



# Cabinet

**Date:** Thursday, 6 September 2012

**Time:** 6.15 pm

**Venue:** Committee Room 1 - Wallasey Town Hall

**Contact Officer:** Lyndzay Roberts

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## AGENDA

### 1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Cabinet are asked to consider whether they have any disclosable pecuniary or non pecuniary interests in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

### 2. MINUTES

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

RECOMMENDATION: That the minutes be approved and adopted.

### 3. CHIEF CONSTABLE

The Chief Constable of Merseyside Police, Jon Murphy will attend the meeting together with the Area Commander, Chief Superintendent, John Martin.

## FINANCE

### 4. AUDIT COMMISSION ANNUAL AUDIT LETTER (Pages 1 - 6)

### 5. REVENUE MONITORING 2012/13 - MONTH 3 (JUNE 2012) (Pages 7 - 24)

6. **CAPITAL MONITORING REPORT 2012/13 - PERIOD 3 (JUNE 2012)**  
(Pages 25 - 42)
7. **TREASURY MANAGEMENT PERFORMANCE MONITORING**  
(Pages 43 - 52)

#### **IMPROVEMENT AND GOVERNANCE**

8. **COUNCIL'S IMPROVEMENT PLAN (Pages 53 - 72)**
9. **RECOMMENDATIONS FROM THE IMPROVEMENT BOARD**
10. **FREEDOM OF INFORMATION REQUESTS AND LOCAL GOVERNMENT OMBUDSMAN CONTACTS (Pages 73 - 86)**

#### **REGENERATION AND PLANNING STRATEGY**

11. **LOCAL DEVELOPMENT FRAMEWORK - JOINT WASTE LOCAL PLAN FOR MERSEYSIDE AND HALTON (Pages 87 - 156)**

#### **CORPORATE RESOURCES**

12. **RESTRUCTURE OF THE HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT DEPARTMENT (Pages 157 - 190)**
13. **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)**

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

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

The following items contain exempt information.

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

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

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

14 August 2012

Members of Wirral Council  
Wallasey Town Hall  
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commission.gov.uk

Dear Councillor

## **Wirral Council - Annual Audit Letter 2010/11**

I am pleased to submit my Annual Audit Letter for your attention. It summarises the audit work for my 2010/11 audit of Wirral Council, including the Merseyside Pension Fund.

### **Public interest report**

This letter has been delayed pending the findings from my consideration of a number of issues raised with me by a group of whistleblowers regarding the award and contract management of the Council's Highways and Engineering Services (HES) contract. Members will be aware that I have recently reported my findings in a public interest report. Section 8 of the Audit Commission Act 1998 (the Act) allows me to issue such a report where a matter comes to my notice that I believe needs to be considered by the Council or brought to the attention of the public. My reasons for issuing a public interest report in this instance were that this matter:

- had been and still is of significant public interest in the local media;
- needed to be brought to the attention of the public;
- needed the Council to take appropriate action; and
- needed a response from the Council following previous failures to take action or respond to concerns raised.

I identified a number of weaknesses in the Council's arrangements for the award and management of the HES contract. I reported that, whilst I did not identify any specific loss to public funds, the Council's arrangements did not, in my view, demonstrate good governance and value for money were being secured from this contract. As a result, the Council had exposed itself to significant risks. The weaknesses identified were, in my view, indicative of similar failings identified in other recent reports issued to the Council. They highlighted the need for the Council to strengthen its arrangements for demonstrating good governance and securing value for money in its use of public funds.

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I reported that the Council needed to take action to secure improvements in a number of areas, in particular:

- to demonstrate good governance, by improving the Council's arrangements for managing and reporting risks, declaring interests, reviewing and complying with contract procedure rules, delivering internal audit, reporting to elected members and responding to whistle-blowing; and
- to demonstrate value for money, by improving the Council's arrangements for tender evaluation and contract management, including contract variation, record keeping and performance management.

The Council has begun to respond to the messages from my work. For example, improved procedures and systems for recording, managing and reporting contract variations have already been established. I have also noted the work undertaken on the Council's arrangements for demonstrating ongoing value for money, based on the Audit Commission's report 'Going the Distance'. Nevertheless, much is still to be done to mitigate a number of the risks identified by my work, for this contract, for other Council contracts and for the Council's overall arrangements for securing good governance and value for money.

The Council considered my report at its meeting on 16 July 2012, including its response to the 21 recommendations included in the action plan. I will monitor the Council's response in accordance with my responsibilities under sections 11 and 12 of the Audit Commission Act 1998 as part of my 2011/12 audit.

### **Opinion on the 2010/11 financial statements of Wirral Council**

I issued an unqualified opinion on the Council's 2010/11 financial statements on 30 September 2011 in line with the statutory deadline. The amendments to the accounts did not change the financial position of the Council as at 31 March 2011. However, I raised a number of significant issues in my Annual Governance Report (AGR) that I presented to the Audit and Risk Management Committee on 28 September 2011:

- the financial statements were adjusted for a material amendment of £64.8m to the cash flow statement and a number of other errors that indicated there was limited quality assurance of the statements approved by the Director of Finance;
- there were a significant number of errors in the International Financial Reporting Standards restatement exercise and the audit extended from January to the end of August 2011 due to the number of accounts' versions presented for audit;
- the accounts were signed by the Director of Finance on 4 July which was after the 30 June deadline;
- not all of the working papers were presented for audit to the deadline and some were not to standard; and
- there were major weaknesses in internal controls in respect of non-current assets resulting in a significant number of the errors in the statements.

I made a number of recommendations to secure required improvements for 2011/12, in particular to ensure that:

- sufficient and appropriate capacity is applied to producing the financial statements by the statutory deadline and getting them right first time; and
- delivery against the milestones and deadlines in the closedown and audit plans is monitored.

I also issued an unqualified opinion on the Council's 2010/11 whole of government accounts return in early October 2011.

### **Opinion on the 2010/11 financial statements of the Merseyside Pension Fund**

I issued unqualified opinions on the Merseyside Pension Fund 2010/11 financial statements included in the Council's accounts and in the Pension Fund Annual Report. I reported to the Audit and Risk Management Committee on 28 September 2011 two material errors in the accounts - the omission of a Net Assets Statement as at 1 April 2009 and a mis-classification of £273m pooled investments as equity – that Pension Fund officers had amended.

### **2011/12 value for money conclusion**

I issued a qualified value for money conclusion on 30 September 2012. I concluded that the Council had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources, except for its inability to provide information on activity and performance for the HES contract. The 'public interest report' section of this letter above refers.

I also reported by exception in relation to weaknesses in the Council's arrangements for promoting and demonstrating the principles and values of good governance and for managing risks and maintaining a sound system of internal control, reflecting in particular my consideration of a number of whistleblowing issues and from the Council's inadequate arrangements for recording and controlling vehicles, plant and equipment assets.

### **Claims and returns**

Under section 28 of the Audit Commission Act 1998, the Audit Commission may, at the request of government departments, make arrangements for certifying claims and returns. I reported my assessment of the Council's arrangements for preparing claims and returns and information in March 2012 and in a supplementary report in June 2012.

In 2010/11, I certified ten claims and returns with a total value of over £260 million. Of these, I carried out a limited review of three claims and a full review of seven claims. I:

- amended eight claims;
- qualified five claims;
- assessed that the control environment could not be relied upon for seven of the ten claims and returns submitted for certification; and
- made 32 recommendations to improve arrangements (20 high and 12 medium priority).

My findings have continued to emphasise the need for the Council to secure improvements in its arrangements for maintaining sound governance and for securing value for money, not least in the findings of my certification work on the award of a repair contract as part of the West Kirby Marine Lake Protection Works claim.

## Fees

I outline below the revision to the audit fee for the audit of the Council that I have now agreed with the Acting Chief Executive and Director of Finance. The revised audit fee reflects:

- £32,000 additional fee for work in respect of the financial statements audit - the AGR outlined the difficulties experienced during the audit; and,
- £75,000 additional fee for work in respect of my consideration of the HES contract.

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**Table 1 Fees – Wirral Council**

	Planned fee 2010/11 (£)	Actual fee 2010/11 (£)
Audit	392,000	499,000
Claims and returns	128,000	123,000
Non-audit work (National Fraud Initiative)	2,000	2,000
Total	522,000	624,000

*The above excludes fee rebates received by the Council from the Audit Commission directly of £34,609.*

The actual audit fee for the Pension Fund of £54,065 was in line with the planned fee.

## Closing remarks

I have discussed and agreed this letter with the Acting Chief Executive and Acting Director of Finance. While this has been another challenging year for the Council, I wish to thank Members and staff for the positive and helpful approach they have taken to my audit. I also wish to thank senior management and the Audit and Risk Management Committee for their support and co-operation during the audit.

I look forward to continuing to work with members and officers – and with the recently established Improvement Board - during the 2011/2012 audit to monitor the Council's progress in implementing the required improvements to the Council's financial, performance and governance arrangements that are set out in this letter and the related reports.

Yours sincerely

Michael Thomas  
District Auditor

## Annex 1

Reports issued during the year:

**Table 2 2010/11 reports**

Report	Council	Pension Fund
Audit fee letter	April 2010	June 2010
Audit plan	December 2010	December 2010
Pre-statements memo	June 2011	
Annual Governance Report Supplement/update Final position	September 2011	September 2011
Grants and returns report Supplement	March 2012 June 2012	
Report in the Public Interest – Highways and Engineering Services contract	June 2012	
Progress reports to Audit and Risk Management Committee	June, September and November 2010; January, March, June, September and November 2011; and February, March and June 2012.	June, September and November 2010; January, March, June, September and November 2011; and February, March and June 2012.

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## WIRRAL COUNCIL

### CABINET

6 SEPTEMBER 2012

<b>SUBJECT</b>	<b>REVENUE MONITORING 2012/13 MONTH 3 (JUNE 2012)</b>
<b>WARD/S AFFECTED</b>	<b>ALL</b>
<b>REPORT OF</b>	<b>DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER</b>	<b>COUNCILLOR PHIL DAVIES</b>
<b>KEY DECISION</b>	<b>YES</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 This report is the first in a new format and sets out the revenue position for 2012/13 as at Month 3 (June 2012). It identifies the latest financial projections and prioritises the risks for ongoing management actions, to ensure the year-end position will result in spend remaining within the budget allocated. It is recommended that this report format replaces the previously produced Financial Monitoring Statement.

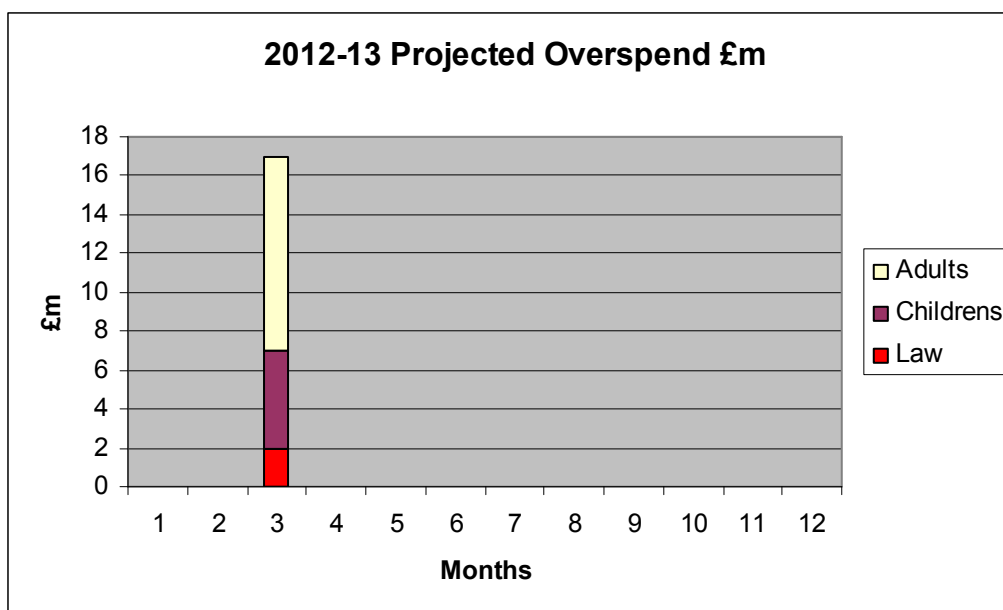
### 2.0 BACKGROUND AND KEY ISSUES

- 2.1. This Revenue Monitoring report is the first in the new format and has been separated from any other information. It is proposed that it be reported monthly to shorten the time between reporting and remedial action. The Revenue Monitor tracks progress against the agreed budget decisions, on a risk basis, and forecasts anticipated significant variances, to enable corrective action to be taken.
- 2.2 A view has been taken on the likely impact of 'pressures' and the consequence for the General Fund balances. The concept of 'pressures' will be replaced by the more exact 'overspend/underspend' measure in the next monitor. In the forthcoming months the aim is to expand the report to include the cumulative information as the year progresses, being built-up by the monthly reporting. Appendix 1 sets out the timetable for reporting the revenue monitor during 2012/13. A Capital Monitoring report is also to be submitted to Cabinet on a monthly basis.
- 2.3 Cabinet agreed the Performance Management arrangements for 2012/13. on 29 March 2012. These included the quarterly Performance and Financial Review reports to Cabinet which incorporated summary financial information with the appendices, which were placed in the Library, containing more detailed Financial Monitoring and Capital Monitoring reports. All Members also received the monthly Financial Monitoring Statement which comprised a side of narrative and a side of more detailed information. It is recommended that the revised arrangements replace those previously agreed by Cabinet.

## OVERALL POSITION AT MONTH 3 (JUNE 2012)

- 2.4 The projected revenue forecast for the year, at Month 3 (to 30 June 2012), shows a potential overspend of £17m on the General Fund which can be partially offset by the proposed actions in paragraph 2.18. Members attention is drawn to the risk that the overspend may be higher, for it is calculated by reference to individual budgets that may turn out to be unsound. The Management Actions section of the report develops this matter further and, given these facts, it is proposed to institute a spending freeze, until there is a clearer view.
- 2.5 Within **Adult Social Services** there is a potential overspend of £10m. The estimated pressures are unchanged for last month and relate to an underlying budget shortfall and further, demand pressures on older people and learning disability budgets. There are also additional pressures from an increase in the turnover target of £0.4m and reduced Health income of £1m, agreement with Health colleagues is being sought to confirm 2012/13 funding levels.
- 2.6 Within **Children and Young People** there is a potential overspend of £5m. Within the pressures of over £6m, which are unchanged from last month, the main areas are Social Care and Transport. The former includes looked after children and residential care where numbers continue to exceed target levels. Actions have been taken which reduce the pressures to the £5m.
- 2.7 Within **Law, HR and Asset Management** there is a potential overspend of £2m. This is based on the pressures relating to savings not yet achieved with approximately £0.8m of savings to be allocated against other departmental budgets leaving £1.1m to be allocated across LHRAM.

**Graph 1: Wirral Council – 2012/13 General Fund Variance, by month**



## CHANGES TO THE AGREED BUDGET

- 2.8 The Budget for 2012/13 was agreed by Council on 1 March 2012 and is detailed in Appendix 2; any increase in the Budget has to be agreed by full Council. Changes to the budget have occurred since it was set and these are summarised in the table below. They presently comprise variations approved by Cabinet / Council and will in future include approved virements relating to the use of the Efficiency Investment Fund, reserves, any budget realignments to reflect any changes to the departmental structure and responsibilities, as well as any technical adjustments. These are detailed in Appendix 3.

**Table 1: 2012/13 Original & Revised Net Budget analysed by Department**

	Original Net Budget	Approved Budget Virements Month 1-2	Approved Budget Virements Month 3	Revised Net Budget
	£000	£000	£000	£000
Adult Social Services	66,660	-	-	66,660
Children & Young People	73,665	-	-	73,665
Finance	24,610	-50	-	24,560
Law, HR & Asset Management	13,901	300	-	14,201
Regeneration, Hsg & Planning	25,764	-	-	25,764
Technical Services	59,478	427	-	59,905
<b>Net Cost of Services</b>	<b>264,078</b>	<b>677</b>	<b>-</b>	<b>264,755</b>

- 2.9 The main report will only comment on large variations (Red and Yellow items), which methodology will be introduced in full in the next iteration of this report. The 'variations' analysis distinguishes between overspends and underspends and the proposed classification is:
- Overspends - Red (over +£301k), Amber (+£141k to +£300k)
  - Acceptable - Green (range from +£140k to -£140k)
  - Underspends - Blue (-£141k to -£300k), Yellow (over -£301k)
- 2.10 Based upon the previous reporting process, financial pressures have been identified amounting to £17m, comprising of Adult Social Services £10m, Children & Young People £5m and Law, HR & Asset Management of £2m. Further information is contained within Appendix 4. The projection is for a total potential General Fund overspend of £17m across the six Directorates:-

**Table 2: 2012/13 Projected General Fund Budget variations by Department**

Department	Revised Budget	Forecast Outturn	(Under) Overspend	RAGBY Classific ation	Month 2 (Under)/ Overspend	Change
	£000	£000	£000		£000	£000
Adults	66,660	72,660	10,000	R	n/a	-
Children	73,665	74,665	5,000	R	n/a	-
Finance	24,560	24,560	-	G	n/a	-
Law,HR & AM	14,201	15,201	2,000	R	n/a	-
Reg, Hsg & Plan	25,764	25,764	-	G	n/a	-
Technical	59,905	59,905	-	G	n/a	-
<b>TOTAL</b>	<b>264,755</b>	<b>272,755</b>	<b>17,000</b>		n/a	<b>0</b>

- 2.11 To complete the analysis, the table below sets out the position by category of spend/income. As this is the first time such an analysis has been prepared on a monthly basis; this is an area that will be developed in the coming months. The main areas of variance are under employees and supplies and services, the latter incorporating the cost of care for adults and children.

**Table 3: 2012/13 Projected Departmental Variations by Spend & Income**

	Current Budget	Forecast	Variance	RAGBY	Change from Month 2
	£000	£000	£000		£000
<b>Gross Expenditure</b>					
Employees	140,936	141,436	3,500	R	-
Premises	22,180	22,680	1,500	R	-
Transport	8,556	8,556	1,300	R	-
Supplies and Services	113,960	119,960	10,000	R	-
Third Party Payments	72,438	72,438	-	G	-
Transfer Payments	163,072	163,072	-	G	-
Support Services	79,115	79,115	-	G	-
Financing Costs	72,167	72,167	-	G	-
Schools Expenditure	442,596	442,596	-	G	-
<b>Total Expenditure</b>	<b>1,115,020</b>	<b>1,122,020</b>	<b>16,000</b>		
<b>Gross Income</b>					-
Schools Income	439,851	439,851	-	G	-
Government Grants	205,025	205,025	-	G	-
Other Grants/Reimbursements	17,810	16,810	700	R	-
Customer and Client Receipts	45,751	45,751	-	G	-
Other	130	130	-	G	-
Interest	875	875	-	G	-
Recharge to Other Rev A/c	140,823	140,823	-	G	-
<b>Total Income</b>	<b>850,265</b>	<b>849,265</b>	<b>700</b>		
<b>Net Expenditure</b>	<b>264,755</b>	<b>272,755</b>	<b>17,000</b>		-

- 2.12 Schools expenditure funded from the Dedicated Schools Grant. As this grant is ringfenced, any over/underspend will have no impact on the General Fund financial position.

## **RAGBY REPORTING AND OTHER ISSUES**

- 2.13. The Red and Yellow RAGBY issues that are the subject of corporate focus are detailed in the following sections by Business Area (by Department identifying the service) and then by Subjective Area (by the type of spend / income).

## 2.14 Business Area Reds

**Adult Social Services:** Pressures identified from underlying and further demand pressures on older people and learning disability budgets which account for £7m of the potential overspend. There is additional pressure from an increase to the turnover target and in the delivery of savings under the Early Voluntary Retirement / Voluntary Severance Scheme which total £2m and reduced Health income of £1m with agreement with Health colleagues being sought to confirm 2012/13 funding levels. Consultation with care home providers in respect of fee rates for 2012/13 is ongoing and may add to pressures already identified.

**Children and Young People:** The main pressures on Social Care and Transport continue from last year. In the former are looked after children and residential care where numbers continue to exceed target levels and account for £3m of the potential overspend. Transport is provided by the department on behalf of all departments and the projected overspend continues to be in the order of £1.2m reflecting both Special Education Needs and Adults transport.

**Law, HR and Asset Management:** Pressures of £2m relate to savings not yet achieved with approximately £0.8m of these savings to be allocated against other departmental budgets leaving the remainder to be allocated against LHRAM.

## 2.15 Subjective Area Reds

**Employees.** Departments have been allocated additional vacancy control targets for 2012/13 whilst for Adults there remain the achievement of savings expected from the Early Voluntary Retirement / Voluntary Severance Scheme. There are also savings targets under Employees Terms and Conditions and Business Transformation change projects which have yet to be progressed.

**Premises.** This relates to the delivery of savings under the rationalisation of office accommodation which is not progressing in accordance with the expected timetable.

**Supplies and Services.** The pressures within Adult Social Services and Children & Young People relate to care service costs and it is projected that the overspends will be in the order of £7m and £3m respectively.

**Grants and Other income.** The contribution from Health is the subject of further discussions between Adult Social Services and colleagues in Health. Additional income has been generated by Children & Young People in respect of Troubled Families grant and from reviewing charges to Academies.

## MANAGEMENT ACTIONS

- 2.16 Besides the normal Management actions to address the financial pressures, it is proposed to institute a spending freeze, as a matter of prudence. Administrative arrangements will be put in place to differentiate between critical expenditures, where the freeze will not apply, and non-critical expenditures, that will cease. The Departmental Directors and the Executive Team continue to seek to identify actions to keep spend within the Budget allocated - these actions are detailed in Appendix 5.
- 2.17 A number of items have been identified as recurring issues, such as the inability to meet income targets in cultural services and car parking. There is an exercise being undertaken to review the accuracy of budgets, in order to:
- Identify short-term funding for 2012/13, if there is a net increase in cost; and,
  - As part of compiling next year's budget, propose growth or savings to ensure that the budget inaccuracies are corrected and budgets are soundly based,
- and that a parallel review of Earmarked Reserves be undertaken.
- At this stage it is recommended that a reserve earmarked for the development of Broadband across Wirral be released to the General Fund balances.
- 2.18 It is proposed that Cabinet agree actions to deliver £7m of savings in 2012/13 in order that the General Fund balance is £4m. The actions would include:-
- the release of an Earmarked Reserve of £7m which has been set-aside from the development of Broadband in Wirral given that the market conditions have changed and that others will potentially deliver this project.
  - recognition that since the period covered by this report that the Finance Department identified in the July Financial Monitoring Statement a potential underspend in 2012/13 of £2.5m. This relates to :
    - a) further improvements in the management and processing of Housing Benefit (£1m) and
    - b) Treasury Management activities which include capital financing of £1.5m.
  - Investigate how support is provided to Elected Members to provide a more efficient and effective service

## RISK ANALYSIS

2.19 There are a number of risks that may impact adversely on the forecast expenditure for the remaining months of the year including:-

- Individual budgets may turn out to be unsound, requiring correction.
- Increased demand for services, particularly within Adult and Children's Social Care Services, where greater than forecast numbers coming into care services can impact significantly on financial forecasts.
- The impact of the economic downturn significantly affects both the demand for services and also levels of income, such as fees and charges and arrears collection. This report already forecasts a potential under recovery of fees and charges which may need to be revised if the economic downturn was to worsen.
- The Council's arrangements for the implementation of a new pay and grade structure under Single Status are progressing and an earmarked reserve for the costs of implementation has been established. There remains uncertainty as to the likely final costs.
- There are budget saving options still to be delivered and a position statement on the savings is at Appendix 6. Those yet to be delivered are reflected in the forecast overspends of the Departments.

## FINANCIAL IMPLICATIONS

2.20 At 30 June 2012 the General Fund balance is £14m. The projected overspends have been identified as £17m. The actions proposed in paragraph 2.18 total in excess of £9.5m and it is recommended that, at least £7m be implemented in order to keep the projected balance at £4m if other funding sources cannot be identified for the projected overspend. This level of balance is deemed inadequate given the risks to the financial position of the Council which is why further action in the form of a spending freeze, is being recommended.

**Table 4 : SUMMARY OF THE PROJECTED GENERAL FUND BALANCES**

Details	£m	£m
Projected balance 31 March 2013 when setting the Budget 2012/13		8.8
Add : Increase following completion of 2011/12 accounts	+2.0	
Add : Council Tax re-imbursement met 2011/12 - budgeted for in 2012/13	+3.9	
Less : Cabinet decisions since the 2012/13 Budget was agreed	-0.7	
Projected balance 31 March 2013 before any potential overspends		14.0
Less : Potential overspends	-17.0	
Add: Actions to increase the level of projected balance	+7.0	-10.0
Projected balance 31 March 2013		4.0

- 2.21 The current levels of earmarked reserves are shown in Table 5 with a more detailed listing included at Appendix 7. One of the potential management actions identified is to return £7m of the Working Neighbourhood Fund Reserve to the General Fund balance.

