

Council

Town Hall
Wallasey

29 January 2009

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday 9 February 2009** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects:

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AGENDA

1. MAYOR'S COMMUNICATIONS

To receive the Mayor's announcements and any apologies for absence.

2. DECLARATIONS OF INTEREST

The members of the Council are invited to consider whether they have a personal or prejudicial interest in connection with any matter to be debated or determined at this meeting and, if so, to declare it and state the nature of such interest.

3. PETITIONS

To receive petitions submitted in accordance with Standing Order 21.

4. MINUTES (Pages 1 - 36)

To receive as a correct record the minutes of the extraordinary and ordinary meetings of the Council held on 15 December 2008.

5. MATTERS REQUIRING APPROVAL BY THE COUNCIL

To consider the following matters referred to the Council for decision (copies of the reports can be provided for members on request). Any other items, from the Cabinet meeting on 5 February, will be included in a supplement to this summons.

5.1 Cabinet minute 325 (15 January) - Transforming Wirral: Strategic Asset Review

Recommendation:

On 27 November Cabinet agreed the Strategic Asset Review, recommended by officers in principle, subject to consultation with the people of Wirral.

Cabinet welcomes the high level of public participation in this consultation, as set out in the Cabinet report. Cabinet notes that residents also made it clear that they were prepared to pay more to keep facilities open.

Cabinet acknowledges that residents on a peninsula believe it is particularly important that their children have the opportunity to learn to swim and take part in swimming activities and that there have been representations from the public and from the health community on the importance of swimming as a way of tackling obesity.

Cabinet noted the often passionate support of what were felt to be local community facilities and recognised the considerable time and effort put in by a number of correspondents who sought to provide detailed arguments for the retention of a particular facility.

Cabinet is particularly grateful for the hard work that went into the detailed document submitted on the importance of Woodchurch Leisure Centre to the local community.

Cabinet also recognises the high regard in which Wirral residents hold their historic buildings and accepts the need to respect Wirral's heritage.

It also recognises the clear commitment of staff, residents, local musicians and artists and young people to maintaining good cultural facilities and suitable performance venues on the Wirral and thanks those who submitted detailed reasons why these are important to the life of the community as a whole.

However, Cabinet is also mindful of the current economic climate and the hardship that will create for many Wirral people.

It is mindful as well of the fact that definite action is required to tackle Wirral's budgetary problems and that the recession will also impact on the Council in a number of ways, increasing the need for firm financial control in order to protect Wirral's council tax payers;

Bearing in mind the Council's Corporate Priorities and in particular the need to do everything possible to tackle social exclusion and deprivation, **Cabinet therefore resolves as follows, and recommends to Council that:**

- (1) The Woodchurch Leisure Centre be retained;
- (2) Officers are asked to explore the possibility of persuading any of the Council's strategic partners who may benefit from the use of the Leisure Centre to contribute towards the £374,000 subsidy currently paid by the Council to keep the Leisure Centre open and to investigate the level of current charges to swimming clubs, schools and other organisations across the borough to ensure that the Council Tax payers are receiving good value for money which should be the subject of a report to Cabinet on February 5th as part of the budget setting process;
- (3) The Woodchurch Community Centre adjoining the Leisure Centre be considered for transfer to the Community within a two year time frame and the Leisure Centre and Community Centre be seen as the clear focus for community activities;
- (4) The two year time frame for community asset transfer will expire on 16 January 2011;
- (5) A two-year provision be set up to allow Guinea Gap to remain open pending a better understanding of the potential scale of any development along the waterfront and the possibility of bringing forward any Government investment in the Housing Market Renewal Initiative which could contribute towards kick starting any major development initiative.
- (6) That negotiations are held with Arena/Leasowe Community Homes for the transfer of the Leasowe Recreation Centre to the benefit of the community, subject to the agreement of satisfactory terms and conditions.
- (7) Cabinet notes that members of the public made it clear during the consultation period that they believed the main focus of activity in the Bromborough/Eastham area should be located in Bromborough. Cabinet therefore resolves to locate the multi- purpose complex at Bromborough Civic Centre, incorporating the Bromborough Library and the One Stop shop currently located in Eastham.

