professional organisations regarding training and practice of their professional and administrative staff for the services covered by this Memorandum of Understanding. All Parties will further ensure that their respective professional staff fulfil the requirements for registration to practice with the relevant UK registration body and are so registered.
- 1.15 All Parties will warrant that each member of staff involved in the delivery of this Memorandum of Understanding has the appropriate level of qualifications, experience and competency and have the appropriate level of Criminal Records Bureau and security clearance.
- 1.16 All Parties will comply with their own organisational processes for reporting and managing serious incidents; the review and management of which will be fully discussed between the parties. Where required and appropriate, action plans will be produced and shared.
- 1.17 The Parties do not believe that the arrangements under this Schedule constitute a relevant transfer for the purposes of the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") but in the event that it is agreed or determined that TUPE does apply then:
- 1.17.1 the PCT shall be responsible for all Employee Emoluments in relation to the Aligned Staff up until the date of termination of this Memorandum of Understanding even if the date of the transfer is deemed to have occurred earlier;
 - 1.17.2 the PCT shall indemnify and keep WIRRAL COUNCIL indemnified against all claims, losses, damages or awards including any associated legal costs incurred by WIRRAL COUNCIL arising out of or relating to any act or omission of the PCT arising from or relating to the employment of the Aligned Staff or its termination prior to the date of the termination of this Memorandum of Understanding or the date upon which any transfer of staff in accordance with TUPE is deemed to have occurred if earlier; and
 - 1.17.3 the PCT and WIRRAL COUNCIL shall otherwise cooperate with each other to determine such other required financial contributions and other necessary arrangements that may be required to give effect to the transfer.

- 1.18 For the avoidance of doubt, the PCT shall continue to be responsible in respect of any claims or other liabilities whatsoever which arise in respect of or from the Aligned Staff and in respect of any claims or other liabilities to any third party arising out of any act or omission of the Aligned Staff during the term of the Memorandum of Understanding and it will continue to maintain such relevant NHSLA cover in respect of the Aligned Staff except for all claims or liabilities arising from any act or omission of WIRRAL COUNCIL.
- 1.19 The PCT shall use its reasonable endeavours to procure the consent of the Aligned Staff to WIRRAL COUNCIL having access to such personal data relating to the Aligned Staff which is under the PCT' control as may be reasonably required by WIRRAL COUNCIL.
- 1.20 Nothing in this Schedule shall be construed as having the effect of forming or recording any relationship of employer and employee between the Aligned Staff and WIRRAL COUNCIL.
- 1.21 Nothing in this Schedule shall preclude Aligned Staff from being able to pursue employment opportunities within the NHS on the same basis as other NHS employees.
- 1.22 Financial responsibility for PCT staff remains with the PCT and if any WIRRAL COUNCIL staff are aligned under the management of the Director of Public Health, financial responsibility remains with WIRRAL COUNCIL.
- 1.23 Budgetary responsibility is held by the Director of Public Health, who is accountable to both PCT and WIRRAL COUNCIL under their respective financial protocols and procedures

Schedule 3

Governance and Accountability of PCT staff aligned with WIRRAL COUNCIL

[to be agreed]

Schedule 4

Extract from the Public Health Human Resources (HR) Concordat published by the Department of Health, 17 November 2011.

Overarching public health HR transition principles

The agreed HR transition principles that should apply throughout are to:

1. consult and engage with employees and their representatives and make sure they are kept fully informed and supported during the change process
2. promote transparency, equitability and fairness in all transfer, selection and appointment processes
3. ensure professional and respectful behaviour towards all employees moving between organisations
4. work with pace to minimise disruption and uncertainty for employees affected by change
5. ensure the consistent treatment of employees at all levels
6. actively promote equality and diversity standards through all transfer, selection and appointment processes
7. highlight necessary compliance with relevant employment legislation
8. undertake early engagement with employees and unions to enable effective and sustainable change. There will be partnership working with trade unions at a national, regional and local level
9. ensure that there is an equality impact assessment of the proposed changes
10. ensure that all reasonable steps are taken to avoid redundancies
11. work to ensure that valuable skills and experience are retained
12. ensure that employees who leave the NHS and local authorities are supported and treated with dignity and respect
13. use the transition process to enable shared learning and career opportunities between the NHS and local authorities wherever possible.

THIS MEMORANDUM OF UNDERSTANDING is duly executed on the date stated above
by

.....
Kathy Doran – Chief Executive of NHS Cheshire, Warrington & Wirral Cluster
For and on behalf of NHS Wirral

.....
Jim Wilkie, Chief Executive
For and on behalf of Wirral Council

WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	ADULT SOCIAL CARE EFFICIENCY PROGRAMME
WARD/S AFFECTED:	ALL
REPORT OF:	GRAHAM HODKINSON, DIRECTOR OF ADULT SOCIAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANNE MCARDLE
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform members of the National Adults' Social Care Efficiency Programme and the receipt of an award for £20,000 to the Department of Adult Social Services to fund external support to challenge and refine current savings plans and transformation strategies.

2.0 RECOMMENDATION/S

- 2.1 That Cabinet note the acceptance of the Department of Adult Social Services on the National Adults' Social Care Efficiency Programme and the receipt of the grant of £20,000 towards external support.

3.0 REASON FOR RECOMMENDATION/S

- 3.1 To inform Cabinet of the receipt of a grant that will enhance the capacity of the Department of Adult Social Services to develop efficiency and savings plans and take part in a nationally sponsored programme that will share best practice between local authorities.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 In November 2011 the Local Government Association (LGA) wrote to all Directors of Adult Social Services (<http://www.local.gov.uk/adult-social-care-efficiency>) regarding its productivity programme which was set up in 2010 and focused on three main areas, including social care. The aim of the programme is to:
- support councils to improve productivity and deliver savings
 - bring councils together to share innovation and learn from each other
 - engage central government and partner organisations in a debate about longer term and more radical options to improve productivity.

- 4.2 As part of the productivity programme, the LGA has developed an Adult Social Care Efficiency programme. Directors were told that the programme would work with up to 15 authorities in 2011- 12, and a further 15 in 2012-13, to develop and implement the comprehensive and innovative approaches required to help make further savings while protecting services and delivering the vision for social care.
- 4.3 Grants are to be made available to authorities to fund external support to challenge and refine current savings plans and transformation strategies in line with the Association of Directors of Adult Social Services (ADASS) whole systems approach to managing reduced resources. The intention being that through working with these authorities, the programme will develop a set of evidence about how this can be delivered, for the benefit of all local authorities.
- 4.4 An application duly supported by Councillor McArdle, as Cabinet Portfolio Holder, the Chief Executive and the Director of Social Services, attached at Appendix 1, was submitted on 9 December 2011. On 21 December 2011 the department was informed that it had been successful and that £20,000 is to be made available to fund external support to enhance the capacity of the Department of Adult Social Services to develop its efficiency and savings plans. The grant will be made available on the basis that:
- participating authorities are responsible for selecting and commissioning external support and complying with relevant procurement requirements
 - participating authorities agree to develop the required phase 1 outputs
 - participating authorities commit to share the findings of the exercise with the LGA in order to maximise the learning for the rest of the sector. As part of this process, authority confidentiality and independent intellectual property rights will be respected.
- 4.5 A briefing of all participating authorities took place on 19 January 2012, attended by representative of Wirral Council, at which further expectations of participating authorities was outlined
- i) The first phase of the projects will be relatively short (4-6 weeks), with the programme working with individual authorities to:
 - confirm their specific objectives for the programme
 - understand the council's vision for the future of adult social care
 - review existing savings plans and the scope for other savings.
 - ii) The programme will provide an external challenge that enables councils to understand what further steps they must take to achieve their existing transformation and efficiency plans, and crucially, support them in the delivery of these.
 - iii) Phase 1 of the programme will include:
 - a review of current savings/transformation plans and progress against them
 - a clearly articulated strategy for making further savings and delivering the authority's vision for social care
 - an identified level of savings to be delivered over a two-year period

- plans for delivering and monitoring savings and changes to relevant key indicators.
- iv) The main focus of the programme is on delivering the approaches outlined in phase 1. The programme will take a long-term approach to working with authorities over a period of 12-24 months as savings are delivered and transformation is embedded. This will include monitoring the savings delivered and changes to the key indicators relevant to the changes authorities choose to implement (e.g. numbers admitted to residential care, numbers with ongoing care requirements post re-ablement).
- v) Focusing on delivery will ensure that the most valuable case studies/lessons learnt, tools and techniques can be identified and shared more widely across the sector. It is therefore assumed that participating authorities will proceed to implementation after phase 1 is completed. It is also expected that authorities may wish to utilise external support for phase 2 of the programme, subject to complying with relevant procurement requirements. The specific assistance required will depend upon the diagnostic in phase 1 and the council's preferences for implementing it. However, this could include direct support in implementing the strategy or establishing a performance monitoring system that will assist in tracking finance and activity changes.
- vi) The LGA and its partners will maintain ongoing liaison with participating authorities and provide in-kind support during phase 2 to:
- advise on commercial arrangements for external support
 - review progress in implementing proposals and delivering savings and the vision for social care
 - share information and learning about challenges faced by individual authorities and the solutions identified
 - develop case studies and support tools to be made available to other authorities.
- 4.6 The department intends to use its participation in the programme to develop not only its efficiency and budget strategy but to also compliment its overall approach to Intelligent Commissioning. These developments will be subject to further reports to Cabinet.

