

CABINET

Thursday, 5 February 2009

<u>Present:</u>	Councillor	S Holbrook (Deputy Chair in the Chair)	
	Councillors	G Davies P Davies G Gardiner S Kelly	M McLaughlin R Moon J Quinn J Stapleton
<u>In attendance:</u>	Councillors	L Rennie	JE Green
<u>Apologies</u>	Councillors	S Foulkes	

344 MINUTES

The minutes of the last meeting were printed and published.

Resolved: That the minutes be approved and adopted.

345 DECLARATIONS OF INTEREST

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

The following declarations were made:

Councillor Gill Gardiner declared a personal and prejudicial interest in Minute 377 (West Kirby Marine Lake Reconstruction – Award of Contract) due to being a West Kirby resident, and left the meeting whilst the matter was discussed;

Councillor Stuart Kelly declared a personal and prejudicial interest in Minute 372 (Land at Ashville Road, Birkenhead) due to his membership of Birkenhead Park Management Committee and left the room whilst the matter was discussed.

Councillor George Davies declared a personal interest in Minute 360 (Wirral Council and Wirral Partnership Homes – Community Fund) due to his membership of Wirral Partnership Homes (Community Fund Working Group) and a personal and prejudicial interest in Minute 372 (Land at Ashville Road, Birkenhead) due to his Chairmanship of Birkenhead Park Management Committee and left the room whilst the matter was discussed.

Councillor Simon Holbrook declared a personal and prejudicial interest in Minute 372 (Land at Ashville Road, Birkenhead) due to his membership of Birkenhead Park Management Committee and Minute 377 (West Kirby Marine Lake Reconstruction –

Award of Contract) due to his employment left the room whilst the matters were discussed.

SEVERE WEATHER

At the request of the Deputy Leader of the Council, the Head of Streetscene and Waste updated the Cabinet on the implementation of the Winter Maintenance Programme and the levels of salt available for gritting. In addition, a verbal update was provided on advice given to residents with regards to refuse collection during the severe weather conditions.

346 CHAIR OF THE POLICE AUTHORITY AND CHIEF CONSTABLE

The Chair of the Police Authority and the Chief Constable attended the meeting.

Mr Bernard Hogan-Howe, Chief Constable of Merseyside, attended the meeting accompanied by Councillor Bill Weightman (Chair of the Merseyside Police Authority), and Chief Inspector Jon Ward (Area Commander). The Chief Constable gave a presentation on what had been achieved by the force in terms of:

- a reduction in crime of all types and a reduction in anti-social behaviour;
- the level of sanction detections in April to December 2008 compared with the same period in 2007
- Wirral's position compared with comparator BCU's
- levels of crime in terms of a year-on-year comparison
- analysis of citizen satisfaction
- seizure of drugs under Operation Hawk, which targeted the supply of street level drugs;
- the December results for Operation Manaton which targeted drug linked acquisitive crime;
- seizure of vehicles under Operation Tango;
- road traffic collisions by month over 3 years;
- sickness levels of police and staff;
- levels of anti-social behaviour over 4 years; and
- call handling.

Councillor George Davies congratulated the Chief Constable and the Area Commander on the position of Wirral's basic command unit (BCU) in national terms and queried whether there were any new initiatives that had been identified to tackle those remaining targets. The Chief Constable indicated that the level of vehicle theft had reduced partly through new technologies introduced by the motor industry and as new aspects were developed, this should reduce crime further. In addition, he felt that the installation of burglar alarms were instrumental in reducing burglary in homes and this matter would be explored with housing partners. The Chief Constable also highlighted the use of drug rehabilitation to reduce crime and felt that this was an issue to be taken up with health partners.

Councillor Phil Davies thanked the Chief Constable for his presentation and referred to the need for continuity in neighbourhood policing. The Chief Constable indicated that this had been discussed at the Police Authority and it had been suggested that some targets be set for continuity and benchmark data be collected.