**Table 5: Earmarked Reserves 2012/13**

	<b>Balance at 1 April 2012</b>	<b>Movement in year</b>	<b>Current Balance 30 June 2012</b>
	£000	£000	£000
Housing Benefit Reserve	11,155	-	11,155
Insurance Fund	9,635	-	9,635
Working Neighbourhoods Fund	7,959	-	7,959
Debt Restructuring Fund	7,941	-	7,941
Grant Reserves	1,884	-	1,884
Management of other risks	32,530	-	32,530
School Balances and Schools Related	15,144	-	15,144
<b>Total Reserves</b>	<b>86,248</b>	<b>-</b>	<b>86,248</b>

### 3.0 RELEVANT RISKS

- 3.1 The possible failure to deliver the Revenue Budget will be mitigated by the monthly review by Chief Officers, charged with improving performance. Paragraph 2.19 sets out the risks that may impact on the forecast expenditure for the remaining months of the year.

### 4.0 OTHER OPTIONS CONSIDERED

- 4.1 Options are included for Cabinet to consider on increasing the level of the General Fund balance.

### 5.0 CONSULTATION

- 5.1 No consultation has been carried out in relation to this report.

### 6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 As yet there are no implications for voluntary, community or faith groups.

### 7.0 RESOURCE IMPLICATIONS: FINANCIAL, IT, STAFFING AND ASSETS

- 7.1 The report is about significant resource implications with the key financial implications summarised in paragraph 2.20.

### 8.0 LEGAL IMPLICATIONS

- 8.1 There are no legal implications arising directly from this report.



## **9.0 EQUALITIES IMPLICATIONS**

9.1 This is essentially a monitoring report which reports on financial performance.

## **10.0 CARBON REDUCTION IMPLICATIONS**

10.1 There are no implications arising directly from this report.

## **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

11.1 There are no implications arising directly from this report.

## **12.0 RECOMMENDATIONS**

12.1 Cabinet is asked to note that :

- a) At Month 3 (30 June 2012), the full year forecast projects a potential General Fund overspend of £17m;
- b) The Dedicated Schools Grant (DSG) funded activities will have no impact on the General Fund, as it is ringfenced to services funded by the DSG.
- c) There are a number of risks and uncertainties that may impact adversely on the General Fund financial forecasts for the remainder of 2012/13.
- d) Management actions have been identified to begin to recover the Departmental overspends - these are detailed in Appendix 5.
- e) A review of Earmarked Reserves be undertaken.
- f) The General Fund balance is currently £14m and the projected overspends total £17m which will exhaust the balances should the overspends materialise. Earmarked reserves are currently £86.2m.
- g) The increase in the total budget is referred to full Council.

12.2 Cabinet is asked to agree:

- a) To institute a spending freeze on non critical expenditure until further notice.
- b) That this format of Revenue Monitoring Report be presented on a monthly basis to Cabinet, it be made available to all Members of the Council, and it replaces the previously produced Financial Monitoring Statement.
- c) That actions be taken to restore the General Fund balance to £4m by implementing £7m of savings from those identified in the section 2.18 namely savings in the Members Support Service, the Finance Department savings for 2012/13 identified in July and the release of an Earmarked Reserve.

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## **APPENDICES**

- Appendix 1 Revenue Monitoring and Reporting Timetable 2012/13.
- Appendix 2 General Fund Revenue Budget for 2012/13 agreed by Council.
- Appendix 3 Changes to the budget since it was set.
- Appendix 4 Financial Monitoring Statement Position as at 30 June 2012.
- Appendix 5 Management actions
- Appendix 6 Progress on delivering agreed savings 2012/13.
- Appendix 7 Earmarked Reserves

## **SUBJECT HISTORY**

<b>Council Meeting</b>	<b>Date</b>
Revenue monitoring reports have previously been submitted as part of the Performance & Financial Review presented to Cabinet on a quarterly basis	

## REVENUE MONITORING AND REPORTING TIMETABLE 2012/13

## Budget Monitoring Timetable 2012/13

Period Number	Month	General Ledger Updated and Reports Available To Be Produced	Review by Departmental Teams	Reports Available For The Executive Team	Reports Available For Cabinet	Reports Available For Council Excellence Overview & Scrutiny Committee
			(Monthly)	(Monthly)	(Monthly)	Quarterly
1	April	06-May	-		-	-
2.	May	11-Jun	-		-	04-Jul
3	June	06-Jul	-	23-Aug	06-Sep	01-Oct
4	July	07-Aug	-	04-Oct	18-Oct	-
5	August	07-Sep	Tbc	04-Oct	18-Oct	-
6	September	05-Oct	Tbc	25-Oct	08-Nov	27-Nov
7	October	07-Nov	Tbc	29-Nov	13-Dec	-
8	November	07-Dec	Tbc	03-Jan	17-Jan	-
9.	December	08-Dec	Tbc	24-Jan	07-Feb	26-Mar
10	January	07-Feb	Tbc	28-Feb	14-Mar	-
11	February	07-Mar	Tbc	tbc	tbc	tbc
12	Outturn (Provisional)	tbc	Tbc	tbc	tbc	tbc

## GENERAL FUND REVENUE BUDGET 2012/13

AGREED BY COUNCIL ON 1 MARCH 2012

Department	Current Budget
<b>Expenditure</b>	<b>£000</b>
Adult Social Services	66,660
Children & YP (plus Schools)	73,665
Finance	24,610
Law, HR and Asset Mgt	14,151
Regeneration, Housing and Planning	25,764
Technical Services	59,905
Merseytravel	29,060
Local Pay Review + Low Pay	248
EVR/VS Scheme	(290)
Council Tax Reimbursement	3,990
Contribution from Balances	(10,282)
<b>Budget Requirement</b>	<b>287,481</b>
Income	
Government Grant	144,737
C/Tax Freeze Grant	6,573
Local Services Grant	1,805
Council Tax	132,911
Collection Fund	1,455
<b>Total Income</b>	<b>287,481</b>
Statement of Balances	
As at 1 April	18,405
Contributions from Balances	(9,605)
<b>Balances</b>	<b>8,800</b>

## APPENDIX 3

### CHANGES TO THE BUDGET SINCE THE 2012/13 BUDGET WAS SET RELATING TO THE COMPLETION OF THE 2011/12 ACCOUNTS

Cabinet	Items	£m
21 Jun 12	2011/12 Financial Outturn report resulted in an improvement in balances due to a net underspend in the year	-5.9
	OVERALL IMPACT OF THESE DECISIONS	-5.9

### VARIATIONS TO THE APPROVED BUDGETS 2012/13

Cabinet	Items	£m
29 Mar 12	Pacific Road Theatre – Law/Technical Services Increase budget	+0.6
12 Apr 12	Streetscene Contract Review - Increase budget	+0.1
	OVERALL IMPACT OF THESE DECISIONS	-0.7

**WIRRAL COUNCIL**
**FINANCIAL MONITORING STATEMENT 2012/13**
**POSITION AS AT 30 JUNE 2012**
**APPENDIX 4**

Department	ORIGINAL BUDGET			MONITORING			COMMENTS (INCLUDING Red/Amber/Green RATING)	
	Policy Option	Saving Target	Agreed Budget	Changes Agreed	Changes Not agreed	Forecast	Rate	Comments
Expenditure	£000	£000	£000	£000	£000	£000		
Adult Social Services	500	2,567	66,660	-	£10 million pressures	66,660	R	Main pressure areas are within Community care services including additional 2012/13 pressures and underlying 2011/12 overspend
Children & YP (plus Schools)	1,378	2,899	73,665	-	£5 million pressures	73,665	R	Child care costs, particularly residential, as a result of rising demand remain the volatile area whilst transport costs represent a challenge.
Finance	100	5,310	24,610	-	-	24,610	G	Housing benefit remains the largest budget.
Law, HR and Asset Mgt	(220)	1,759	13,901	250	£2 million pressures	14,151	R	The progression of the accommodation strategy (disposals and rationalisation) is a key area. Achievement of savings including those to reallocate to other departments a pressure area
Regen, Housing and Planning	3,000	2,456	25,764	-	-	25,764	G	The income budgets for planning / building control are the main issue. A review of income is currently underway
Technical Services	185	1,467	59,478	427	-	59,905	G	Income targets for car parking and cultural services activities remain the most significant challenge.
Merseytravel	-	-	29,060	-	-	29,060	G	Fixed amount - no change.
Local Pay Review + Low Pay	-	-	248	-	-	248	G	Available to meet the implementation of Job Evaluation / Low Pay.
EVRS Scheme	-	-	(290)	-	-	(290)	G	Balance for CYP employees.
Council Tax Reimbursement	-	-	3,990	-	-	3,990	G	Amount of grant confirmed by Government in April.
Contribution from Balances	-	-	(9,605)	(677)	-	(10,282)	G	£9.605m before any changes agreed by Cabinet.
<b>Budget Requirement</b>	<b>4,943</b>	<b>16,458</b>	<b>287,481</b>	<b>-</b>	<b>-</b>	<b>287,481</b>		
<b>Income</b>								
Government Grant	-	-	144,737	-	-	144,737	G	Fixed amount - no change
C/Tax Freeze Grant	-	-	6,573	-	-	6,573	G	Fixed amount - but note £3.3m of this is for 2012/13 only.
Local Services Grant	-	-	1,805	-	-	1,805	G	Amount of grant confirmed by Government in April.
Council Tax	-	-	132,911	-	-	132,911	G	Fixed amount - no change
Collection Fund	-	-	1,455	-	-	1,455	G	Fixed amount - no change.
<b>Total Income</b>	<b>-</b>	<b>-</b>	<b>287,481</b>	<b>-</b>	<b>-</b>	<b>287,481</b>		
<b>Statement of Balances</b>								
As at 1 April	-	-	18,405	-	-	18,405		Opening balance with forecast for 31 March 2013 of £8.8 million.
Contributions from Balances	-	-	(9,605)	-	-	(9,605)		Before any changes agreed by Cabinet.
Cabinet decisions								
Changes – Agreed Cabinet	-	-	-	5,223	-	5,223		29 Mar Pacific Road £0.6m, 12 Apr Streetscene contract £0.1m, 2011/12 Financial Outturn report £5.9m increase
Changes – Not Agreed	-	-	-	-	-	-		Based upon departmental projections and not yet agreed.
<b>BALANCES</b>	<b>-</b>	<b>-</b>	<b>8,800</b>	<b>5,223</b>	<b>-</b>	<b>14,023</b>		<b>Projected balance at start / end of year</b>

**MANAGEMENT ACTIONS****ACTIONS TAKEN BY THE EXECUTIVE TEAM / DEPARTMENTAL DIRECTORS  
TO REDUCE SPEND / INCREASE INCOME**

Department	Items	£000
Children	Connexions – Further reductions in the contract costs (in excess of the agreed savings target)	500
	Troubled Families –Successful submission for Government Grant which will help meet some of the existing costs.	250
	Academies – Increased income being achieved through a review of charges to academies for services provided.	100
	Total savings from these actions	850

## PROGRESS ON DELIVERING AGREED SAVINGS 2012/13

<b>ADULT SOCIAL SERVICES</b>	<b>£000</b>	<b>Comments / progress on implementation</b>
Commissioning Of Services	1,600	Reviewing how services are commissioned to deliver savings of £1.6m. An overarching commissioning strategy developed and presented to 21 June Cabinet
Prevention Services	500	Currently reviewing all voluntary sector contracts and seeking to re-commission at more efficient cost.
Employee Budgets 2%	400	This saving is in addition to the Department's existing staff turnover target of £496,100. The shortfall against the total target of £896,100 is estimated at £700,000.
Procurement	26	It is anticipated that this saving will be achieved
Austerity – Supplies	24	It is anticipated that this saving will be achieved
EVR Scheme	17	Saving have been achieved in full
<b>CHILDREN</b>	<b>£000</b>	<b>Comments / progress on implementation</b>
Early Intervention Grant	1,000	Has been achieved
Employee Budgets 2%	750	Progress difficult, with pressures on Social work.
EVR Scheme	386	Staff left from self funded areas, so no budget saving.
Connexions contract	250	Achieved, with a further £500k contract saving.
Schools Intervention Funding	250	Achieved
Procurement	246	Allocated across Social Care
Austerity – Supplies	16	Will be achieved within expenditure controls
<b>FINANCE</b>	<b>£000</b>	<b>Comments / progress on implementation</b>
Efficiency Investment Budget	2,500	Available EI budget has been reduced
Housing Benefit	1,200	This has been built into HB budgets
IT and Printing Services	550	This is part of the departments strategic savings target
Employees Budget 2%	520	This is part of the departments strategic savings target
EVR Scheme	343	This is part of the departments strategic savings target
Procurement	189	This is part of the departments strategic savings target
Austerity – Supplies	8	This saving has been built into departmental budgets
<b>LAW,HR,ASSET MGT</b>	<b>£000</b>	<b>Comments / progress on implementation</b>
Facilities Management	500	£250k achieved through the reduction in Maintenance budgets, the balance remaining is to be identified.
Business Transformation	300	Identification of how this saving can be achieved has been identified. Decision awaited regarding allocation.
Employee Terms & Conds	300	Identification of how this saving can be achieved has been identified. Decision awaited regarding allocation.
Employee Budgets 2%	260	Currently on target to be achieved in year.
Office Rationalisation	260	Achieved
Disposal of Assets	100	Achieved.
Procurement	33	Budgets reduced to reflect these savings.
Austerity – Supplies	6	Budgets reduced to reflect these savings.
<b>REG,HSG &amp; PLANNING</b>	<b>£000</b>	<b>Comments / progress on implementation</b>
Broadband Facility	1,075	Achieved
Home Insulation Programme	1,000	Achieved
Employee Budgets 2%	160	On target to achieve
Supporting People Contracts	150	Achieved
Merseyside Info Service	50	Achieved
EVR Scheme	13	Achieved
Austerity – Supplies	8	Achieved
<b>TECHNICAL SERVICES</b>	<b>£000</b>	<b>Comments / progress on implementation</b>
Procurement	745	Currently anticipated to be achieved. (inc Biffa contract)
Employee Budgets 2%	380	Currently anticipated to be achieved.
EVR Scheme	150	Currently anticipated to be achieved.
Street Lighting	100	Currently anticipated to be achieved.
Highways Administration	80	Currently anticipated to be achieved.
Austerity – Supplies	12	Currently anticipated to be achieved.



**EARMARKED RESERVES - GENERAL FUND**

<b>Earmarked Reserves</b>	<b>Balance at 1 April 2012 £000</b>	<b>Movement In Year</b>	<b>Current Balance 30 June 2012 £000</b>
Schools Balances	11,767	-	11,767
Housing Benefit	11,155	-	11,155
Insurance Fund	9,635	-	9,635
Working Neighbourhood Fund	7,959	-	7,959
Debt Restructuring	7,941	-	7,941
Minimum Revenue Provision	4,400	-	4,400
Community Fund Asset Transfer	3,301	-	3,301
Intranet Development	3,161	-	3,161
Local Pay review	2,641	-	2,641
One Stop Shop/Libraries IT Networks	2,119	-	2,119
Supporting People Programme	1,505	-	1,505
Cosyhomes Insulation	1,244	-	1,244
School Harmonisation	1,241	-	1,241
Stay, Work, Learn Wise	908	-	908
Schools Capital Schemes	777	-	777
Matching Fund	558	-	558
20 MPH Zones	550	-	550
Home Adaptations	537	-	537
West Wirral Schemes	530	-	530
Merseyside Information Service Termination Costs	500	-	500
ERDF Match Funding	500	-	500
Strategic Asset Review	495	-	495
Planned Preventative Maintenance	483	-	483
Heritage Fund	420	-	420
Schools Automatic Meter Readers	415	-	415
Children's Workforce Development Council	399	-	399
Schools Contingency	370	-	370
Business Improvement Grant	342	-	342
Local Area Agreement Reward	322	-	322
Primary Care Trust Physical Activities	300	-	300
Schools Service IT	294	-	294
Schools Summer Term	280	-	280
Homeless Prevention	271	-	271
Other Reserves	<u>8,928</u>	-	<u>8,928</u>
	86,248		86,248

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## WIRRAL COUNCIL

### CABINET

6 SEPTEMBER 2012

<b>SUBJECT</b>	<b>CAPITAL MONITORING 2012/13– PERIOD 3 (JUNE)</b>
<b>WARD/S AFFECTED</b>	<b>ALL</b>
<b>REPORT OF</b>	<b>INTERIM DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER</b>	<b>COUNCILLOR PHIL DAVIES</b>
<b>KEY DECISION</b>	<b>YES</b>

## 1. EXECUTIVE SUMMARY

1.1 This purpose of this report is to inform Members of the current position regarding the Council's 2012-13 to 2014-15 capital programme taking into account the latest monitoring information on the progress of the schemes, any budget increases/decreases and the re-profiling of budgets between 2012-13 and future years. The report reflects:

- The re-profiled 2012-13 capital programme budget;
- The expenditure to date, which is less than it should be;
- The projected outturn figures for 2012-13, which suggest a slippage of £10m; and
- The current funding of the programme and its future affordability, which in the light of the Revenue monitor, requires review.

## 2. BACKGROUND AND KEY ISSUES

2.1 This capital programme monitor is in a new format, to improve transparency and the completeness of information. It is proposed they are produced each month of the financial year, with an outturn report in June 2013, so that decisions can be quickly taken to lessen delays which cause slippage.

2.2 The 'Capital Strategy 2012-13 to 2014-15' report was approved by Council March 1<sup>st</sup> 2012. This included indicative allocations of capital grants for 2012-13 to 2014-15.

2.3 The Council's capital programme will be subject to monthly review by a senior group of officers. Under a banner of the Capital Programme Group, each project will be scrutinised as follows:

- Project approvals for financing, delivering corporate outcomes and delivery timetable;
- Financial appraisals for funding and ongoing revenue costs
- Spend profiles against delivery timetable;
- End of project reviews;
- Delivery of Asset Management Plans and overall strategy.

## 2.4 Original and latest proposed capital Programme for 2012-13

2.4.1 The capital budget for 2012-13 is subject to change, the largest element being £34m slippage from 2011/12 and re-profiling into 2012-13 and future years. Up to Period 2 there has been a net increase in the capital budget for 2012-13 of £33.989m. Table 1 summarises the overall movement, between that already approved, and changes to Period 3 that require approval – there was a reduction of just under £400k.

**Table 1: Revised Capital Programme 2012-13 Period 3 (June) £000's**

	Capital Strategy	Slippage Approved by Cabinet	Budget changes to be approved By Cabinet	Revised 2012-13 Capital Programme
Adult Social Care	2,750	2,105	0	4,765
Children's & Young People	21,481	9,867	-3,351	27,997
Finance	0	3,507	0	3,507
Law, HR & Asst Management	4,000	5,350	353	9,703
Regeneration, Housing & Planning	6,079	9,964	600	16,643
Technical Services	7,668	3,286	2,017	12,971
<b>Grand Total Expenditure</b>	<b>41,978</b>	<b>33,989</b>	<b>-381</b>	<b>75,586</b>

2.5 A summary of the significant changes to be approved by Cabinet up to Period 3 are provided below:

- Children's - This is an amendment to the slippage figure following the closure of the accounts, due to the completion of Pensby Primary, and the handover of the sixth form block at Birkenhead Girl Academy (per CYP Capital Programme report, Cabinet 21/6/12). This meant less slippage was required than had been identified.
- Law - £200,000 of this relates to an amendment to the slippage following closure of the accounts. £153,000 relates to the Energy Efficiency Programme transferred from Technical Services.
- Regeneration - Responsibility for the New Brighton scheme has been transferred from Technical Services.
- Technical Services - Cabinet on 12th and 16th April approved the Parks and Countryside Modernisation Project. This increased capital approval by £2,400,000 for Plant & Equipment investment. Transfers have occurred of £153,000 to Law, and £600,000 to Regeneration (as outlined above). Bids for Road safety and Accessibility grants have been successful, increasing resources by £100,000. A further £270,000 relates mainly to the identification of revenue expenditure on Leisure Equipment which meets the definition of capital expenditure.

## 2.6 Actual Expenditure to Date – is the programme being delivered to plan?

- 2.6.1 The actual Capital expenditure at Period 3 is £5.7m, which represents 7.6% of the revised capital budget, with 25% of the financial year having elapsed.

**Table 2: Spend to date April to June 25%**

	Spend to date	
	£,000's	Per cent
Adult Social Care	0	0.0
Children's & Young People	3,480	12.4
Finance	5	0.1
Law, HR & Asst Management	571	5.9
Regeneration, Housing & Planning	1,459	8.8
Technical Services	205	1.6
<b>Grand Total Expenditure</b>	<b>5,720</b>	<b>7.6</b>

- 2.7 The level of expenditure is less than anticipated. Future delivery programmes will be subject to a detailed review, so that 2012-13 forecasts are more robust in delivery and timescales.
- 2.8 Unless spend performance improves the likely outturn would be in the region of £65.9m, not the £75.6m planned. Table 3 sets out the variations; these are derived from the Departmental returns, set out at Appendix 1. A revision to the planned programme will be considered as part of the next monitor.

**Table 3: Projected Outturn compared to Revised Budget £000's**

	Revised	Projected	Variation
	Budget	Outturn	
<b>Adult Social Care</b>	4,765	4140	-625
<b>Children's &amp; Young People</b>	27,997	27997	0
<b>Finance</b>	3,507	3507	0
<b>Law, HR &amp; Asst Management</b>	9,703	6765	-2,938
<b>Regeneration, Housing &amp; Planning</b>	16,643	10463	-6,180
<b>Technical Services</b>	12,971	13042	71
<b>Grand Total Expenditure</b>	<b>75,586</b>	<b>65,914</b>	<b>-9,672</b>

## 2.9 Financing of the capital programme

- 2.9.1 Table 4 summarises the financing sources and changes made to Period 3. The major changes since the capital programme was approved in March are slippages of funding following closure of the 2011-12 programme, changes in grant funding as reported in previous Cabinet reports, and re-profiling of financing to 2012/13. Whilst there is a small overall reduction at P3, the important issue is the increase in unsupported borrowing, by £2.6m, which will add £190k to next year's revenue budget.

**Table 4: Revised Capital Programme Financing 2012-13 £000's**

Capital Programme Financing	Capital Strategy	Slippage approved by Cabinet	Budget changes To be approved by Cabinet	Revised 2012-13 Capital Programme
Supported Borrowing				
Grant - Education	20,181	8,551	-3,351	25,381
Grant – Transport Integrated	1,155	0	5	1,160
Grant – Transport Local	2,958	0	0	2,958
Grants - Other	5,349	6,924	100	12,373
Private Contributions	0	0	0	0
Capital Receipts brought forward	3,000	0	0	3,000
Revenue Contributions	300	869	265	1,434
Unsupported Borrowing	9,035	17,645	2600	29,280
<b>Total Financing</b>	<b>41,978</b>	<b>33,989</b>	<b>-381</b>	<b>75,586</b>

2.9.2 Where there is a “cocktail” of funding to a scheme, the Council maximises the use of grant and other external resources before using its own receipts and borrowing.

## 2.10 Projected Longer Term Capital Programme

2.10.1 The current forecast capital programme for 2012/13 to 2014-15 is shown in Table 5 below by year and means of financing. It should be noted that this has been updated since the completion of the 2012/13 to 2014-15 Capital Programme Report to Council to reflect the further slippage and approval of additional grant resources.

**Table 5: Capital Programme Financing 2012-13 to 2014-15 £000's**

Capital Programme Financing	2012/13 R Estimate	2013/14 Estimate	2014/15 Estimate	Total
Grant - Education	25,381			25,381
Grant – Transport Integrated	1,160	1,155	1,155	3,470
Grant – Transport Local	2,958	2,864	2,699	8,521
Grants - Other	11,383	4,844	2,165	19,382
Private Contributions				0
Capital Receipts brought forward	3,000	3,000	3,000	9,000
Revenue Contributions	1,434	300		1,734
Unsupported Borrowing	29,280	16,110	3,405	48,795
<b>Total Financing</b>	<b>75,586</b>	<b>28,273</b>	<b>12,424</b>	<b>116,283</b>

2.10.2 The Capital Strategy needs to be made more affordable by delivering the planned capital receipts and reducing the element of unsupported borrowing and the associated ongoing revenue costs.

## 2.11 Supported and unsupported borrowing and the revenue consequences of Unsupported Borrowing

2.11.1 The cost of £1m of Prudential Borrowing would result in additional revenue financing costs of £73,000 per annum based on annuity rates. As part of the Capital Strategy 2012-13 to 2014/15 the Council has included an element of prudential borrowing. At Period 3, there was a sum of £48.8m of new unsupported borrowing included over the next three years, which will result in approximately a £3.5m additional revenue costs detailed at Table 6, if there is no change in strategy.

**Table 6: Revised Unsupported Borrowing Forecasts & Revenue costs £000's**

	2012-13	2013/14	2014/15	2015-16	Total
	Estimate				
New Unsupported borrowing	29,280	16,110	3,405		48,795
Cumulative Revenue repayment costs over 25 years		2,137	1176	249	<b>3,562</b>

2.11.2 Given the predicted revenue overspend at Month 3, it is important to reduce the revenue costs of capital. A pause of two months in the start to new unsupported capital schemes is recommended, until there is a clear view on revenue.

## **2.12 Capital Receipts Position**

2.12.1 The current capital programme is reliant on the Council generating a limited amount of capital receipts to finance the capital programme. Table 7 below, summarises the current allocated and projected capital receipted position across 2012-13 to 2014/15. The schedule of supporting sites that are to be sold, is to be worked up for the next report.

