

CABINET

Thursday, 23 April 2009

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

463 MINUTES

The Director of Law, H.R. and Asset Management reported that the minutes from the previous meeting, held on 9 April 2009 had been published and that minute 441 (Progress Towards the Transformation of Adult Social Services – Fees for Residential and Nursing Homes) had been called in and would be considered by the Social Care, Health and Inclusion Overview and Scrutiny Committee on 5 May 2009.

The minutes called in from the meeting held on 19 March 2009 had been considered by the relevant Overview and Scrutiny Committees, and he set out the result of the call-in process –

Minute 407 (Asset Management Update) was considered by the Corporate Services Overview and Scrutiny Committee held on 16 April 2009, which resolved (minute 63 refers) “That it is unacceptable to expect that the will of this Council, democratically arrived at, should deliberately be subverted by political campaigning pledges made by an opposition group. If the Conservative Group wish to make election pledges that is their prerogative, but to expect the Council to undermine its own policies to accommodate their pledges is outrageous and is resisted by this committee. Consequently, this committee supports the decision made by Cabinet and reported in minute 407”.

Minute 436 (Parenting and Preventing Commissioning) was considered by the Children’s Services and Lifelong Learning Overview and Scrutiny Committee held on 20 April 2009 , which resolved (minute 75 refers) –

“(1) That the Cabinet’s decision in relation to the procurement of services for parenting and prevention be supported, albeit with the reservations set out in (2) below.

(2) That this Committee accepts that there are lessons to be learnt from the procurement exercise and asks the officers to look again at the issues that have been identified relating to:

the timing of the process;
the overall timescale allowed for tendering;
the slight confusion over the wording of tender documents;
delays in providing answers to queries and feedback.

(3) That the Committee record its thanks to all of the witnesses for their attendance and in particular to the representatives of the Parent Partnership for bringing this matter to its attention.

(4) That the Committee receive a report in due course on the outcome of the LINK Forum's review of the procurement process".

Resolved – That, with the exception of minute 441 (Progress Towards the Transformation of Adult Social Services – Fees for Residential and Nursing Homes) called-in, the minutes of the meeting held on 9 April 2009 be approved and adopted.

464 **DECLARATIONS OF INTEREST**

The members of the Cabinet were invited to consider whether they had 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.

Councillors Holbrook declared his prejudicial interest in minute 493 (Any Other Business – West Kirby Marine Lake) by virtue of his employment. Councillor Gill Gardiner also declared her prejudicial interest in the item by virtue of living in the immediate area.

Councillor Phil Davies and Mr S Maddox (Chief Executive) declared their personal interest in minute 467 (Improving Primary and Secondary Provision for Pupils with Complex Learning Difficulties) by virtue of their membership of the governing body of Wirral Metropolitan College. Those Cabinet members who served as school governors also declared their personal interest in that item.

Councillor Steve Foulkes declared his personal interest in minute 490 (Housing Market Renewal Initiative – Bray and Brassey Street Neighbourhood Option Appraisal) by virtue of him being acquainted with a resident in the area affected by the proposals.

465 **ANNUAL AUDIT AND INSPECTION LETTER 2007/2008**

The District Auditor presented the Annual Audit and Inspection Letter 2007/2008. It provided an overall summary of the Audit Commission's assessment of the Council and drew upon the most recent Comprehensive Performance Assessment (CPA), the findings and conclusions from the audit of the Council for 2007/2008 and from any inspections undertaken since the last Annual Audit and Inspection Letter.

He set out the key messages contained within the report and commented that Wirral Council had improved its final assessment under CPA and was assessed as three star and improving well. Good overall progress was being made against local priorities and the Council had significantly improved levels of recycling and cleanliness. Good progress was also being made to regenerate the area and the Council had been successful in attracting and supporting new business in the Borough.

He set out the action needed to be taken by the Council and indicated that further detailed findings, conclusions and recommendations on the areas covered by audit and inspection work were included in reports that had been issued to the Council during the year. He commented also that the Council had taken a positive and constructive approach to audit and inspection work and he thanked the Council's staff for their support and cooperation during the audit.

Resolved –

(1) That Cabinet welcomes the report of the Audit Commission and notes the conclusion that Wirral has improved to being a 3 star Council that is improving well.

(2) That officers be requested to bring forward a report setting out proposals to address the areas identified in the report for further action, in particular those set out in paragraphs 9 to 13.

466 THE FUTURE OF TENANT AND RESIDENT INVOLVEMENT IN WIRRAL

The Director of Regeneration provided an overview of the current issues and recent opportunities which had arisen in relation to the further development of tenant and resident involvement in Wirral. He commented that during 2008 the Council, WPH and WFTRA agreed to commission an independent specialist consultant to review existing tenant and resident involvement arrangements for Wirral, the agreement for partnership working between all partners and the options for future community engagement. The results of the review were presented to representatives of wider tenants and residents groups at an event held on 13 November 2008 to seek views about how both WPH and the Council could best work with tenants and residents in the future. Following on from the event, a postal survey was conducted with a wide range of community groups and representatives, the majority of which had originally been invited to the consultation event. The survey endorsed a number of key themes raised at the event and sought to explore those further.