(8) This would, as a consequence, entail the closure of Eastham library. Residents of Eastham will be given the opportunity to explore alternative ways of making best use of all the facilities in Eastham to meet community needs, including the possibility, if the community so wishes, of a community transfer of the library building, proper access to IT facilities where they are needed, and a remote book ordering point in a relevant location.

(9) That, in response to substantial public representation, and in recognition of the fact that it is geographically central to a number of deprived areas and housed in a building of historic interest, Upton Library be retained and Woodchurch Library closed.

(10) In view of the fact that the closure of Eastham library and Woodchurch library was not directly set out in the proposals for consultation, transitional finance of up to three months, to the end of June 2009, will be available to allow residents to consider the best use of buildings within their communities.

(11) That the development of the five major multi-purpose complexes in Bebington, Birkenhead, Liscard, Moreton and West Kirby (including brand new build in Moreton and Liscard) be confirmed.

(12) That the smaller, community focused, multi-purpose complexes located in Greasby, Heswall, Leasowe, Rock Ferry and St. James, with the addition of Bromborough, be agreed and that the delivery of services in the Upton/Woodchurch areas be provided by a combination of the Woodchurch Leisure Centre, Upton Library and Upton One Stop Shop in the Department for Work and Pensions site.

(13) That, in response to substantial public representation, Pensby Library be retained.

(14) That the closure of the following libraries be confirmed: Beechwood Library, Eastham Library, Higher Bebington Library, Hoylake Library, Irby Library, New Ferry Library, Prenton Library, Ridgeway Library, Seacombe Library, Wallasey Village Library and Woodchurch Library.

(15) Where the community, or organisations serving the community, express a specific interest in a library building after closure, particularly where there is a clear lack of alternative community facilities for potential community transfer, that potential for community transfer of the redundant library building will be vigorously pursued.

(16) Officers are also asked to carry out an audit of community activities within Libraries scheduled for closure to

assess which of those activities could usefully be carried out in other ways, through Children's Centres, Schools, Community Centres or other Council buildings, with particular regard to activities for under 5s, access to technology and homework assistance for school children, access to technology for the unemployed and access to technology and activities for the elderly.

(17) In line with the Strategic Asset Review proposals, a system will be established for automatically reserving books online, from home, or from a number of community-based IT access points from which information technology can be accessed. These could be located in schools, community centres or other Council buildings, but will need to reflect the views of the local community. Officers are also asked to consider sympathetically the potential for limited transfer to interested community venues of currently held book stock.

(18) Officers will work with the voluntary sector to expand the existing service to the elderly, housebound or vulnerable members of the communities and will ensure that door to door transport schemes already operating for those with disabilities, such as Dial-a-Ride, will be well advertised to current library users. In the light of this, and public reaction to the proposal, the option of a mobile library service will not be progressed at this time but will be kept under review.

(19) That it be made perfectly clear that Birkenhead Central Library will remain open in its current building, which will be maintained as required; that there is no intention, and never was any intention, to demolish the building and that suitable alternative uses will be found for the building which will take account of its historic importance should the Council decide in the future that the needs of the Borough for a modern Central Library would be better met with a different building or on a different site.

(20) That the following facilities be transferred to community management, where the community expresses an interest, within a two year period and in line with the Strategic Asset Review recommendations and that finances be identified in the budgetary process to assist communities in making this a viable proposition: Hoylake Community Centre, Westbourne Community Centre, Livingstone Street Community Centre, Noctorum Community Centre, Leasowe Lighthouse, Seacombe Community Centre, The Grange, Grosvenor Ballroom, Vale House, Greasby Community Centre, Overton Community Centre, Delamere Community Centre, Mayer Hall, New Ferry Village Hall, 65 The Village, Victoria Hall, Windsor Close Community Centre, Heswall Hall, Turntable Building, Kylemore Community Centre, Alexander Hall and Pensby Community Centre, Woodchurch Community Centre and Leasowe Community Centre. Community IT access points

will be provided where required as part of the transfer.