**Table 7: Projected capital receipts position – funding requirement £000's**

	2012-13	2013/14	2014/15	Total
<b>Funding assumption</b>	3,000	3,000	3,000	9,000

2.12.2 These receipts are being reviewed in future periods, along with other strategic site availability, to maximise the offset of unsupported borrowing, and so reduce future revenue growth.

2.12.3 There is a high level of risk in these projections as they are subject to changes in legislation, property and land values, the actions of potential buyers and being granted planning permission on sites.

## **3.0 RELEVANT RISKS**

3.1 The possible failure to deliver the Capital Programme will be mitigated by the monthly review by a senior group of officers, charged with improving performance. They will also be able to improve the affordability of the programme.

## **4.0 OTHER OPTIONS CONSIDERED**

4.1 None.

## **5.0 CONSULTATION**

5.1 No consultation has been carried out in relation to this report.

## **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

6.1 As yet, here are no implications for voluntary, community or faith groups.

## **7.0 RESOURCE IMPLICATIONS**

7.1 The whole report is about significant resource implications.

## **8.0 LEGAL IMPLICATIONS**

8.1 There are no legal implications.

## **9.0 EQUALITIES IMPLICATIONS**

9.1 The impact of delays will be considered in the next report.

## **10.0 CARBON REDUCTION IMPLICATIONS**

10.1 None.

## **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

11.1 None.

## **12.0 RECOMMENDATIONS**

12.1 That Cabinet:

- a) Agree the Period 3 net decrease of £381k, to the latest 2012-13 Capital Programme, to produce a revised Capital Programme of £75.586m;
- b) Agree the pause for two months in the start to new unsupported capital schemes;
- c) Approve the re-profiled capital budgets of £28.273m for 2013-14 and £12.424m for 2014-15;
- d) Note the spend to date of £5.72m, which represents 7.6% of the revised capital budget, with 25% of the financial year having elapsed;
- e) Note the implementation of Capital Programme Group;
- f) Note the £48.8m of new unsupported borrowing included over the next three years, which will result in approximately a £3.5m additional revenue costs;
- g) Note the work to detail the schedule of sites to validate the estimate of capital receipts.

## **13.0 REASONS FOR RECOMMENDATIONS**

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## **APPENDIX:**

Capital Monthly Budget Monitoring Expenditure Summary

## **REFERENCE MATERIAL**

## **SUBJECT HISTORY**

<b>Council Meeting</b>	<b>Date</b>



**ADULT SOCIAL SERVICES DEPARTMENT  
CAPITAL MONITORING 2012/13**
**POSITION AS AT 30 JUNE 2012**
**SUMMARY**

Following approval in the Capital Programme of the business case in respect of the reform of Day Services, the analysis of the Day Services Consultation exercise is now complete. The outcome and further options will be reported to the Leader of the Council in July 2012. It is anticipated that this programme will begin in October 2012.

A Further Business Case also approved in December 2011 outlined the proposals for an Integrated IT system (£1.5m). This project will be delivered as part of the Efficiency and Improvement review of DASS 2012 and implementation is anticipated during 2012/13.

**APPROVED PROGRAMME**

PROGRAMME	Original Approved Programme 2012/13	Approved Adjustments 2012/13	Total Approved Programme 2012/13	Actual to Date	Projected Outturn 2012/13	Approved 2013/14	Approved 2014/15
	£000	£000	£000	Actual to Date	£000	£000	£000
Transformation of Day Service	1250	2015	3265	0	2640	0	0
Integrated IT	1500	0	1500	0	1500	0	0
<b>TOTAL PROGRAMME</b>	<b>2,750</b>	<b>2,015</b>	<b>4,765</b>	<b>0</b>	<b>4,140</b>	<b>0</b>	<b>0</b>
<b>FUNDING</b>							
General Capital Resources	0	0	0			0	0
Grants - Other	2,750	2,015	4,765			0	0
Revenue/ Reserve contributions	0	0	0			0	0
<b>TOTAL FUNDING</b>	<b>2,750</b>	<b>2,015</b>	<b>4,765</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPROVED BY COUNCIL / CABINET - DECISIONS TO VARY THE PROGRAMME**

Date	Details	£000
21 June 2012	Agreed the slippage from 2011/12 capital programme	2,015
	<b>Total</b>	<b>2,015</b>

## **SUMMARY**

A number of large schemes finished this quarter. Pensby Primary was finished and handed over in early May and demolition of the old school is now underway with Phase 2 – the construction of Stanley Special School commencing. The satellite Children's Centre at Cathcart Street Primary has also been completed and handed over and external works near completion. Work at Birkenhead Girls Academy continues, with the Education Funding Agency (EFA) agreeing to fund the additional costs resulting from the discovery of excessive amounts of asbestos and dry rot.

The University Academy of Birkenhead is to receive £921,000 of funding from the EFA for the provision of ICT equipment.

The Priority Schools for the Future bids for Foxfield Special School, Bedford Drive and Ridgeway have been accepted by the government, with further details expected regarding the scale of the works that can be undertaken.

## APPROVED PROGRAMME -

PROGRAMME	Original Approved Programme 2012/13 £000	Approved Adjustments 2012/13 £000	Total Approved Programme 2012/13 £000	Actual to Date £000	Projected Outturn 2012/13	Approved 2013/14 £000	Approved 2014/15
Children's Centres	0	280	280		280	0	0
City Learning Centres	0	0	0		0	0	0
Early Years Quality & Access	0	8	8		8	0	0
Aiming Higher for Disabled Children	0	205	205	10	205	0	0
Condition / Modernisation	5,165	4,770	9,935	771	9,935	0	0
Family Support Scheme	100	115	215		215	0	0
Rosclare Children's Hotel	0	63	63		63	0	0
Formula Capital	718	2,261	2,979	189	2,979	0	0
Extended Schools	0	0	0		0	0	0
Schools - Access Initiative	0	286	286	33	286	0	0
Schools - Harness Technology	0	234	234	7	234	0	0
Woodchurch One School Pathfinder	0	813	813	274	813	0	0
Birkenhead High Girls Academy	5,108	-1,601	3,507	1,318	3,507	0	0
Private Finance Initiative	0	212	212		212	0	0
Primary Reorganisation - Surplus	0	48	48		48	0	0
Primary Schools Programme		0	0		0	0	0
- Park Primary School	0	113	113		113	0	0
- Pensby Primary School	8,850	-2,727	6,123	776	6,123	0	0
- Primary Schools Prog Other	0	28	28		28	0	0
School Meals Uptake	0	255	255	26	255	0	0
Practical Cooking Spaces	0	0	0		0	0	0
Co-Location Fund	0	103	103	25	103	0	0
Youth Capital	0	95	95		95	0	0
SEN and Disabilities	1,340	-302	1,038	12	1,038	0	0
Cathcart Street Refurbishment	0	116	116	39	116	0	0
University Academy of Birkenhead	0	921	921		921	0	0
Statutory Redundancy Payments	0	0	0		0	0	0
Vehicle Procurement	0	220	220		220	0	0
Wirral Youth Zone	200	0	200		200	2,400	2,400
<b>TOTAL PROGRAMME</b>	<b>21,481</b>	<b>6,516</b>	<b>27,997</b>	<b>3,480</b>	<b>27,997</b>	<b>2,400</b>	<b>2,400</b>
<b>FUNDING</b>							
General Capital Resources	1,300	1,673	2,973		2,973	2,400	2,400
Grant – Education	20,181	3,568	23,749	3,480	23,749	0	0
Revenue, Reserves, Contributions	0	1,275	1,275		1,275	0	0
<b>TOTAL FUNDING</b>	<b>21,481</b>	<b>6,516</b>	<b>27,997</b>	<b>3,480</b>	<b>27,997</b>	<b>2,400</b>	<b>2,400</b>

## CHILDREN & YOUNG PEOPLE DEPARTMENT / SCHOOLS APPROVED BY COUNCIL / CABINET - DECISIONS TO VARY THE PROGRAMME

Date	Details	£000
21 June 2012	Slippage from 2011/12 capital programme	5,595
	<b>University Academy of Birkenhead funding</b>	921
	<b>TOTAL</b>	<b>6,516</b>

**SUMMARY**

The capital scheme within the Finance Department capital programme relates to IT works flowing from changes arising from the Strategic Change Programme. As there has been very limited progress in terms of the programme and in particular relating to accommodation changes the resulting spend is presently low. Future spend will be dependent upon agreement and progress of projects within the strategic change programme.

**APPROVED PROGRAMME**

<b>PROGRAMME</b>	<b>Original Approved Programme 2012/13 £000</b>	<b>Approved Adjustments 2012/13 £000</b>	<b>Total Approved Programme 2012/13 £000</b>	<b>Actual to Date £000</b>	<b>Projected Outturn 2012/13 £000</b>	<b>Approved 2013/14 £000</b>	<b>Approved 2014/15 £000</b>
Strategic Asset Review	0	3,507	3,507	5	3,507	2,000	0
<b>TOTAL PROGRAMME</b>	<b>0</b>	<b>3,507</b>	<b>3,507</b>	<b>5</b>	<b>3,507</b>	<b>2,000</b>	<b>0</b>
<b>FUNDING</b>							
General Capital Resources	0	3,507	3,507		3,507	2,000	0
Grants	0	0	0			0	0
Revenue/ Reserve contributions	0	0	0			0	0
<b>TOTAL FUNDING</b>	<b>0</b>	<b>3,507</b>	<b>3,507</b>	<b>0</b>	<b>3,507</b>	<b>2,000</b>	<b>0</b>

**APPROVED BY COUNCIL / CABINET - DECISIONS TO VARY THE PROGRAMME**

<b>Date</b>	<b>Details</b>	<b>£</b>
21 Jun 2012	Agreed the slippage from 2011/12 capital programme	3,507
	<b>TOTAL</b>	<b>3,507</b>

**SUMMARY**

The Landican Crematorium Mercury Abatement building works programme is complete and has been handed over.

There is a priority of works in place for the Cultural Assets programme. The Williamson Art Gallery and Birkenhead Priory have completed work on site and are expected to be completed in November and September respectively. It is envisaged that work on Bebington Civic Centre, Rock Ferry & work in relation to the Solar PV Project will all start this year.

In terms of programme adjustments; following completion of the accounts, the slippage approved of £5.35m has been revised to £5.55m to reflect the revenue/grant contributions accounted for last year. There has also been a reduction in the planned Council Offices expenditure of £2.4m phased over 2 years to fund works that are to be carried out in respect of the New Brighton and Hoylake developments. There has also been a transfer of £0.15m in relation to the Energy Efficiency Programme that was previously held in Technical Services.

## APPROVED PROGRAMME

PROGRAMME	Original Approved Programme 2012/13 £000	Approved Adjustments 2012/13 £000	Total Approved Programme 2012/13 £000	Actual to Date £000	Projected Outturn 2012/13 £000	Approved 2013/14 £000	Approved 2014/15 £000
Microregeneration	0	100	100	0	50	0	0
Landican Mercury Abatement	0	12	12	108	108	0	0
Europa Pool - Improved heating	0	198	198	1	150	0	0
Cultural Service Assets	1,500	1,261	2,761	313	1762	4,000	0
Williamson Art Gallery	0	650	650	52	650	0	0
The Priory	0	629	629	88	620	0	0
CCTV / IT Project	0	530	530	0	530	0	0
Bebington Civic Centre	0	1,300	1,300	8	200	0	0
Rock Ferry Centre	0	630	630	0	630	0	0
Wallasey Town Hall	300	0	300	0	300	1,325	0
North and South Annexes	1,200	165	1,365	0	165	300	700
Solar Photovoltaic Project	2,200	75	2,275	1	1500	400	0
Re-phasing of Council office works	-1,200	0	-1,200	0	0	-1,200	0
Energy Schemes	0	153	153	0	100	0	0
<b>TOTAL PROGRAMME</b>	<b>4,000</b>	<b>5,703</b>	<b>9,703</b>	<b>571</b>	<b>6,765</b>	<b>4,825</b>	<b>700</b>
<b>FUNDING</b>							
General Capital Resources	4,000	5,703	9,703	571	6,765	4,825	700
Grant – Other	0	0	0	0	0	0	0
Revenue/ Reserve Contributions	0	0	0	0	0	0	0
<b>TOTAL FUNDING</b>	<b>4,000</b>	<b>5,703</b>	<b>9,703</b>	<b>571</b>	<b>6,765</b>	<b>4,825</b>	<b>700</b>

## APPROVED BY COUNCIL / CABINET - DECISIONS TO VARY THE PROGRAMME

Date	Details	£
21 Jun 12	Agreed the slippage from 2011/12 capital programme	5,350
	Amendment to the slippage to reflect funding contributions	200
	Transfer of Energy Efficiency Scheme from Technical Services (original Cabinet report 20/02/06)	153
	<b>TOTAL</b>	<b>5,703</b>

## **SUMMARY**

Progress continues in delivering support for businesses through the Think Big Investment Fund, with grants to two companies being paid out in the first quarter.

The New Brighton scheme will go out to tender over the second quarter with a view to starting works in October for completion early in 2013.

The Hoylake Gateway scheme is expected to start in early 2013. However this isn't straightforward as the scheme relies on the Council securing a number of regulatory approvals from the rail authorities. There may be some expenditure in 2012/13 but it is anticipated the majority of expenditure will occur in 2013/14.

The Improvements to stock and Housing Market Renewal Residual schemes continue to move forward with a number of acquisitions of properties in former HMRI areas over the first quarter.

Disabled Facilities Adaption's scheme is forecast to process five hundred mandatory grants to completion in 2012/13. However the actual spend is determined by both the processing and progression of applications and then the subsequent undertaking of the scheme by the applicants.

## APPROVED PROGRAMME

PROGRAMME	Original Approved Programme 2012/13 £000	Approved Adjustments 2012/13 £000	Total Approved Programme 2012/13 £000	Actual to Date £000	Projected Outturn 2012/13 £000	Approved 2013/14 £000	Approved 2014/15 £000
Think Big Investment Fund	300	509	809	101	300	300	300
West Wirral Schemes	0	206	206	1	100	0	0
Destination West Kirby	0	0	0	0	0	1,250	0
Wirral Country Park	0	0	0	0	0	1,600	1,300
Mersey Heartlands New Growth Point	0	890	890	0	600	0	0
Improvements to Stock	800	4,763	5,563	992	5563	950	950
Housing Market Renewal Residual	970	0	970	0	970	865	865
Disabled Facilities - Adaptions	2,929	2,195	5,124	256	1600	2,929	1,000
New Homes Bonus	0	260	260	0	130	0	0
Quarry Bank Affordable Housing	0	158	158	0	100	0	0
Wirral Healthy Homes	105	101	206	34	100	105	0
Cosy Homes Heating	250	94	344	52	250	250	0
Empty Property Interventions	125	88	213	9	150	125	0
Power Solutions Strategic Investment	0	250	250	0	0	5,000	0
Challenge Fund	0	450	450	0	0	0	0
Hoylake	600	0	600	0	0	600	0
New Brighton	0	600	600	14	600	600	0
<b>TOTAL PROGRAMME</b>	<b>6,079</b>	<b>10,564</b>	<b>16,643</b>	<b>1,459</b>	<b>10,463</b>	<b>14,574</b>	<b>4,415</b>
<b>FUNDING</b>							
General Capital Resources	3,180	6,115	9,295			8,830	2,250
Grant – Other	2,599	4,449	7,048			4,844	2,165
Revenue/ Reserve Contributions	300	0	300			300	0

## APPROVED BY COUNCIL / CABINET - DECISIONS TO VARY THE PROGRAMME

Date	Details	£000
21 June 2012	Agreed the slippage from 2011/12 capital programme	9,964
	New Brighton Transferred from Tech Services	600
	<b>TOTAL</b>	<b>10,564</b>



## **SUMMARY**

Since the Technical Services' capital programme was originally approved by Council on 1 March 2012 there have been a number of further amendments approved by Council and Cabinet.

On 16 April 2012 Council approved additional capital investment of £2.4m for plant, vehicles and equipment to support the modernisation of the Parks and Countryside Service. The process of tendering and procuring these assets has now begun and it is hoped that the majority of the procurement will be completed during the summer of 2012.

The 2012-13 grant allocation from the Local Sustainable Transport Fund (LSTF) has been confirmed and scheme details were reported to Members at Cabinet 12 April 2012.

Cabinet 21 June 2012 approved slippage from the 2011-12 capital programme; this slippage has now been added to 2012-13 programme. The main elements of this slippage included, works on the Bidston Viaduct which were fully completed in 2011-12 but the final payment is not due until early in 2012-13 and other bridge works, including the Dock bridges and Leasowe Road which progressed well but it was necessary to slip some of the expenditure into 2012-13.

Other adjustments to the original approved capital programme include, monies for the New Brighton Development scheme transferring to Regeneration, Housing and Planning Department and monies for Energy schemes transferring to Law, HR and Asset Management Department. These adjustments have been made to better reflect responsibilities for the capital programme. The Integrated Transport Block (ITB) has also been slightly amended following receipt of the grant confirmation letter from Merseytravel and expenditure on Leisure equipment, due to be funded from revenue, has been added to the programme as it meets the definition of capital expenditure.

Much of the capital works are at an early stage currently and more detailed progress reports will be provided later in the year. However, the works on the Floral Pavilion Stage and Orchestra Pit have already been highlighted as an area of potential overspend. Initial estimates for the work have shown the scheme costs to be in the region of £320k rather than the originally planned £250k. At this stage the figures are only an estimate and the works are still out to tender. A more accurate assessment of the scheme status should be available in the next monitoring report.

	Original Approved Programme 2012/13	Approved Adjustments 2012/13	Total Approved Programme 2012/13	Actual to Date	Projected Outturn 2012/13	Approved 2013/14	Approved 2014/15
PROGRAMME	£000	£000	£000	£000	£000	£000	£000
Congestion	0	20	20	(66)	20	0	0
Road Safety	370	256	626	(85)	626	0	0
Maintenance	2,958	1,498	4,456	0	4,456	2,864	2,699
Air Quality	280	343	623	(66)	623	0	0
Accessibility	0	53	53	(3)	53	0	0
Transportation	0	93	93	54	93	0	0
Integrated Transport Block	1,155	5	1,160	(11)	1,160	1,155	1,155
Capitalised Highw ays Maintenance	1,000	0	1,000	0	1,000	1,000	1,000
Preventative Maintenance to Classified Roads	500	0	500	277	500	0	0
Preventative Maintenance to Unclassified Roads	500	0	500	0	500	0	0
Waste Initiatives	0	56	56	(3)	56	0	0
Coast Protection	55	234	289	13	289	55	55
Asset Management	0	85	85	0	0	0	0
Highw ays Grounds Maintenance Equip.	0	297	297	93	85	0	0
Leisure Schemes		159	159	0	776	0	0
Leisure Equipment		320	320	0			
Landican Cemetery	0	84	84	2	84	0	0
Floral Pavilion Stage & Orchestra Pit	250	0	250	0	321	0	0
Parks Plant and Equipment	0	2,400	2,400	0	2,400	0	0
New Brighton Development	600	(600)	0	0	0	0	0
Energy Schemes	0	0	0	0	0	0	0
<b>TOTAL PROGRAMME</b>	<b>7,668</b>	<b>5,303</b>	<b>12,971</b>	<b>205</b>	<b>13,042</b>	<b>5,074</b>	<b>4,909</b>
<b>FUNDING</b>							
General Capital Resources	3,555	4,473	8,028	216	8,099	1,055	1,055
Grants - Integrated Transport	1,155	5	1,160	(11)	1,160	1,155	1,155
Grants - Local Transport Plan	2,958	0	2,958	0	2,958	2,864	2,699
Grant – Other	0	560	560	0	560	0	0
Revenue, Reserves and Contributions	0	265	265	0	265	0	0
<b>TOTAL FUNDING</b>	<b>7,668</b>	<b>5,303</b>	<b>12,971</b>	<b>205</b>	<b>13,042</b>	<b>5,074</b>	<b>4,909</b>

**APPROVED BY COUNCIL / CABINET - DECISIONS TO VARY THE PROGRAMME**

<b>Date</b>	<b>Details</b>	<b>£000</b>
12 April 2012 (Cabinet) 16 April 2012 (Council)	Parks & Countryside Services Modernisation Project – Plant and Equipment Capital Investment	2,400
12 April 2012	Road Safety-Sustainable Infrastructure - LSTF bid	90
12 April 2012	Promoting Economy & Accessibility – LSTF bid	10
21 Jun 2012	Agreed slippage from the 2011/12 capital programme	3,286
	New Brighton Development scheme; responsibility transferred to Regeneration, Housing and Planning Department	-600
	Energy Schemes; responsibility transferred to Law HR and Asset Management Department	-153
	Adjustment to Integrated Transport Block grant allocation	5
	Use of revenue funds to purchase Leisure Equipment	265
	<b>TOTAL</b>	<b>5,303</b>

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## WIRRAL COUNCIL

### CABINET

6 SEPTEMBER 2012

<b>SUBJECT</b>	<b>TREASURY MANAGEMENT PERFORMANCE MONITORING</b>
<b>WARD/S AFFECTED</b>	<b>ALL</b>
<b>REPORT OF</b>	<b>DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER</b>	<b>COUNCILLOR PHIL DAVIES</b>
<b>KEY DECISION</b>	<b>YES</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 This report presents a review of Treasury Management policies, practices and activities during the first quarter of 2012/13 and confirms compliance with treasury limits and prudential indicators. It has been prepared in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code for Capital Finance in Local Authorities.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 Treasury Management in Local Government is governed by the CIPFA Code of Practice on Treasury Management in the Public Services and in this context is the “management of the Council’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks”.
- 2.2 Cabinet approves the Treasury Management and Investment Strategy at the start of each financial year. This identifies proposals to finance capital expenditure, borrow and invest in the light of capital spending requirements, the interest rate forecasts and the expected economic conditions. At the end of each financial year Cabinet receives an Annual Report which details performance against the Strategy. In accordance with the revised Treasury Management Code, a Treasury Management monitoring report is presented to Cabinet and Council on a quarterly basis.

### CURRENT ECONOMIC ENVIRONMENT

- 2.3 The first quarter of 2012/13 saw the continuation of the sovereign debt crisis in the Eurozone. Despite initial positive market reaction to the political developments within the euro area substantial risks remained. It is difficult to forecast GDP making significant gains whilst uncertainty over Europe persists so it is possible that output could be roughly flat over 2012 as a whole. This implies a period of two years with little, or no, economic growth.

- 2.4 Inflation fell throughout the first three months of the year, with the annual CPI for June at 2.4%. This is the lowest level since November 2009 and is attributable to lower fuel prices and also a reduction of 4.2% regarding clothing and footwear. The medium term outlook is that inflation rates will continue to fall back throughout 2012. Due to the fall in inflation, the Bank of England has scope for further Quantitative Easing, (QE) should the outlook for the economy worsen.
- 2.5 The Monetary Policy Committee's decision at its meeting in June was to increase asset purchases (QE) by £50 billion to a total of £375 billion, whilst maintaining the Bank Rate at 0.5%. Additional stimulus would come from initiatives such as the Funding for Lending Scheme (FLS) and the prospective relaxation of regulatory liquidity requirements. The impact of the FLS and other policy initiatives might alter the Committee's assessment of the effectiveness of a future reduction in the Bank Rate.
- 2.6 In Europe, the formation in Greece, after a second round of parliamentary elections, of an alliance of pro-euro parties prevented an immediate and disorderly exit from the Euro. The region suffered a renewed bout of stress when Italian and Spanish government borrowing costs rose sharply and Spain was also forced to officially seek a bailout for its domestic banks. At the European summit in June, some progress was made after it was agreed to create a Europe-wide banking regulator.

## **THE COUNCIL TREASURY POSITION**

- 2.7 The table shows how the position has changed since 31 March 2012.