Councillor Jean Quinn referred to the levels of satisfaction where the police attended incidents and queried whether the police attended every incident. The Chief Constable indicated that the police would now attend each incident if the victim requested that, although this was a new approach and was being embedded with the call-handling system.

With the permission of the Chair, the Leader of the Conservative Group addressed the Cabinet and thanked the Chief Constable for his presentation. Councillor Green queried whether the excellent performance demonstrated would result in a reduced budget and how the decriminalisation of youth offending would affect the force's targets. The Chief Constable and Chair of the Police Authority explained that the level of budget was not yet at the formula grant level although it was expected that the formula would shortly be amended. In terms of the decriminalisation, the Chief Constable referred to the use of Police cautions.

With the permission of the Chair, the Deputy Leader of the Conservative Group addressed the Cabinet and thanked the Chief Constable for his presentation. Councillor Rennie referred to embedded police officers in schools and whether any correlation with anti-social behaviour had been carried out. The Chief Constable indicated that he would like to increase the number of schools involved in this area and would look at some comparator figures with levels of anti-social behaviour.

Resolved - That the report be noted.

347 **MOBILE REPLACEMENT AND CLASSROOM EXTENSION FOR GREENLEAS PRIMARY SCHOOL - SCHEME AND ESTIMATE REPORT**

The Director of Children's Services proposed a scheme and estimate to replace single temporary mobile accommodation with a permanent classroom and to undertake a range of internal alterations in order to improve both the general teaching accommodation and welfare facilities at Greenleas Primary School, Wallasey. The project formed part of the previously approved 2008/09 CYPD Capital Programme. It was recommended that the scheme and estimate be approved and that officers be instructed accordingly.

Resolved: That

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

348 **RAEBURN PRIMARY SCHOOL - FOUNDATION FACILITY EXTENSION AND INTERNAL ALTERATIONS SCHEME AND ESTIMATE REPORT**

The Director of Children's Services presented a report proposing a scheme and estimate for alterations and an extension at Raeburn Primary School, Eastham, including improved teaching facilities for the Foundation Year, toilet accommodation to meet current requirements, and improved circulation within the existing school. The scheme was being brought forward ahead of the main 2009/10 programme, which would be submitted to Cabinet at a future date, in order to allow works to be completed for September 2009 and maximize use of the summer closure. The scheme was a priority in an oversubscribed and full school and would form part of the 2009/10 programme. Delaying the scheme would introduce significant decant costs. It was recommended that the scheme and estimate be approved and that officers be instructed accordingly.

Resolved: - That:

- (1) the Scheme and Estimate as presented be accepted;**
- (2) approval be given for Director of Technical Services to obtain tenders for the scheme and the Director of Children's Services use his delegated powers, if appropriate, to accept the lowest bona fide tender and report back to Cabinet; and**
- (3) the Director of Technical Services be authorised to obtain all necessary statutory approvals for the scheme.**

349 REPLACEMENT PRIVATE AND VOLUNTARY INITIATIVE (PVI) NURSERY AT BRACKENWOOD INFANTS SCHOOL - SCHEME AND ESTIMATE REPORT

The Director of Children's Services described the work required to provide a replacement detached system-built PVI (Private and Voluntary initiative) Nursery Unit at Brackenwood Infants School, and set out the costs of the scheme. Cabinet was asked to consider and approve the proposal.

Resolved: That

- (1) the Scheme and Estimate, as presented, be accepted;**
- (2) the Director of Technical Services be authorised to procure the project as a single stage selective competitive tender;**
- (3) the Director of Technical Services be authorised to obtain all necessary statutory approvals for the project.**

350 REPLACEMENT PVI NURSERY AT BROOKHURST PRIMARY SCHOOL

The Director of Children's Services described the work required to provide a replacement detached system-built PVI (Private and Voluntary initiative) Nursery Unit at Brookhurst Primary School, and set out the costs of the scheme. Cabinet was asked to consider and approve the proposal.