(21) That Grange Road West Sports Centre also be considered under the same terms for transfer to the community, and that discussions take place with those who currently use the facility, or other community members if necessary, to secure its continued operation.

(22) That Beechwood Recreation Centre and Community Centre be transferred for Community use and that work be undertaken by officers to assess the best way in which this can take place with a report back to Cabinet as appropriate.

(23) That the Wirral Museum be closed but that a new sustainable use which will secure the future of this iconic building be sought and expressions of interest invited.

(24) That expressions of interest in Pacific Road Theatre by community/charitable trust/commercial operator or other interested organisation be sought, or given the considerable interest already expressed, be considered as part of a bidding process, to run the facility as an independent arts and performance venue.

(25) That the Wirral Transport Museum be transferred to a Community Development Trust, given suitable terms and conditions, or, if interest is expressed by an operator in the whole Pacific Road/Tramshed site, that the specialist role of the Transport Museum be protected as far as possible.

(26) That the office accommodation aspects of the Strategic Asset Review be implemented and officers be asked to accelerate the process of making savings from the rationalisation of the Council's office accommodation.

(27) That the closure of Bridge Court, Fellowship House, 98 Bidston Road, 4 Cavendish Road, Cavendish Enterprise Centre, Feltree House, Rosewarne, 5/7 St. Andrews Road, Shore Road Pumping Station, Hillcroft, 245 Liscard Road, 16/18 Rullerton Road, Dock Road Depot, 19 Heath Road, Kennet Close, the old Courthouse and Mendell Lodge be agreed, and appropriate arrangements made for their disposal.

(28) Cabinet is grateful for the views expressed by the Wirral Enabling Fulfilling Lives Group and confirms that no decision on the future of Cambridge Road Day Centre in New Brighton or Highcroft Day Centre in Bebington has been taken and that the future of these buildings and associated service provision will be considered as part of the Department of Adult Social Services review of services.

(29) That the Strategic Asset Review be agreed, subject to

the above amendments and endorsements.

(30) That, as a consequence of the above, the revenue saving of £3,101,000 be agreed; and

(31) that a provision of £1,863,000 be created to cover the items above and any necessary transitional funding.

NB. In accordance with the procedure adopted for other budget proposals agreed by the Cabinet, this minute will be forwarded to the Corporate Services, Culture Tourism and Leisure Services and Finance and Best Value Overview and Scrutiny Committees for consideration. The views of the Overview and Scrutiny Committees will be submitted to the Council on 9th February 2009.

5.2 Cabinet minute 336 (15 January) - Transportation Capital Programme 2009/10

Recommendation

That it be recommended to the Council that the proposed Transport Capital Programme for 2009/10, set out in [the Director's] report, be approved.

6. MATTERS FOR NOTING

The following matters, determined by the Cabinet, are drawn to the Council's attention, as required by the Constitution (copies of the reports can be provided for members on request):

- (i) Cabinet minute 327 (15 January) – The Warrens, Thingwall – Disposal of main depot site (Reason: waiving of call-in);
- (ii) Cabinet minute 337 (15 January) – Transforming Adult Social Services – Early voluntary retirement and voluntary severance (Reason: waiving of call-in).

7. QUESTIONS

To deal with questions from councillors and from members of the public, in accordance with Standing Order 11.

8. MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES

To consider and determine any references from overview and scrutiny committees, in particular any from the following meetings relating to the Strategic Asset Review:

Finance and Best Value – 2 February
Culture, Tourism and Leisure – 3 February
Corporate Services – 4 February

9. NOTICES OF MOTION

The following motions have been submitted in accordance with the notice required by Standing Order 8(1) and are listed in the order received:

9.1 MOTION: Wirral Partnership Homes

Proposed by Councillor Alan Taylor
Seconded by Councillor Doyle

(1) This Council recognises the significance of the in-depth presentation given to the Housing and Community Safety Overview and Scrutiny Committee on 15 January 2009 and welcomes the Department of Regeneration's technical and advisory assistance to the company in finding a solution to the problems raised by the conditions found in modernising their tower blocks and sheltered housing.