### **Summary of Treasury Position**

	<b>Balance 31 Mar 12 (£m)</b>	<b>Maturities (£m)</b>	<b>Additions (£m)</b>	<b>Balance 30 Jun 12 (£m)</b>
Investments	103	(202)	221	122
Borrowings	(264)	1	0	(263)
Other Long-Term Liabilities	(61)	0	0	(61)
<b>Net Debt</b>	<b>(222)</b>	<b>(201)</b>	<b>221</b>	<b>(202)</b>

## **INVESTMENTS**

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

2.9 At 30 June 2012 the Council held investments of £122 million.

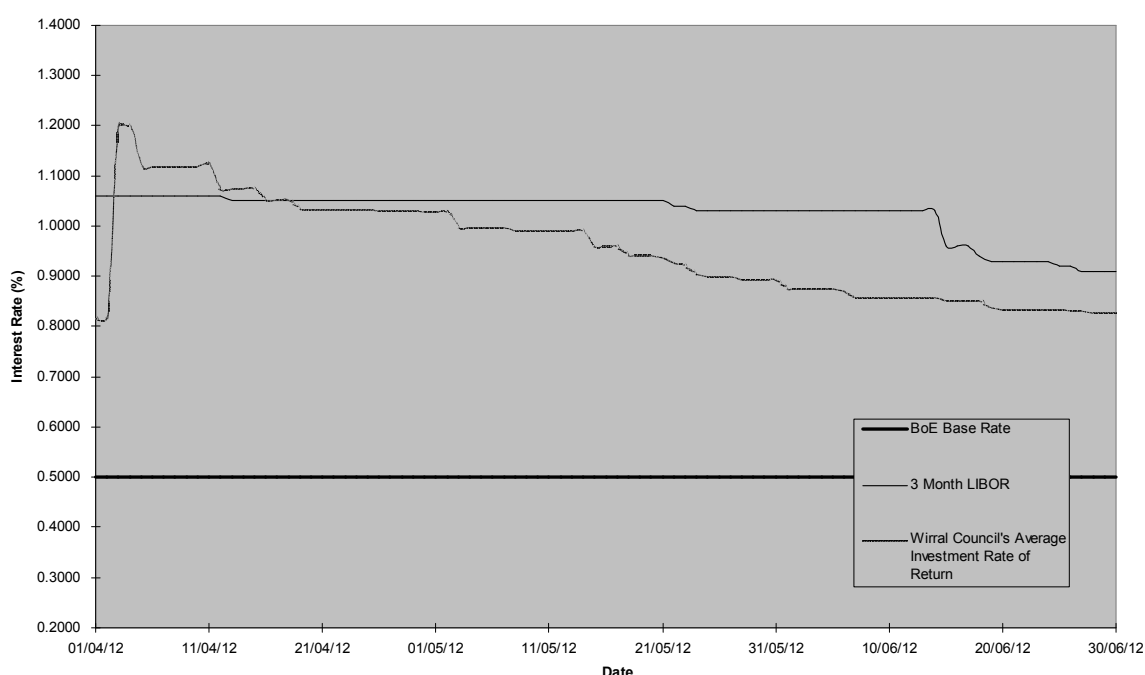
### Investment Profile

Investments with:	31 Dec 11 £m	31 Mar 12 £m	30 Jun 12 £m
UK Banks	47	35	36
UK Building Societies	6	6	0
Money Market Funds	40	20	42
Other Local Authorities	34	34	35
Gilts and Bonds	8	8	9
<b>TOTAL</b>	<b>135</b>	<b>103</b>	<b>122</b>

2.10 Of the above investments, £57 million is invested in instant access funds, £47 million is invested for up to 1 year and £18 million is invested for up to 5 years.

2.11 The graph shows the Treasury Management Team rate of return against the Bank of England base rate and the 3 month LIBOR (the inter bank lending rate). The average rate of return on investments as at 30 June 2012 is 0.83%. This compares to the Bank of England base rate of 0.5% and the LIBOR of 0.9%.

### Investment Rate of Return in 2012/13



2.12 The rate at which the Council can invest money continues to be low, in line with the record low Bank of England base rate. LIBOR fell sharply - from 0.99% to 0.90% - in mid-June after the Bank of England announced its £130 billion plan to boost bank lending. At the same time the Council's own investment rate of return has been reducing, as the Council moves monies away from banks with increased risks and into more secure investments. The increased security comes at a price of reduced investment returns.

- 2.13 The Council maintains a restrictive policy on new investments by only investing in UK institutions A- rated or above and continues to invest in AAA rated money market funds, gilts and bonds. Counterparty credit quality is also assessed and monitored with reference to, credit default swaps; GDP of the country in which the institution operates; the country's net debt as a percentage of GDP; sovereign support mechanisms /potential support from a well-resourced parent institution; share price.
- 2.14 The ratings of most of the UK banks, Nationwide Building Society and non-UK banks were either downgraded or placed on review for possible downgrade. For the UK banks, the downgrades largely reflected the reassessment by the agencies of the extent of future systemic support that would be forthcoming from the sovereign. For Eurozone banks, the worsening sovereign debt crisis and poor growth outlook led to pressure on sovereign ratings and consequently on bank ratings.
- 2.15 The downgrades resulted in the long-term rating of several UK institutions falling below the Council's previous minimum criteria of A+ and, as part of the Treasury Management and Investment Strategy 2012/15, the minimum criteria was revised to A-. Counterparties with a credit rating of A- are defined as having high credit quality, low credit risk and a strong ability to repay. Along with the revision of the minimum criteria, limits regarding the length of investment with the affected counterparties were also reconsidered. NatWest/RBS, Bank of Scotland/Lloyds TSB Bank were restricted to overnight deposits and Barclays and Nationwide have a limit of 100 days. Where the Council had previously entered into a fixed term deposit with any of these institutions the investment will be allowed to mature as originally planned.
- 2.16 As the Council's main bank account is with NatWest Bank, this reassessment allows this bank to be used for short term liquidity requirements (overnight and weekends) and business continuity arrangements.
- 2.17 Investments with the residual banks on the Council's list (HSBC and Standard Chartered) were limited to 6 months, and Santander UK plc has been limited to overnight deposits and the use of the bank's liquidity account. To compensate for the restricted counterparty list the Council has actively sought investments with other Local Authorities as well as increasing its investments in AAA rated money market funds. These sources of investment offer greater security but with a reduced investment return.
- 2.18 The Treasury Management Team will continue to monitor the developing financial situation and make appropriate operational adjustments, within the approved Treasury Management Strategy, to maintain the security of public money and manage the associated risks while also maximising returns within these constraints.
- 2.19 The 2012/13 investment income budget has been set at £0.86 million, reflecting the low interest rates that are anticipated to continue throughout the financial year.



## **Icelandic Investment**

- 2.20 The Authority has £2 million deposited with Heritable Bank, a UK registered Bank, at an interest rate of 6.22% which was due to mature on 28 November 2008. The Company was placed in administration on 7 October 2008. Members have received regular updates regarding the circumstances and the latest situation. In March 2009 an Audit Commission report confirmed that the Council acted, and continued to act, prudently and properly in its investment activities.
- 2.21 The latest creditor progress report issued by the Administrators Ernst and Young, dated 28 July 2011, outlined that the return to creditors is projected to be 90p in the £ by the end of 2012 and the final recovery could be higher. To date, £1,510,484 has been received with further payments due 2012/13. The amounts and timings of future payments are estimates as favourable changes in market conditions could lead to higher than estimated repayments.

## **Heritable Bank Repayments**

	£
<b>Initial Investment</b>	2,000,000
<b>Actual Repayments Received</b>	
As at 30 June 12	1,510,484
<b>Estimate of Future Repayments</b>	
Jul-12	192,608
Oct-12	192,608
<b>Total</b>	<b>385,217</b>
<b>Estimate of Minimum Total Repayment</b>	<b>1,895,701</b>

- 2.22 If Heritable Bank is unable to repay in full, I have also made a pre-emptive claim against Landsbanki Islands HF for the difference. When the original investment was made it was with Landsbanki Islands HF providing a guarantee to reimburse the Council should Heritable be unable to repay. It should be noted that Landsbanki Islands HF is also in Administration.

## **BORROWING AND OTHER LONG TERM LIABILITIES**

- 2.23 The Council undertakes borrowing to fund capital expenditure and the latest forecast for the capital programme shows borrowing of £9 million is required in 2012/13. The use of internal resources in lieu of borrowing, in the main, continues to be the most cost effective means of funding capital expenditure. This lowers overall treasury risk by reducing both external debt and temporary investments. However, it is acknowledged that this position is not sustainable over the medium term and the Council expects to borrow for capital purposes. Therefore the borrowing options and the timing of such borrowing will continue to be assessed in conjunction with the Council's treasury advisor.

- 2.24 The Public Works Loans Board (PWLB) remains the Council's preferred source of borrowing given the transparency and control that its facilities continue to provide.
- 2.25 Other Long-Term Liabilities include the schools Private Finance Initiative (PFI) scheme and finance leases used to purchase vehicles plant and equipment. Under International Financial Reporting Standards (IFRS) these are shown on the Balance Sheet as a Financial Liability and therefore need to be considered within any Treasury Management decision making process.
- 2.26 During the first quarter of 2012/13 the Council entered into a finance lease with Siemens. This was for IT and catering equipment within schools with the equipment valued at £138k and the lease for a three year period. The annual repayments of £46k will be met from the schools revenue budgets.
- 2.27 The table shows Council debt at 30 June 2012.

#### **Council Debt at 30 June 2012**

<b>Debt</b>	<b>Balance 31 Mar 12 (£m)</b>	<b>Maturities (£m)</b>	<b>Additions (£m)</b>	<b>Balance 30 Jun 12 (£m)</b>
<u>Borrowings</u>				
PWLB	(90)	1	0	(89)
Market Loans	(174)	0	0	(174)
<u>Other Long Term Liabilities</u>				
PFI	(59)	0	0	(59)
Finance Leases	(2)	0	0	(2)
<b>TOTAL</b>	<b>(325)</b>	<b>1</b>	<b>0</b>	<b>(324)</b>

#### **MONITORING OF THE PRUDENTIAL CODE INDICATORS**

- 2.28 The introduction of the Prudential Code in 2004 gave Local Authorities greater freedom in making capital strategy decisions. The prudential indicators allow the Council to establish prudence and affordability within the Capital Strategy. The following indicators demonstrate that the treasury management decisions are in line with the Strategy, being prudent and affordable.

#### Net Debt and Capital Financing Requirement (CFR) Indicator

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

## Net Debt compared with CFR

	£m
CFR in previous year (2011/12 actual)	375
Increase in CFR in 2012/13 (estimate)	0
Increase in CFR in 2013/14 (estimate)	0
Increase in CFR in 2014/15 (estimate)	0
<b>Accumulative CFR</b>	<b>375</b>
<b>Net Debt as at 30 Jun 2012</b>	<b>202</b>

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

## Authorised Limit and Operational Boundary Indicators

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

## **Authorised Limit and Operational Boundary Indicator**

	Apr 12 (£m)	May 12 (£m)	Jun 12 (£m)
<b>AUTHORISED LIMIT</b>	<b>482</b>	<b>482</b>	<b>482</b>
<b>OPERATIONAL BOUNDARY</b>	<b>467</b>	<b>467</b>	<b>467</b>
Council Borrowings	263	263	263
Other Long Term Liabilities	61	61	61
<b>TOTAL</b>	<b>324</b>	<b>324</b>	<b>324</b>

- 2.33 The table shows that neither the Authorised Limit nor the Operational Boundary was breached between April 2012 and June 2012. This is a key indicator of affordability.

## Interest Rate Exposure Indicator

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

## Interest Rate Exposure

	Fixed Rate of Interest (£m)	Variable Rate of Interest (£m)	TOTAL
<b>Borrowings</b>	(263)	0	<b>(263)</b>
Proportion of Borrowings	100%	0%	100%
Upper Limit	100%	0%	
<b>Investments</b>	57	65	<b>122</b>
Proportion of Investments	47%	53%	100%
Upper Limit	100%	100%	
<b>Net Borrowing</b>	<b>(206)</b>	<b>65</b>	<b>(141)</b>
Proportion of Total Net Borrowing	146%	-46%	100%

- 2.35 The table shows that borrowing is mainly at fixed rates of interest and investments are mainly at variable rates of interest. This was considered to be a good position while interest rates were rising as the cost of existing borrowing remained stable and the investments, at variable rates of interest, generated increasing levels of income.
- 2.36 As the environment is one of low interest rates, the Treasury Management Team is working to adjust this position which is restricted by:-
- the level of uncertainty in the markets makes investing for long periods at fixed rates of interest more risky and, therefore, the Council continues to only invest short term at variable rates of interest;
  - Many of the Council loans have expensive penalties for early repayment or rescheduling which makes changing the debt position a costly exercise.

### Maturity Structure of Borrowing Indicator

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

### **Maturity Structure of Borrowing**

Borrowings Maturity	As at 30 Jun 12 (£m)	As at 30 Jun 12 (%)	2012/13 Lower Limit (%)	2012/13 Upper Limit (%)
Less than 1 year	16	6	0	80
Over 1 year under 2 years	30	11	0	50
Over 2 years under 5 years	29	11	0	50
Over 5 years under 10 years	34	13	0	50
Over 10 years	154	59	0	100
<b>Total Borrowing</b>	<b>263</b>	<b>100</b>		

### Total Principal Sums Invested for Periods Longer than 364 Days

- 2.38 This indicator allows the Council to manage the risk inherent in investments longer than 364 days. The limit for 2012/13 was set at £30 million. Currently the Council has £17.5 million of investments which are for a period greater than 364 days during this period.

### **3.0 RELEVANT RISKS**

- 3.1 All relevant risks have been discussed within Section 2 of this report.

### **4.0 OTHER OPTIONS CONSIDERED**

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

### **5.0 CONSULTATION**

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

### **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 6.1 There are none arising directly out of this report.

### **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 7.1 Currently all Treasury Management activities are expected to be achieved in line with the 2012/13 budget. There are no It, staffing or asset implications arising directly out of this report.

### **8.0 LEGAL IMPLICATIONS**

- 8.1 There are none arising directly out of this report.

### **9.0 EQUALITIES IMPLICATIONS**

- 9.1 This a monitoring report on Treasury Management and as there are no equalities implications an Equality Impact Assessment (EIA) is not required.

### **10.0 CARBON REDUCTION IMPLICATIONS**

- 10.1 There are none arising directly out of this report.

### **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 11.1 There are none arising directly out of this report.

## **12.0 RECOMMENDATIONS**

- 12.1 That the Treasury Management Performance Monitoring Report be noted.
- 12.2 That it be noted that during this quarter, the Council entered into a new lease contract for IT equipment and catering equipment to the value of £138k.

## **13.0 REASONS FOR RECOMMENDATIONS**

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

FNCE/142/12

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## **REFERENCE MATERIAL**

Code of Practice for Treasury Management in Public Services CIPFA 2011.  
Prudential Code for Capital Finance in Local Authorities CIPFA 2011.

## **SUBJECT HISTORY**

<b>Council Meeting</b>	<b>Date</b>
Cabinet - Treasury Management and Investment Strategy 2012/15	21 February 2012
Cabinet - Treasury Management Annual Report 2011/12	21 June 2012

## WIRRAL COUNCIL

### CABINET

6 SEPTEMBER 2012

<b>SUBJECT:</b>	<b>WIRRAL IMPROVEMENT PLAN</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>ACTING CHIEF EXECUTIVE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>CLLR ANNE MCLACHLAN</b>
<b>KEY DECISION?</b>	YES/NO ( <i>delete as applicable</i> )

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report sets out Wirral's Improvement Plan and proposes the mechanisms for its successful management and delivery. The Plan (see appendix 1) sets out the key targets and objectives for improvement as well as the anticipated success criteria and delivery timetable.
- 1.2 The report proposes how delivery of the Improvement Plan will be managed through a governance model which illustrates clear lines of responsibility in relation to programme management and assurance. There is an outline of the resource requirements to set up and initiate the programme supported by a delivery model which details how the initial resource plan will be expanded upon. The report sets out the proposed reporting arrangements and a summary of how risk will be managed.
- 1.3 The plan presented was endorsed by the Improvement Board at its last meeting on July 20<sup>th</sup> 2012. Members are now requested to formally approve the Plan in order that delivery can commence as a matter of urgency.

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 The people who live, work and enjoy leisure on the Wirral deserve excellence from their Council. Recent external assessments show that in some areas, particularly governance, we have fallen short of that standard. Over the next three years, we face an unprecedented financial challenge – to reduce our annual budget from £300 million to £200 million. This will only be achieved by engaging openly with local people and taking hard decisions on the basis of evidence. To succeed will require innovation and imagination.
- 2.2 This improvement plan is based on the key issues identified by external reports; or raised by staff, or by Elected Members. It is a plan for transformation: to make us fit for a challenging future. It is a plan to ensure that the Council is in the best position to deliver optimum outcomes for the people and communities of Wirral.

The Improvement Plan is structured around the five improvement priorities agreed through the early work of the Improvement Board, specifically:

- Leadership: Political and Managerial
- Corporate Governance and Decision-Making
- Corporate Plan
- Budget and Financial Stability
- Critical Services Areas: Safeguarding and Developing the Economy

- 2.3 The Plan has been developed by the Council's Executive Team over a number of dedicated planning sessions and is informed by feedback from the Improvement Board and the LGA. It has been further informed by lessons learnt from the previous Corporate Governance Improvement Programme, specifically in terms of the need for greater Executive Team ownership and involvement in the management of change and improvement.
- 2.4 The Plan has been developed to align with the Council's revised Corporate Plan. The targets included under the five improvement priority themes are consistent with those in the revised Corporate Plan. The objectives that have been developed against these targets are the essential drivers for the specific work streams and projects required to achieve the success measures identified.
- 2.5 The Plan as presented is consistent with that which was endorsed by the Improvement Board at its last meeting on 20<sup>th</sup> July. However, it should be recognised the Plan is a living document which needs to be flexible and is being continuously developed and updated and work progresses. Updated versions will be published on the Council's website so the most current version can be accessed.

### **3.0 MANAGING THE CHANGE**

- 3.1 It is critical the Improvement Plan delivers change across all parts of the organisation and at all levels. A change management strategy is being developed to support this and will be presented to the Improvement Board in October. It will also be necessary to engage staff, elected members and, where appropriate, partner agencies, in order for the Improvement Plan to be a success.
- 3.2 There is a need to maintain a sound system of internal control and to support this, a governance structure is proposed (see diagram below). This ensures clear lines of accountability between the management and delivery of the programme. The structure also separates out the function of programme assurance to ensure the plan is being effectively managed and delivered. The key elements of the structure including functions and responsibilities are set out below.



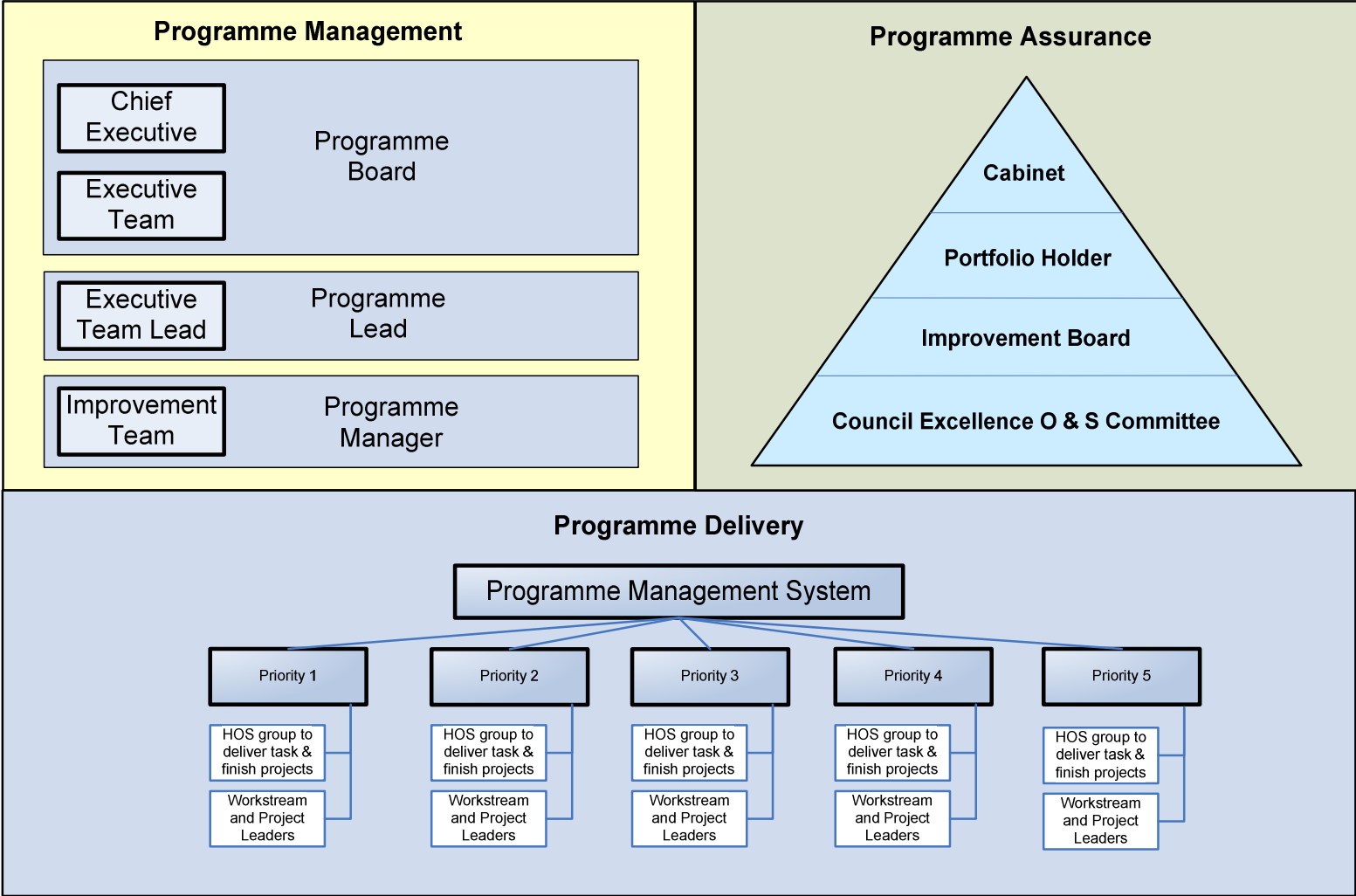
## **Programme Assurance**

3.3 The function of programme assurance is to ensure that the Improvement Plan and associated work programme are being delivered on time and to the required quality. The components that make up the assurance function and their respective roles are as follows:

- **Cabinet** – provides the executive function of the Council and oversees the work of the Executive Team.
- **Improvement and Governance Portfolio Holder** – has oversight of the overall improvement programme and provides a link role between the Executive Team and Cabinet.
- **Improvement Board** – reviews progress, provides challenge to the Council where appropriate and offers guidance and support.
- **Council Excellence Overview and Scrutiny Committee** – to review progress and provide scrutiny of improvement activity.

It is envisaged that elected members will also provide assurance and oversight to the progress of the plan through the mechanisms available such as Scrutiny Committees and Audit & Risk Management Committee.

# Improvement Plan Governance Structure



## **Programme Management**

- 3.3 The programme management function ensures there are clear lines of accountability in terms of who is responsible for managing the Improvement Plan. The components that make up this function are as follows:
- **Chief Executive** – has overall responsibility for the management of the Improvement Plan and acts as chair of the Programme Board.
  - **Executive Team** – operates as the Programme Board with collective responsibility for delivering the Improvement Plan which features as a standing item on weekly Executive Team meetings. Executive Team members also have individual responsibility for acting as sponsors for the five priority themes, providing additional oversight to support delivery.
  - **Executive Lead** – has overall responsibility for implementation and managing the Improvement Team.
  - **Improvement Team** – has the day-to-day responsibility for managing the programme and coordinating delivery across the Council.

## **Programme Delivery**

- 3.4 It is essential that change projects and activities are owned and delivered across the organisation and the knowledge and skills of staff are fully harnessed and engaged. In order to achieve this, Heads of Service are working collectively in project groups to undertake more detailed planning of the activities to develop projects under each Improvement Plan priority.
- 3.5 There is a need for project management discipline to ensure a consistency of delivery across the five priority themes. Part of the role of the Improvement Team will be to provide coordination and support to ensure the work under each priority is delivered within a controlled environment. This will include the use of Project Initiation Documents, Project Plans and Project Risk Registers to ensure there is a consistency and rigour to planning and monitoring progress.

## **Project Management System**

- 3.6 To support the project management discipline outlined above, the Council's programme management system (Concerto P2) will be used to ensure consistency in project planning, management and reporting. The system has been successfully implemented to support the management of the strategic change programme. Further modules have recently been developed to integrate the Council's business planning, performance and risk management. The system facilitates the management of project issues and risks, as well as allowing authorised users to view information in real time to review progress against project plans.
- 3.7 There is a need to ensure appropriate training in the use of the system for senior officers and identified project managers and this has been factored into the resource planning. Through the wider adoption and use of this system, there is an opportunity to ensure consistency and improve the quality of management information for the Executive Team.

## **Reporting Requirements**

- 3.8 The system also provides a mechanism for consistent reporting on project status, project issues and risks for the Executive Team. It is proposed that weekly Executive Team meetings should have the Improvement Plan as a standing item for exception reports only. This will ensure that any issues are identified and overcome swiftly. It is also proposed that once a month, the Executive Team dedicates a full meeting to reviewing the progress of the Improvement Plan. This will identify the elements for a regular highlight report to Cabinet and the Improvement Board.
- 3.9 A forward plan of reporting progress and decisions or endorsements required, will be developed as part of the detailed planning to deliver the Improvement Plan. It is envisaged the monthly Executive Team meeting precedes the deadline for reports to the Improvement Board. This will enable the consideration of progress, risks and issues, but will eradicate the need for duplicate reporting to separate audiences.

## **4.0 RESOURCE MANAGEMENT**

- 4.1 There is recognition that the Improvement Plan will need to be adequately resourced, although this must be within the context of diminishing resources. As such, careful consideration has been given to existing resources that can be targeted to delivering this work.
- 4.2 In order to embed this improvement activity within the day-to-day operation of the Council, it is proposed that existing service managers lead the delivery of the targets and objectives within each of their priority areas. Each priority area will be supported by an Executive Sponsor from the Executive Team as set out in the programme management arrangements.
- 4.3 Some resources have already been applied to the Council's improvement activities. However, it is recognised there is limited capacity in some areas and this may impede progress. Therefore, an analysis has been undertaken to determine the existing resources available and the additional requirements to deliver the Plan. These are set out in the resource plan (see appendix 2) which also makes reference to the timescales involved and the identified or potential sources of funding.
- 4.5 In summary, there is an estimated budget requirement of £635,000 to initiate and take forward this programme of work. A number of funding sources have been identified to meet this requirement including:
- A support grant from the Northwest Improvement and Efficiency Partnership of £40,000
  - An existing budget provision of £100,000 for a site licence for the programme management system
  - A sum of £300,000 allocated within the 2012/13 budget for improving corporate governance
  - There is some under spend associated with the Council's Efficiency Fund
- 4.6 It is acknowledged the funding identified does not meet the initial requirements set out in appendix 2. However, further work will be undertaken to identify additional resources and prioritise activity on a phased basis in line with funding availability. Additional resources will need to be further quantified as the plan develops and is

implemented. All potential sources of external funding and opportunities for releasing internal resources will be explored in order to meet any additional requirements.