The Director set out the key findings that were identified from the consultation processes undertaken and reported upon a proposal from the Voluntary Community Action Wirral (VCAW), prompted by the findings of the review, to take on resident and tenant engagement. He commented that Wirral Council both supported and worked in partnership with VCAW of which WFTRA is a member. VCAW was the Council's preferred partner for local infrastructure and was the mechanism through which the public bodies should engage with its third sector partners in Wirral. He referred also to a number of advantages to VCAW being both the main route for the Council to use for community engagement and in aligning social tenants and residents groups with wider community groups in Wirral.

He commented that there was a proven need for a change to the present arrangements and stressed the need for as many tenants and residents groups as possible to be represented on an inclusive federated organisation and he had arranged a meeting for 1 May 2009 with VCAW and the WFTRA to explore the future role of both organisations in resident and tenant engagement. He indicated that the outcome of the meeting could then be presented to a subsequent meeting of residents' groups.

With agreement of the Chair, the Chair of WFTRA addressed the Cabinet.

Resolved –

(1) That the Cabinet agrees in principle upon the need for a change to the present arrangements for tenant and resident involvement.

(2) That a further report be presented to include the outcome of meetings held with VCAW and WFTRA and any subsequent discussions with other residents groups.

[The Cabinet adjourned at 7.10pm and reconvened at 7.25pm]

467 **IMPROVING PRIMARY AND SECONDARY SPECIAL SCHOOL PROVISION FOR PUPILS WITH COMPLEX LEARNING DIFFICULTIES**

The Director of Children's Services reported upon the outcome of investigations and consultations into ways in which special school provision, primary and secondary, for pupils with complex learning difficulties on Wirral might be improved. He set out current provision and reported that during the course of the consultation process, Wirral was advised of its allocation of Building Schools for the Future (BSF) monies. Those, combined with funds available from the Learning and Skills Council, would enable the build of new 21st century schools, which were genuinely fit for the future and would provide up to date facilities for some of the most vulnerable pupils.

He commented that co-location of the schools on mainstream sites would facilitate greater inclusion both within education and within the wider community and would also provide a learning pathway from childhood to adulthood by raising aspirations, expectations and opportunities whilst still providing a protective environment where necessary. He reported that the consultation process had been lengthy and extensive and had sought views on a number of proposals generated from earlier discussions with a wide range of stakeholders, including parents, governors, teachers and other staff, health, social care, unions, transport etc. The Director outlined the response to the consultation process and provided an analysis of the Public Meeting Records and Individual Responses. He reported also upon the outcome of a workshop that had been organised with the CLD Consultation Group in order to seek a way forward, which would find a broad agreement amongst stakeholders. He put forward for consideration a number of proposals which met the criteria of the SEN Improvement Test and outlined the steps that would be necessary if the recommendations contained within his report were approved.

The Cabinet Member for Children's Services and Lifelong Learning supported Special Schools being at the heart of the BSF process and upon the need to take advantage of co-location with mainstream schools. However, he recognised the

concerns which had been raised by a group of parents at Meadowside School regarding the appropriateness of a potential site identified for the co-location of the 16-19 provision. He indicated that specific sites had not yet been agreed and offered to meet with those parents to assure them that no decisions would be made, which compromised the health and safety of the pupils concerned.

Resolved –

(1) That approval is given in principal to the replacement of Stanley and Elleray Park schools by the development of two new build, primary (2-11) CLD schools, each co-located with a mainstream primary school and each providing for approximately 100 children and catering for the full range of need found within the CLD population and,

to continue investigations and consultations regarding the development of a 2-19 CLD provision specifically for children who experience profound and multiple learning difficulties and who, by reasons of medical/physical difficulties, may be considered particularly vulnerable. Under this proposal The Lyndale School will continue as presently until these investigations and consultations are completed and further reports to Cabinet are considered.

(2) That approval is given to the development of new build, secondary (11-19), CLD school, catering for the full range of needs found within the CLD population, on split sites.

The 11-16 provision, approximately 135 places, would be co-located with a mainstream secondary school.

The 16-19 premises, approximately 120 places to allow for additional provision to cater for those pupils currently educated within mainstream or other special schools e.g. Clare Mount or West Kirby Residential School and who may require a stepping stone to Further/Higher Education would be co-located with a local FE College (WMC).

(3) That approval is given to continuing consultations with other stakeholders regarding funding of the above and the provision of additional extended services.

468 CORPORATE PLAN 2009/12 DELIVERY PLAN

The Deputy Chief Executive/Director of Corporate Services presented for approval the final version of Wirral's Corporate Plan 2009/12 Delivery Plan. He commented that the Council's vision of 'a more prosperous and equal Wirral, enabling all communities and people to thrive and achieve their full potential' was articulated in the Corporate Plan and was delivered through the five strategic objectives and 11 improvement priorities. The Delivery Plan demonstrated the projects and activities the Council would undertake to deliver Corporate Plan aims and priorities and related performance indicators/other measures, and it included three year targets for the performance indicators within the corporate plan.

Resolved –

(1) That the refreshed Corporate Plan 2009-12 Delivery Plan be agreed.

(2) That the three year targets for the corporate plan be approved.