5.0 RELEVANT RISKS

- 5.1 In agreeing to take part in the Adult Social Care Efficiency Programme there is a commitment by the department to ensure resources are dedicated to its delivery. However, as the programme is complimentary to the overall budget strategy of the department this is not seen as a significant risk.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 No other options were considered; the offer of a grant to enhance departmental capacity to deliver efficiencies was not available from any other source.

7.0 CONSULTATION

7.1 At this stage no consultation has taken place; as the Efficiency Strategy emerges it may be necessary to consult with services users, carers and partners if there is a potential impact on service delivery and design.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There may be opportunities to involve voluntary, community and faith organisations, dependent on the areas identified in the efficiency programme.

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

9.1 A grant of £20,000 is being made available to the Council which it is expected to use on the commissioning of external services to support the development of an efficiency programme.

10.0 LEGAL IMPLICATIONS

10.1 No specific legal implications have been identified at this stage

11.0 EQUALITIES IMPLICATIONS

11.1 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 No specific carbon reduction implications have been identified at this stage

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 Planning permission is not required.

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APPENDIX

Adult Social Care Efficiency Programme Application

REFERENCE MATERIAL

Local Government Association - Adult Social Care Efficiency Programme - November 2011 <http://www.local.gov.uk/adult-social-care-efficiency>

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

ADULT SOCIAL CARE EFFICIENCY PROGRAMME APPLICATION

1. Local Authority Details

Wirral Council

A Metropolitan Borough Council

2. Factual Information

Total Adult Social care Net Budget: **£69,063,100**

Savings target 2011/12: **£16,900,000 (20% Budget saving)**

Savings target 2012/13: **Council savings target of £20.6m. The allocation for Adult Social Services is still to be determined. Savings target of £6.5m if allocated on a pro rata basis.**

3. Supporting Information

3.1 Rationale for applying

3.1.1 Background

3.1.1.1 In May 2010 an inspection team from the Care Quality Commission visited Wirral Council to assess the council's delivery of social care. The inspection team looked at how well the Council was:

- Safeguarding adults whose circumstances made them vulnerable
- Making a positive contribution for adults with a learning disability
- Increasing choice and control for adults with a learning disability

3.1.1.2 The findings of the inspection criticised the Council's performance in safeguarding adults and increasing choice and control for adults with a learning disability, stating these services were "poor". The Council was rated "adequate" on making a positive contribution for adults with a learning disability. The Council's capacity to improve was categorized as "uncertain".

3.1.1.3 As a consequence the Council was judged "Adequate" for Adult Social Care services in the final round of the CQC Annual Performance Assessments. It will remain in this category until it has made sufficient progress to satisfy the National Programme Board (Towards Excellence in Councils' Adult Social Care) that it should no longer be classed as "adequate".

3.1.1.4 The Council's response to this was to

- i) produce an Improvement Plan which addressed the areas of weakness highlighted by the CQC and which the lead inspector described as "...very thorough, heartening and positive, showing that although the messages resulting from the inspection had been tough, the Council was taking it very seriously".
- ii) produce in December 2010 under the leadership of an Interim Director a strategic plan which set out a whole systems approach to improvement. The thrust of this was to improve
 - Policies, procedures and practice
 - Service Design
 - Financial Planning
 - Workforce development
 - Communication and engagement

3.1.2 Progress in the last 12 months

3.1.2.1 Enhancing quality of life for people with care and support needs

- i) In the last 12 months there has been a "step change" in the Department's approach to personalisation through:
 - a) the development of a personal budget based on self assessment as the universal offer to service users
 - b) a rigorous programme of staff development to enhance the quality of assessment and support planning
 - c) working with service users, carers and the market to develop a wider range of choices including both in-house and innovative external provision.
- ii) The work undertaken has significantly improved the experience people have of initial contact and assessment. This is borne out by direct customer feedback.

3.1.2.2 Delaying and reducing the need for care and support

- i) The Department has agreed and is in the process of implementing a strategic approach to developing prevention and early intervention services. This focuses on the following areas:
 - a) ensuring universal accessibility, for example, the sourcing of an information hub, Wirral Well, in conjunction with Voluntary and Community Action Wirral (VCAW) and the NHS
 - b) working in partnership with other Council Departments, for example, through the Healthy Homes initiative and supporting people

- c) by reducing the need to enter formal care, for example, through very substantial investment in assistive technology
- d) by enabling recovery and independence, for example, the “team around the person” and integrated approach to re-ablement.

3.1.2.3 Ensuring that people have a positive experience of care and support

- i) The Department has been engaged in a significant amount of work to enhance the quality of life for people with care and support needs through:
 - a) its work on personalisation as described above
 - b) building the capacity of the community to help shape services, for example the citizenship sub group of the Learning Disability Partnership Board
 - c) improving the quality of its own services, for example, the commissioning of a more flexible and appropriate Short Term Assessment and Re-ablement (STAR) service
 - d) improving the quality of external provision, for example, the end of life training programme for domiciliary care staff.
 - e) direct involvement of service users and carers in commissioning, both at individual and system-wide levels.
- ii) The work undertaken has greatly improved the quality of service provision to people with care and support needs.

3.1.2.4 Safeguarding adults whose circumstances make them vulnerable and protecting from avoidable harm

- i) Since December 2010 there has been significant improvement in the Council’s ability to safeguard adults through:
 - a) Work undertaken to review policy and procedure and strengthen the Safeguarding Adults Partnership Board
 - b) The strengthening of safeguarding management, for example, by bringing children’s and adults safeguarding management within one structure
 - c) Improving the management of referral and assessment systems, for example locating a safeguarding social worker within the CADT
 - d) Improving practice by investing in training, audit and quality assurance.
- ii) There now exists a firm inter-agency policy and procedural framework around safeguarding, a common understanding of thresholds, a more efficient and effective process for managing the “front end” of the system and better trained and qualified workforce within DASS to assess and manage risk.

3.1.2.5 Commissioning and Resource Management

- i) In the last 12 months a significant amount of work has been undertaken to review, reduce and reallocate resources within DASS. There has been a significant degree of shift from being a provider to a commissioning organisation. This has led to a large saving to the public purse whilst maintaining or improving the quantity, quality and range of services available. Work has been focused in three main areas:
 - a) Consultation and Priority setting, for example, “Wirral it’s your future – Be part of it”
 - b) Commissioning processes, for example, re-provision of supported living and re-letting of contracts
 - c) Budget Management, for example, the delivery of over £12m of savings.
- ii) This could not have been achieved without good leadership, willingness of staff to embrace change and hard work.

3.1.2.6 Self Improvement

- i) One of the steps taken to establish the Wirral’s approach to self regulation in the wake of CQC withdrawing their system of annual inspection was to produce a Self Evaluation document. This examined the progress made by the Department against the Plans described in 3.1.1.4 above and provided evidence about whether the Department had made sufficient improvement to apply to be reclassified as “Performing Well”. In addition to recognizing the considerable achievements made by the Department in the past 12 months it concluded
 - The building blocks for improvement are in place
 - The building blocks need “bedding in”
 - Performance management processes need to be developed
 - Strategic Commissioning needs further development
 - Budget savings need to continue to be delivered
- ii) The Self Evaluation process has also highlighted two other issues which are of relevance to this application; these are
 - Improvement has been made but without the existence of a strategy which addresses the whole system. The Department believes that the development of such a strategy would enable it to make more informed decisions about service improvement
 - The Department is on target to deliver £12m of savings in 2011/12 but has not had the capacity to undertake the type of audit described in **How to make best use of reducing resources: a whole system approach**. The Department believes that having the ability to develop the approach advocated would enable it to deliver even further savings and efficiencies over the next 24 months.