Resolved: That

- (1) the Scheme and Estimate, as presented, be accepted;**
- (2) the Director of Technical Services be authorised to procure the project using the OGC List;**

(3) the Director of Technical Services be authorised to obtain all necessary statutory approvals for the project.

351 **CONSIDERATE CONSTRUCTORS SCHEME**

The Director of Technical Services explained how the Considerate Constructors Scheme worked and its benefits for clients. He recommended that contractors be required to register their sites with the Scheme on all construction projects with a value exceeding £300,000 procured by Wirral Council.

Resolved: That a clause be inserted in all construction contracts procured by the Council with an estimated capital value exceeding £300,000 that contractors be required to register their sites with the Considerate Constructors Scheme.

352 **INTEGRATED REGENERATION STUDY FOR BIRKENHEAD AND WIRRAL WATERS AREA**

Cabinet approval was sought for the commissioning of an Integrated Regeneration Study for Birkenhead/Wirral Waters to define a clear, single, comprehensive plan for regeneration which integrated Housing Market Renewal, New Growth Point and economic development priorities and programmes.

Cabinet was asked to approve the use of £60,000 Investment Strategy and £60,000 Housing Market Renewal funds to establish a budget of £120,000 to meet the cost of the study and delegate authority to the Director of Regeneration to appoint a consultant following a restricted tendering exercise in line with the Council's Procurement Strategy and Contract Procedure Rules.

Resolved: That the commissioning of an Integrated Regeneration Study for Birkenhead/ Wirral Waters and the use of £60,000 Investment Strategy and £60,000 HMRI to fund the cost of the study be agreed and authority be delegated to the Director of Regeneration to appoint a consultant following a restricted tendering exercise in line with the Council's Contract Procedure Rules.

353 **VEHICLE ACTIVATED SIGNING PROPOSED CRITERIA**

The Director of Technical Services outlined to Cabinet the rationale behind the use of vehicle activated signs and the history of deployment of such measures on Wirral so far. He sought Cabinet's endorsement of a criterion for the future provision of vehicle activated signs.

The Cabinet Member for Streetscene and Transport Services welcomed the criteria contained within the report.

Resolved: That

(1) the report be noted and the measures already taken to introduce Vehicle Activated Signs in Wirral be endorsed;

(2) the proposed criteria for the provision of Vehicle Activated Signs as set out in Section 5.0 be approved; and

(3) the Director of Technical Services be given delegated authority for the identification of sites for the future provision of vehicle activated signs in line with the criteria and the Director be given delegated authority to utilise new style vehicle activated signs as they come available and are of a type approved by the Department for Transport.

354 HIGHWAYS STRUCTURAL MAINTENANCE PROGRAMME

The Director of Technical Services presented a report on the proposed Highway Structural Maintenance Programme for 2009/10 for approval. The matter was a Key Decision which had been included in the Council's Forward Plan.

Resolved: - That the proposed Structural Maintenance Programme for 2009/10 shown in the Appendix be approved.

355 AUDIT COMMISSION USE OF RESOURCES 2008

The Director of Finance informed the Cabinet of the Comprehensive Performance Assessment (CPA) Use of Resources assessment for 2008 which has recently been released by the Audit Commission.

The Audit Commission had assessed the overall Use of Resources assessment for 2008 as level 3. This was an increase on the 2007 overall score which was a 2. The Commission has stated that the Council had demonstrated significant improvement during the 2007/08 assessment period. Two themes, Financial Management and Financial Standing, had increased scores whilst there were improvements in arrangements in the other themes.

The Deputy Leader of the Council referred to the judgement as a milestone in the performance of the administration.

Councillor Phil Davies moved an amendment, duly seconded and it was -

Resolved: - That

(1) Cabinet welcomes the progress made which has moved Wirral from a two star to a three star score on Use of Resources. Cabinet further notes that one of the key areas likely to affect future scores will be how well the Council performs on Asset Management and whether it delivers a satisfactory outcome to the Strategic Asset Review which is being closely observed by the Audit Commission; and

(2) Cabinet also welcomes the positive report by the Audit Commission on Access to Services for Wirral people, set out later in the agenda.