469 DELIVERING IMPROVED OUTCOMES FOR VULNERABLE CHILDREN - REVIEW OF LEGAL SERVICES CHILD CARE TEAM

The Director of Law, HR and Asset Management reported upon the additional capacity required within Legal Services to deliver improved outcomes for children in need, at risk of significant harm or who had experienced significant harm. The major drivers were the findings of careful scrutiny of Legal Services following the death of Baby P; and the Council's Corporate Plan and objectives. His report had been prepared in consultation with the Director of Children's Services and sought approval to fund the additional capacity by a transfer from Children's Services and the Efficiency Investment Budget. He commented that proceedings to protect children had to be instigated in a timely manner and sometimes on an emergency basis and there therefore needed to be a sufficient number of lawyers within the Council's Legal Services Section with appropriate experience to give advice, draft legal documents and to attend court in order to ensure that applications for orders to protect children were made appropriately and as expeditiously as possible. Ensuring that sufficient numbers of lawyers were available to undertake child protection work would assist the authority in managing and reducing risk to vulnerable children and young people and would assist in safely reducing the number of looked after children.

He outlined the present structure of the Legal Services Child Care Team and commented that the increased requirements upon front line Child Care Solicitors and their capacity to provide good quality advice in complex situations had been starkly highlighted through the case of Baby P. He therefore proposed a new post of Senior Child Care Solicitor. He proposed also the creation of the two new legal assistant posts that would create additional capacity in the most cost effective way, to alleviate pressures within the team by allowing the solicitors to concentrate on the more complex legal tasks and advocacy.

Resolved –

(1) That the additional posts of a Senior Child Care Solicitor and two posts of Legal Assistant in Legal Services be agreed and funded from (a) a transfer from Children's Services of £30,000 and (b) £92,461 from the Efficiency Investment Budget.

(2) That the establishment of the new posts is referred to the Employment and Appointments Committee.

470 MEMBERS' ALLOWANCES

The Director of Law, HR and Asset Management requested the Cabinet to make recommendations to the Annual Meeting of the Council in respect of the Members' Allowances Scheme and, in particular, to consider any up-rating of the allowances, as permitted under the scheme. He reported that each increase of 1% in the basic allowance would add £8,262 to the members' services budget, based on the current

basic allowance and available special responsibility allowances. However, not all of the SRAs were currently taken up, which meant that, if an increase of up to 2.9% were recommended, it could be accommodated within the existing budget.

The setting of a members' allowances scheme was a decision for the whole Council, based on recommendations from the Cabinet and he reported that any arrangement to implement an up-rating, as allowed by the Scheme, could remain in force for up to four years, i.e. until 2012. He envisaged no other changes to the Scheme and did not intend to request the Independent Remuneration Panel to meet.

RECOMMENDED –

(1) That Cabinet notes that on the basis of the formula recommended by the Independent Panel, the basic allowance for Councillors would increase to £9500, an increase of 3.6%. However, Cabinet recognises the need to show restraint in the public finances at these difficult economic times and therefore proposes that the basic allowance remains at its current value of £9171 at this time.

(2) That the dependant carer's allowance be increased to £5.73 per hour.

471 **OVERVIEW AND SCRUTINY COMMITTEES**

Further to minute 415 (19 March 2009) the Director of Law, HR and Asset Management reported that the proposal to move to five Overview and Scrutiny Committees had been referred to the three Party Leaders for their comments and he set out a number of suggestions that had been made by the Leader of the Conservative Group.

The Director set out the draft terms of reference for the five Overview and Scrutiny Committees, based on the existing Committees and for an over-arching Overview and Scrutiny Committee to perform a role in relation to programme co-ordination and call-ins.

He reported also that section 19 of the Police and Justice Act 2006 was being brought into force on 30 April 2009. This required every local authority to establish a crime and disorder scrutiny committee. He indicated that some local authorities had set up separate crime and disorder sub-committees, whilst others were incorporating the committee into an existing scrutiny committee, which he believed to be more in keeping with the Council's aspiration of reducing the number of overview and scrutiny committees.

RECOMMENDED –

(1) That the Scrutiny Chairs Committee is titled the Scrutiny Programme Board and that additional to those duties set out in the appendix to the Director's report, the Committee should also be responsible for -

- **the development and monitoring of an annual scrutiny work programme;**
- **undertaking scrutiny in its own right with regard to cross-cutting or strategic issues not covered by other Overview and Scrutiny Committees;**

- **identifying and sharing good scrutiny practice across all Overview and Scrutiny Committees.**

(2) That each of the five other Overview and Scrutiny Committees be represented on the Scrutiny Programme Board.

(3) That the Excellent Council Committee is titled Council Excellence.

(4) That the role of the Crime and Disorder Committee is incorporated into the work and terms of reference of the Sustainable Communities Overview and Scrutiny Committee in accordance with the requirements of the Police and Justice Act 2006 as amended by the Local Government and Public Involvement in Health Act 2007.

(5) That in the interests of accountability and transparency, all reports to Scrutiny should identify the relevant Cabinet Portfolio under which the item falls.

472 CHANGE PROGRAMME - PROGRESS REPORT

Further to minute 294 (10 December 2008), the Director of Finance set out the areas contained within the Change Programme and commented that following further consideration of the Programme by Chief Officers and the Corporate Improvement Group (CIG), it was proposed to add a further two programmes to the overall programme, which were integral to the Council ambition to be recognised as an excellent Council.