## **5.0 PROGRESS TO DATE AND NEXT STEPS**

- 5.1 Given the urgency associated with this work programme, a significant amount of activity has already been undertaken in relation to initiation and start up. A number of Project Initiation Documents have been scoped out and developed for discrete elements within the Plan. This includes the four Projects being developed and managed by the Heads of Service, specifically:
- Review of Business Systems
  - Creating a Transparent Council
  - Putting the Customer at the Heart of Everything we do
  - Empowerment
- 5.2 An initial programme risk register has been developed by the Executive Team and this is included as appendix 3. The proposed approach for managing risk is set out in section 6 below.
- 5.3 Subject to Cabinet approval, the next steps in terms of implementation are centred around the following activities:
- Further project planning of the targets prioritised to be delivered within 6 months
  - The development of a more detailed resource plan activities to be delivered within 6 months on a phased basis
  - Completion of the Programme Risk Register
  - The development of a Change Management Strategy that underpins how the Improvement Plan will be delivered and sustained
  - The development of a reporting timetable around key milestones and decisions.

## **6.0 RELEVANT RISKS**

- 6.1 An initial Programme Risk Register has been developed by the Executive Team and is included in appendix 3. In terms of the approach for managing risk, there is a need for risk management and reporting to be embedded throughout programme management model. A three-tier approach is suggested, with the Programme Board (Executive Team) responsible for identifying and reviewing Risk at the overall programme level.
- 6.2 The second tier of risk identification and management will need to be at the priority level. It is envisaged there will be a risk register identified for each of the five priority themes. The third tier will be at the project level and it will be the responsibility of the identified project manager to upload risks into the programme management system. This will allow for any necessary escalation to the Executive Team.

## **7.0 OTHER OPTIONS CONSIDERED**

- 7.1 The Improvement Plan is considered to be the only option for the Council and as such, no other options have been considered.

## **8.0 CONSULTATION**

- 8.1 The development of the Improvement Plan has been undertaken in consultation with the Improvement Board and elected members. The activities contained within the plan have been informed by consultation with staff through the staff surveys undertaken this year.

## **9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 9.1 There are none arising directly from this report.

## **10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 10.1 The initial resource requirements have been assessed and are set out in section 4 and appendix 2. A more detailed resource plan will be developed as part of the detailed project planning required for each priority.

## **11.0 LEGAL IMPLICATIONS**

- 11.1 Delivery of the Improvement Plan will involve reviewing and refreshing a number of core documents including the Council's constitution, the Scheme of Delegation and the Member / Office protocol. Where necessary i.e. when a key decision is required, these will be reported to Cabinet separately.

## **12.0 EQUALITIES IMPLICATIONS**

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

(a) Yes and impact review is attached.

## **13.0 CARBON REDUCTION IMPLICATIONS**

- 13.1 There are none arising directly from this report.

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 14.1 There are none arising directly from this report.

## **15.0 RECOMMENDATION/S**

- 15.1 Members are requested to approve the Improvement Plan, the proposed governance model and initial resource requirements to enable the commencement of delivery as a matter of urgency.

## **16.0 REASON/S FOR RECOMMENDATION/S**

- 16.1 The people who live, work and enjoy leisure on the Wirral deserve excellence from their Council. Recent external assessments show that in some areas, particularly governance, we have fallen short of that standard.

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## **APPENDICES**

**Appendix 1 – Improvement Plan**  
**Appendix 2 – Resource Plan**  
**Appendix 3 – Initial Risk Register**

## REFERENCE MATERIAL

Document	Date
Improvement Plan Feedback from LGA	June 2012
Corporate plan	July 2012
Business planning consultation report	July 2012
Corporate Self Assessment	June 2012
HESPE Report & Action plan	May 2012
Comprehensive Work Programme (KLOEs)	October 2011
Marine Lake Action Plan	June 2012
Annual Governance Statement 2011/12	June 2012
Performance Appraisal Framework (E&A Committee)	April 2012
LGA workshop notes	March 2012
Staff Governance Survey	January 2012
Ipsos Mori Staff Survey	April 2012
Member Survey	December 2011
AKA Governance report	September 2011
AKA and Martin Smith Action Plan	January 2012
AKA Final Report	January 2012
Report to Improvement Board on Elected Member Development Programme	June 2012
DASS [draft] report on AKA actions	July 2012
Safeguarding Peer Review findings	June 2012
Feedback from staff sessions with Michael Frater	June 2012
Outcomes of Corporate Governance Comprehensive Work Programme	March 2012

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Priority 1: Leadership: Political and Managerial		Trust and respect needs to be developed between politicians and senior management. There is a requirement for strong strategic leadership and oversight of delivery. Development needs for Members and management should be identified and addressed. Addressing these key areas of focus will support the establishment of a strong corporate culture and a sense of organisational cohesiveness.				
Executive Sponsor:		Chief Executive				
Target 1	Design and implement a leadership programme					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
1.1	Establish the leadership competencies and behaviours required by the Council for good governance.	A defined set of competencies to inform a comprehensive gap analysis against desired competencies to inform target 1.2	Within 6 months	Senior Officer job descriptions. Development activities.	Competencies reflecting revised Code of Corporate Governance and scheme of delegation.	Organisational Development Manager
1.2	Design and deliver a learning programme for Cabinet and Senior Management Teams to address individual needs, informed by the gap analysis.	All Members and officers have a Learning & Development Plan that addresses the individual and organisational needs.	Designed within 6 months, deliver initial programme within 12 months.	Skills for Wirral programme.	Revised Code of Governance in place, Scheme of delegation agreed.	Organisational Development Manager
1.3	Ensure learning programme meets requirements through clear target-setting, evaluation and review.	Evaluations and review provide evidence that programme has met targets.	Within 2 years.		Learning & Development is reviewed as part of appraisal process.	Organisational Development Manager
Target 2	Review best practice and put in place an effective model for elected members and senior managers to work together.					
	Objective	Success criteria	Timeline	Linkages	Dependencies	
2.1	Define the boundaries for operation of roles and responsibilities and clarify expectations.	Agreed protocols with clear lines of accountability, regular monitoring and reporting.	Within 6 months		Revision of schemes of delegation and Council's policy framework	External support required
2.2	Establish a framework to support member and officer engagement at all levels of the organisation.	An efficient model for accurate and consistent briefing of members.	Within 6 months		Needs to be reflected in the cultural change programme.	Interim Chief Executive
Target 3	Develop a shared vision and purpose for the organisation					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
3.1	Develop Wirral's vision to reflect the changing role of local government.	Understand and articulate what is our "core business" and how we will operate as an organisation in 2015.	Within 6 months		Appointment of Interim Chief Executive. Consultation exercise.	Council Leader / Chief Executive
3.2	Ensure the organisational structure is fit for purpose.	A full-time, experienced Interim Chief Executive appointed; appropriate council restructuring undertaken. Job descriptions reflect officer responsibilities.	Within 12 months	Interim arrangements.	Resolving Interim arrangements. Link to commissioning strategy and understanding of what the Council will directly deliver.	Leader / Chief Executive
3.3	The model for corporate management is supported by enabling strategies.	Officers and Members are located to optimise corporate and efficient working.	Within 12 months	Heads of Service projects.	Asset Management Strategy, Customer Access Strategy, ICT Strategy, People Strategy.	Chief Executive
3.4	Review Business Systems	We have an integrated business focused system environment which enables people to work more efficiently and flexibly.	Within 12 months	ICT Strategy, Customer Access Strategy		Head of Service development project.
Target 4	Design and implement a cultural change programme					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
4.1	Define a single set of values and behaviours that are expected to be demonstrated by all.	Values and behaviours have all-party agreement and have been informed through staff engagement.	Within 6 months			Head of HR / Organisational Development
4.2	Staff responsibilities and expectations are clearly articulated.	Single source of guidance and procedures available in a "how to guide".	Within 12 months	Code of Corporate Governance.	To be completed prior to OD programme roll out.	Support required
4.3	Organisational Development programme developed to communicate and support staff understanding and expectations.	Values and behaviours are embedded across the organisation and are adhered to by all staff. Evidence through performance appraisal.	Within 12 months		Articulated in the revised Corporate Plan and re-enforced through performance management and appraisal.	Organisational Development Manager

Priority 2: Corporate governance and decision-making		Establish effective governance procedures, particularly with regard to risk management, whistle blowing and audit. Ensure there is a clear protocol for sharing information with Members and a clear scheme of delegation. The expectation is that this will contribute to developing a culture of openness rather than secrecy.				
Executive Sponsor:		Director of Law, HR & Asset Management / Monitoring Officer				
Target 1	Ensure that the Code of Corporate Governance and supporting policies are consistently understood and followed.					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
1.1	Ensure all politicians and senior officers have a working knowledge of the revised Code of Corporate Governance and apply this in decision making, particularly focussing on the areas of risk, audit and whistle-blowing.	Mandatory training undertaken by officers and members. Evaluations and reviews provide evidence that programme has met targets. External validation that decision-making has improved.	Within 12 months	Initial review of Code of Corporate Governance complete.	Leadership Development Programme; Review of Code of Corporate Governance, specifically areas of risk; whistle-blowing; Audit. Review of Internal Audit.	Head of Regulation
1.2	Implement the agreed proposals and initiatives set out in Corporate Governance Key Line Of Enquiry 6 Improvement Report (Cabinet, 21/06/2012)	Improve decision making at member and officer levels.		Corporate Governance Comprehensive Work Programme		Director of Law, HR & AM / Monitoring Officer
1.3	The supporting policies within the Code of Corporate Governance are owned, reviewed and published.	The policies in the Code of Corporate Governance have been reviewed and subject to a controlled version which is linked to a published copy. Document management and retention policies support this.	Within 24 months	DASS Review of Policies & Performance.		Head of Regulation
Target 2	Review and update Schemes of Delegation and support systems for decision making and provide appropriate training					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
2.1	Review and update Schemes of Delegation to Cabinet Members and Officers reflecting best practice.	Revised scheme understood and adhered to. Fewer items on Cabinet agendas.	Within 6 months.		Needs to be reflected in Member and officer protocols and revised Code of Corporate Governance.	Director of Law, HR & AM / Monitoring Officer
2.2	Develop a protocol which ensures greater control over procedures such as agenda management and decision recording.	Ensure attention is focussed by officers and elected Members on key decisions. A clear mechanism for delegated decisions to be reported back through the Council decision-making structures.	Within 6 months	Corporate Governance Key Line Of Enquiry 6 Improvement Report (Cabinet, 21/06/2012)		External support required
2.3	Training and development programme on the Scheme of Delegation for both officers and elected members.	Training undertaken.	Within 12 months	Wirral Skills Programme.	To be included in the Leadership programme	Interim HR Business Support Manager
Target 3	Strengthen contract procedure rules and management whilst ensuring that appropriate information is in place to enable informed decision making.					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
3.1	Improve contract management by using the evidence base of reports (HESPE etc) identify strengths and weaknesses of existing procedures and protocol.	Contract management principles are clearly reviewed published and adhered to.	Within 6 months			External support (Solicitor)
3.2	Revise procurement procedures and through rigorous review, ensure procedure and protocol are strengthened.	A single source of guidance for procurement within the "how to" toolkit. This will provide advice on rules, e.g. reporting variations, quality issues, informing Members. Supported by appropriate support and training.	Within 12 months.			Corporate Procurement Manager
3.3	Review risk management arrangements.	Enhanced process for managing risk with relevant systems in place.	Within 12 months.	Roll out of Concerto software.		Risk & Insurance Officer
3.4	Provide an effective system of Internal Audit.	Strengthened core function in place with a clear and transparent escalation policy.	Within 12 months.	External Review of Audit completed.	Revised committee reports should ensure that Audit Committee update reports are clear and unambiguous.	To be confirmed.
3.5	The relevant information is available to support decision making and decisions taken are accurately recorded.	Information Strategy is in place. Scheme of Delegation is adhered to.	Within 12 months.		Updated Scheme of Delegation and Member / officer protocols in place	External support
Target 4	Establish an effective and coordinated approach to shaping and implementing policy					

	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
4.1	Establish a coherent and joined up approach to policy, planning and strategy development for the Council.	Elected Members are well-informed on current and future policy issues; there is effective collaboration between departments on cross-cutting policy issues; there is robust implementation and review of policy decisions; there is effective sharing of learning and best practice.	Within 6 months.	Review of policy undertaken. Head of Policy post agreed (29/09/2011).	Elected Members and senior officers are well informed in developing vision and strategic approaches; Corporate Plan reflects national as well as local drivers and reflects effective horizon scanning by the organisation.	Existing policy leads until Head of Policy is appointed.
4.2	Ensure that there is a robust knowledge and evidence based approach to decision making in order to tackle the key challenges for Wirral.	Consistent use of evidence to develop Council plans and strategies; shared view within the Council and amongst partners about the key challenges / opportunities for Wirral.	Within 12 months.	JSNA, annual consultations.	Elected Members and senior officers are well informed in developing vision and strategic approaches which tackle the key challenges for Wirral; the Council's Corporate Plan is based on evidence as well as a good understanding of citizens and customers' views.	Existing policy leads until Head of Policy is appointed.
4.3	Engage with local and sub-regional partners to shape and respond to policy developments and implement decisions.	The Council and Local Strategic Partnership proactively anticipates and plans for policy changes; there is a shared view within the Council and amongst partners about the key challenges / opportunities for Wirral; policy is influenced at sub-regional, regional and national levels through ensuring that Wirral's interests and priorities are effectively represented.	Within 12 months.	Local Enterprise Partnership.	Elected Members and senior officers develop leadership role in respect of wider partnerships; the programme for developing Council's Corporate Plan includes engagement with partners; critical service areas cannot be developed and delivered without strong partnership working.	Chief Executive
Priority 3: Corporate Plan		To put in place an agreed Corporate Plan that sets out clear priorities reflecting a good understanding of citizens' and customers' views through consultation, participation and localism. This is to be underpinned by rigorous performance management and through effective performance appraisal arrangements secure specific outcomes for the borough.				
Executive Sponsor:		Chief Executive				
Target 1	A clear set of priorities based on understanding our customers' needs and expectations.					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
1.1	Ensure current Corporate Plan reflects need to deliver critical activities in 2012-13 in relation to the Council's Improvement Plan.	The Council has clear priorities in the current financial year for delivering services and the organisational change required for future improvement.	Within 6 months	Planned actions for 2012-13 in relation to critical service areas provide the baseline for review and long-term strategic planning.	Ensuring budget stability in-year whilst delivering current year service and improvement priorities.	Existing policy leads until Head of Policy is appointed.
1.2	Undertake a comprehensive service review.	The Council undertakes a successful consultation and corporate planning process which complies with legislation; the Council has a long-term vision for the borough.	Within 6 months	Three-year Corporate Plan will set out long-term strategies for critical service areas.	Consultation and corporate planning process will inform three-year financial strategy.	Existing policy leads until Head of Policy is appointed.
1.3	Complete a consultation exercise to support the development of a Corporate Plan for 2013 onwards	The Council undertakes a successful consultation and corporate planning process which complies with legislation; the Council has a long-term vision for the borough.	Within 6 months		Undertake service reviews.	Head of Communications & Engagement
1.4	Create a customer focussed organisation.	We place customers and services users at the heart of everything we do.	Within 12 months	Customer Access Strategy.	Development of Customer Relationship Management	Head of Service development project.
Target 2	Develop a Corporate Performance Management Framework					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
2.1	Implement robust business plans that deliver the Corporate Plan.	A clear line of sight between the Corporate Plan and the departmental Business Plans.	Within 6 months (new plans for 13/14)	Roll out of Concerto for performance and business planning.	Corporate plan in place.	Existing policy leads until Head of Policy is appointed.
2.2	Revise Corporate Performance Management Framework	Revised Performance Management Framework implemented: committee deadlines reflect reporting requirements. Dashboard reporting in place.	Within 6 months (new framework for 13/14)	Roll out of Concerto for performance and business planning.	Review of committee services.	Head of Performance & Intelligence (Public Health)
2.3	Create a transparent Council	The Council provides accessible and consistent information and policy and decision making which is open and transparent across all areas and channels of its business.	Within 12 months			Heads of Service development project.
Target 3	Objectives aligned to individual performance appraisal and development					

	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
3.1	Empowerment	Informed decisions are taken at the most appropriate level in the organisation in a timely and efficient way with clear accountability and responsibility for individuals and the organisation.	Within 12 months.			Head of Service development project.
3.2	Design and implement a performance appraisal process.	Top 3 tiers of management have completed appraisal process and have a training and development plan in place.	Within 6 months		Corporate Performance Framework.	Head of HR / Organisational Development
3.3	360 <sup>0</sup> feedback mechanism in place.	Top 3 tiers of management have received 360 feedback.	Within 12 months.		Leadership Development programme.	Head of HR / Organisational Development
Priority 4: Budget and Financial Stability		To ensure there is a clear longer-term financial plan in place, linked to the Corporate Plan, setting out how the Authority will respond to reducing levels of resources. This will include the development and enhancement of the Strategic Change Programme, and the development of a clear commissioning strategy for the Authority.				
Executive Sponsor:		Director of Finance / Section 151 Officer				
Target 1	Ensure that the service review and consultation programme reflects the impact of reducing levels of resources					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
1.1	A budget developed in a transparent process that reflects customers needs and expectations.	A three-year budget strategy that is aligned to the three-year Corporate Plan.	Within 6 months.	Government legislative and financial announcements.	Service Review and Consultation process. Corporate Plan.	Head of Financial Services.
1.2	Develop an evidenced based commissioning strategy informed by clearly identified needs.	Demonstrate effective use of resources to our citizens, partners and tax payers.	Within 12 months.	Transfer of Public Health. JSNA.		Head of Performance & Intelligence (Public Health).
Target 2	Review governance and scope of Strategic Change Programme.					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
2.1	Integrate governance and scope of the Strategic Change Programme with the Improvement Plan.	A single governance structure for change and improvement activity.	Within 6 months.	SCP 12/13, agreed Cabinet 2 February 2012	Revised scheme of delegation, member and officer protocols.	External Support
2.2	Specify the efficiency projects within the Strategic Change Programme.	A transparent programme of projects that evidence savings within the budget book.	Within 6 months.	SCP 12/13, agreed Cabinet 2 February 2013	Corporate plan, service review and budget preparation.	Programme Manager (Strategic Change)
2.3	Specify the transformational change projects within the Strategic Change Programme.	A programme of projects that demonstrate transformational improvement.	Within 6 months.	Cultural change programme.	Corporate plan and service review.	Programme Manager (Strategic Change)
2.4	Identify the mechanism and staffing structures for delivery.	A clear remit for those involved in delivering change and improvement.	Within 12 months.		Council restructure.	Programme Manager (Strategic Change)
Priority 5: Critical Service Areas: Safeguarding and Developing the Economy		To ensure that there is a clear organisational focus on critical service areas such as safeguarding (children and adults) and developing the local economy through ensuring we improve the skills of local residents and stimulate the private sector to grow and create jobs. Adopting this approach will develop skills in service and strategic review processes.				
Executive Sponsor (Economy)		Director of Regeneration, Housing & Planning				
Executive Sponsor (Safeguarding)		Director of Adult Social Services				
Target 1	Deliver improvements in safeguarding, through implementation of the action plan arising from the safeguarding peer review					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
1.1	Design and deliver an action plan to address individual needs, informed by the safeguarding peer review.	Identify clear targets, priorities and success criteria for reporting on improvements.	Plan agreed within 6 months.			Head of Safeguarding
1.2	Ensure the actions arising from the AKA action plan are implemented with regards to safeguarding.	Improvement Board and Cabinet updated of progress.	Within 6 months.			Head of Safeguarding
Target 2	Develop approach to enhancing and adding value to the local economy through 'your Economy' goals and focuses					
	Objective	Success criteria	Timeline	Linkages	Dependencies	Proposed Lead Role
1.1	Ensure policy and budget review approaches reflect the council's commitment to improving Wirral's economy.	Improved skills and capacity in service and strategic review processes.	Within 2 years.	Wirral Investment Strategy.	Corporate plan.	Head of Strategic Development and Regeneration



## Appendix 2

### Wirral Improvement Plan

#### Current Resources

Area	Existing Resources	Funding Source
Programme Management	Programme Management System	Existing Change budget.
	1 Programme Manager 1 Project Manager	Existing Change/ Improvement Resources.
1 Leadership	Independent Staff Survey undertaken between January – April, and follow up activity.	NWIEP Tailored Support Grant (£40k).
	Executive Team's facilitated development days (Consultancy Works)	Efficiency Fund.
	Support and development for Heads of Service. (Consultancy Works)	Efficiency Fund.
	Senior Management Support (Change for the Better)	Local Government Association £33,600 (to be Council funded following the initial period)
2 Corporate Governance	Member Training (Anna Klonowski Associates Ltd)	
3 Corporate Plan	Existing staffing resources are being prioritised within these service areas to support improvement activity.	
3 Budget		
5 Safeguarding & the Economy	The Council has recognised Safeguarding as a priority and has allocated £500k to improve standards in safeguarding practices and also provided additional resources to support Children and Young People.	Revenue Budget 2012/13.

#### Additional Resources

Area	Required Resources			Funding Source
	Resource	Cost	Timeframe	
Programme Management	Concerto Site License	£100k	Immediate	Existing provision within the change management budget.
	1 FTE Project Support	£30k	Immediate	Improvement Budget.

	1 FTE Improvement Board Support	To be determined	Immediate	Options such as secondment and redeployment will be explored in the first instance.
1 Leadership	Senior Management Support (Change for the Better consultant)	£65k	Immediate	Under spend on the Chief Executive's salary.
	1 FTE Senior Organisational Development Officer.	£50k	Programme Delivery	Improvement Budget.
	1 FTE to provide support to Chief Executive	£45k	Immediate	Improvement Budget.
	Leadership development programme	To be determined	Initiation	Review existing funding sources to develop a single council leadership programme.
	Specialist external support for member / officer model of operations	Subject to scope and a procurement exercise.	Initiation	To be determined following scoping.
	Support to design and implement cultural change programme	Subject to scope and a procurement exercise.	Initiation	To be determined following scoping.
2 Corporate Governance	Solicitor	£50k	Immediate	Improvement Budget.
	Principal Committee Services Officer	£40k (12 months only)	Immediate	Improvement Budget.
	Head of Policy	Grade to be determined.	Programme Delivery	Existing resources as per paper to Employee and Appointments Committee 29/09/2011.
	Training support: Code of Corporate Governance, Scheme of	£20k	Programme Delivery	Improvement Budget.

	Delegation.			
3 Corporate Plan	External training to support implementation of Performance Management Software.	£20k	Initiation	Improvement Budget.
	External support for 360° feedback design and implementation	Estimated at £150k over 3 years with roll out constrained by affordability	Initiation	Proposal to cost out each phase of the roll out – Chief Officers, Heads of Service and third tier managers and undertake cost benefit analysis.
4 Budget	2 FTE Accountants	£100k	Programme Delivery	Existing resources to be reviewed, shortfall to be met by Efficiency Fund.
	Consultation exercise to support the development of a Corporate Plan for 2013 onwards.	£25k	Immediate	Improvement Budget.
5 Safeguarding & the Economy	Existing resources will be reviewed and re-prioritised in the first instance.			

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## Appendix 3: Draft Improvement Plan Risk Register

The Improvement Plan and its Risk Register have been developed at a point in time. Both are intended to be dynamic documents that are reviewed regularly to ensure the issues and activities within each are reflective of the environment in which the Council operates and the drivers it faces.