- ii) The Department believes taking part in the Adult Social Care Efficiency Programme will enable it to bring the various elements together into a coherent, strategic whole and achieve the objectives outlined below.

3.2 Objectives for the programme

3.2.1 These can be summarised as:

- To articulate the Council's vision for the future of adult social care
- To develop a strategy to deliver savings in excess of £6m across the whole adult social care system within 24 months
- To develop an implementation plan/departmental business plan to deliver the strategy
- To develop effective performance management measures and processes which bring together financial and activity data to monitor achievement against the ASCOF outcome domains
- To share learning with other authorities.

3.3 Other supporting information

The following documents describe in more the journey that Wirral Department of Adult Social Services has made in the past 12 months; beginning with a poor inspection report through a plan to move forward to the recent self evaluation of the progress made and a realistic acknowledgement of the challenges that lie ahead:

CQC Improvement Plan

Making the Leap

Self Evaluation Cabinet Report 24 November 2011

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	FEEES FOR RESIDENTIAL AND NURSING HOME CARE
WARD/S AFFECTED:	ALL
REPORT OF:	GRAHAM HODKINSON, DIRECTOR OF ADULT SOCIAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANNE MCARDLE
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 Councils have to negotiate with residential and nursing home providers regarding fees paid for care services. This would ordinarily take place during the Provider Forums on an annual basis. There have, however, been two legal judgements in the last 12 months which have resulted in the need to take account of the actual cost of providing services. There must now be a transparent consultation process relating to fee setting.
- 1.2 The Council introduced new contracts for residential and nursing home care in April 2011. The contract includes a clause relating to the annual review, and the setting of fees. The process requires consideration of changes in the market and cost pressures in the local economy for both home providers and for the Council.
- 1.3 The majority of homes provide residential places for Older People. Feedback from residential homes that provide places for people with learning or physical disabilities or mental health issues and their resistance in signing a contract with the Council has led officers to conclude that fees for these Adult residential homes need to be considered separately. At present 70% of residential places for Adults with learning or physical disabilities or mental health issues are purchased on a bespoke cost basis. A detailed review of how these costs are determined, focussing on delivering greater consistency and transparency is to be consulted on.
- 1.4 A process of consultation and engagement with home providers and with service users has therefore been put in place in order to minimise the risk of challenge, particularly through Judicial Review proceedings, in relation to how the Council has set its fees for 2012/13. In order that effective consultation can take place, Members are advised that the consultation will extend beyond the Budget Setting Council meeting in February 2012 with fees backdated to April 2012. Until such time that a definitive position on the fees is reached by the Council, the current fees will continue to be apply.

- 1.5 In order to ensure the process complies with statutory obligations it is necessary to develop a model of best available “indicative actual costs” as a basis for consultation with care home providers. This will be informed by data to be provided by the care homes during the consultation period demonstrating the actual costs incurred by them.
- 1.6 The suggested timeline to meet these new requirements is outlined in this report.
- 1.7 An area of concern has been identified in relation to compliance with legal advice and best practice, regarding the collection process for “third party top ups” i.e. additional private contributions to the cost of an individual’s care fees. Members are advised that the Directorate will need to realign procedures in order to ensure that vulnerable people are safeguarded in relation to this process. Financial risk in relation to payment of top ups would transfer to the Council in the event of a defaulting third party.

2.0 RECOMMENDATIONS

- 2.1 That the Consultation process as outlined in Appendix 1 is approved and the Director of Adult Social Services, in consultation with the Cabinet Portfolio for Adult Social Services, be authorised to undertake such steps (including a fee proposal) considered necessary to ensure effective Consultation with all relevant providers, partners and other stakeholders.
- 2.2 That approval is given to revise the process for payment and collection of third party top ups
- 2.3 That a further report be presented to Cabinet in June 2012 to agree the new fee levels and implementation of the revised third party top ups payment and collection process; and in the interim the current fee arrangements shall continue.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The Council must consult with all relevant home providers, partners and stakeholders, in determining the fees to be paid in the 2012/13 financial year for the provision of residential and nursing home services. The Council must take account of the actual costs of service delivery in determining the fees. The fee setting process is an important annual requirement and enables the Council to invite and consider views from relevant home providers, partners and stakeholders before any final decision is taken in relation to the fees to be paid.
- 3.2 The Council should manage the process of identifying third parties and collecting top ups from them where additional contributions are required over and above the Council’s contract price in order to safeguard vulnerable people.

4.0 BACKGROUND

4.1 CONSULTATION ON FEES

4.1.1 Councils have always had to consult with residential and nursing home providers, partners and stakeholders regarding any changes to the level of fees paid by councils for care services. There have recently been, however, a number of high profile legal cases regarding fees paid by local authorities to care homes. Notably:

i) Sefton Care Association and others v. Sefton Council (November 2011)

4.1.2 The Claimants asked the Court to review a decision taken by the Sefton Council in December 2010 to give no increase in the fees it paid to care homes for residential and nursing care for the second year in a row. The Claimants asserted that the Council had failed to take various required factors into account including the actual cost of care and consultation with care providers.

4.1.3 The Council argued that the “usual cost” of care (the fees it had set) had “nothing to do with the actual cost of care”. It argued that if the Council, by virtue of its dominant market position, could obtain care at less than its actual cost, then the “usual cost” could be less than the actual cost. The Council further argued that if it could meet the needs of residents for this lower “usual cost”, then it would have fulfilled its obligations to service users.

4.1.4 The Court disagreed with the Council and stated that there should not be a significant imbalance between the fees set by the Council and the actual cost of care. If a local authority consciously fixes the usual cost of care at a figure much less than the actual cost, this would cause an “inevitable reduction in the quality of service provision”, which “may put individuals at risk”.

4.1.5 The Court decided that the Council should have asked providers to substantiate their argument that the Council’s placements were under-funded by submitting detailed information regarding the actual cost of care.

4.1.6 The Court also directed that the Council should take into account local factors, such as local pay levels and property costs. Interestingly, the Court also held that the Council should consider its own dominant market position and the effect that position has in making care homes vulnerable if fees do not reflect actual costs.

ii) Forest Care Homes Ltd – Local Authority Fees Ruling (December 2010)

4.1.7 On 21 December 2010, the Administrative Court in Cardiff quashed the decision made by Pembrokeshire County Council regarding fee levels paid to care homes for 2010-11. The provider at the centre of the case (Forest Care Homes) challenged the fee setting decision made by Pembrokeshire County Council, by way of a Judicial Review.

- 4.1.8 The court held that Pembrokeshire's decision was unlawful for a number of reasons. Importantly, although it had taken its own budgetary constraints into account, it had failed to document the other factors it had considered when setting its fees rate. It also failed to show that it had adequately considered the consequences of its decision, particularly in relation to the human rights of the residents in the homes, whose interests are at the heart of the commissioning of care services.
- 4.1.9 The ruling sets a clear precedent: fee setting must take into account the legitimate current and future costs faced by providers as well as the factors that affect those costs, and the potential for improved performance and more cost-effective ways of working. The fees need to be adequate to enable providers to meet the specifications set by the commissioners together with regulatory requirements. Local authorities that fail to follow the principles in the case sufficiently may find themselves the subject of judicial review.
- 4.1.10 Clearly the Council has a duty to set its fees in line with the actual cost of care and to consult residential and nursing home providers, partners and other stakeholders on any changes to those fees. Following initial discussions with home providers, officers are updating a model developed by Laing and Buisson and giving consideration to the assumptions and validating the local factor(s) it takes into account. In 2011 home providers independently commissioned Laing and Buisson to undertake a data collection exercise with Wirral based homes and submitted it to the Council after the fees for 2011/2012 had been agreed by Cabinet. It is planned that from this work an initial fee proposal will be shared, with home providers, partners and other stakeholders as part of the formal consultation exercise that will commence on 27 February 2012.
- 4.1.11 The Council must provide sufficient information to providers, partners and other stakeholders with regards its proposals, which must include details of the fees being proposed for the 2012/13 financial year. The consultation exercise will enable all providers, partners and other stakeholders the opportunity to consider, evaluate and provide a response to the Council's proposals. The Council will thereafter consider all responses received before definitively deciding the level of fees it seeks to introduce for residential and nursing home services. The Council has also received representations from Wirral Care Homes Association who represent a significantly proportion of homes and officers are considering their offer to negotiate directly with the Council on behalf of these homes.
- 4.1.12 Appendix 1 outlines the Review and Consultation process. In relation to the Wider Consultation it is proposed to meet with service users, families of service users and representative groups and other stakeholders to consider the quality aspects of provision in more detail. These consultations will consider a range of quality issues and the changing expectations of people requiring care. The overall process is expected to be completed in June 2012.