356 PARKS AND COUNTRYSIDE GATEWAY REVIEW

The Director of Regeneration gave members an update on the Parks and Countryside Service Procurement Exercise (PACSPE) and Gateway Review. Members were asked to agree that the previous initial allocation of £40,000 from the Efficiency Investment Fund to provide support for the review be increased to £85,000.

The Cabinet Member for Culture, Tourism and Leisure moved an amendment, duly seconded and it was –

Resolved: - That

(1) the sum allocated from the Efficiency Investment Fund to provide support for the Gateway process be increased from £40,000 to £85,000 with this sum to be spent in 2008/09 and 2009/10; and

(2) Cabinet reaffirms its commitment to the Gateway Review Process and believes this will bring real benefits to the review of Wirral's Parks and Countryside service.

357 CULTURAL SERVICES FEES AND CHARGES

Members were asked to consider the charges for Cultural Services facilities for the financial year 2009/2010 as set out in the report submitted by the Director of Regeneration.

An amendment sheet was circulated which contained a list of changes to the published appendix as follows:

				PRESENT	PROPOSED	
Appendix page 1	1 – 3.0	Passport Means Test – A		3.00	3.10	
		Passport Resident – B		5.00	5.15	
		Passport Non-Resident – C		7.00	7.20	
Appendix page 2	1 – 4.1	Fitness Suite Admit Adult		5.20	5.35	
			Child/EP	3.10	3.20	
Appendix page 3	1 – 7.0	Splash				
		Uncommitted Direct Debit (3 month min)	Adult	25.00	25.00	
			Child/EP	15.00	15.00	
		Wirral Passport A		12.50	12.50	
		Committed Direct Adult		20.00	20.00	

	Debit (3 month min)	Child/EP	12.00	12.00
	Wirral Passport A		10.00	10.00
Appendix 1 – page 4	Annual	Adult	240.00	240.00
		Child/EP	120	120
	Wirral Passport A		120	120

The Cabinet Member for Culture, Tourism and Leisure moved an amendment, duly seconded and it was -

Resolved: - That

(1) Cabinet agrees the proposals set out in the officer's report and appendix and recommends in addition that the fees paid by swimming clubs be increased to the national average for Metropolitan areas and that that increase be phased over a three year period to reach the national average which pertains in the concluding year of the phasing; and

(2) Cabinet agrees the current increase for schools but asks that schools be informed that the intention is for schools also to be charged at the national average for metropolitan areas and that any increases necessary will be phased in over a three year period, including the increase currently agreed, to reach the national average in the concluding year of the phasing.

358 MORTGAGE RESCUE SCHEME

Members' endorsement was sought for Wirral to become part of the Government's fast track approach to providing Mortgage Rescue to vulnerable households. In terms of the criterion set out by the Government it was noted that there had been one eligible application to date.

With the permission of the Vice-Chair, the Leader of the Conservative Group addressed the Cabinet and queried whether the restrictive criteria meant that this was the best scheme for Wirral. The Director of Regeneration indicated that the Cabinet Member for Housing and Community Safety had lobbied for more funding from a number of sources.

Resolved: - That the proposal that Wirral assists appropriate vulnerable households through participating in the Government's Mortgage Rescue Package be endorsed.

359 DRAFT DEPARTMENTAL BUSINESS PLANS AND REFRESHED CORPORATE PLAN FOR 2009-10

The Deputy Chief Executive/Director of Corporate Services presented the draft departmental service plans for 2009/10. Cabinet was asked to consider the service plans alongside a refreshed Corporate Plan which took into account the projects and

activities identified by departments in their plans as being critical to the delivery of the Council's medium-term aims and 2009/10 priorities.