The purpose of the programme was to improve services within available resources and within approved timescales and he reported that each of the six programmes would report to the Strategic Change Programme (SCP) Board, which had been created to oversee the Change Programme and to ensure that it remained on course to deliver the desired outcomes. Individual programme managers were in the process of confirming key criteria to the SCP Board and the Director proposed to report quarterly to Cabinet, in line with the financial and performance monitoring cycle.

Resolved – That the enhanced Strategic Change Programme including the management and reporting arrangements be approved.

473 ALLOCATION OF EARLY YEARS QUALITY AND ACCESS CAPITAL GRANT TO PROVIDERS

The Director of Children's Services requested Cabinet approval for DCSF Early Years Capital Grants, which would support investment in the private, voluntary and independent (PVI) sector. He outlined the aims of the grants and commented that the DCSF expectation was that the majority of the capital grant would be used to improve the quality of the environment in PVI settings, both to support higher quality experiences for young children and ensure that all children can access services.

Resolved – That the Capital Grants as set out in Appendix A to the report now submitted, be approved.

474 **COMMISSIONING CRITERIA FOR UNIVERSAL, OPEN ACCESS YOUTH SUPPORT SERVICES**

Further to minute 283 (27 November 2009), the Director of Children's Services presented the proposed commissioning criteria which had been produced following consultation and were to underpin the process for the commissioning of Super Centre Youth Clubs and the provision of Positive Activities for Young People (PAYP). He set out the available funding and commented that guidance produced by the DCSF made clear that it was to support targeted and universal week-end diversionary activities for young people and to positively impact on a number of priorities such as a reduction in teenage pregnancy, first time entrants into the Youth Justice System, a reduction in NEET and family intervention support programmes.

The funding would be allocated through a commissioning process once the criteria were approved. He anticipated that the process would take up to four months with final decisions made by the end of August 2009 and he outlined the key tasks to be completed. He reported that in the first instance the commissioning process would focus on the establishment of the four hubs. Once the hubs had been established a further commissioning round would take place at a future date to identify satellite provision.

The Cabinet Member for Children's Services and Lifelong Learning commented that Cabinet recognised the important role that youth provision played in enabling young people to realise their full potential and addressing issues such as crime and anti-social behaviour, teenage pregnancy and young people not in employment, education or training.

In order to achieve those objectives, Cabinet wished to improve the offer currently available to young people and the opportunity to do this was now available as a result of additional funding from Government under the Positive Activities for Young People Programme.

Resolved – That Cabinet agrees to –

(i) establish four super youth centres which will be open 6 nights a week. Shaftsbury Youth Club has previously been identified as the location for the super centre serving Birkenhead as part of the process for agreeing Wirral's 'My Place' bid. Cabinet therefore asks the Director of Children's Services to commission the remaining three super centres for Wallasey, West Wirral and South Wirral;

(ii) continue to operate those youth clubs in the Borough which are owned and funded by the local authority or voluntary youth clubs with staff funded by the Council;

(iii) commission the allocation of funding for the Positive Action for Young People programme using the process and framework outlined in the report of the Director of Children's Services;

(iv) take no further action on the proposed model for a reconfigured youth service pending a detailed review of the take-up of existing provision in the light of the establishment of the proposed new super centres, together with an

assessment of how far existing provision meets the needs of young people and provides value for money.

475 PROPOSED CENTRE FOR WALLASEY YOUTH PROJECT AT THE FIRE STATION, MILL LANE, WALLASEY

Further to minute 283 (27 November 2008), the Director of Children's Services presented a scheme and estimate report, which proposed to accommodate a Youth Club within the Wallasey Fire Station and re-locate Fire & Rescue facilities from the ground floor into under-used accommodation on the first floor. He commented that the fire station was in a good location for young people, close to public transport links and as a working fire station, fire and rescue officers would be on site 24 hrs which provided an added sense of security. He reported that the proposed Youth Project accommodation would cater for up to 80 service users per session, and he commented upon the activities that would be provided.

The overall anticipated set up costs of the project were £452,000, inclusive of furniture and equipment (£22,600) and professional fees (£56,010) and would be funded by a Youth Capital Plus grant from the Department of Children, Schools and Families. The revenue costs for heating, lighting and external maintenance would be met by the Fire Authority.

Resolved –

- (1) That the scheme and estimate be approved.**
- (2) That Technical Services be authorised to obtain all necessary statutory approvals for the proposed works.**
- (3) That the Director of Technical Services be authorised to seek tenders for the proposed works, in accordance with the Council's procurement rules.**
- (4) That the Director of Children's Services use his delegated powers to accept the lowest bona fide tender, and report back to members in due course.**
- (5) That the thanks of the Cabinet be accorded to the Merseyside Fire and Rescue Service for the provision of building accommodation.**

476 PLAYBUILDER PROGRAMME

The Director of Children's Services reported upon the recently awarded Government Playbuilder funding and sought approval for its allocation in accordance with the project plan. The Play Pathfinder and Playbuilder Programme flowed from the Department for Children Schools and Families (DCSF) consultation on the national play strategy, and was a key commitment in the Governments "Children's Plan", launched in December 2007. He outlined the DCSF criteria for Playbuilder play areas and he commented that a new national indicator for play (NI 199 Children's and Young People's satisfaction with parks and play areas) would be rolled out from April 2009 and would run alongside the Playbuilder programme.