Risk Description	Existing Controls	Net Likelihood Score	Net Impact Score	Net Total Risk score	Planned Additional Controls
<b>GOVERNANCE</b>					
The roles and responsibilities relating to programme governance are not adhered to	<ul style="list-style-type: none"> <li>Member and officer protocol</li> <li>Improvement Board endorsement of programme management arrangements</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>Revised member officer protocol and training</li> <li>Cabinet approval of programme management arrangements</li> </ul>
The roles and responsibilities relating to programme governance are not understood	<ul style="list-style-type: none"> <li>Member briefings</li> <li>Regular reporting on progress / issues / risks</li> </ul>	3	4	12	<ul style="list-style-type: none"> <li>Member engagement through scrutiny</li> <li>Review effectiveness of governance model / identify weaknesses and areas of improvement</li> </ul>
Unrealistic stakeholder expectations of the ability to deliver the plan whilst also delivering against other Council priorities	<ul style="list-style-type: none"> <li>Member briefings</li> <li>Regular reporting on progress / issues / risks</li> </ul>	2	4	8	<ul style="list-style-type: none"> <li>Clear prioritisation from 'what really matters'</li> </ul>
<b>CAPACITY</b>					
Failure to create sufficient capacity within the key group of officers responsible for delivering the Plan	<ul style="list-style-type: none"> <li>Initial resource plan endorsed by Improvement Board</li> </ul>	3	5	15	<ul style="list-style-type: none"> <li>Detailed resource planning</li> <li>Cabinet approval for additional resources</li> <li>Robust business planning</li> <li>Ensure resource requirements to deliver the plan are included in the budget setting process</li> </ul>
Executive Team capacity to focus on delivery is limited by dealing with serial complainants and bureaucratic processes.		3	3	9	<ul style="list-style-type: none"> <li>Transparent Council HoS Project</li> <li>Empowerment Project</li> <li>Review Business Systems Project</li> <li>Implementation of HR Self Serve Project</li> </ul>
Failure to allocate sufficient resources (financial IT etc) to support the delivery of the Plan	<ul style="list-style-type: none"> <li>Delivery of the Improvement plan has been deemed critical by Executive Team</li> <li>Initial resource plan in place</li> </ul>	2	5	10	<ul style="list-style-type: none"> <li>Detailed resource planning</li> <li>Ensure resource requirements to deliver the plan are included in the budget setting process</li> </ul>
<b>ENGAGEMENT &amp; COMMUNICATION</b>					
Executive Team does not connect strongly and overtly with the key group of officers responsible for delivering the Plan	<ul style="list-style-type: none"> <li>Senior management briefings</li> <li>1 2 1 / appraisal process</li> <li>Head of Service Group and Project Teams</li> </ul>	2	3	6	
Staff are not effectively engaged in the Improvement Plan and progress is not communicated clearly.	<ul style="list-style-type: none"> <li>Key messages disseminated in Senior management briefings</li> <li>Key messages disseminated in One brief</li> <li>Key messages disseminated in Authority wide broadcasts</li> <li>Key messages from Improvement Board available on the Council's intranet</li> </ul>	2	2	4	<ul style="list-style-type: none"> <li>Improvement plan will be available on the Council's intranet</li> <li>Communication strategy</li> </ul>

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## WIRRAL COUNCIL

### CABINET

6 SEPTEMBER 2012

<b>SUBJECT:</b>	<b><i>QUARTERLY ANALYSIS OF FREEDOM OF INFORMATION REQUESTS AND LOCAL GOVERNMENT OMBUDSMAN CONTACTS</i></b>
<b>WARD/S AFFECTED:</b>	<b><i>ALL</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF FINANCE</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR CHRISTINE MEADEN</i></b>
<b>KEY DECISION?</b>	<b><i>NO</i></b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to provide members with quarterly analysis of requests received under the Freedom of Information Act 2000 ('FOIA') and matters being dealt with by the Local Government Ombudsman, as recommended by Cabinet at its meeting on 12 April 2012 (Minute 404). Additional qualitative information is offered on service performance in responding to contacts, highlighting any exceptions.

#### 2.0 BACKGROUND AND KEY ISSUES

##### 2.1 Freedom of Information (Fol)

2.1.1 The FOIA was implemented in stages between November 2000 and January 2005, supplemented by the Environmental Information Regulations 2004. It provides a right of access to information held by public authorities on request. The Council has a duty under the FOIA to inform the requester whether or not the information is held and, if it is, to communicate it to the requester within 20 working days of the request being received. This limit can be extended by a further 20 working days if applying a qualifying exemption to the information to be provided; there is a need to balance the public interest or if particularly complex/requiring clarification from the requester.

2.1.2 In addition to specific categories of exempt information detailed in the FOIA, the Council can also refuse requests on the grounds of cost if it can be shown that the time taken to respond, including that taken to collate the information, would incur costs in excess of £450. The service is regulated by The Information Commissioner's Office who has the power to issue enforcement notices compelling public authorities to respond to requests within 20 working days.

2.1.3 Freedom of Information matters (FOI Contacts') are categorised as:

- Freedom of Information requests
- Environmental Information Regulations requests

- Internal Reviews (internal appeals e.g. against a delay in providing the requested information or a failure to disclose/fully disclose)
- Contacts from the Information Commissioners Office (external appeals on similar grounds to internal reviews)

2.1.4 Since 01 April 2012 all FOI Contacts have been recorded on the Council's Customer Relationship Management (CRM) system, in alignment with corporate customer feedback contacts (i.e. corporate complaints; Councillor and MP contacts; Local Government Ombudsman contacts; comments; suggestions and compliments) already collated through this system. This ensures a consistent approach is taken across the Council and allows comparative monitoring across services and customer contact types.

## **2.2 Local Government Ombudsman**

2.2.1 The LGO investigates complaints against Councils and some other public authorities and provides advice on good practice, specifically in relation to complaint responding; administration and potential remedies.

2.2.2 The LGO will generally only consider a complaint once the council has had the opportunity to resolve the issue through its own corporate procedure. There is a standard target to respond to LGO contacts within 28 calendar days from the date the contact was received though this is reduced to 14 calendar days for schools appeals. Individual LGO investigators can also opt to vary this timescale, dependant on the information being sought from the council.

2.2.3 LGO contacts are categorised as:

- Initial requests for information
- Follow-up enquiries/clarification sought
- Investigations

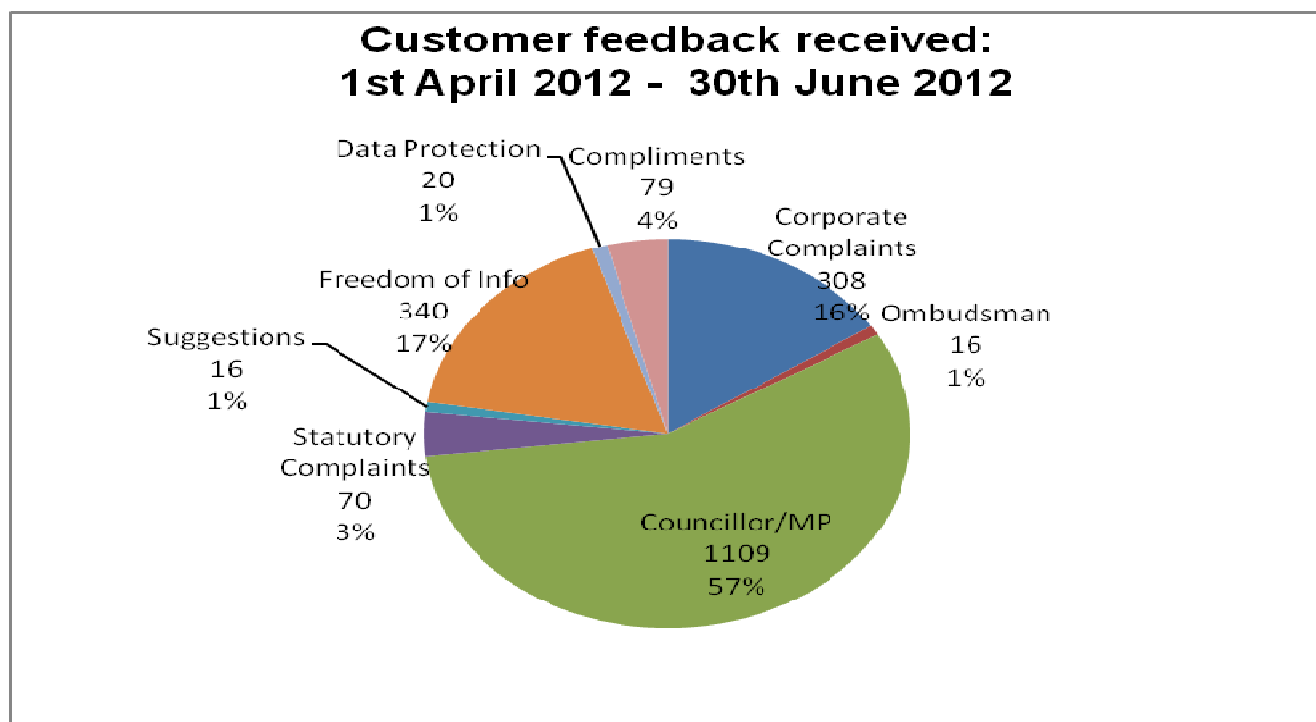
2.2.4 Once the LGO has reviewed a submitted complaint it provides both the complainant and the Council with a finding, categorised as:

- Premature complaints - council not had an opportunity to consider the complaint
- Outside jurisdiction - precluded from investigation by LGO due no legal authority existing.
- Local settlement – during course of LGO investigation the Council takes some course of action which the LGO considers a satisfactory resolution of issue
- Ombudsman's discretion – discontinued as complainant withdraws complaint; LGO unable to maintain contact with complainant; the complainant takes court action or insufficient injustice found to continue the investigation

- No evidence of maladministration – Council has acted appropriately and no indication of any wrong-doing

## 2.3 PERFORMANCE QUARTER 1 2012/13

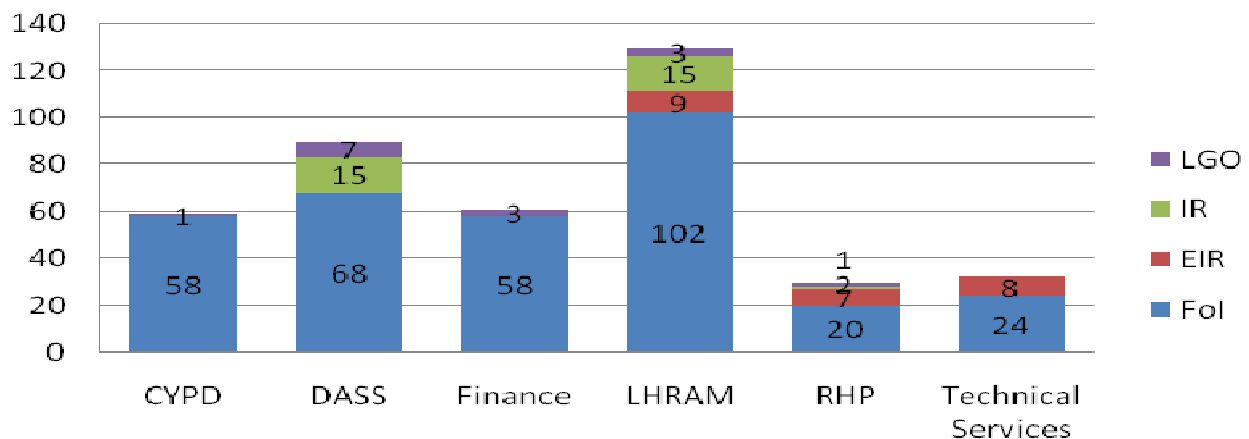
2.3.1 For context and to offer volume comparisons, FOI Contacts and LGO contacts are displayed in the table below as part of wider customer feedback contacts received in this quarter:



2.3.2 FOI Contacts were split over FOI requests (84%); requests made under the Environmental Information Regulations (7%) and internal reviews (9%). LGO contacts were split over requests for information (87.5%) and follow-up enquiries (12.5%).

2.3.3 By department FOI/LGO contacts were split as follows, excluding 3% FOI contacts classified as corporate; relating to multiple departments or non-council:

### Fol requests received by department: 1st April 2012 - 30th June 2012

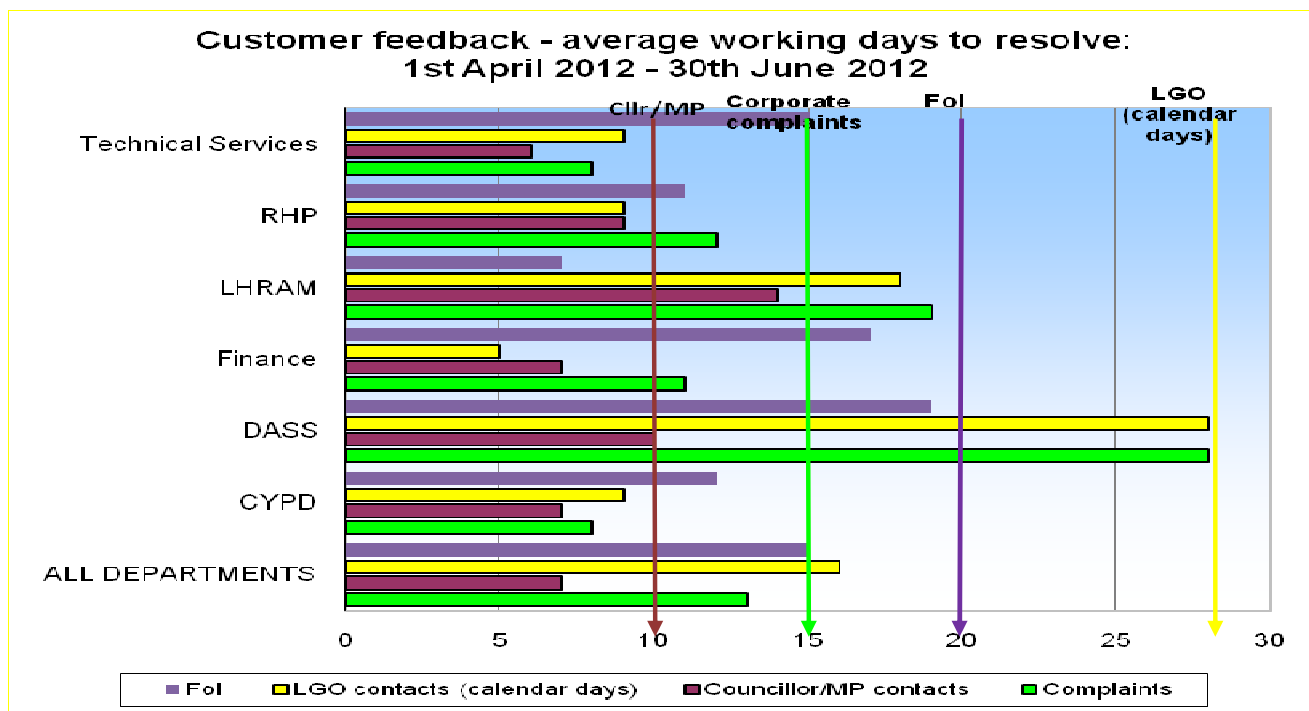


2.3.4 Analysis within the figures displayed in the table above reveals the following high volume service areas across departments.

- CYPD social care/schools accounted for 17% of total FOI requests received
- DASS access and assessment accounted for 18% of total FOI requests received and 62.5% of all requests for internal reviews; care services accounted for 37.5% of total LGO contacts received
- Finance support services accounted for 7% of total FOI requests received though this includes some requests handled by the FOI coordinator on behalf of the council/other departments; the revenues services accounted for 19% of all LGO contacts received
- LHRAM, ( in particular Legal and Member Services) accounted for 10% of total FOI requests received and 37.5% of all internal review requests
- RHP development control and land charges accounted for 17% of all EIR requests received; planning services accounted for 12.5% of all LGO contacts received
- DTS highway maintenance enforcement accounted for 17% of all EIR requests

2.3.5 Both departmental and specific service area FOI contact totals have been inflated by numerous requests received from a single source, accounting for 19% of all FOI requests and 81% of all internal review requests received in this quarter. From a service area perspective, this single source accounts for 61% of all contacts received for DASS access and assessment; 37.5% of all LHRAM - Human Resources and 53% of all LHRAM - Legal and Member Services contacts received in the quarter.

2.4 Again, for comparison against other key customer feedback contacts, FOI and LGO performance information is provided in the table below.



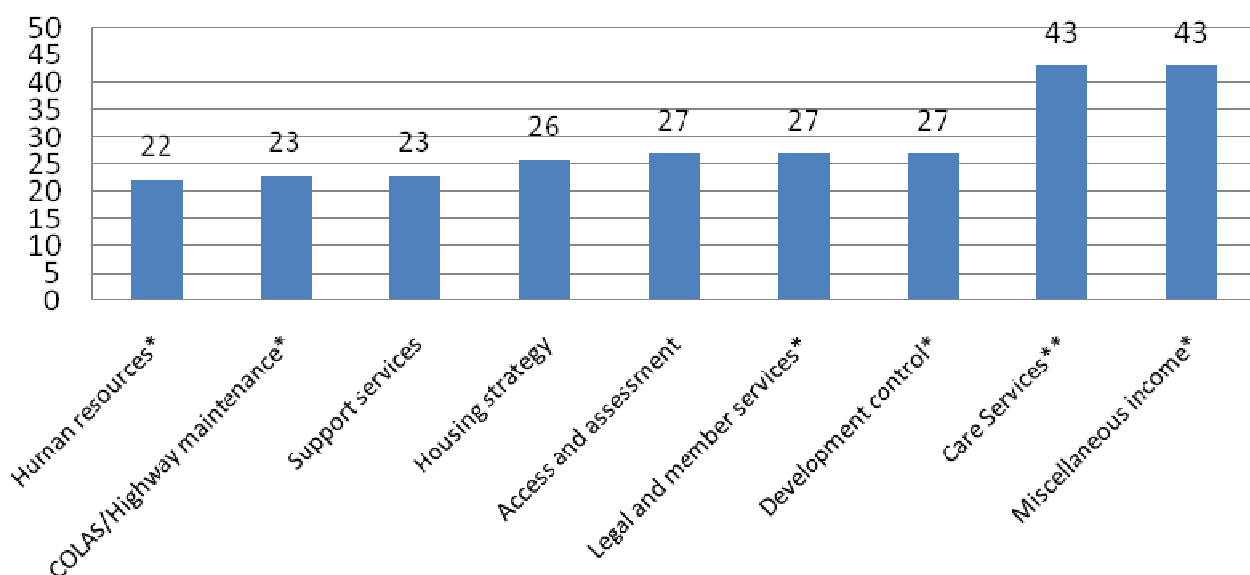
2.4.1 All departments maintained an average response rate within both FOI (20 working days) and LGO (28 calendar days) targets for contacts closed in the quarter. DASS (19 working days) and Finance (17 working days) took the longest to respond to FOI contacts with LHRAM (7 working days) taking the least amount of time to respond.

2.4.2 Across all FOI contacts closed in the quarter the Council requested an additional 20 working days to respond for three contacts.

2.4.3 Of all the LGO contacts responded to in the quarter, the LGO has communicated a final decision in three cases: all were resolved within the ombudsman's discretion (see point 2.2.4).

2.4.4 Service areas responding to FOI/LGO contacts outside of the designated target during this quarter were as follows:

### Average days for services responding outside of target: 1st April 2012 - 30th June 2012



\*indicates single contact only

\*\*indicates relates to LGO contacts

2.4.5 Issues relating to finite resources available to respond to a particularly high volume of FOI requests were a key factor in these response times for (Finance) support services; (DASS) access and assessment and care services and (LHRAM) Legal and Member services. As per point 2.3.5 a number of FOI requests from a single source focused on specific service areas, which created greater pressures on Council resources to effectively respond to incoming requests.

2.4.6 The ability to record and monitor FOI contacts alongside other customer feedback received by the Council, including LGO contacts, should offer improved visibility over future quarters to identify trends and take remedial action were necessary to address performance issues.

2.4.7 The Local Government Ombudsmen's Annual Review Letter that provides the Council with statistics of the enquiries and complaints received and the Ombudsman's opinion of the response provided by the Council concludes with:

*"I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention."*

A copy of the letter and associated statistics are attached as Appendix 1



## 2.5 FOI SPECIFIC ISSUES RELATING TO THE NOTICE OF MOTION SUBMITTED TO COUNCIL ON 16 JULY

2.5.1 FOI requests continue to rise, particularly when anything controversial appears in the local press; 340 requests were received in the first quarter of 2012/12. Assuming this remains constant, the estimated total for the year is 1,360.

2.5.2 Comparisons with other local authorities show that Wirral receives a disproportionately higher amount of enquiries compared to those of a similar size. There is a lot of interest from citizens/press and organisations regarding how the Council operates.

2.5.3 Analysis of the FOI requests received over the last twelve months has shown that a significant number originate from a limited number of individuals as shown in the table below. Names have been omitted on the advice of the Acting Director of Law HR & Asset Management.

Top Ten Originators of FOI Requests		
Name	Requests	% of total requests
Originator 1	245	19.0%
Originator 2	22	1.7%
Originator 3	19	1.5%
Originator 4	10	0.8%
Originator 5	9	0.7%
Originator 6	9	0.7%
Originator 7	8	0.6%
Originator 8	7	0.5%
Originator 9	7	0.5%
Originator 10	7	0.5%
<b>Total</b>	<b>343</b>	<b>26.6%</b>

2.5.2 The FOI legislation allows a public sector organisation to refuse requests on the basis that they are either vexatious or repeated. If a request is to be refused then the Council must issue a refusal notice to the requester within twenty working days of receipt of the request and include details of the Council's internal review process and inform them of their right to appeal to the Information Commissioners Office (ICO).

2.5.2 For a request to be considered vexatious then it must meet more than one of the following criteria:

- Could the request fairly be seen as obsessive
- Is the request harassing the authority or causing distress to staff
- Would complying with the request impose a significant burden in terms of expense and distraction
- Is the request designed to cause disruption or annoyance
- Does the request lack any serious purpose or value

### 2.5.3 A Request can be refused as repeated if:

- It is made by the same person as a previous request;
- It is identical or substantially similar to the previous request; and
- A reasonable interval has not elapsed since the previous request.

A request can only be refused as repeated if the Council has provided the requester with the information they have previously asked for.

2.5.4 In reality only three refusals have been issued in the last seven years, staff try to respond to all requests. Where the cost of responding is likely to exceed the £450 limit allowed within the act (approx 18.5hrs of staff time) the requester is asked to modify their requirements to bring it within the cost limit.

2.5.5 A plan is in place to try to reduce the number of requests received and improve the overall service. This includes:

- 1) Extending the Council's Publication Scheme and putting more information in the public domain. The ICO guidance on this, which will be followed, includes the following categories:
  - Who we are and what we do
    - Organisational information, locations and contacts, constitutional and legal governance.
  - What we spend and how we spend it.
    - Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
  - What our priorities are and how we are doing.
    - Strategy and performance information, plans, assessments, inspections and reviews.
  - How we make decisions.
    - Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
  - Our policies and procedures.
    - Current written protocols for delivering our functions and responsibilities.
  - Lists and Registers.
    - Information held in registers required by law and other lists and registers relating to the functions of the authority.
  - The Services we Offer.
    - Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.
- 2) Establishing best practice across a number of public sector organisations including the police service, NHS and other local authorities.
- 3) Including the FOI service in the project to establish "A transparent Council" being undertaken by a group of Heads of Service as part of the Council's overall improvement plan. The group will examine the business process across the service, including those within each department and the legal support required.

## **2.6 Way Forward**

- 2.6.1 The Acting Director of Law, HR and Asset Management has recently had discussions with the ICO to explore ways in which the Council can address the outstanding FOI Contacts, improve the way in deals with FOI Contacts and reviews, and proactively and fairly deal with frivolous and vexatious FOI requests.
- 2.6.2 The Chief Executive is keen for a meeting to take place with the ICO to move this initiative forward and arrangements are in hand for that meeting to take place shortly. Council officers are finalising a full analysis of FOI Contacts which will be shared with the ICO. Work has started to explore more effective ways to deal with the FOI matters and issues. Additional resources are also currently being secured to ensure this initiative is progressed in a timely and effective manner.
- 2.6.3 Following discussions with the ICO and the review being undertaken by officers, an action plan will be prepared (and implemented) which will set out how the Council will address the matters and issues arising in relation to FOI Contacts.
- 2.6.4 A further report will be submitted to Council Excellence Overview and Scrutiny Committee once the investigations are concluded and an action plan finalised.

## **3.0 RELEVANT RISKS**

- 3.1 That the council fails to meet target responses, which is mitigated by the performance review offered here and the opportunity to address identified performance related issues.

## **4.0 OTHER OPTIONS CONSIDERED**

- 4.1 None.

## **5.0 CONSULTATION**

- 5.1 No consultation has been carried out in relation to this report.

## **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 6.1 There are no implications for voluntary, community or faith groups.

## **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 7.1 There are no significant resource implications other than those already referred to in the body of the report (point 2.4.5).

## **8.0 LEGAL IMPLICATIONS**

- 8.1 The legal implications are set out in the main body of the report

## **9.0 EQUALITIES IMPLICATIONS**

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

No because there is no relevance to equality within the report.

## **10.0 CARBON REDUCTION IMPLICATIONS**

10.1 None.

## **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

11.1 None.

## **12.0 RECOMMENDATION/S**

12.1 That Cabinet:

- (a) Notes the contents of the report; and
- (b) Endorses the approach outlined in the report to deal with the issues and matters arising under the Freedom of Information Act 2000.

## **13.0 REASON/S FOR RECOMMENDATION/S**

13.1 To ensure members are informed of the number and nature of FOI and LGO requests received by the Council, the level of performance in responding to these contacts and the service improvement plan in place for FOI.

**REPORT AUTHOR:**    **Geoff Paterson**  
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email: [geoffpaterson@wirral.gov.uk](mailto:geoffpaterson@wirral.gov.uk)

## **APPENDICES**

Appendix 1~ Local Government Ombudsman Annual Review Letter & Associated Statistics.

22 June 2012

## Local Government OMBUDSMAN

Mr I Coleman  
Acting Chief Executive  
Wirral Metropolitan Borough Council  
New Municipal Building  
Cleveland Street  
BIRKENHEAD  
Merseyside CH41 6BL

Dear Mr Coleman

### **Annual Review Letter**

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ended 31 March 2012. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number forwarded by the Advice Team to my office, and decisions made on complaints about your authority. The decision descriptions have been changed to more closely follow the wording in our legislation and to give greater precision. Our guidance on statistics provides further explanation ([see our website](#)).