A foreword from the Leader of the Council was circulated and it was noted that this would be included in the final draft for Council's consideration.

Resolved: - That

- (1) the individual departmental service plans be agreed, subject to budget and target setting;**
- (2) Cabinet Members take responsibility for the delivery of departments service plans according to their portfolios in consultation with the appropriate Chief Officer(s);**
- (3) the refreshed Corporate Plan for 2009/10 be agreed and referred to full Council; and**
- (4) authority be delegated to the Chief Executive, in consultation with the Leader of the Council and the Deputy Leader of the Council, to make final minor amendments to the refreshed plan before it is submitted to the Council.**

360 WIRRAL COUNCIL AND WIRRAL PARTNERSHIP HOMES - COMMUNITY FUND

The Director of Finance updated Cabinet on the arrangements to administer the Community Fund with Wirral Partnership Homes. His report detailed the previously agreed use and requested Cabinet to agree to the future use of the Fund.

The Deputy Leader of the Council moved an amendment, duly seconded, and it was -

Resolved: - That

- (1) the administration of the Community Fund and allocation of resources continue, as previously reported, through the Joint Working Group;**
- (2) the use of £75,000 per annum from 2009-10 to fund the Corporate Services Forward Planning Team be submitted to the Joint Working Group for funding;**
- (3) the use of £120,000 per annum from 2009-10 to fund additional legal capacity be submitted to the Joint Working Group for funding; and**
- (4) Cabinet asks officers to explore the possible use of the Community Fund, to assist in the transfer of relevant buildings to communities, should the Strategic Asset Review be agreed at Council on February 9th; and**
- (5) a provision of £550,000 be established to meet the ongoing cost for community centres prior to transfer to community management.**

361 PROJECTED BUDGET

The Director of Finance presented the projected budgets for 2009-2011 to coincide with the period of the Comprehensive Spending Review 2007 (CSR).

At the request of the Deputy Leader of the Council, the Director of Finance updated the Cabinet on the position regarding the Icelandic Bank.

Resolved - That

- (1) the budget for 2009-10 be presented to the budget meeting of the Cabinet on 23 February 2009; and**
- (2) the indicative budget for 2010-11 be reported to the Cabinet on 19 March 2009.**

362 ANNUAL ELECTRICITY AND GAS CONTRACT RENEWAL REPORT

The Cabinet had previously considered a report on the impact of energy price rises on the Authority on 9 July 2008. The report had advised of the likely financial impact of increasing energy prices, including the renewal of our electricity and gas contracts from the 1 October 2008. Whilst energy markets remained volatile, the unexpected downturn in prices in September meant that the actual increases were not as high as expected and the Director of Technical Services' report set out the implications for the Council.

Resolved: - That

- (1) it be noted that the offer made by OGC Buying Solutions was competitively tendered and was accepted using Delegated Authority;**
- (2) the impact of the revised electricity and gas contracts be reflected in the 2008/09 budget with the sums of £912,000 and £655,000 respectively being transferred from balances; and**
- (3) the impact of the street lighting, electricity and gas contract renewals during 2008 be reflected in the 2009/10 budget with £3.5 million being approved.**
- (4) at this stage, no further sums be set-aside for the 2009 contract renewals given the unpredictability of the markets and further reports be presented to Cabinet as information is received.**

363 CORPORATE GOVERNANCE

The Director of Law, HR & Asset Management submitted a report seeking the Committee's endorsement of a new Code of Corporate Governance in line with the

'CIPFA/SOLACE Delivering Good Governance in Local Government Framework' published in July 2007.

It was noted that the Code would be referred to the Council for inclusion within the Council's constitution.

Resolved –That the Code of Corporate Governance, attached as Appendix 1 to the report, be endorsed.

364 AUDIT COMMISSION ACCESS TO SERVICES

The Director of Finance presented the Audit Commission report on Access to Services, following the inspection undertaken in September 2008.