4.2 THIRD PARTY TOP UPS

- 4.2.1 Guidance makes it clear that the Council, through DASS, must arrange to provide care in a person's preferred accommodation:

- subject to the accommodation being available and suitable to her/his needs; and
- provided that it does not cost more than the Council would usually expect to pay for care for someone with such needs.

4.2.3 Where a person is unable to make a choice because of ill health, then the wishes of the carer should be taken into account.

4.2.4 Guidance sets out that the cost test is not whether a cheaper option is available but what the Council would normally pay to meet a person's needs by the provision of residential care.

4.2.5 If a person chooses a more expensive option, the placement may be arranged by DASS providing a third party (e.g. a family member or friend) is prepared to meet the difference. In such cases, DASS should normally pay the full charge and recover the extra cost from the third party. Third party top-ups should only be happening where the third party has agreed to pay the additional amount in order that the person entering care can enter a particular home which is more expensive than the Council considers reasonable

4.2.6 If the Council has placed an unreasonable restriction on the amount which it considered reasonable, or if the person's needs can only be met by being placed in a particular home, a request for a third party top-up payment may be improper and may be open to legal challenge.

4.2.7 Any decision to enter into a third party agreement regarding more expensive accommodation must be informed by a risk assessment of the third party's commitment and capacity to sustain an agreement.

4.2.8 The Council must ensure that all additional payments are as a result of an informed choice, and that the rationale for the additional payments is fully transparent, for example, the rationale could be an optional additional service or an experience-based preference on the part of the service user.

4.2.9 It is anticipated that a further report will be brought to Cabinet in June when the consultation has been completed, reporting the outcome of the consultation process regarding fees and the implementation of a revised third party top up process. Subject to the outcome of the consultation, fee levels will be back dated to April 2012.

5.0 RELEVANT RISKS

5.1 If the Council does not follow the appropriate consultation process and fails to show due regard to the actual costs of providing care, any decision regarding revised fee levels would be likely to be subject of legal challenge.

5.2 The Council must demonstrate that it has considered the potential impact of any changes it makes in its relationship with the care home market and the fees it pays. It is therefore proposed that a full equality impact assessment will be completed to ensure the Council is not discriminatory in its actions.

5.3 The Council contract includes a clause relating to third party top ups. The reasons for such arrangements vary but should represent additional benefits to the service user. The Council must be compliant with legislation relating to third party payments and the current position is therefore to be reviewed and aligned with Best Practice. Failure to follow best practice could put vulnerable people at risk of exploitation and could be legally challenged.

6.0 OTHER OPTIONS CONSIDERED

6.1 None are available.

7.0 CONSULTATION

7.1 The purpose of the report is to agree the consultation process outlined above and in Appendix 1

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 A number of homes involved in the consultation will be from the voluntary, community and faith sector, they will be consulted in accordance with the agreed process.

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

9.1 Post consultation the detail of the financial implications of the outcome of fee level consultation will be available. It is recognised however that commissioning approaches would be required in order to contain any increase in fee levels in the overall DASS budget.

9.2 A specific project will scope the level of change required in contracting processes in order to facilitate appropriate practice in relation to third party top ups. A further report will be made available relating to the cost of this action.

10.0 LEGAL IMPLICATIONS

10.1 In reviewing the fees and tops ups paid, the Council will look to ways of ensuring that all people in receipt of a service are supported by a provider with whom there is a binding contract that provides certainty in relation to the fees/top ups charged/payable and enables improvements to be made to service provision and the manner in which they are delivered. A key outcome will be greater transparency in relation to provider costs and what people are being charged by providers.

11.0 EQUALITIES IMPLICATIONS

11.1 Equality Impact Assessment (EIA)

(a) Is an EIA required?

YES

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

12.0 CARBON REDUCTION IMPLICATIONS

12.1 No specific carbon reduction implications have been identified at this stage

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 Planning permission is not required.

REPORT AUTHOR: **Steve Rowley**
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APPENDIX

Review and Consultation Schedule

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Health and Wellbeing Overview and Scrutiny Committee: Progress Towards the Transformation of Adult Social Services Contracts For Personal Support	1 November 2010
Cabinet: Transformation of Adult Social Services Contracts for Personal Support	9 December 2010
Cabinet: Transformation of Adult Social Services - Contracts for Residential and Nursing Home Care and Personal Support	17 March 2010

Review and Consultation Schedule

Week beginning	Week	Details
16-Jan-12	1	Residential Forum - Consultation Launch with Home Owners' Forum 17 January 2012 Consultation Questionnaire sent out 18 January 2012 and revised time line
23-Jan-12	2	
30-Jan-12	3	
06-Feb-12	4	Return of Consultation Questionnaire and comments from Home Owners deadline 10 February 2012
13-Feb-12	5	Wider Consultation Launched
20-Feb-12	6	
27-Feb-12	7	Residential Forum Meetings at which Initial Fee Proposal will be shared with Home Owners. Owners given 4 weeks to consider following this meeting
05-Mar-12	8	Wider Consultation Completed 9 March 2012
12-Mar-12	9	
19-Mar-12	10	Initial Fee Consultation Completed 23 March 2012
26-Mar-12	11	
02-Apr-12	12	
09-Apr-12	13	
16-Apr-12	14	Residential Forum Meeting - Revised Fee Proposal taking into account home owner feedback. Owners given 4 weeks to comment on revised proposal following this meeting
23-Apr-12	15	
30-Apr-12	16	
07-May-12	17	Revised Fee Consultation Completed
14-May-12	18	Draft report to Cabinet for Director
21-May-12	19	
28-May-12	20	
04-Jun-12	21	Cabinet Meeting (date to be confirmed)

WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	<i>ASSISTIVE TECHNOLOGY SERVICE – TENDER OUTCOME</i>
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>GRAHAM HODKINSON - DIRECTOR OF ADULT SOCIAL SERVICES</i>
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANNE MCARDLE
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

1.1 This report outlines the recent tendering exercise for the provision of an Assistive Technology Assessment Service and a Telecare Installation, Monitoring, Maintenance and Response Service. Based on the outcomes of this tendering exercise the report makes a recommendation for the provider of this service and seeks approval from Cabinet to proceed to implementing the contract.

2.0 RECOMMENDATIONS

2.1 Cabinet is recommended to approve the provider identified 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) Accelerated Restricted Process as detailed in exempt Appendix 1.

3.0 REASONS FOR RECOMMENDATION/S

3.1 An accelerated restricted procurement process has been used to identify a provider that performed best against the agreed evaluation criteria and therefore the most economically advantageous.

4.0 BACKGROUND AND KEY ISSUES

4.1 Assistive Technology, which includes Telecare, frequently uses simple and discreet technology to help individuals live safely and independently in their own home, whilst also providing carer support. An individual's needs are 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 is available to individuals 24 hours a day, 365 days a year via connection to a monitoring/response centre.

4.2 The service has gone from supporting 1500 individuals in 2009/10 to significant growth. As of November 2011 there are over 4,200 people in Wirral in being supported by this service with this figure projected to rise to over 4,600 by April 2012. The vast majority of these individuals are older people.

4.3 Wirral Assistive Technology Service provision is currently delivered via a contract with Seniorlink Eldercare. The contract started in April 2008 and is due to continue until 31 March 2012. The contract has 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 is that these variations are so significant in terms of scope and value of resultant activity that it is necessary to re-tender the service. A new and more comprehensive service specification has been developed to fully reflect the current scope of the service and future developments.