The statistics also show the time taken by your authority to respond to written enquiries.

I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention.

### ***Changes to our role***

I am also pleased to have this opportunity to update you on changes to our role. Since April 2010 we have been exercising jurisdiction over the internal management of schools on a pilot basis in 14 local authority areas. This was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education. During the short period of the pilot we believe we have had a positive impact on the way in which schools handle complaints. This was endorsed by independent research commissioned by the Department for Education which is available [on their website](#).

Our jurisdiction will end in July 2012 and all complaints about internal school matters will be completed by 31 January 2013.

From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). We are working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

/....

***Supporting good local public administration***

We launched a new series of Focus reports during 2011/12 to develop our role in supporting good local public administration and service improvement. They draw on the learning arising from our casework in specific service areas. Subjects have included school admissions, children out of school, homelessness and use of bankruptcy powers. The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement.

We were pleased that a survey of local government revenue officers provided positive feedback on the bankruptcy focus report. Some 85% said they found it useful.

In July 2011, we also published a report with the Centre for Public Scrutiny about how complaints can feed into local authority scrutiny and business planning arrangements.

We support local complaint resolution as the most speedy route to remedy. Our training programme on effective complaint handling is an important part of our work in this area. In 2011/12 we delivered 76 courses to councils, reaching 1,230 individual learners.

We have developed our course evaluation to measure the impact of our training more effectively. It has shown that 87% of learners gained new skills and knowledge to help them improve complaint-handling practice, 83% made changes to complaint-handling practice after training, and 73% said the improvements they made resulted in greater efficiency.

Further details of publications and training opportunities are on [our website](#).

***Publishing decisions***

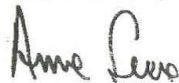
Following consultation with councils, we are planning to launch an open publication scheme during the next year where we will be publishing on our website the final decision statements on all complaints. Making more information publicly available will increase our openness and transparency, and enhance our accountability.

Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

We will publish a copy of this annual review with those of all other English local authorities on our website on 12 July 2012. This will be the same day as publication of our Annual Report 2011/12 where you will find further information about our work.

We always welcome feedback from councils and would be pleased to receive your views. If it would be helpful, I should be pleased to arrange a meeting for myself or a senior manager to discuss our work in more detail.

Yours sincerely



Anne Seex  
Local Government Ombudsman

Local authority report - Wirral MBC

for the period - 01/04/2011 to 31/03/2012

LGO advice team

Enquiries and complaints received	Adult Care Services	Benefits & Tax	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Planning & Development	Total
Advice given	2	1	4	10	2	3	0	0	22
Premature complaints	8	5	4	6	10	3	1	1	38
Forwarded to Investigative team (resubmitted)	1	1	0	2	0	0	0	1	5
Forwarded to Investigative team (new)	6	2	4	4	4	1	0	2	23
Total	17	9	12	22	16	7	1	4	88

Investigative team - Decisions

Not investigated			Investigated			Report	Total
No power to investigate	No reason to use exceptional power to investigate	Investigation not justified & Other	Not enough evidence of fault	No or minor injustice & Other	Injustice remedied during enquiries		
6	2	7	6	4	6	0	31

	No of first enquiries	Avg no of days to respond
Response times to first enquiries	6	15.5

## REFERENCE MATERIAL

### SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
Standards Committee	29 September 2009
Standards Committee	29 March 2010
Standards Committee	29 September 2010
Standards Committee	02 December 2010
Standards Committee	26 January 2011
Standards Committee	29 September 2011
Cabinet	12 April 2012



## WIRRAL COUNCIL

### CABINET

6 SEPTEMBER 2012

<b>SUBJECT:</b>	<b>LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – JOINT WASTE LOCAL PLAN FOR MERSEYSIDE AND HALTON – APPROVAL OF MODIFICATIONS</b>
<b>WARD/S AFFECTED:</b>	<p><b>ALL</b></p> <p><b>THE MODIFICATIONS TO POLICY WM2 (APPENDIX 2, MM-003, PAGE 7) WILL AFFECT ROCK FERRY WARD</b></p> <p><b>THE MODIFICATIONS TO POLICY WM5 (APPENDIX 2, AM-041, PAGE 29) WILL AFFECT SEACOMBE WARD</b></p>
<b>REPORT OF:</b>	<b>DIRECTOR OF REGENERATION, HOUSING AND PLANNING</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR PAT HACKETT, REGENERATION &amp; PLANNING STRATEGY</b>
<b>KEY DECISION?</b>	<b>YES</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The Joint Waste Local Plan for Merseyside and Halton was submitted to independent public examination in February 2012. The Planning Inspector undertaking the examination has identified the need for further modifications before the Plan can be found to be legally compliant and sound. These further modifications require the approval of Council in accordance with the Council's Constitution, to allow additional public consultation to take place to comply with procedural requirements and to complete the examination process.

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 A Joint Waste Local Plan for Merseyside and Halton has been prepared with the councils for Knowsley, Liverpool, Sefton and St Helens (Council, 11 July 2005 Minute 20 refers) and Halton (Council, 30 October 2006, Minute 50 refers), through a specialist technical team provided as part of the Merseyside Environmental Advisory Service. The Plan sets out land-use planning policies for waste-related development, including the allocation of sites for sub-regional and district scale waste facilities.
- 2.2 The final Plan was published for public comment between 25 November 2011 and 20 January 2012 and submitted to the Secretary of State for independent public examination on 17 February 2012 (Cabinet, 22 September 2011, Minute 125 refers). The public hearings for the examination were held by a Planning Inspector at St Helens Town Hall, over six days during mid to late June 2012. The publication of the Inspector's report is the last stage before the Plan can be formally adopted by each of the districts.
- 2.3 The Joint Waste Local Plan cannot be adopted unless the Planning Inspector finds that the Plan is legally compliant and sound. To be sound the Plan must be positively prepared to meet objectively assessed needs; justified as the most appropriate strategy

when considered against the reasonable alternatives; effective in terms of being deliverable; and consistent with national policy to enable the delivery of sustainable development (National Planning Policy Framework, paragraph 182).

- 2.4 During the examination hearings, the Inspector indicated a number of areas where she believed that further changes would be needed. A Core Content Report setting out the wider background to the modifications is set out in Appendix 1 to this report. The changes that are required to make the Local Plan sound are shown as “Main Modifications” in Appendix 2 to this report (pages 3 to 14). Changes that do not directly involve the soundness of the Local Plan but are nevertheless required to improve its accuracy or clarity are shown as “Generic Modifications” and “Additional Modifications” in Appendix 2 to this report (pages 15 to 53).
- 2.5 The only site-specific Main Modification relevant to Wirral would exempt the site at Cammell Lairds, which is allocated as a sub-regional site under Policy WM2, from wording that could be seen to restrict the use of the site for other uses, such as port-related uses (Appendix 2, Modification Reference MM-003, page 7 refers). The only other Wirral-specific modification would clarify the geographical description of the Area of Search already identified at Seacombe in Policy WM5 (Appendix 2, Modification Reference AM-041, page 29 refers).
- 2.6 The Council’s Constitution requires that any modifications to the Joint Waste Local Plan must be approved by Full Council. The proposed modifications must then be made subject to public consultation, so that the Inspector can consider any additional representations before completing her report.

### **3.0 RELEVANT RISKS**

- 3.1 There is a risk that additional comments from third parties not present at the public examination could lead the Planning Inspector to conclude that further modifications are necessary, which could require a further round of Council approvals and public consultation to be undertaken. The position of third parties cannot be predicted but this risk has been reduced by ensuring that the modifications proposed are the minimum necessary to secure the soundness and factual clarity of the Plan and take full account of national policy and legislation. The Inspector can also re-open the hearing sessions to allow any additional issues to be resolved.
- 3.2 There is a risk that approval is not forthcoming from one of the partner authorities which has been reduced by joint working and collaboration throughout the Plan preparation and public examination process.
- 3.3 The failure to provide facilities to minimise the amount of waste going to landfill and to adopt an up-to-date Development Plan for waste within a reasonable timescale could attract European fines, should the Merseyside pooled target of 50% household waste recycling not be met by 2020.

### **4.0 OTHER OPTIONS CONSIDERED**

- 4.1 The public examination and future adoption of the Joint Waste Local Plan cannot be completed unless modifications to secure the soundness of the Plan are approved and the legal and procedural requirements for additional consultation have been complied with.

- 4.2 The absence of an up-to-date Local Plan would mean that planning applications would need to be determined in accordance with the national presumption in favour of sustainable development.

## **5.0 CONSULTATION**

- 5.1 Consultation will be undertaken over a period of six weeks to comply with the Statement of Community Involvement adopted by the Council in December 2006 and national regulations.

## **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 6.1 Voluntary, community and faith organisations will be consulted in line with the requirements of the Council's Statement of Community Involvement.

## **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 7.1 The Council's contribution towards the cost of preparing the Waste Local Plan is expected to be £20,055 during 2012/13 to be met from existing resources in Regeneration, Housing and Planning. A sum of £25,000 has also been set aside as the Council's contribution towards the costs of running the public examination. The final cost of the examination, which has not yet closed, is as yet unknown.
- 7.2 The need to extend the timetable for the preparation of the Joint Waste Local Plan and to undertake additional consultation is estimated to cost an additional £11,257 which can be met from existing resources within Regeneration, Housing and Planning.

## **8.0 LEGAL IMPLICATIONS**

- 8.1 The Joint Waste Local Plan cannot be adopted unless it is found to be legally compliant and sound by the Planning Inspector conducting the public examination. Additional consultation is an essential procedural requirement.

## **9.0 EQUALITIES IMPLICATIONS**

- 9.1 The Joint Waste Local Plan has been subject to an ongoing Equality Impact Assessment prepared by the Merseyside Environmental Advisory Service (*Document PS-025*), which can be viewed at: [http://merseysideeas-consult.limehouse.co.uk/portal/public\\_docs/wdpc\\_docarchive?tab=files](http://merseysideeas-consult.limehouse.co.uk/portal/public_docs/wdpc_docarchive?tab=files).
- 9.2 A review of the Equality Impact Assessment, dated 25 July 2012, which has concluded that the modifications proposed would have no additional impact in Wirral can be viewed at <http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/regeneration-housing-planning>.

## **10.0 CARBON REDUCTION IMPLICATIONS**

- 10.1 The Joint Waste Local Plan will support carbon reduction through a sub-regional approach to site selection; reducing the need for landfill; and policies for development management.

## **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 11.1 Once adopted, the Joint Waste Local Plan will form part of the statutory Development Plan for the Borough and will be used in the determination of individual planning

applications as a replacement for Section 17 – Waste Management of the Council's Unitary Development Plan adopted in February 2000.

11.2 The Joint Waste Local Plan includes considerations related to a full range of environmental impacts including amenity, health and transport and has been subject to statutory sustainability appraisal including strategic environmental assessment.

## 12.0 RECOMMENDATION/S

12.1 That Cabinet recommends to Council that the proposed modifications to the Joint Waste Local Plan for Merseyside and Halton set out in Appendix 2 to this report are approved and that the proposed modifications are approved for public consultation.

12.2 That Cabinet recommends to Council that delegated authority is given to the Director of Regeneration, Housing and Planning to make any necessary further minor and typographical changes to the Waste Local Plan before Council approval is sought for the adoption of the final Plan.

## 13.0 REASON/S FOR RECOMMENDATION/S

13.1 To comply with legal and procedural requirements to allow the public examination of the Joint Waste Local Plan for Merseyside and Halton to be concluded.

**REPORT AUTHOR:**    **Andrew Fraser**  
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email: [andrewfraser@wirral.gov.uk](mailto:andrewfraser@wirral.gov.uk)

## APPENDICES

Appendix 1 – Core Content Report  
Appendix 2 – Schedule of Modifications

## REFERENCE MATERIAL

Additional background information relating to the preparation of the Joint Waste Local Plan, including the text of the Submitted Local Plan (Document Archive, Document SUB\_001) can be viewed at <http://www.wasteplanningmerseyside.gov.uk/site.do>

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date
<b><u>Approval of Preferred Options</u></b>	
Cabinet (Minute 309)	4 February 2010
Council (Minute 97)	15 February 2010
<b><u>Approval of Preferred Options 2</u></b>	
Cabinet (Minute 282)	13 January 2011
Council (Minute 82)	14 February 2011
<b><u>Approval of Publication and Submission</u></b>	
Cabinet (Minute 125)	22 September 2011
Council (Minute 46)	17 October 2011

## **Merseyside and Halton Waste Local Plan**

### **Modifications arising from Public Examination**

#### **Purpose of the Report**

This report seeks to:

- (i) Update Members on progress and the outcomes of the public Examination process for the Waste Local Plan to date;
- (ii) Seek approval of the main modifications to the Waste Local Plan required as a result of the Examination process;
- (iii) Seek approval for consultation on the modifications required;
- (iv) Set out the final stages to Waste Local Plan adoption.

#### **Recommendations**

**Recommendation 1** – Approve the modifications (both main and additional) to the Waste Local Plan.

**Recommendation 2** – Approve public consultation on the modifications to the Waste Local Plan.

**Recommendation 3** – To delegate District officers within the Waste Local Plan Steering Group to make necessary further minor and typographical changes to the Waste Local Plan prior to Council approval being sought for adoption.

#### **Introduction**

Members approved the Publication and Submission of the Joint Merseyside and Halton Waste Development Plan Document (now known as the Waste Local Plan) at Full Council meetings between September and December 2011. The Waste Local Plan seeks to guide the future development of waste management and disposal facilities across the 6 partner Districts through a combination of policies and land allocations that will seek to move waste management up the Waste Hierarchy and away from landfill disposal. The Waste Local Plan must conform to national policy and meet the waste management needs of the Plan area.

It has taken several years of joint working, local authority investment and public consultation to get the Waste Local Plan to this advanced stage. The Plan has been prepared within the context of a rapidly changing availability of land resources suitable for waste management facilities. Technology continues to change rapidly as do the contractual and economic considerations governing the availability of land and investment finance. This has created the need for the Waste Local Plan to be adaptable and have the ability to respond to change through a flexible policy framework. Throughout Waste Local Plan preparation, considerable effort has been expended on ensuring that the technical evidence base is robust and up-to-date.

## **Public Examination Hearing and Required Modifications**

The Waste Local Plan was submitted for Public Examination in February 2012. An independent Planning Inspector, Elizabeth Ord was appointed by the Secretary of State to examine the Waste Local Plan. Her role is to examine and test the legal compliance and soundness of the submitted plan. Any further changes to the Plan must be owned and led by the Plan's sponsors – the six Local Planning Authorities – in response to the findings of the Examination process. The Public Hearings are currently adjourned to allow consultation to take place on a number of proposed modifications that the Inspector believes are necessary before she can recommend that the Plan can be adopted.

### **Hearing Outcomes**

As part of the Examination process, all the representations received during the consultation process were assessed by the Planning Inspector on the basis of whether they identified any soundness or legal compliance issues and whether changes suggested are necessary to make the Plan sound. A total of 68 representations were received from 37 organisations and individuals. Table 1 lists the organisations that appeared at the Hearing sessions to present their case. For all representations submitted the Districts, with technical support from MEAS, not only responded directly to the issues raised but also responded to the questions posed by the Inspector. 80 additional queries or questions were raised by the Inspector prior to the Hearing sessions and were answered by MEAS and the Districts to the satisfaction of the Inspector. The hearing sessions were focussed on the matters of greatest importance as identified by the Inspector.

Table 1: Organisations that Appeared at the Waste Local Plan Examination in Public (June 2012)

<b>Name of Organisation</b>	<b>Matter of Concern</b>
Peel Holdings	Sub-regional sites and flexibility
Associated British Ports	Sub-regional sites and flexibility
Cheshire West and Chester Council	Export of waste to landfill outside Merseyside and Halton, and utilisation existing void space. Overarching waste strategy and Energy from Waste
Lancashire County Council	Export of waste to landfill outside of Merseyside and Halton and utilisation of existing void space. Overarching waste strategy, vision and strategic objectives

<b>Name of Organisation</b>	<b>Matter of Concern</b>
Rainford Parish Council	Sub-regional sites
Cory Environmental (Central) Ltd	Allocation of landfill and use of available void space
Merseyside Recycling and Waste Authority	Energy from Waste
Sanderson Weatherall representing the Bank of Ireland	Landowner interests with respect to site S1 (Sandwash Close, St.Helens)

Copies of all the representations considered by the Inspector can be viewed on the Waste Planning Merseyside consultation portal at [http://merseysideeas-consult.limehouse.co.uk/portal/public\\_docs/wdpd\\_docarchive](http://merseysideeas-consult.limehouse.co.uk/portal/public_docs/wdpd_docarchive).

MEAS and the Waste Planning Authorities have worked proactively to resolve as many residual objections as possible both before and during the Hearing sessions. Statements of Common Ground have been agreed with ABP, Cory Environmental, Cheshire West and Chester Council and Peel Holdings. Substantial progress has also been made in resolving the issues raised by Lancashire County Council and the Merseyside Recycling and Waste Authority.

### **Legislation and Policy Changes**

Since the Publication and Submission of the Waste Local Plan several important national changes have taken place, including the publication of the new National Planning Policy Framework (The Framework), the Localism Act 2011 and new national Local Planning Regulations. There has also been a steady stream of new initiatives and guidance from the Planning Inspectorate, DCLG and the Planning Officers Society. Two of the new requirements have required an immediate and direct response in the Waste Local Plan.

Firstly, a new Duty to Co-operate has been introduced which requires new ways of proactive working to resolve issues with neighbouring authorities and others during the Plan making process. Fulfilment of the Duty to Co-operate is an absolute test, which the Waste Local Plan must either pass or fail. The Waste Local Plan has, however, appeared to fare well against this test by virtue of the fact that it is a joint plan founded on a high level of prolonged co-operation between the Districts, and that regular consultation and involvement had already taken place with neighbouring authorities and other relevant agencies throughout the Plan preparation process.

Secondly, The Framework now includes a requirement for all plans, irrespective of their scope or content, to include an explicit policy statement to support the

implementation of the new presumption in favour of sustainable development. The inclusion of the presumption is a non-negotiable requirement. This issue was identified by the Inspector during the pre-hearing meeting in April and was confirmed as a requirement in June, despite counter arguments being advanced by the Districts. A new Policy (WM0) on the presumption in favour of sustainable development has therefore been included in the Plan. This policy is based on a “model policy” provided by the Planning Inspectorate, which covers the requirement set out in the Framework.

## Modifications

The imposed inclusion of this new policy triggers a procedural requirement to advertise and consult on a “main modification” to the Waste Local Plan. Not only does this require a new consultation with its inherent costs and timescale implications but it also requires a round of further Full Council approvals.

Other modifications have also been proposed to respond to the justifiable concerns of objectors to the Plan, where the Inspector indicated that they ought to be addressed. The modifications seek to improve the Plan in terms of greater policy clarity, and improved site deliverability. The key changes are termed “main modifications” and were discussed in detail and at length during the Examination Hearing sessions.

A total of eight main modifications were discussed and agreed in principle during the Examination process. None of these main modifications change the policy direction, strategy or agreed approach of the Waste Local Plan. Rather, they further improve the Plan and should make policy compliance and interpretation more straightforward. Six main modifications relate to policy and two to sites and are summarised in Table 2 with changes to the detailed policy wording presented in Appendix 2.

Responding explicitly to issues of particular concern to the Planning Inspector should increase the likelihood that the Waste Local Plan will be declared sound and suitable for formal adoption.

Table 2: Summary of Main Modifications to the Waste Local Plan (See Appendix 2 for full details).

<b>Nature of Main Modification</b>	<b>Reason for Modification</b>
New Policy – WM0 Presumption in Favour of Sustainable Development	Imposed modification resulting from changes to national planning policy.
Overarching Waste Management Strategy Re-wording to clarify intent of strategy.	Following objections from Cheshire West and Chester and Lancashire County Councils.



Nature of Main Modification	Reason for Modification
<p>Policy WM2 – Sub-regional Sites</p> <p>Substitution of sub-regional site in St Helens</p> <p>Port-based sub-regional sites exempted from safeguarding due to strategic nature of ports.</p>	<p>Substitution following late withdrawal of support by landowner.</p> <p>Exemption following objections from Peel Holdings Ltd and Associated British Ports.</p>
<p>Policy WM3 – District-level Sites</p> <p>Removal of site H3</p>	<p>Site removed following late withdrawal of support by landowner for operational reasons.</p>
<p>Policy WM7 – Protecting Existing Waste Management Capacity</p> <p>Making the implicit intent with respect to protecting landfill void space more explicit.</p>	<p>To improve the deliverability of the Plan following objections from Cheshire West and Chester and Lancashire County Councils and Cory Environmental (Central) Ltd.</p>
<p>Policy WM13 – Planning Applications for New Waste Management Facilities on Unallocated Sites</p> <p>Minor re-wording</p>	<p>To bring policy in line with changes proposed to policy WM15.</p>
<p>Policy WM14 – Energy from Waste</p> <p>Provision of criteria based wording to enable EfW if existing operational or consented capacity unavailable.</p>	<p>To improve the deliverability of the Plan following objections raised by Cheshire West and Chester and Merseyside Recycling and Waste Authority.</p>
<p>Policy WM15 – Landfill on Unallocated Sites</p> <p>To make intent of policy clearer and the wording more positive.</p>	<p>To improve the deliverability of the Plan following objections from Cheshire West and Chester and Lancashire County Councils and Cory Environmental (Central) Ltd.</p>

The main modifications must now be formally endorsed by each of the partner Councils and made subject to public consultation before they can be taken into account by the Inspector. The main modifications must also be reassessed in terms of Sustainability Appraisal and Habitats Regulations Assessment to demonstrate full procedural compliance. Again, this is a non-negotiable requirement which will also reduce the risk of legal challenge.

A number of additional more minor modifications, have also been proposed, in discussion with the Inspector, to further improve the interpretation of the Plan. These are of less concern to the Inspector's final report but are nonetheless important in terms of clarifying and explaining how the Plan will deliver its objectives. It is advisable that these additional modifications are also subject to public consultation to comply with Statements of Community Involvement and to guard against legal challenge. The additional modifications are also shown in Appendix 2 and their scope primarily relates to changes to the supporting text and minor changes to site profiles. Again, none of the additional modifications proposed will change the overall strategy or policy direction of the Waste Local Plan.

### **The Approvals and Consultation Process for Modifications**

Full Council approval is required by all Districts prior to the advertising and consultation of the modifications to the Waste Local Plan. The last programmed Full Council approval is time-tabled for 17 October 2012 after which the Schedules of Changes to the Waste Local Plan will be printed, advertised and consulted upon for a 6-week period. This is the minimum period required to comply with the districts' Statements of Community Involvement. Members should note that the scope of the consultation is restricted to the modifications only – any observations on other elements of the Plan would at this stage be inadmissible.

Given that a replacement sub-regional site is required in St. Helens, to guard against the risk of procedural challenge it is recommended to arrange a single public consultation event to support the allocation of the site identified, even though the replacement site was previously consulted upon at an earlier stage.

Following completion of the consultation, MEAS and the Districts will consider and collate the representations received and pass this information to the Inspector. It is a matter for the Inspector to consider the merits of this information and to form a view on whether she wishes to reconvene further Hearing session(s) to discuss the new representations received and whether there are any issues that require further exploration. Alternatively, the Inspector can proceed without a further Hearing to the completion of her Report.

### **Final Steps**

The Inspectors' report, which is estimated to be delivered in late January / February 2013, will state whether the Plan meets the stringent legal compliance, soundness and Duty to Co-operate tests and is suitable for adoption. Two outcomes are possible. If the Plan meets the tests the Councils can proceed to formal adoption. If the Plan fails the tests, a further step back will be required in order to address the issues identified. Given that the Inspector has indicated broad support for the proposed modifications, this outcome is considered less likely, subject to any further consultation comments by third parties. However it is important the Members

appreciate that the main modifications to the Waste Local Plan set out in this report are deemed necessary to pass the necessary Examination tests.

On the assumption that the Waste Local Plan is found to be legally compliant and sound then the Districts will be able to proceed to the following final stages:

- Agree the date that the Waste Local Plan will become a material consideration in the determination of planning applications, which is most likely to be the date of publication of the Inspector's report;
- Full Council approvals to formally adopt the Waste Local Plan as part of their own statutory land use development frameworks;
- Agree a single adoption date from which the Waste Local Plan would come into full effect in the Districts;

These matters will be the subject of a further report to each of the Councils during early 2013.

Merseyside Environmental Advisory Service  
on behalf of the councils for Halton, Knowsley, Liverpool, Sefton, St Helens and Wirral

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## **Schedule of Requested Main Modifications and Additional Modifications for the Merseyside and Halton Waste Local Plan**

### **EXAM-071**

#### **1. Introduction.**

1.1 This document sets out a schedule of main and additional modifications proposed to the Joint Merseyside and Halton Waste Local Plan (WLP) Proposed Submission Document (November 2011). Changes are shown as follows:

- Blue underline to show text to be inserted
- Red strike through to show text to be deleted

1.2 Both the main and additional modifications are open for re-consultation as part of the Examination in Public Hearing process which is under consideration by the Planning Inspector, Elizabeth Ord, who has been appointed on behalf of the Secretary of State to undertake the examination into the soundness of the Joint Merseyside and Halton Waste DPD. The Inspector will only consider the main modifications to the plan and not the more minor, additional modifications.