The inspection had assessed Wirral Council (on a scale of zero to three stars) as providing "good, two star access to services that had promising prospects for improvement ... because of its impact on improving and providing access to services to meet the needs of the Borough's diverse communities – one of the Council's aims."

The Cabinet Member for Community and Customer Engagement welcomed the report and thanked staff for their contribution.

Resolved: - That the report be noted.

365 ALLOCATION OF 'YOU DECIDE'

Cabinet were advised of the allocation of the 'You Decide' funding through area forums. It was recommended that Cabinet approve the allocation of £20,000 for extra council services as agreed with each area forum.

The Cabinet Member for Community and Customer Engagement indicated that a further report evaluating the pilot would be brought to a future Cabinet meeting.

Resolved: - That the allocation of spending in each area forum area be approved and officers take the necessary steps to implement these proposals.

366 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

Resolved: - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act.

367 TRAFFIC SIGNALS CONTRACT - AWARD OF CONTRACT

The Director of Technical Services recommended that Cabinet award the new Maintenance, Supply and Installation of Traffic Control Systems and Associated

Equipment Contract commencing 1 April 2009 to the preferred provider suggested in the report.

The recommendation of the preferred provider was based on the results of tender evaluation exercise and confirmation that the business case for the procurement project would be delivered.

The matter was a Key Decision identified in the Council's Forward Plan.

Resolved: - That

(1) the outcome of the tender evaluation exercise outlined in section 3 be noted; and

(2) the new Maintenance, Supply and Installation of Traffic Control Systems and Associated Equipment Contract be awarded to the preferred provider detailed in paragraph 3.7.

368 BUILDING SCHOOLS FOR THE FUTURE, ONE SCHOOL PATHFINDER, WOODCHURCH HIGH SCHOOL - CONTRACT AWARD

Cabinet members were updated in respect of the progress of the One School Pathfinder scheme at Woodchurch High School and approval was sought to award the contract to Kier Regional, trading as Kier North West, under the national Partnerships for Schools (PfS) procurement framework. Cabinet was also asked to approve the Final Business Case which would be submitted to Partnerships for Schools. It was intended that the final contract award to Kier North West would not be made until the Authority had Partnerships for School's approval of the Final Business Case.

The Cabinet Member for Children's Services and Lifelong Learning moved an amendment, duly seconded, and it was -

Resolved: - That

(1) the Local Authority's Final Business Case be submitted to Partnerships for Schools for approval;

(2) the relevant officers in the Children and Young People's Department and Technical Services Departments be authorised to continue detailed contractual negotiations with Kier North West, to achieve financial close on the project;

(3) as the project is taken forward, the Director of Children's Services and the Director of Law, HR and Asset Management work with the school to explore all opportunities to optimise the design and use of the scheme to facilitate community use of the buildings and facilities and to integrate the project with the outcomes emerging from the Council's Strategic Asset Review in relation to the Woodchurch area;

(4) subject to a satisfactory financial close being negotiated and PfS approval Kier (NW) be awarded the contract to build Woodchurch High School under the PfS One School Pathfinder Initiative; and

(5) the project be the subject of further reports as required.

369 **INFORMATION TECHNOLOGY HARDWARE - STORAGE AREA NETWORK**

The Director of Finance set out the strategy for replacing the Storage Area Network (SAN) in 2009.

It was recommended that Cabinet approve the strategy to tender for a highly resilient and configurable SAN incorporating tiered storage.

Resolved: - That the strategy to tender for a highly resilient and configurable SAN incorporating tiered storage be approved.

370 **HOUSING BENEFIT PROVISION, RESERVE AND BUDGET**

Members were updated on the latest position regarding the amounts held in the Housing Benefit provision and reserve and the Director of Finance recommended the release of £3.3 million to the General Fund Balance. His report also recommended changes to the Benefits budget.