- 4.4 An original tendering exercise took place during the Summer 2011 and Cabinet approved the provider identified as part of that exercise on 1 September 2011. During the statutory standstill period (Alcatel) it became apparent that a key requirement of the contract could no longer be met by the identified provider. Resultant investigation and communication was overseen by Corporate Procurement with advice and guidance from the Council's Legal Services. Following investigation recommendations were made to, and supported by, Cabinet on 13 October 2011 to abandon the process and initiate a new tender with a revised specification to address the specific issues concerned. The existing contract was extended to 31 March 2012 to allow this to happen.
- 4.5 Tender documents were issued on the 3 November 2011 OJEU (Official Journal of European Union) Accelerated Restricted Process.
- 4.6 Evaluation was 60% price and 40% quality. Detailed method statements were prepared to assist the evaluation of quality. An evaluation panel was established to score the quality elements of the tender. This panel included the Assistive Technology Strategic Development Manager, a specialist adviser from DASS, the Principal Finance Manager from DASS, a service user, a representative of the local Voluntary, Community and Faith Sector and a representative of the Older Peoples Parliament.
- 4.7 Four tenders were received by the deadline and were subsequently evaluated for quality and price.
- 4.8 A revised specification and tender documents that specifically addressed the issues raised in the previous tender were produced with guidance, advice and agreement from the Council's Legal Services and Corporate Procurement Teams. Audit has subsequently confirmed that they would be satisfied with adherence to a procurement process that was prescribed by the Corporate Procurement Team and was supported by accurate records. The process has been adhered to in terms of timelines, documents and decision making and detailed records/documents have been retained, prepared and checked.
- 4.9 The new specification allows for all key aspects of the service to be contained if necessary and will provide an effective mechanism for controlling expenditure. The specification and tender is on a cost/volume basis rather than agreed levels of activity. The contract and payments will be based on actual activity delivered at a fixed cost rather than having a pre-agreed total contract value (although an upper limit will be specified).
- 4.10 The tender is for 12 months from 1 April 2012 with an option to extend for two additional renewals, each for a period of up to 12 months not exceeding 31 March 2015. This timeline combined with the approach outlined in 4.9 above will support continued developments towards personal budgets.

4.11 Details of the evaluation for the submitted tenders, including identification of the provider which evaluated highest overall are contained within exempt Appendix 1.

5.0 RELEVANT RISKS

5.1 As specified in 4.3, advice from the Council's Legal Services was that due to significant variation from the original contract awarded in 2008 that it is necessary to re-tender under a revised contract.

5.2 All providers addressed transition and handover issues in their tender which have been fully considered as part of the tender evaluation process.

6.0 OTHER OPTIONS CONSIDERED

6.1 As highlighted in 5.1 no other options for continued provision of this service were viable.

7.0 CONSULTATION

7.1 Assistive Technology has been discussed widely at a local and national level and still features heavily in policy direction particularly about the shift toward prevention. Locally, Assistive Technology has been discussed at Health & Wellbeing events and has the support of the Older Peoples Parliament. Assistive Technology also featured in the Wirral: *be part of it* consultation. Again there was support for the service, although there was a recommendation to explore the possibility of introducing nominal charging. This is currently being researched with findings and options to be presented early 2012 and allied to the publication of an Assistive Technology Strategy for Wirral.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 This has been an accelerated restricted procurement process. Due to the nature of the service it is not possible to disaggregate it to provide opportunities for local Voluntary, Community and Faith organisations. Otherwise no implications have been identified. A representative from the local Voluntary, Community and Faith Sector was involved in the evaluation panel.

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

9.1 The budget for this service for 2011/2012 is £1,530,300 (including costs of equipment). This includes £174,000 from NHS Wirral.

9.2 The existing costs for the elements of the service are assessment, installation, maintenance of equipment, review, monitoring and response (excluding cost of equipment), has been compared to the proposed costs provided within this procurement exercise, and in almost all aspects there has been a notable reduction. Overall, the costs for the new contract can be said to represent significantly improved value for money compared to current costs for the same levels of activity, allowing the Council to support more people within existing resources. However, it should be noted that the original contract was awarded in 2008 following a tendering exercise, when it was identified as the most economically advantageous at that time. The current tariff reflects the growth of this market and the increase in competition.

9.3 The specification and tender is not for agreed levels of activity and is on a cost/volume basis. Payment is based on actual activity. The specification allows for all key aspects of the service to be contained if necessary

9.4 Care Services Efficiency Delivery Unit (CSED) of the Department of Health was engaged to conduct a financial evaluation of telecare in Wirral. Estimating avoided costs on the basis of diagnosis at assessment and assumed prevention of more substantial care needs. This gave a Return on Investment (albeit presently non-cashable), of £2.18 for every £1 spent across the health and social care economy.

9.5 There are no staffing, IT or asset issues for Wirral Council.

10.0 LEGAL IMPLICATIONS

10.1 A revised specification and tender documents that specifically addressed the issues raised in the previous tender were produced with guidance, advice and agreement from the Council's Legal Services and Corporate Procurement Teams.

11.0 EQUALITIES IMPLICATIONS

11.1 At present this is a universal service for which no equality issues have been identified.

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 None identified.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 None identified.

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APPENDICES

None

EXEMPT APPENDICES:

Appendix 1: Tender Evaluation Summary.

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	13/10/11
Cabinet	01/09/11
Cabinet	13/01/11
Cabinet	18/03/10

WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	SCHOOLS PFI CONTRACT INFLATION AND TEACHERS PREMATURE RETIREMENT COSTS 2012-13
WARD/S AFFECTED:	ALL
REPORT OF:	ACTING DIRECTOR OR CHILDRENS SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANN MCLACHLAN
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This report identifies the increased costs in the Children and Young People's Department in 2012-13 arising from inflationary uplifts to the Council's 9 school PFI contract and pension payments to teachers who are in receipt of an additional pension from the council following Early Retirement.

2.0 RECOMMENDATION/S

- 2.1 That the increased PFI costs of £322,700 and Teachers Premature Retirement Costs of £155,900 are taken into account in the Council's budget for 2012-13.

3.0 REASONS FOR RECOMMENDATION/S

The recommendation will enable Cabinet to take these costs into account in the preparation of the Council's Revenue Budget for 2012-13.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Council's PFI contract will cost £10,184,500 in 2011-12. The costs are met in part from a fixed government grant of £5,471,500 and a contribution from schools in respect of facilities management of £2,738,310. The net cost, the PFI Affordability Gap – is £1,974,700 – and is funded by the Council.
- 4.2 The PFI contract will increase each year by an indexation clause linked to 90% of the RPI in the preceding December.
- 4.3 The December 2011 RPI was 4.8%, giving an indexation factor of 4.33%. The inflation added to the PFI contract will be £441,400 less a similar increase in school contributions of £118,700. The net increase in the "Affordability Gap" is therefore is £322,700.
- 4.4 The cost of pension enhancements to former teachers that have been previously agreed and are paid by Wirral will increase as directed by central government. Pensions will increase in April 2012 by a percentage linked to the Consumer Price Index increase in September 2011 (5.2%). The teachers premature retirement budget in 2011-12 was £2,998,600, giving an increase in 2012-13 of £155,900.

5.0 RELEVANT RISKS

5.1 The increases identified reduce the risk of these budgets being insufficient to meet known and anticipated costs.

6.0 OTHER OPTIONS CONSIDERED

No other options were considered in this report.

7.0 CONSULTATION

No consultation has been undertaken.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

There are no direct implications.

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

The report identifies an additional budget requirement of £478,600 to be included in the Council's budget for 2012-13.

10.0 LEGAL IMPLICATIONS

The Council will be required to make these payments in accordance with contract conditions and government directions.

11.0 EQUALITIES IMPLICATIONS

11.1 There are none arising from this report.

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

There are no direct implications.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

There are no direct implications.

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APPENDICES

REFERENCE MATERIAL

PR Contract and RPI

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	

WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	TENDER REPORT FOR THE OVERCHURCH INFANTS SCHOOL HORSIA KITCHEN REPLACEMENT AND CLASSROOM REMODELLING
WARD/S AFFECTED:	UPTON
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANN MCLACHLAN
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to advise Cabinet Members of the outcome of the tender process for the project to replace the final primary HORSIA kitchen, to provide a classroom and before and after school facilities within the main school building at Overchurch Infants School. The report seeks ratification from Members to accept the lowest tender submitted by K & C Construction.

2.0 RECOMMENDATIONS

- 2.1 That the lowest tender submitted by K & C Construction, as detailed below, be accepted.
- 2.2 The Director of Law, HR and Asset Management be authorised to execute an appropriate construction contract with K & C Construction in due course, subject to them developing a satisfactory Health & Safety Plan.