The funding allocation offered to Wirral Council under Playbuilder status was £1,129,445 capital and £45,648 revenue and no match funding was required. Over

the two-year programme period 2009-2011, the funding was expected to support the development (or redevelopment) of a minimum of 22 play areas across Wirral and revenue funding could be used at the discretion of the local authority for relevant activities to support the development of the scheme. He presented the Project Plan, which had already been submitted to DCSF for approval and he indicated that it listed the sites to be developed and explained how it was intended to comply with the key criteria.

He reported that a Project Manager would be appointed to manage the delivery of the Playbuilder programme reporting to the Wirral Play Partnership and Playbuilder Management Board. Due to the timescales involved and the grant conditions, year 1 projects had been selected based on previous consultation, existing community driven projects, match funding opportunities and also sites where there were strong User/Friends Groups. Initial year 2 sites had been proposed as part of the requirement of the Playbuilder Project Plan submitted to DCSF although they would be subject to further consultation and negotiation to ensure a strategic approach to the location of play areas. The identified Year 2 play sites complemented the previously chosen Year 1 play sites and ensured that there were improved play facilities across the Borough.

Resolved –

(1) That the funding of £1,129,445 Playbuilder capital and £45,648 revenue from the DCSF to improve 22 play areas over the course of the next two years, be allocated in accordance with the Project Plan, and be included in the Children & Young Peoples Department Capital Programme for 2009/2010 and 2010/2011.

(2) That approval be given for the sites identified for year one expenditure (2009/2010).

(3) That subject to further consultation with the Play Partnership the proposed year 2 sites be considered as projects for year two (2010/2011)

477 A SUSTAINABLE COMMUNITY STRATEGY FOR WIRRAL - FINAL DRAFT

The Deputy Chief Executive/Director of Corporate Services reported upon the progress to date in developing a Sustainable Community Strategy for Wirral and presented a final draft of the Strategy for consideration, in accordance with the requirements of the Local Government Act 2007. It had been produced following a consultation process and he provided a summary of consultation responses. The final draft of the Strategy was now being circulated to members of Wirral's Strategic Partnership for adoption through the governance arrangements of partner organisations, as appropriate. He commented that the Council was required to formally adopt the Strategy in accordance with the Local Authorities (Functions and Responsibilities) Regulations 2000/2853. He therefore proposed that the final draft of Wirral's Sustainable Community Strategy be referred to the next full Council meeting for formal adoption.

Resolved –

(1) That the Sustainable Community Strategy be approved and referred to the Council in accordance with the Local Authorities (Functions and Responsibilities) Regulations 2000/2853.

(2) That, given the partnership nature of the document, delegated authority be given to the Chief Executive, in consultation with the Leader of the Council and the Chair of Wirral's Strategic Partnership to make any minor changes to the Strategy, identified by members of the partnership prior to its publication and launch.

478 WORKING WIRRAL - ALLOCATION OF THE REMAINING UNALLOCATED WORKING NEIGHBOURHOODS FUND

Further to minute 393 (19 March 2009), the Deputy Chief Executive/Director of Corporate Services reported that Regeneris Consulting had looked in detail at how the unallocated Working Neighbourhoods Funding of £13,812,312 could be invested over the next two financial years (2009/2010 and 2010/2011) to support the three priorities of Working Wirral to meet the objectives of the Council's Investment Strategy and to support Wirral people and businesses in a time of economic challenge. He set out the issues identified by Regeneris and with those considerations in mind and recognising that significant investment had already been made in Priority 1 (Competitive Wirral People), Regeneris had recommend that the majority of the remaining unallocated WNF should be focussed on Priority 2 (Competitive Wirral Places) in order to create the conditions for growth by unlocking major physical investments necessary to underpin the longer term developments of a local successful economy and on Priority 3 (Competitive Wirral Businesses) in order to boost competitiveness through support for businesses and entrepreneurs.

He set out the recommended allocations and commented that as the investment would be insufficient to meet all the work required to meet the objectives of the Investment Strategy, officers would continue to work strenuously with external funding partners (such as the North West Development Agency, Homes and Communities Agency and others) to bring in the investment required to support Wirral people and businesses.

Resolved – That the proposal to allocate the remaining Working Neighbourhood Funding as set out in the report now submitted be approved, including the following commissioned activities:

(i) That £400,000 of Working Wirral money is made available to support the allocation previously approved for drawing down ERDF measure 4.2 monies from the North West Operational Programme. This additional resource will be re-invested in the Working Wirral programme if the Merseyside bid is approved.

(ii) The Wirral apprenticeship programme, reported to Cabinet in a separate agenda item, is allocated a total of £1.7m of Working Wirral support over the next two years.

(iii) That an amendment to the current contract for the Wirralbiz New Business Start programme is approved, to enable the contractor to provide financial planning advice as part of the BIG Business support programme that has already approved been by Cabinet. This arrangement will run until the end of June.