Resolved: - That

- (1) having regard to risk involved, the sum of £2.3 million of the Housing Benefit provision and £1.0 million of the reserve be returned to the General Fund Balance;**
- (2) the Housing Benefit Subsidy be increased by £400,000 to reflect the reduced withdrawal of Subsidy by the DWP; and**
- (3) the net budget be increased by £700,000 to reflect the increased number of claimants.**

371 **MERSEYSIDE INFORMATION SERVICE (MIS)**

The Deputy Chief Executive/Director of Corporate Services outlined the current position with regard to the contract tendering process for the Merseyside Information Service (MIS). Members were advised that a two month interim contract was required to extend past 31st March when the current contract expires to allow officers to finalise the tendering process. This was to allow the contract negotiations to be concluded and to alleviate the risks of not having a new contract in place in time for 1st April 2009. It was noted that this matter needed the agreement of all Merseyside authorities.

Resolved: - That

- (1) Officers be authorised to negotiate a two month contract for the provision of MIS services, in accordance with paragraph 5.2 of the Contract Procedure Rules to allow the completion of the tendering process as outlined within the report and that Council be advised accordingly; and**

- (2) in order to complete this process, members are also asked to authorise the consultancy support highlighted in para 5.2 of the report.

372 **SALE OF TWO DEVELOPMENT SITES AT SOUTHWICK ROAD, TRANMERE AND WOODHALL AVENUE/ROYSTON AVENUE, SEACOMBE**

The Director of Law, HR and Asset Management sought Cabinet's approval, to a revision of terms for the sale of two sites located at Southwick Road, Rock Ferry and Royston Avenue/Woodhall Avenue, Seacombe, to Registered Social Landlords (RSLs).

Resolved: - That the revision to the terms for sale of the two sites identified in this report be approved.

373 **LAND AT RIVERS STREET, BIRKENHEAD**

The Director of Law, HR & Asset Management advised Members of the cleared sites in Birkenhead North off Beaufort Road, which were available for redevelopment and of the request by the Merseyside Police Authority to acquire land in the area for the purposes of erecting an Area Command Centre. His report also included provisionally agreed terms of disposal and details of legal Options in respect of certain assets owned by the Merseyside Police Authority.

Resolved: - That

- (1) disposal of land in the Council's ownership to the Merseyside Police Authority, in accordance with the provisionally agreed terms and conditions set out in this report, subject to the grant of planning permission, be approved;
- (2) the Council enter into the two Option agreements, in accordance with the provisionally agreed terms and conditions set out in this report; and
- (3) the Director of Law, HR and Asset Management, in consultation with the Portfolio Holder for Corporate Resources, be authorised to agree any reduction in the sale price arising from abnormal costs, and to proceed with the necessary contractual arrangements required to complete the respective transactions.

374 **EMPLOYEE ASSISTANCE PROGRAMME**

The Director of Law, HR & Asset Management submitted a report proposing that the Council enhance the current Occupational Health contract with Norwich Union to include their Employee Assistance Programme (EAP), and Members were asked to agree to vary the existing Occupational Health contract to allow for provision of an Employee Assistance Programme with Norwich Union Healthcare.

Resolved: - That the current occupational health contract with Norwich Union Healthcare be varied to provide an Employee Assistance Programme with immediate effect, in accordance with the contractual procedures

375 **PROGRESS TOWARDS THE TRANSFORMATION OF ADULT SOCIAL SERVICES - FEE LEVELS FOR DOMICILIARY CARE, RESIDENTIAL, NURSING HOMES AND SUPPORTED LIVING**

The Director of Adult Social Services updated members on work being progressed to ensure that value for money was achieved in relation to Supported Living, Domiciliary Care and Residential and Nursing Care. Members were asked to approve consultation on specific proposals to existing contracts.

Resolved:- That Cabinet resolves to consult with all providers on the proposals set out below and receive a further report on 19th March 2009.