3.0 REASONS FOR RECOMMENDATION

- 3.1 A Scheme and Estimate report fully detailing the proposals for this site was presented to Cabinet on 21st July 2011 and Cabinet 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.

4.0 BACKGROUND AND KEY ISSUES

The proposed scheme is to replace the existing HORSIA kitchen, as well as replacing classroom accommodation to allow for utilising existing space within the building to house the new kitchen, in addition to providing a centralised resource area; to enhance the two existing courtyards, provide additional storage facilities for the Assembly hall and improve the layout and access to

outdoor learning; to demolish the existing HORSAs kitchen building which is in poor condition and provide suitable and safe car parking on its site. One of the courtyards will be redesigned to incorporate a playground and improve access and safety within the school premises.

A Scheme and Estimate report was submitted to Cabinet on 21st July 2011 and duly approved (minute 66 refers)

The scheme will include:-

- Single storey extension with flat roof of traditional construction to accommodate Key 1 stage classroom plus assembly hall storage.
- Remodelling of adjacent courtyard to provide better play area and improve access within the school as well as additional PE storage facilities.
- Formation of the existing classroom No.29 to provide improved kitchen facilities within the existing school building with provision for kitchen storage and office.
- An integrated space for holiday club and before and after school club to utilise, which is located in a safe environment within the main building and having enclosed play areas which meet safeguarding standards and which can be easily supervised.
- Single storey extension to provide a centralised resource area for the school which also leads to an outdoor learning courtyard plus a small kitchenette/pantry with all relevant services included.
- Formation of a new staff car park, which will be located on the footprint of the existing kitchen HORSAs building which is to be demolished.
- Remodelling the courtyard adjacent to the new resource area and assembly hall to provide outdoor learning and planting pods for the school.
- Refurbishing existing access corridors to improve the safety and interior spaces within the school building.
- Making good to the existing vehicular access and footpaths located in the areas adjacent to the new extension.
- Upgrading the existing heating system including new radiators, existing redundant and exposed heating pipes within the school to be capped, boxed or removed.
- Internal alterations include provision of additional doors to allow fire access directly to outdoors from the classroom and resource area.
- New Fire and Smoke Alarm system to the new and existing Schools, including the Junior School Building.
- ICT and data requirements for the classroom and the resource area will also be provided to meet the curriculum requirement

4.2 Tenders received were;

No	Contractor	Tender Sum
1	K & C CONSTRUCTION	£635,237.02
2	TENDER 2	£645,645.00
3	TENDER 3	£647,936.00
4	TENDER 4	£666,957.00

5	TENDER 5	£725,540.00
6	TENDER 6	OPTED OUT

5.0 RELEVANT RISKS

5.1 Subject to final approval the scheme will be funded by a combination of the CYPD Capital Programme and schools devolved formula capital.

6.0 OTHER OPTIONS CONSIDERED

6.1 In accordance with the council's Green Specification Guide the installation of renewable energy technologies was considered as part of the scheme. A survey for the installation of PV Panels was carried out, but further calculations indicated that these would not be viable in this situation.

7.0 CONSULTATION

7.1 The design proposals have been developed in consultation with a range of stake holders, including staff, the adjacent Junior School and Little Robins Nursery and these will continue to be consulted throughout the construction process.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 The school will continue to offer a number of upgraded facilities to pupils, the local community and specialist groups.

8.2 The new resource areas will offer space for the before and after school club, which could also be utilised by various community groups.

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

9.1 The Department of Law, HR and Asset Management will provide all Professional Services.

9.2 The Director of Technical Services in accordance with the Construction (Design and Management) Regulations 2007 will carry out the role of CDM Coordinator.

9.3 There are no additional staffing implications with these proposals.

9.4 The Tender submissions were received on 22nd December 2011.

9.5 The total cost of the scheme based on the lowest tender submitted by K & C Construction is:

Construction Costs	£ 635,237.02
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Departmental Charges including:

Professional Fees charged fees to RIBA Stage D	£ 10,000.00
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Design and Supervision @ 16%
(including Clerk of Works Salary
CDM Coordinator fee and

Planning and building regulation fees	£ 101,637.92
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ICT Costs (infrastructure and hardware)	£	10,000.00
Furniture Fittings and Equipment	£	<u>10,000.00</u>
TOTAL	£	<u>766,874.94</u>

9.6 The scheme will be funded from the following sources:

CYPD Capital Programme	£	756,874.94
School Devolved Formula Capital	£	10,000.00
	£	<u>766,874.94</u>

10.0 LEGAL IMPLICATIONS

10.1 There are no specific legal implications associated with this report. The Legal and Member Services Section within the Department of Law, Human Resources and Asset Management will arrange for the completion of the contract.

11.0 EQUALITIES IMPLICATIONS

11.1 There are no specific implications in this report for equal opportunities, including women, ethnic minorities or the elderly. Access will be provided for children and adults with disabilities to all areas of this building. The building will also be altered to comply with current recommendations on design for the deaf and partially sighted as far as practical.

11.2 A project-specific EIA will be completed before the works begin on site. Please see Appendix.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 Low energy electrical fittings, light fittings, heating controls, water saving devices and high levels of insulation will all be used to help reduce the consumption of natural resources and contribute to the councils CO2 reduction objectives.

12.2 All timber used will be from sustainable sources regulated by the Forestry Stewardship Council.

12.3 The successful constructor will be encouraged to employ local labour and source materials from local suppliers as far as possible.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 The school is shown as part of a Primarily Residential Area on the Council's Unitary Development Plan adopted in February 2000. Planning permission was granted for the work on 5 January 2012 (Application reference APP/11/01345).

REPORT AUTHOR: Tania Olsson
Senior Quantity Surveyor
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REFERENCE MATERIAL

The information used in the preparation of this report was obtained in consultation with the Children and Young Peoples Department and with reference to their bidding documents. No other background papers have been used in the preparation of this report with the exception of the Architects files B02475 and the Quantity Surveyor's working papers.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet report – Scheme and Estimate	21 st July 2011
Cabinet report – CYPD Capital Programme 2010/11	17 th March 2011

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Equality Impact Toolkit (new version July 2011)

Section 1: Your details

Council officer: Dean Johnstone

Email address: deanjohnstone@wirral.gov.uk

Head of Service: Jeff Sherlock

Department: Law HR & Asset Management

Date: 10.01.12

Section 2: What Council function / proposal is being assessed?

Overchurch Infants School Refurbishment and Extension works

Section 3: Is the Council function / proposal relevant to equality? (please tick relevant boxes)

- In services**
- In the workforce**
- In communities**
- Other** (please state)
- None** (please stop here and email this form to your Head of Service who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Within the Equality Duty 2010, there are 3 legal requirements. Which of the following are relevant to the Council function / proposal? (please tick relevant boxes)

- To eliminate unlawful discrimination, harassment and victimisation
- To advance equality of opportunity
- To foster good relations between groups of people

Section 5: Will the function / proposal have a favourable or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

Please list in the table below and include actions required to mitigate any negative impact.

Protected characteristic	Favourable or negative impact	Action required to mitigate any negative impact	Lead person	Timescale	Resource implications
All service users	favourable	none	N/a	N/a	N/a

Where and how will the above actions be monitored?

N/a

If you think there is no negative impact, what is your reasoning behind this?

The works are an improvement to the existing access, dining and teaching facilities within the school.

Section 6: What research / data / information have you used in support of this process?

Building Regulations, Merseyside CoP for designing facilities for the disabled, Changing Places publications.

Section 7: Are you intending to carry out any consultation with regard to this Council function / policy?

Yes / No – (please delete as appropriate) Yes

If 'yes' please continue to section 8. Consultation with the head teacher, school staff, access officers, Planning and Building Control has already taken place. The proposals are straightforward and require no further consultation.

If 'no' please state your reason(s) why:

(please stop here and email this form to your Head of Service who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 8: How will consultation take place?