479 SUMMARY AND RESPONSE TO THE RS2010 REGIONAL STRATEGY FOR ENGLAND'S NORTH WEST: PRINCIPLES AND ISSUES PAPER

The Deputy Chief Executive/Director of Corporate Services provided a summary of the RS2010 Regional Strategy for England's North West: Principles and Issues Paper, presented for consultation by the North West Development Agency (NWDA) and the Regional Leaders Forum 4NW. He set out the key consultation areas and presented a full proposed consultation response from Wirral Council addressing each of the questions posed. Although broadly in agreement with the Principles and Issues as presented in the consultation paper some additional comments were suggested.

The response emphasized the importance of acknowledging the wider City Regions as opposed to the Paper's focus on Liverpool and Manchester as key areas for growth and as part of that emphasis, the case was put forward for Wirral to be considered as the 'next big opportunity' within the Regional Strategy priority areas for investment. He also put forward the infrastructure challenge as an additional priority issue for the Regional Strategy to address and highlighted the significant challenges in facilitating major investment both at a regional and Wirral level due to major infrastructure constraints such as limited power and digital capability in specific locations.

The Cabinet Member for Corporate Resources expressed his support for the proposed response to the consultation document and was pleased that the issues contained within it included reference to advanced manufacturing and green technologies.

Resolved –

(1) That the content of the RS2010 Regional Strategy for England's North West Principles and Issues Paper be noted and the proposed consultation response attached at Appendix 1 to the report now submitted be endorsed for submission to NWDA on behalf of Wirral Council.

(2) That officers be authorised to continue to work on associated North West Regional Strategy development issues and return further reports as appropriate.

480 WIRRAL APPRENTICESHIP PROGRAMME

The Deputy Chief Executive/Director of Corporate Services reported that as part of the Council Budget 2009/2010 resolutions, officers were asked to explore the possibilities for developing an apprenticeship scheme across the public and private sector similar to the Knowsley Apprentice scheme. He presented an approach to delivering such a scheme in Wirral, supported through Working Neighbourhoods Fund (WNF) resources to a maximum of £1.7m. He commented that the Apprenticeships, Skills, Children and Learning Bill (February 2009) would put

apprenticeships on a statutory basis and establish the entitlement to an apprenticeship place for every suitably qualified young person who wanted one – with a choice of two industry or service sectors. He set out the upcoming local authority duty to ensure participation and quality for 16-18 year olds and provided an outline of the basic operating principles.

In considering the approach to delivery, the Director reported that the LSC currently funded work based learning providers directly for the training element of the apprenticeship programme and whilst there were indicative regional and contractual budgets, funding was allocated to providers on the principles of the demand led model. Wirral therefore, intended to deliver a programme of direct support to employers in order to stimulate the supply of available apprentice places in the workplace. He commented that taking account of the current economic climate, a wage subsidy model was proposed and he provided a case study of the approach taken by Knowsley MBC, upon which the Wirral scheme was based.

Resolved –

(1) That the approach to delivering the Wirral Apprenticeship Programme be approved.

(2) That officers be authorised to proceed to implementation subject to endorsement of strategic fit for use of WNF by the Wirral Economic Development & Skills Partnership.

(3) That the officers be requested to investigate additional sources of funding of the Apprenticeship Programme.

481 **BUSINESS START UP PANEL: INDEMNITY AGREEMENT WITH NORTH WEST DEVELOPMENT AGENCY**

The Director of Regeneration sought authorisation to indemnify the North West Development Agency (NWDA) against any breach of confidentiality that may arise from the Council accessing sensitive pricing information held by the Agency on each of the providers it has placed on the Business Start Up Provider Panel (BSUP Panel), which had been procured in connection with the implementation of the new Business Start Programme.

Consultation with Legal Services and the Risk Insurance Officer indicated that while the risk that the request posed to the Authority was minimal (due in part to the information only being disclosed to a very small number of senior officers) it could not be totally managed away. However, the Council's support to businesses underpinned the corporate priority of creating more jobs, achieving a prosperous economy and regenerating Wirral and any failure or negligence on the part of the Council, or its staff, in discharging those responsibilities (including the way that it used the information on suppliers) would be covered by the Council's Liability Insurance Policy. He commented that on balance, the residual risk to the Council of providing the indemnity sought by the NWDA and acceptance of the NWDA disclaimer was considered acceptable as the Council would not be able to participate in the BSS Programme without having access to the BSUP Panel information. He commented that the current Programme 'Wirralbiz' was due to end on 30 June 2009 in anticipation of the changes outlined in his report and the decision was required

urgently so as to allow a mini-tendering exercise to be undertaken and a new business start provider(s) selected in time for the new Business Start Programme to be operational from 1 July 2009.

Resolved – That the Director of Law, HR and Asset Management be authorised to sign the North West Development Agency’s Indemnity and Disclaimer to allow the selection of a new Business Start Service provider.

482 **ANNUAL GOVERNANCE STATEMENT**

The Director of Finance reported that the preparation and publication of an Annual Governance Statement was necessary to meet the statutory requirement set out in the Accounts and Audit Regulations 2006. He commented that the CIPFA/SOLACE Delivering Good Governance Framework provided a structure to assist local authorities with their approach to governance and the Director set out the six core principles contained within the Framework that were required to be considered when defining good practice. He presented for consideration the Annual Governance Statement for 2008/2009, which included detailed comment regarding the effectiveness of the governance arrangements in operation and he indicated that after being signed by the Chief Executive and Leader of the Council it would be included with the Statement of Accounts.