General

- (1) The existing inflation clause calculation is revised for all the contracted services referred to in this report to ensure that future payment can be met within existing resources.
- (2) That the Employment and Appointments Committee be recommended to approve the permanent establishment of an additional Contract Officer and a Team Support Officer at an estimated cost of £80,000 per annum which will be offset against the savings achieved through these proposals.

With regards to Supported Living

- (3) A maximum rate of £13.18 is implemented as a variation to the existing contract payable from 1 April 2009.
- (4) Work is commenced with providers to specify specialist support and propose a banded fee structure for approval by members.
- (5) Revised contracts for supported living will include responsibilities in relation to the Quality Assessment Framework that was introduced in January 2009.

With regards to Domiciliary Care

- (6) A maximum rate of £11 is implemented as a variation to the existing contract payable from 1 April 2009.
- (7) Offers of new business to domiciliary care providers who have not complied with the department's e-monitoring requirements by 1 April 2009 will be suspended until such time as these requirements are met.

With Regards to Residential and Nursing Homes

- (8) **Current fee levels as at 29 November 2008 are reduced by 5% and introduced as the Council's "usual fee" levels from 1 April 2009 (as set out in section 4.5 Table 3).**
- (9) **The existing quality premium criteria and differential amounts paid are retained as an interim measure.**
- (10) **Members note the Director of Adult Social Services intention to consult on the adoption of Commission for Social Care Inspection star ratings and the premium payments to be paid at each level subject to the availability of a declared rating for all homes.**

376 **SITES AT GRANGE ROAD EAST, BIRKENHEAD**

The Deputy Leader of the Council had agreed to consideration of this matter as an item of urgent business.

Cabinet's approval was sought to the disposal of two parcels of land situated in Grange Road East, Birkenhead for use as private car parks in conjunction with a neighbouring speculatively built office block, presently nearing completion. The report would normally be delegated but a decision was required by Cabinet as one of the sites comprised an operational Pay and Display car park and its closure would require a budgetary adjustment.

The Director of Law, HR and Asset Management advised that the matter was urgent as the office block was to be let to the Primary Care Trust who wished to take up occupation in July. In order to provide the necessary lead-in time to complete the internal fit out, the lease needed to be signed immediately but the PCT would not commit until it was certain that the additional car parking would be available.

Resolved: That

- (1) **the sites be formally declared surplus and sold on the terms outlined in the report; and**
- (2) **the reduction of £9,000 pa, within the Director of Technical Services' car park budget be agreed.**

COUNCILLOR PHIL DAVIES IN THE CHAIR.

377 **WEST KIRBY MARINE LAKE RECONSTRUCTION - AWARD OF CONTRACT**

At its meeting on 22nd May 2008 Cabinet had approved the urgent progression of the protection works scheme to West Kirby Marine Lake (Minute 25 refers).

The Director of Technical Services advised Members of the tenders received to undertake the works and sought approval to accept the lowest tender and make suitable amendments to the Council's Capital Programme resulting from the revised estimated costs.

Resolved: - That

- 1) the acceptance of Environment Agency Grant in the sum of £1.2m-£1.4m be delegated to the Director of Technical Services in consultation with the Cabinet Member for Culture, Tourism and Leisure;
- (2) the increase in scheme cost estimate as outlined in section 3.0 be noted and an allocation of £1,850,000 be sought from the Council's Capital Programme (including (1) above);
- (3) the acceptance of the tender from Pierse Contracting Ltd in the sum of £1,369,964.99 be approved, subject to efficient confirmation of the EA Grant outlined in (1) above; and
- (4) the amendment to the Council's Capital Programme be referred to Council for ratification.

378 **LAND AT ASHVILLE ROAD, BIRKENHEAD**

Members' approval was sought to grant leases of two areas of land off Ashville Road, on the edge of Birkenhead Park.

Resolved: - That the grant of new leases in respect of Areas 1 and 2 identified as land off Ashville Road, Birkenhead, in accordance with the terms set out in this report, be approved.

379 **ANY OTHER BUSINESS**

There were no further items of business.