Drawings were taken or sent to the relevant officers and meetings held to review the design of the proposed alterations and where amendments were suggested these have been incorporated into the scheme as far as reasonably practical, given the nature of the existing building involved.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Head of Service who needs to email it to equalitywatch@wirral.gov.uk for publishing)

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WIRRAL COUNCIL

CABINET

2 FEBRUARY 2012

SUBJECT:	WOODCHURCH HIGH SCHOOL – SPORTS HALL
WARD AFFECTED:	UPTON
REPORT OF:	DIRECTOR OF LAW HR & ASSET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER:	ANN MCLACHLAN
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks consent to grant a lease to Woodchurch High School of the adjoining sports hall as part of a service level agreement. The report refers to a decision made by Cabinet on 3 November 2011 for the granting of a lease for the new all weather pitch facility which is currently under construction.
- 1.2 This proposal is in support of the Council's goals of ensuring that the health and well being of children and young people is improved.
- 1.3 The granting of the lease will allow the school to run the sports hall facility on behalf of the Council.
- 1.4 The granting of the lease is a statutory duty given that the school is a Foundation School and the Council therefore has to document its right to use the sports hall as part of the School Organisation (Prescribed Alterations to Maintained Schools (England) Regulations 2007). Moreover if the school is to progress its application for academy status then it will be required to demonstrate that it has a right to use the sports hall.

2.0 RECOMMENDATION

- 2.1 That the lease is granted in accordance with the terms outlined below.

3.0 REASON FOR RECOMMENDATION

- 3.1 To confirm the granting of the lease at no charge so as to comply with the requirements of the Regulations so as to document use of the sports hall and because, the school will continue to operate the sports hall on behalf of the Council once they have become an academy which will be a separate legal entity and be centrally funded.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 Woodchurch High School currently operates the sports hall that adjoins the school as shown edged on the attached plan. The school are also to operate a new all weather pitch, shown hatched on the plan, once construction has been completed. This facility was subject of a Cabinet Report dated 3rd November 2011. The School has confirmed that it is to convert to an academy and will

therefore, no longer be under Council control. It will be necessary enter into a lease, for the school to continue to operate the sports hall.

- 4.2 Cabinet at its meeting on 3 November 2011 approved a 20 year lease at a peppercorn rental for the school to operate the football pitch. The school will primarily use these new facilities during the day and by other users in the evenings and at weekends. This was reported to Cabinet on 3 November 2011. It is now proposed that the school be granted a lease of the sports hall on the terms approved for the running of the all weather pitch namely: a term of twenty years at a peppercorn rent with prime use of the school in the day time and use by others outside these times. This reflects existing practice on site.
- 4.3 The school will need to ensure that the facility is available to the community as per the Big Lottery terms for funding.

5.0 RELEVANT RISKS

- 5.1 Financial risks have been identified which are associated with the running costs of the sports hall facility but these will pass to the school

6.0 OTHER OPTIONS CONSIDERED

- 6.1 No other options were considered.

7.0 CONSULTATION

- 7.1 No additional consultation has been undertaken as the school currently operate the sports hall. The school regularly consults with users of the facility and community on matters relating to the sports hall facility.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 8.1 There are no implications for Voluntary, Community or Faith groups arising from this report.

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

- 9.1 The school will be responsible for the staffing, maintenance, utility, insurance costs etc associated with running the facility, using income generated from the hiring of the facility, terms as per the lease.
- 9.2 Under the lease capital costs are to pass to the school.

10.0 LEGAL IMPLICATIONS

- 10.1 There are no unusual legal implications arising from this report. The granting of a lease will impose obligations on the school/academy as to how the sports hall is operated. If the school default then the Council could seek to enforce its terms. At the end of the 20 year period the academy may have the right to renewal of the lease on the same terms and conditions but that will depend on the law in force at that time and whether the academy is construed as using the premises for the purposes of a business. It is suggested that these rights are not excluded as in practical terms the sports hall is needed by the school to

provide facilities for pupils. The school owns the freehold of the adjoining school site and provided the school is still there and operational in 20 years time it should be able to exercise those rights of renewal. The Council as the law stands can oppose renewal if there has been a substantial breach of the lease terms and it demonstrates intention to develop and those rights should act as sufficient protection in the overall context of the site.

11.0 EQUALITIES IMPLICATIONS

11.1 There are no specific discrimination issues in this report.

11.2 An equality impact assessment is not required.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no reductions of the Council's carbon emissions arising from this report.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no planning and community safety implications arising out of this report.

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APPENDICES

Appendix – location plan

REFERENCE MATERIAL

No reference material has been used in the preparation of this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	3 November 2011
Cabinet	25 November 2010
Cabinet	16 April 2008
Cabinet	16 October 2008
Cabinet	27 November 2008
Cabinet	5 February 2009

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Woodchurch High School; Sports Hall & Football Pitch



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WIRRAL COUNCIL

CABINET

2ND FEBRUARY 2012

SUBJECT:	WIRRAL YOUTH ZONE
WARD/S AFFECTED:	ALL
REPORT OF:	ACTING DIRECTOR OF CHILDREN'S SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANN MCLACHLAN
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This report aims to provide an update on the progress made with the potential developments of Wirral Youth Zone and provide recommendations for progression.
- 1.2 Wirral Youth Zone is a proposal to build an iconic, modern state of the art centre for young people.

Wirral Youth Zone will give our young people a modern, safe and purposeful alternative to the streets and the TV screen. The new youth zone will help our young people keep active and healthy, whilst encouraging them to be positive and aspirational.

The building will include sports hall, multi purpose areas, Kitchen/café, mentor rooms, recreational areas, 3G multi purpose pitch, fitness suite and arts facilities.

It will be open to children and young people aged 8-21 and up to 25 for those with a disability, Wirral Youth Zone will offer a full range of sporting and artistic opportunities. It will be open, 7 nights a week, 52 weeks a year including during school holidays from 8am-10pm. (Vision Document- see Appendix 1).

- 1.3 The ambition would be for the facility to be opened by the end of 2013.
- 1.4 £200,000 has been committed to this project from 2012/13 Wirral Council Capital Funding, this was approved at Cabinet meeting on 8th December 2011.

2.0 RECOMMENDATION/S

- 2.1 To continue to explore options for the project to include a feasibility study with costs for Option A & Option B using the £200,000 allocation previously agreed.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 After exploration of the project through the steering group and partners during the past 12 months it is clear it is still a worthwhile and needed development for Wirral and therefore the next stage of planning is required.
- 3.2 The allocation of £200,000 previously agreed for this project will enable further exploration to be carried out.

4.0 BACKGROUND AND KEY ISSUES

4.1 A report was presented to Cabinet on 9th December 2010 (see Appendix 2) detailing the background of this proposal. This report was under the title of 'Birkenhead Youth Zone', the steering group changed the name to 'Wirral Youth Zone' as it will be a facility aiming to benefit all young people in Wirral. From this report the following recommendations were approved:

- (1) Cabinet agrees to further work being undertaken in order to investigate the feasibility of this facility.
- (2) To avoid duplication in the development of youth provision on Wirral, membership of the Steering Group should reflect the range of partners involved in developing the Youth Offer on Wirral.

The steering group has been meeting monthly with the following members:

- Andy Groom, Merseyside Fire Authority
- Councillor Ann McLachlan, Local Councillor for Bidston and St James and Cabinet Member for Children's Services and Lifelong Learning
- Barry Natton. Representative of Wirral Methodist Church Circuit
- Blair Kirkby, Minister of Charing Cross Methodist Church
- Christopher Lucan-Pratt, Merseyside Police
- Dawn Tolcher, Project Manager for Children and Young People, Wirral Council
- Councillor Jean Stapleton, Local Councillor for Birkenhead and Tranmere and Cabinet member for Community and Customer Engagement.
- Jeremy Glover, Onside North West
- Julia Hassall, Head of Branch for Social, Wirral Council (chair)
- Paul Murphy, Merseyside Fire Authority
- Paula Basnett, Invest Wirral
- Peter Bibby, Representative of Birkenhead Youth Club
- Rob Carter, Onside North West
- Rebecca Baron, Onside North West
- Councillor Sheila Clarke, Local Councillor for Bebington and Chair of Children and Young People's Overview and Scrutiny Committee.

4.2 The site in Birkenhead was chosen as Merseyside Fire and Rescue Service approached Wirral Council to discuss utilising some of their land to develop a Youth facility. There is a Private Finance Initiative to redevelop Birkenhead Fire Station, the new build will free up a large area behind the station. The PFI development is planned to start May 2012 and be completed by May 2013.