Resolved – That the Annual Governance Statement for 2008/09 be approved for inclusion with the Financial Statements and be signed by the Chief Executive and the Leader of the Council.

483 **RISK AND RETURN ENGLISH LOCAL AUTHORITIES AND THE ICELANDIC BANKS**

The Director of Finance provided a summary of the key messages from the Audit Commission report Risk and Return – English Local Authorities and the Icelandic Banks. The Audit Commission found that the majority of Councils had acted properly in managing their investments and were alert to the risks. Wirral Council was visited as part of the study and was considered to have acted properly. However, the report did make a number of specific recommendations for Local Authorities to help strengthen investment policies and further limit the risk of exposure to any future banking failures and the Director assessed current investment policies against each of the Audit Commission’s recommendations.

The Director also restated the background to the £2m investment with Heritable Bank and updated Members on the latest news from the Bank Administrators. Ernst & Young had begun the process of identifying and recovering assets and reimbursing the banks creditors, of which Wirral Council was one. It had reported that the assets exceeded the liabilities and had forecast that a material dividend would be payable in the near future. He anticipated that during April a report would be produced that would give more definitive information about the amount and/or timing of dividend payments. At this stage the Director remained confident that the £2m investment would be returned.

The Chair referred to misreporting of the issue in the local press and, in response to comments, the Director of Finance indicated that he expected the whole amount owing to be ultimately paid, including interest payments due on the fixed term bond.

Resolved – That the Audit Commission conclusion that the Council acted, and continues to act, properly in the management of its investments, be noted.

484 **ECONOMIC UPDATE**

Further to minute 394 (19 March 2009), the Deputy Chief Executive/Director of Corporate Services provided a summary update on the impact of the current recession on Wirral's economy and identified the steps taken by the Council to assist businesses affected by the current economic challenges. The Council and its partners were currently in discussion as to the best ways to support Wirral residents and businesses in the current situation. Monthly meetings continued between the Council and business leaders and in addition, as members were aware from previous reports, a structured package of support to businesses was being developed and feedback would be presented in future reports.

Resolved – That the report be noted.

485 **PROPOSALS FOR THE REVIEW OF GOVERNANCE ARRANGEMENTS FOR THE INTEGRATED TRANSPORT AUTHORITY**

The Director of Technical Services reported upon the proposed Governance Review of the Merseyside Integrated Transport Authority (ITA) in accordance with the requirements of the new Local Transport Act, enacted in November 2008. He set out the aims of the Act and indicated that in order to ensure that the ITA was fit for purpose and suited to local circumstances so that it could take on its enhanced role, the Act allows for a comprehensive review of governance of the ITA. He presented an agreed review brief and reported that the review would be undertaken by Atkins Consulting, based on the level of expertise they had built up in other City Regions. The contract would be let by the Merseyside Passenger Transport Executive (MPTE).

He presented also a report agreed by the Transport Working Group as the reporting arrangements for the review and indicated that all current best estimates suggested a period of two years from start to the implementation of the recommendations of the review. The Director reported also upon a number of important issues that were clarified at a special joint meeting with DfT, held on 27 January 2009.

Resolved –

(1) That the proposed Governance Review of the Merseyside ITA in accordance with the requirements of the new Local Transport Act be noted.

(2) That the proposed Study Brief and Reporting/Management Arrangements for the Review, outlined in the report now submitted, be endorsed.

486 **PRIVATE SECTOR HOUSING AND REGENERATION ASSISTANCE POLICY**

Further to minute 335 (15 January 2009), the Director of Regeneration reported that the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 ("the RRO") gave Local Authorities the power to provide assistance to improve living conditions in their area. However, the power could not be used unless a policy for the

provision of such assistance had been adopted, monitored, reviewed and amended (if necessary) to take into account changes in local circumstances and government policy.

The Council's revised policy had been subject to public consultation via the Council's website, local press and bespoke leaflets distributed largely via the Council's 'One Stop Shops'. He provided a summary of proposed revisions to the policy and commented that no comments were received about the proposed revisions.

Resolved – That the revised Private Sector Housing and Regeneration Assistance Policy as set out in the report now submitted be agreed and that it be implemented with immediate effect.

487 **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.

488 **THE SAIL, WEST KIRBY - FINANCIAL APPRAISAL**

Further to minute 390 (19 March 2009), the Deputy Chief Executive/Director of Corporate Services reported upon the key financial aspects in relation to The Sail Project, West Kirby and summarised the findings of an independent assessment of the Development Appraisal by the Council's appointed independent advisors. He set out the response of the developer and provided further detailed information.

Resolved –

(1) That Cabinet thanks Carpenter Investments for their time and commitment to the Sail Project.

(2) That having regard to the matters identified in the report and the further information considered by members this evening, Cabinet instructs officers to undertake further discussions with Carpenter Investments and the appointed consultants, with a further report to be submitted to Cabinet in the next 6 months to enable it to take a final view on the future of the project.

489 **EXTENSION OF SPECIAL NEEDS HOME TO SCHOOL TRANSPORT CONTRACTS**

The Director of Children's Services requested that consideration be given to a proposal to extend Minibus and PTG (Private Tailgate Vehicle) contracts for one year to July 2010.

Resolved – That Minibus and PTG contracts be extended for one year to July 2010.