(2) Furthermore this Council again welcomes the decision of the Cabinet in endorsing Wirral Partnership Homes' request to modify the representation required for a quorate meeting of the Board, thus enabling the company to operate effectively in these difficult times.

(3) Council believes that it is essential that the Conservatives play a full part in this process, to work to minimise the impact of the problems experienced by Wirral Partnership Homes on the residents of Wirral.

9.2 MOTION: Strategic Asset Review

Proposed by Councillor Gilchrist
Seconded by Councillor Mitchell

(1) Council recognises that Cabinet minute 325 (Transforming Wirral - Strategic Asset Review), welcomed:

(a) *"the high level of public participation"* in the consultation process and

(b) *"the considerable time and effort put in by a number of correspondents who sought to provide detailed arguments for the retention of a particular facility"*.

(2) Council believes that this specifically opposed the

closure of Bromborough Library and Civic Centre and did not call as such, for the relocation of the One Stop Shop, but concentrated on the importance of the Library and Civic Centre.

(3) Council therefore does not consider that the consultation showed, in any way, a desire by Bromborough or Eastham residents for the closure of Eastham Library as a library or re-location of such a key One-Stop Shop drawing from a wide area.

(4) Council, having regard to sections 7 and 8 of the Cabinet decision, which determines that Eastham library should close, believes that this decision is based on a misreading and misunderstanding of the points raised in the petitions, letters and at the meeting at Hulme Hall.

(5) Council therefore calls upon the Cabinet:

(i) to re-examine this matter in detail in the light of the views being expressed, particularly by Eastham and Woodchurch residents who had no reason, until 15 January, to campaign for the retention of their valued services;

(ii) to take no action on the present decision and, for the avoidance of doubt, to ensure that budgetary provision is retained in the base budget to continue services until a decision based on the responses to consultation has been made and the level of service provision has been determined.

9.3 **MOTION: Above-inflation increases in rent**

Proposed by Councillor Leah Fraser
Seconded by Councillor Blakeley

(1) Council notes with concern that, at a time when many families are feeling the pinch, housing associations and registered social landlords are setting above-inflation increases in rent.

(2) Council believes the use of the recorded increase in Retail Price Index in September 2008 of 5% is not an accurate indicator today and will see many tenants in Wirral paying disproportionate increases in rent.

(3) Council therefore welcomes the efforts of the Local Government Association, supported by many RSLs and publications such as Inside Housing, for the Government to enable rent increases to be kept to a more manageable increase.

(4) Council calls on the social landlords in Wirral to consider the impact of increases on tenants and also asks the

Chief Executive of Wirral Borough Council to write to the LGA and Department for Communities and Local Government endorsing the need for RSLs to be given the freedom to set lower increases without being penalised in future years.

9.4 **MOTION: Reckless Tory Economics**

Proposed by Councillor Phil Davies
Seconded by Councillor Foulkes.

(1) Council notes, with amazement, the breathtakingly reckless economics behind the Conservative Group's behaviour on this Council. This includes:

(a) a virtually total opposition to all savings proposed by the Cabinet in order to reduce the burden on Wirral's council tax payers. If this were implemented it would so far have cost the council tax payers a minimum of £11m, which is the equivalent of an 11% increase in council tax over and above the current projected increase of 4%, giving an increase of 15%. (Council further notes that as increases of over 5% are likely to be capped, this would not only incur further costs to the Council in re-billing, but mean that over ten million pounds worth of Council services would have to be dramatically slashed within the period of just a few weeks in order to restore the budget to a legal level);

(b) the use of a much vaunted £90m of reserves to support their lack of any viable alternative to the measures currently proposed by Cabinet. This would not only bankrupt the Council for the future, in the same way that their use of £13m of balances to hide the impact of the poll tax created a hole in Wirral's finances from which we are even now only just recovering, but would mean, amongst other things:

- raiding school balances to support general Council expenditure, which is illegal;
- running the Council with zero balances, instead of the £6m recommended by the District Auditor, which means any minor overspend immediately places the Council into an illegal position;
- using the Council's insurance fund, which is used to self-insure against claims or, in the case of very large claims, pay the initial excess. This would effectively leave the Council uninsured and liable for massive future costs and legal cases;
- using money paid in advance by the Government to fund specific schemes for purposes other than that for which the money is reserved, which would leave the Council liable for major clawbacks in the future;
- using money reserved against potential overpayment by the Government on housing benefits, which again would leave the Council liable to large claims without

the money to meet them;

- using money allocated from other sources for specific projects which are not yet completed.

(2) Council further notes that this reckless behaviour, which would severely damage the Council's financial position and ability to offer services to the people of Wirral, is matched by the national position of the Conservative Party, which is to cut £5billion from public spending, including £240million from the Formula Grant paid to local authorities and at the same time promise a council tax freeze, leading to further devastation of local services.

(3) Council also notes that the dodgy accounting of the local Conservative Group is matched by that of their party nationally, who have so far declared the use of the same pot of money (government advertising and consultancy fees) twice for completely different purposes.

9.5 **MOTION: Conservative failure to attend Housing and Community Safety Overview and Scrutiny Committee**

Proposed by Councillor Kenny

Seconded by Councillor Ann McLachlan

(1) This Council expresses extreme concern that, at the normal scheduled Housing and Community Safety Overview and Scrutiny Committee, held on 15 January 2009, not one representative of the Conservative Party attended. This is despite the fact that the Conservatives are entitled to three seats on the Committee.

(2) Council is particularly concerned that the Conservative Party felt unable to arrange for even one representative to consider many crucial scheduled agenda issues, on behalf of the people of Wirral, including:

- Wirral's Housing Market Renewal Programme 2008-2011 - Mid Year Progress Report 2008/09
- Housing Stock Transfer - Progress Report
- Presentation on Tower Blocks and Sheltered Housing
- Presentation on Homelessness: Rough Sleepers/Street Drinkers
- Review of Scrutiny Work Programme
- Anti-Social Behaviour Watch Schemes
- Policing in Wirral
- Clearance programmes for areas including Wallasey
- HMRI areas including Seacombe, Liscard and Egremont.
- CCTV Control Room Report

(3) This Council believes that all political parties should accept a responsibility to consider, and make decisions on,

crucial issues, within the Council's agreed committee structure, on behalf of the Wirral electorate. By their non-attendance, the Conservatives have shown that they are not willing to accept such responsibilities, and, at the same time, have badly let down the Wirral electorate, who expect real leadership from their elected representatives, as opposed to "political posturing".

10. MATTERS FOR DEBATE

Pursuant to Standing Order 5(1)(m), and in accordance with Standing Order 5(3), to consider written comments on or objections or amendments to minutes submitted under Standing Order 7(2), together with those motions submitted under item 8 above that the Council agrees to debate at this meeting and any minority reports submitted in accordance with Standing Order 35(4).

11. VACANCIES

To receive nominations, in accordance with Standing Order 25(5), in respect of changes (if any) in the membership of the Cabinet and committees, and to approve nominations for appointments to outside organisations, including:

(i) The following person has been nominated to fill the vacancy of parent governor representative on the Children's Services and Lifelong Learning Overview and Scrutiny Committee: Mrs Maureen Cain, 8 Ganney's Meadow Road, Woodchurch.

(ii) The Council has been asked to fill a vacancy that has arisen among the trustees of the West Kirby Charities.

12. ANY OTHER BUSINESS

To consider any other items of business that the Mayor accepts as being urgent.

A handwritten signature in black ink, appearing to be 'B. M.', with a long horizontal flourish extending to the right.

Director of Law, HR and Asset Management