This has progressed as Merseyside Fire and Rescue Authority has already considered a report on the proposals and has agreed to support the project and is keen to maximize the support its new community fire station will give to Wirral's young people. It has been agreed in principle that the Fire Authority would provide the land freed up by the building of the new fire station to support the Youth zone for free (subject to full Fire Authority approval and legal agreement). The Fire Authority is also keen to explore how it can use its resources to support the project in the wider sense and in particular how the Firefit brand can be used to support the scheme.

The local authority will have no involvement with the PFI developments.

The Fire Service has an excellent track record of engagement with such projects, for example the Wallasey Fire Station is used as one of for Youth Hubs in Wirral. They are also currently working in partnership to develop a similar provision in Toxteth.

The location was approved of due to it being in a 'neutral' area with excellent transport links.

4.3 The Police are also fully supportive of this proposed development. They are especially encouraged by the location of the facility. The Vulnerable Locality Index (VLI) is a scanning tool bringing together crime and deprivation measures to geographically identify priority neighbourhoods. The location of the Wirral Youth Zone would be within a 'vulnerable' area and would support the work of the Safer Stronger Communities Initiative which aims to target and reduce crime by engaging the community and jointly working with partners.

4.4 Onside have continued to guide and advise the project due to their experience of developing 5 Youth Zones across the North West. Onside was developed after the success of the developments of Bolton Lads and Girls Club, aiming to replicate the model in other areas. There have been 4 further visits to Bolton, attendees have included:

- Steering group members
- Current Youth Service Staff
- Members of Charing Cross
- Members of Merseyside Fire and rescue Service
- Frank Field MP
- Councillor Brian Kenny

All who visited Bolton agreed Wirral need a similar provision.

4.5 The £50,000 allocated to the exploration of the project from the 2011/12 budget has been used to pay Onside for their time and resources which have included:

- Hosting visits to Bolton Lads & Girls Club
- Site Appraisal
- Attendance & support at Steering Group Meetings

- Commissioning of early Architects impression
- Assistance on production of vision document, including printing
- Support for communication sub group and plan
- Advice re : Operating structure & systems
 - Governance
 - Partnership developments
 - Legal relationships/documentation
 - Strategic development

4.6 The projects developed by Onside have a specific funding model which estimates running costs to be £1million. This revenue is met by; the local Council being responsible for 40% (this is brokered by the Council with contributions coming from partner organisations such as the Police and Health) In the case of the Council's contribution this would be met by either new growth or from existing funds.

Onside would form a charity to manage and develop the facility.

4.7 Charing Cross Methodist Church has been an active partner in the steering group and planning of the project. There have been discussions to include their current land in the footprint of the new build; this would enable a larger facility to be built. Members of the Circuit (representing all 24 Methodist churches in Wirral) have given their approval for discussions and exploration of the potential partnership to continue, this will be supported through some further consultation with support from Onside and Wirral Council to ensure it meets the needs and objectives of the organisation and the aims of the project.

4.8 The final proposal will depend upon the final decision from Charing Cross Methodist to be part of the build, therefore below are 2 options A and B. Option A would be the preferred alternative at this time.

Option A

To build Wirral Youth Zone on the land donated by Merseyside Fire and Rescue Service, land currently occupied by Charing Cross Methodist Church and the road between (Bright Street) to include facilities and activities detailed above for young people in Wirral. Estimated size of the plot would be 7100 square meters. No surveys have been carried out to date to confirm the road area could be utilised.

Option B

To build Wirral Youth Zone on the land donated by Merseyside Fire and Rescue Service to include facilities and activities detailed above for young people in Wirral. Estimated size of the plot would be 4000 square meters.

4.9 The project will achieve the Council's 4 corporate objectives by:

Your Family

By providing such a wide range of opportunities for young people this will benefit them and their family as a whole. To ensure this proposal is designed to meet the needs of the family there will be regular consultation and input

from the following to obtain their knowledge on designing the best possible service for young people:

- Young People, they will be key to driving and developing the youth zone.
- Parents of young people
- Local Residents
- Current youth providers, this development will want to compliment what they do not duplicate.
- Local partners such as police, health, schools, extended services.

The scheme will ensure services are fully inclusive and accessible for young people with disabilities. It will also particularly support young people from disadvantaged areas.

Your Neighbourhood

The project will contribute to making Wirral's Neighbourhood safer as the young people will, have a place to go which will deter them being involved in anti social behaviour on the streets. This is vital in the locality as there has been series of anti social behaviour, particularly during the recent riots (August 2011). This will also have a positive effect on street cleanliness and the quality of the local environment as evidence from the other Youth Zones have proven if they have somewhere to go they will be less likely to cause problems in the area.

Your Economy

The financial model used for the youth zones will lead to investment from local business to support the capital and revenue costs of the facility. Employment, volunteering and training opportunities will also be increased.

Young people will also be offered training opportunities and support with educational activities.

Your Council

This development will ensure that Wirral's service for young people in their leisure time is first class. It will be affordable and sustainable. This will also create a working partnership between public, private and the community, voluntary and faith sector. All these partners have one aim for this project 'To improve opportunities for our young people'.

The project will enable a more effective and efficient way to provide youth services both financially and to meet the needs of young people.

5.0 RELEVANT RISKS

- 5.1 This will be a voluntary sector led and managed initiative requiring some financial support from Wirral Council. The financial risk is predominately with the Charity which will be established to take the project forward. The risk will be to the Council's reputation if it were not able to meet any contractual obligations it might enter into with the new charity. To remove this risk there will be a legal agreement and partnership agreement.

6.0 OTHER OPTIONS CONSIDERED

6.1 No other options were considered as the land available from the Fire Service free of charge is in a prime location for transport links, neutral ground and targeted youth activity. Due to the success in other areas the Onside model is the one to be followed.

7.0 CONSULTATION

7.1 A communication sub group has been established. This consists of:

- Councillor Jean Stapleton
- Representation from Merseyside Fire and Rescue Service
- Paula Basnett, Invest Wirral
- Dawn Tolcher, Wirral Council
- Lindsay Davidson Head of Youth & Play Service, Wirral Council
- Rebecca Baron, Digital Communications Manager, Onside

A communication plan is being written to ensure all stakeholders are consulted with effectively and in appropriate timescales to gain necessary input but not to raise expectations.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 The Wirral Youth Zone will be managed by a newly formed charity. There will be opportunities to develop the work of local voluntary sector led services as often finding appropriate venues is difficult.

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

9.1 **FINANCIAL** The Capital expenditure is estimated to be up to £6.5 million. In other Youth Zones developed by Onside this was funded from public, private and voluntary sector contributions. Merseyside Fire Authority has confirmed that they will not be charging for the use of the land and they will present project as proposal for capital investment.

£200,000 has been committed to this project from 2012/13 Wirral Council Capital Funding.

Utilising the Onside model it is anticipated for the operation of the facility the costs to Wirral Council would be £400,000 per annum.

9.2 **STAFFING** No additional resources will be required from Wirral Council. To continue with this exploration phase of the project it will be managed through an existing Project Manager of Children and Young People's Department. Support from other employees will be utilised when specific expertise is needed.. The role of Onside will continue to support with specific tasks, the cost for this will be included in their fees which is detailed above in overall Capital costs.

10.0 LEGAL IMPLICATIONS

10.1 A legal agreement will be written for both partnerships with Merseyside Fire and Rescue Service and Charing Cross Methodist Church.

10.2 There will also be an agreement with new Charity and Wirral Council to ensure investment to the build are used for the intended purposes. This will include monitoring and evaluation requirements.

11.0 EQUALITIES IMPLICATIONS

11.1 The facility will be accessible for all user groups and will work with partner organisations to tackle any equality issues.

11.2 Equality Impact Assessment (EIA)

- | | |
|---------------------------------------|---------|
| (a) Is an EIA required? | Yes |
| (b) If 'yes', has one been completed? | 4.01.12 |

12.0 CARBON REDUCTION IMPLICATIONS

12.1 None applicable.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 The site is designated as Primarily Commercial Area in the Wirral Unitary Development Plan (UDP) saved by direction of the Secretary of State in September 2007. Any future planning application would be assessed for compliance with UDP Policies RE10 'Criteria for Community Centres and Facilities' and SH6 'Development Within Primarily Commercial Areas', which direct community facilities that are intended to serve wider catchments towards urban commercial locations and contain criteria to protect the neighbours amenity.

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APPENDICES

Appendix 1- Vision Document

REFERENCE MATERIAL

Appendix 2- Cabinet Report 9.12.10

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	9.12.10

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