490 **HOUSING MARKET RENEWAL INITIATIVE - BRAY AND BRASSEY STREET NEIGHBOURHOOD OPTION APPRAISAL**

The Director of Regeneration reported upon the findings of the Bray Street and Brassey Street Neighbourhood Option Appraisal (including Cavendish Enterprise Centre) and sought approval of the recommended course of action of an Acquisition for Clearance Programme and subsequent housing redevelopment as part of the Housing Market Renewal Initiative. He outlined the results of property inspections and commented that the findings from resident consultation indicated that there was strong local support for selective redevelopment and regeneration in North Birkenhead, particularly in the Bray Street and Brassey Street area.

Resolved –

(1) That the findings of the Neighbourhood Options Appraisal (NOA) be noted and the recommended course of action involving the acquisition for clearance of 3-39 Bray Street (odds), 2-4 Bray Street (evens), 1-13 Brassey Street (odds), 212/214 Park Road North and 2/4 Laird Street, as shown in Appendix 1 is agreed.

(2) That the vacant properties at 20, 22 and 24 Laird Street be included in Area 1 for acquisition and demolition.

(3) That the Cavendish Business Centre be demolished and the site included as a residential redevelopment site, alongside the site to be assembled by housing clearance.

(4) That as many buildings as possible be acquired by negotiation and agreement with individual owners. However, should acquisition by agreement not be possible then officers submit a further report to Cabinet seeking Compulsory Purchase powers.

(5) That further consultation continue with the Seion Welsh Presbyterian Church with regard to its future.

491 **CRAVEN STREET/PATERSON STREET NEIGHBOURHOOD FACELIFT SCHEME, BIRKENHEAD**

The Director of Regeneration reported upon progress made to date with the Neighbourhood Facelift scheme involving properties situated in Craven Street, Paterson Street and parts of Claughton Road (nos. 228 to 282a) Birkenhead, and sought Cabinet approval of a tender for the implementation of Phase 1 of the scheme. He commented that the 'Strategy for Inner Wirral 2004-2014' identified an area of approximately 300 privately owned houses in Central Birkenhead namely Craven Street, Paterson Street and No's 228 to 282a Claughton Road as requiring investment to secure its long term sustainability. The Facelift programme would be completed in two phases and he outlined the results of a tendering exercise for phase 1.

Resolved –

(1) That the progress of the Facelift Scheme Phase 1, involving properties located in Craven Street and Claughton Road, be noted and the implementation of Phase 1 of the Scheme set out in the report and Appendices A and B be approved.

(2) That the tender submitted by Allenbuild Ltd Northwest in the sum of £1,435,320 be accepted for the works in Phase 1 following the tender process carried out in accordance with the Council's Contract Procedure Rules. This is in line with the decision of the Cabinet of 1 November 2007 to use competitive tendering.

492 **RECORDS MANAGEMENT AND ARCHIVE SERVICES**

The Director of Finance provides an update on the progress and development of the Records Management and Archives Facility at the Cheshire Lines building and the increasing demands made on it by the public and other services within the Council, including the increasing number of Freedom of Information requests.

He reported that in July 2008, The National Archives (TNA), the regulator of Archive facilities, inspected the Cheshire Lines facility. This resulted in the Council being granted a licence to house the Archives and enable opening it to the public. A further in depth inspection was due imminently and TNA is looking to formally accredit Wirral as a Place of Deposit for Public Records. As long as the environmental factors were stabilised then approved status could be sought for the facility, which applied only to some 30 facilities across the UK and would be a real coup for the Council.

The Director set out a number of proposed developments to improve the archive service and he set out a revised staffing structure which would help manage the growth of the Records Management service from facilitating two departments of the Council to facilitating all departments. This would allow the service to absorb the additional capacity faced with the confirmed increase in holdings from approximately 30,000 files to 300,000 files, thus enhancing the ability to rationalise and manage the strategic assets, including office accommodation more efficiently.

The cost of the proposed structure compared to the existing temporary structure required an increase of £32,540. However, it was anticipated that with the current volume of work and interest in the Archive Service, approximately £10,000 would be generated from the introduction of charging policies. Furthermore, since the inception of the Archive and Records Management Facility, filing and retrieval of information had become significantly more efficient, both in terms of the ability to retrieve information more quickly and in space being released at other buildings. The total estimated savings in running costs for those establishments where records had been relocated to the Cheshire Lines Archive amounted to £96,100. The proposal was therefore estimated to reduce costs by £73,500.

Resolved –

(1) That the extension of the opening hours of the service from 13 to 38 hours per week, 9.30 am to 4.30 pm Monday to Friday and 10.00 am to 1.00 pm on Saturdays be approved.

(2) That the Employment and Appointments Committee be recommended to approve the revised staffing establishment for the service.

(3) That a research service be provided to persons who cannot visit the archives in person and that the Charging Policy for this service be agreed.

[The Chair approved consideration of the following item of urgent business]

493 WEST KIRBY MARINE LAKE

The Director of Technical Services reported upon a number of matters in relation to West Kirby Marine Lake.

Resolved – That the report be noted and the action proposed by the Director of Technical Services be endorsed.

494 VOTE OF THANKS

The Chair thanked members and officers for their input and support during the past municipal year.