1.3 The need to make changes has arisen for four main reasons:

- Editorial amendments (grammar and typographical) to improve the reading of the document.
- Factual updates since the Proposed Submission Document was published in November 2011, to make the Waste DPD as up-to-date as possible or correct factual inaccuracies where they have mistakenly occurred.
- Changes arising from representations made during the latest consultation period in November 2011 to January 2012, and subsequent discussions with representors including Statements of Common Ground, where the Waste DPD Steering Group agrees that the change proposed would improve the Joint Merseyside and Halton Waste DPD. [Changes arising from the representations are shown in the Reason for Change column of the tables as follows: In response to representation received (Name- Unique ID PS\_XX)].

- Modifications resulting from changes to national legislation, policy and planning guidance which has been issued since the Waste Local Plan was submitted to the Secretary of State, and the Examination in Public Hearing.

1.4 The main modifications included in this schedule have been discussed extensively during the Hearing sessions with the Inspector, representors and the Waste DPD Steering Group, and have been requested because they will either improve the soundness or deliverability of the Plan. However, in most cases the finer details of the modified policies were not discussed.

1.6 The body of this report is set out to follow the order of the Waste DPD Proposed Submission document, with the changes proposed shown for each section of the document, from the Table of Policies through to the Site Profiles at Appendix 2. The main modifications and additional modifications are listed separately for ease of reading. The main modifications are identified as MM-XXX, and the additional modifications as AM-XXX.

1.7 For the additional modifications in section 5 Development Management Policies, additional paragraphs early on in the section push the numbering sequence of paragraphs on by 4 paragraphs. Consequently, where later paragraphs in the section have been amended they have been referred to as previous paragraph 5.X to reflect the paragraph number in the Proposed Submission Version of the Waste Local Plan. This should assist with cross referencing.

1.8 For changes to supporting documents, such as the full site profiles document, Sustainability Appraisal and Habitats Regulations Assessment Reports, please see separate tracked changed documents or supporting statements available at <http://merseysideas-consult.limehouse.co.uk/portal> .

## Main Modifications

### Table of Policies

No main modifications proposed

### List of Abbreviations

No main modifications proposed

### Introduction

No main modifications proposed

### Evidence Base

No main modifications proposed

### Vision and Spatial Strategy

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
MM-001	Section 3 After paragraph 3.19 and references. Insert new policy WM0: Presumption in Favour of Sustainable Development	Insert new policy wording and supporting text as follows:  <a href="#">Policy WM 0: Presumption in Favour of Sustainable Development</a>  <a href="#">When considering waste development</a>	N/A New wording	Updates in line with new National planning policy.

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><u>proposals a positive approach will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Work will always be undertaken proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</u></p> <p><u>Planning applications that accord with the policies in this Waste Local Plan (and other relevant Local Plan documents including policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.</u></p> <p><u>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then permission will be granted by the Local Planning Authority unless material considerations indicate otherwise – taking into account whether:</u></p> <ul style="list-style-type: none"> <li><u>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when</u></li> </ul>		



Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><a href="#">assessed against the policies in the National Planning Policy Framework taken as a whole; or</a></p> <p>• <a href="#">Specific policies in that Framework indicate that development should be restricted.</a></p>		
MM-002	Section 3 Overarching strategic approach for the Waste DPD	<p>Amend the wording of the Strategy for meeting Merseyside and Halton's Waste Management Needs, as follows:</p> <p>The overarching approach for the Waste DPD Local Plan will be a Resource Recovery-led strategy with the following objectives:</p> <ol style="list-style-type: none"> <li>1. To seek to minimise waste arisings.</li> <li>2. To maximise recycling, resource recovery and re-processing</li> <li>3. To ensure that residual waste is minimised and then processed in a way that <del>will</del> <a href="#">seeks to</a>:</li> </ol> <ul style="list-style-type: none"> <li>• Maximise the economic and environmental benefits to local communities and businesses;</li> <li>• Minimise export of residual wastes for landfill disposal;</li> <li>• Minimising the need for new landfill/landraise and reserving capacity for the greatest disposal needs; and,</li> </ul>	<p>The overarching approach for the Waste DPD Local Plan will be a Resource Recovery-led strategy with the following objectives:</p> <ol style="list-style-type: none"> <li>1. To seek to minimise waste arisings.</li> <li>2. To maximise recycling, resource recovery and re-processing</li> <li>3. To ensure that residual waste is minimised and then processed in a way that will : <ul style="list-style-type: none"> <li>• Maximise the economic and environmental benefits to local communities and businesses;</li> <li>• Minimise export of residual wastes for landfill disposal;</li> <li>• Minimising the need for new landfill/landraise and</li> </ul> </li> </ol>	<p>For clarification of the intent of the strategy</p> <p>In response to representations received from (Lancs-PS_73) and (CWAC-PS_72)</p>

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<ul style="list-style-type: none"> <li>Balance <del>any</del> <u>the overall</u> export of landfill tonnages with <u>provisions for import of equivalent material for secondary treatment and recycling of imported waste tonnages of an equivalent amount</u> to ensure that Merseyside and Halton are as self sufficient as possible in waste management capacity.</li> </ul>	<p>reserving capacity for the greatest disposal needs; and,</p> <ul style="list-style-type: none"> <li>Balance any export of landfill tonnages with import of equivalent material for secondary treatment to ensure that Merseyside and Halton are as self sufficient as possible in waste management capacity.</li> </ul>	

## Site Allocations to deliver capacity requirements

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
MM-003	Section 4 Policy WM2 Sub-regional Site Allocations	<p>Remove row “S1” from Table 4.2 containing columns: <del>S1; St Helens; Land SW of Sandwash Close, Rainford Industrial Estate; 6.1; Reprocessor, Primary Treatment, Resource Recovery Park.</del></p> <p>Replace with new row containing columns: <a href="#">S1a; St Helens; Former Transco Site, Pocket Nook; 4.5; Re-processor; Waste Transfer Station; Primary Treatment, Resource Recovery Park.</a></p> <p>For Replacement Site Profile see Appendix C</p> <p>Amend text as follows below Table 4.2: “<a href="#">With the exception of sites L1 and W1</a>, planning permission will not normally be granted for any other use of the land that would prejudice its use as a waste management facility subject to paragraphs 4.14 <a href="#">and 4.15 below</a>.”</p> <p>For clarity the amended paragraph 4.15 is shown below:</p> <p>4.15 Sites allocated within the port and dock estates, specifically in <a href="#">Liverpool</a>, Sefton and Wirral, are proposed subject to the waste management operations being port-related. The types of suggested waste uses for each</p>	<p>S1 Land SW of Sandwash Close, Rainford Industrial Estate Area 6.1ha;</p> <p>Planning permission will not normally be granted for any other use of the land that would prejudice its use as a waste management facility subject to paragraphs 4.14.</p>	<p>A change in the stance of the landowner of Site S1 together with likely development of part of the site for other purposes made this site undeliverable. Site S4 has been assessed as a suitable replacement. See Document EXAM-067</p> <p>Provides clarity and certainty for port-based land owners.</p> <p>In response to representations received from (ABP-PS_43), (Peel-PS_81)</p>

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		site are shown in the site profiles in Appendix 2. <a href="#">Due to their strategic nature within the Port of Liverpool and Port of Garston, sub-regional sites L1 and W1 are also suitable for a range of port related uses. Waste allocations do not take precedence over other port related uses including provision for offshore energy infrastructure. These sites are therefore not subject to the restrictions set out in paragraphs 4.16 to 4.18 below.</a>		
MM-004	Section 4 Policy WM3 Allocations for District level Sites	Remove the line referring to site H3 within Table 4.3	N/A	Late withdrawal of site by United Utilities for operational reasons. Removal does not affect soundness or deliverability of Plan.

## Development Management Policies

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
MM-005	Section 5 Policy WM7 Protecting Existing	Make the following amendments to both the	<b>Policy WM 7: Protecting existing waste management capacity</b>	Provides certainty for existing and future landfill operators and improves deliverability of

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
	Waste Management Capacity	<p>policy title and wording.</p> <p><b>Policy WM 7: Protecting existing waste management capacity <u>for built facilities and landfill</u></b></p> <p>Existing operational and consented waste management sites will be expected to remain in waste management use in order to maintain essential waste management capacity.</p> <p><u>For Built Waste Management Facilities:</u> Any change of use from waste management will only be allowed in exceptional circumstances, and will need to be justified by the developer by demonstrating that the waste use is:</p> <ul style="list-style-type: none"> <li>• Located in an inappropriate area;</li> <li>• Causing significant loss of amenity;</li> <li>• That the lost capacity has been made up for elsewhere, or can be provided through existing site allocations.</li> </ul> <p><u>One or more of the above criteria must be met for a change of use to be acceptable.</u></p>	<p>Existing operational and consented waste management sites will be expected to remain in waste management use in order to maintain essential waste management capacity. Any change of use from waste management will only be allowed in exceptional circumstances, and will need to be justified by the developer by demonstrating that the waste use is:</p> <ul style="list-style-type: none"> <li>• Located in an inappropriate area;</li> <li>• Causing significant loss of amenity;</li> <li>• That the lost capacity has been made up for elsewhere, or can be provided through existing site allocations.</li> </ul>	<p>the WLP.</p> <p>In response to representations from (Cory-0S_39), (Lancs-PS_74) and (CWAC-PS_70).</p>

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><u>For Existing Operational Landfill Capacity: Extensions of time will be granted for the use of existing operational landfill capacity subject to:</u></p> <ul style="list-style-type: none"> <li><u>The design of the site being capable of accommodating the type of waste proposed;</u></li> <li><u>There still being a demonstrable need for landfill capacity in the Plan area;</u></li> <li><u>There being no ongoing significant cumulative impacts on amenity and environmental quality. Such an assessment will be based against the criteria in policy WM12 and appropriate and relevant criteria in Box 1, and;</u></li> <li><u>Evidence being submitted in support of the planning application to demonstrate that the projected completion date of land filling operations is realistic and achievable.</u></li> </ul>		
MM-006	Section 5 Policy WM13 Planning Applications for New Waste Management Facilities	<p>Amend bullet point 2 as follows:</p> <p>That the proposed site <del>can be justified</del> <u>has been assessed</u> against the criteria for built facilities used in the site selection process for allocated</p>	That the proposed site can be justified against the criteria for built facilities used in the site selection process for allocated sites shown in	Improves clarity and provides consistency with modification proposed to policy WM15.

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
	on Unallocated Sites	sites shown in Table 5.1;	Table 5.1;	
MM-007	Section 5 Policy WM14 Energy from Waste	<p>Delete the following paragraph:  <del>No new sites for large scale Energy from Waste for Local Authority Collected Waste or Commercial and Industrial Waste are allocated. Reliance will be placed on exiting consents and operation facilities within Merseyside and Halton, the outcome of the MWDA procurement process and the capacity in the wider Northern region of England to meet the identified needs.</del></p> <p>Insert the following paragraph in its place:</p> <ol style="list-style-type: none"> <li>1. <u>All proposals for EfW facilities will be assessed in relation to operational and consented capacity within the Plan area and the requirement for new facilities. Planning applications for such proposals must demonstrate that existing operational and consented capacity cannot be accessed to meet the identified need or in the case of Local Authority Collected Waste that it is not suitable for the purposes of MRWA. Account must be taken of:</u> <ul style="list-style-type: none"> <li>• <u>The contractual position for Local Authority Collected Waste and the outcome of any MRWA procurement process to meet the treatment needs of the Plan</u></li> </ul> </li> </ol>	<p>No new sites for large scale Energy from Waste for Local Authority Collected Waste or Commercial and Industrial Waste are allocated. Reliance will be placed on exiting consents and operation facilities within Merseyside and Halton, the outcome of the MWDA procurement process and the capacity in the wider Northern region of England to meet the identified needs.</p>	<p>Provides certainty for MRWA and waste industry and improves deliverability of the WLP.</p> <p>In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)</p>

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><a href="#">area;</a></p> <ul style="list-style-type: none"> <li>• <a href="#">Operational EfW capacity within the Plan area, and;</a></li> <li>• <a href="#">Existing consents for EfW within the Plan area and availability of that consented capacity to meet the needs of the Plan area.</a></li> </ul> <p>2. <a href="#">EfW proposals must meet the waste management needs of the Plan area and will be required to provide combined heat and power unless it can be demonstrated that this requirement would prevent important waste infrastructure being brought forward.</a></p> <p>3. <a href="#">All proposals for EfW must comply with policies WM12 and WM13.</a></p>		
MM-008	Section 5 Policy WM15 Landfill on Unallocated Sites	<p>Make the following amendments to the policy wording:</p> <p>Planning permission will <del>only</del> be granted for additional landfill on unallocated sites where it is demonstrated that:</p> <p>1. The proposal <del>can be justified</del> <a href="#">has been</a></p>	<p>Planning permission will only be granted for additional landfill on unallocated sites where it is demonstrated that:</p> <p>1. The proposal can be justified against the criteria used for the</p>	<p>Improves clarity and provides greater certainty for future developers.</p> <p>In response to representations received from (Lancs-PS_75), (CWAC-PS_70) and (Cory-PS_39)</p>



Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><a href="#">assessed</a> against the criteria used for the Waste <a href="#">Local Plan</a> <del>DPD</del> site selection process for landfill sites shown in Table 5.2 <a href="#">and the criteria in WM12 and Box 1. Significant adverse impacts should be avoided. Where adverse impacts are unavoidable, measures to mitigate the impact should be adopted.</a></p> <p>2. The proposal complies with the Vision and Spatial Strategy for the Waste <a href="#">Local Plan</a> <del>DPD and satisfies the criteria set out in policy WM12;</del></p> <p>3. Sustainability Appraisal and Habitats Regulation Assessment have been undertaken at the project level and any negative effects can be satisfactorily mitigated <del>for</del>, and;</p> <p>4. The proposal contributes to <del>the</del> <a href="#">meeting</a> identified need<u>s</u> for residual landfill capacity <a href="#">within the Plan area.</a></p> <p>Full details of the criteria used as part of the site assessment process for allocated landfill sites can be found in Table 5.2 and Box 1. Reference should be made to these to ensure that the correct criteria are being applied consistently.</p>	<p>Waste DPD site selection process for landfill sites shown in Table 5.2</p> <p>2. The proposal complies with the Vision and Spatial Strategy for the Waste DPD and satisfies the criteria set out in policy WM12;</p> <p>3. Sustainability Appraisal and Habitats Regulation Assessment have been undertaken at the project level and any negative effects can be satisfactorily mitigated for, and;</p> <p>4. The proposal contributes to the identified need for residual landfill</p>	

Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		For this reason, it is important that early pre-application discussions are held with the local planning authority, and that the method used and results of the assessment should be submitted with the application.	capacity.  Full details of the criteria used as part of the site assessment process for allocated landfill sites can be found in Table 5.2 and Box 1. Reference should be made to these to ensure that the correct criteria are being applied consistently. For this reason, it is important that early pre-application discussions are held with the local planning authority, and that the method used and results of the assessment should be submitted with the application.	

## Implementation and Monitoring

No main modifications proposed

## Appendices and Site Profiles

No main modifications proposed

## Generic Modifications

The following changes will be made throughout the Merseyside and Halton Proposed Submission Document (November 2011).

Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
Throughout the document	Joint Merseyside and Halton Waste <del>Development Plan Document (DPD)</del> <a href="#">Local Plan (WLP)</a>	Joint Merseyside and Halton Waste Development Plan Document (DPD)	Updates in line with Town and Country Planning (Local Planning)(England) Regulations 2012
Throughout the document	Merseyside <a href="#">Recycling and</a> Waste <del>Disposal</del> Authority	Merseyside Waste Disposal Authority	Reflects change in name by statutory Waste Disposal Authority.
Throughout the document	Update references to Core Strategies and other DPDs to reflect new planning guidance	N/A	Updates in line with Town and Country Planning (Local Planning)(England) Regulations 2012
Throughout the document in all maps	Update Ordnance Survey copyright statement.	N/A	Cartographical update.

## Additional Modifications

### Table of Policies

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-001	Table of Policies	Add policy <a href="#">WM0 Presumption in Favour of Sustainable Development</a> .	N/A	Updates table in light of requested main modifications
AM-002	Table of Policies	Amend policy WM7 as follows: Protecting Existing Waste Management Capacity <a href="#">for Built Facilities and Landfill</a>	Protecting Existing Waste Management Capacity	Updates table in light of requested main modifications

### List of Abbreviations

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-003	List of Abbreviations	Add the following: <a href="#">JRWMS Joint Recycling and Waste Management Strategy</a>	N/A	Updates table

## Introduction

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-004	Section 1 Figure 1.2 Timeline for Development of the Waste DPD	Amend the date relating to Submission of the Waste DPD to DCLG, as follows: <del>Jan</del> <a href="#">Feb</a> 2012	N/A	Corrects inaccurate statement
AM-005	Section 1 Paragraphs 1.6 to 1.18 including Table 1.1 and hyperlinks	The text in these paragraphs and table and the hyperlinks will be updated following consultation on the main and additional modifications.	Existing text in paragraphs 1.5 to 1.18 and table 1.1	Will provides most up-to-date information and provide new hyperlinks once consultation process is complete.

## Evidence Base

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-006	Section 2, paragraph 2.23	The coalition Government intends to abolish RSS through the <del>implementation of the</del> Localism <a href="#">Act 2011</a> Bill. However, <del>it is still not clear when the Localism Bill will be introduced, and</del> RSS was still extant at the time of producing the Publication Version.	The coalition Government intends to abolish RSS through the implementation of the Localism Bill. However, it is still not clear when the Localism Bill will be introduced, and RSS was still extant at the time of producing the Publication	Updates in line with the Localism Act 2011

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
			Version.	
AM-007	Section 2, paragraph 2.24	Amend the text as follows: <del>Halton Council consulted on its Core Strategy Publication Development Plan Document (DPD) IN November 2010. The Publication document was submitted to the Secretary of State in May 2011 with adoption anticipated in early 2012. Halton Council's Core Strategy Local Plan went through an Examination in Public during November-December 2011, and was subsequently followed by a re-consultation on modifications, including those imposed by changes to national legislation and planning policy, during early 2012. The final Inspector's report is anticipated in October 2012 with adoption expected in December 2012</del>	Halton Council consulted on its Core Strategy Publication Development Plan Document (DPD) IN November 2010. The Publication document was submitted to the Secretary of State in May 2011 with adoption anticipated in early 2012.	Updates with most current information and in line with Town and Country Planning (Local Planning)(England) Regulations 2012.
AM-008	Section 2, paragraph 2.25	Amend the first sentence as follows: Knowsley Council is in the process of developing its <a href="#">Local Plan</a> Core Strategy, and consulted on its Preferred Options report during Summer 2011.	Knowsley Council is in the process of developing its Core Strategy, and consulted on its Preferred Options report during Summer 2011.	Updates with most current information and in line with Town and Country Planning (Local Planning)(England) Regulations 2012.
AM-009	Section 2, paragraph 2.26	Amend the first sentence as follows: <a href="#">Liverpool Council published the Submission Draft Local Plan Core Strategy for pre-submission consultation in March 2012. Liverpool Council consulted on the Preferred Options for its Core Strategy DPD in February 2010.</a>	Liverpool Council consulted on the Preferred Options for its Core Strategy DPD in February 2010.	Updates with most current information and in line with Town and Country Planning (Local Planning)(England) Regulations 2012.
AM-010	Section 2, paragraph 2.27	Amend the first sentence as follows:	Sefton Council is in the early stages of developing its Core	Updates with most current information and in line with

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		Sefton Council is in the early stages of developing its <a href="#">Local Plan</a> Core Strategy <del>DPD</del> , and consulted on <del>its Core Strategy</del> <a href="#">an</a> Options Report during Summer 2011	Strategy DPD, and consulted on its Core Strategy Options Report during Summer 2011	Town and Country Planning (Local Planning)(England) Regulations 2012.
AM-011	Section 2, paragraph 2.28	Amend the text as follows:  St Helens Council <a href="#">Local Plan Core Strategy went through an Examination in Public during April 2012, and was subsequently followed by a consultation on main and additional modifications including those imposed by changes to national legislation and planning policy during May/June 2012. The final Inspector's report is anticipated in September 2012 with adoption expected in November 2012.</a> <del>submitted its Core Strategy Publication Document in June 2011.</del> This indicated that the focus for new economic development will be Haydock, <a href="#">M62 Link Road</a> and the town centre. The former Parkside Colliery is identified as a site for a <del>s</del> Strategic <a href="#">Rail regional Inter-modal Freight Interchange</a> <del>Park</del> . Construction of a new rugby stadium is <del>complete</del> <a href="#">underway</a> , and work has also commenced on urban villages at Lea Green Colliery, Moss Nook and Vulcan Works.	St Helens Council submitted its Core Strategy Publication Document in June 2011. This indicated that the focus for new economic development will be Haydock and the town centre. The former Parkside Colliery is identified as a site for a strategic regional Inter-modal Freight Park. Construction of a new rugby stadium is underway, and work has also commenced on urban villages at Lea Green Colliery, Moss Nook and Vulcan Works.	Updates with most current information and in line with Town and Country Planning (Local Planning)(England) Regulations 2012.
AM-012	Section 2, paragraph 2.29	Amend text as follows: <a href="#">Wirral Council expects to publish a Core Strategy Publication Document towards the end of 2012.</a> <del>Wirral Council published</del>	Wirral Council published the Preferred Options Report for its Core Strategy DPD consultation in November	Updates with most current information and in line with Town and Country Planning (Local Planning)(England)

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<del>the Preferred Options Report for its Core Strategy DPD consultation in November 2010. A Draft Core Strategy is expected to be approved for consultation towards the end of 2011, with target date for adoption of late 2012.</del> Much of Wirral's regeneration activities will focus around the long term development at Wirral Waters and associated development around the dock areas.	2010. A Draft Core Strategy is expected to be approved for consultation towards the end of 2011, with target date for adoption of late 2012. Much of Wirral's regeneration activities will focus around the long term development at Wirral Waters and associated development around the dock areas.	Regulations 2012.
AM-013	Section 2, Table 2.1	Under the row for Halton, delete reference to policy MW6 "MW3, <del>MW6</del> , MW7...etc."	N/A	Corrects inaccurate statement.
AM-014	Section 2, paragraph 2.32	Amend text as follows: <del>(In addition two further HWRCs are operated by</del> <a href="#">Veolia Environmental Services on behalf of</a> Halton Council. The activities at these sites have <del>es</del> been taken into account in the Needs Assessment, as have recently consented operations, such as the MRF at Gillmoss which <del>is due to become</del> <a href="#">became</a> operational <del>later</del> in <a href="#">October</a> 2011.	(In addition two further HWRCs are operated by Halton Council. The activities at these sites has been taken into account in the Needs Assessment, as have recently consented operations, such as the MRF at Gillmoss which is due to become operational later in 2011.	To provide clarification and update information.
AM-015	Section 2, paragraph 2.32	Amend final sentence, as follows: <del>It is not currently clear when exactly t</del> <a href="#">The final Resource Recovery Contract will be let awarded in September 2012 and signed in December 2012.</a>	It is not currently clear when exactly the final Resource Recovery Contract will be let.	To update information.
AM-016	Section 2, paragraph 2.33	Amend text as follows: <del>MRWDA is currently in the process of reviewing</del> <a href="#">has recently reviewed</a> its Joint	MWDA is currently in the process of reviewing its Joint Municipal Waste	To update information.



Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		Municipal Waste Management Strategy <sup>G</sup> <u>now known as the Joint Recycling and Waste Management Strategy<sup>G</sup> (JRWMS).</u> <u>The JRWMS is currently going through the process of being ratified by each of the partner districts with full ratification and adoption anticipated in September 2012.</u> <del>It consulted of the Draft JMWMS during Summer 2011.</del> The JRWMS takes account of the activities of the recycling contract, but does not cover dealing with residual waste as this covered by either the Landfill or the Resource Recovery contracts referred to in 2.32 above.	Management Strategy <sup>G</sup> (JMWMS). It consulted of the Draft JMWMS during Summer 2011. The JMWMS takes account of the activities of the recycling contract, but does not cover dealing with residual waste as this covered by either the Landfill or the Resource Recovery contracts referred to in 2.32 above.	
AM-017	Section 2, Table 2.7 Row on “Managing residual LACW”	Amend the text of the 1 <sup>st</sup> and 2 <sup>nd</sup> sentences in the column ‘Reason for Adjustment’ as follows: “A large quantity of residual LACW may need to be bulked <u>and/or pre-treated</u> and possibly loaded onto rail or water transport before being sent to the RRC facility.”... “...waste management obligations and the need for a LACW bulking/ <del>and</del> transfer <u>or pre-treatment</u> site should be anticipated.”	A large quantity of residual LACW may need to be bulked and possibly loaded onto rail or water transport before being sent to the RRC facility. “...waste management obligations and the need for a LACW bulking and transfer site should be anticipated.”	To provide clarification.  In response to representation from (CWAC-PS_71)
AM-018	Section 2, Figure 2.10	Amend the label of the third row (facility type) to: Bulking <u>and/or pre-treatment</u> prior to delivery to EfW plant.	Bulking prior to delivery to EfW plant	To provide clarification.  In response to representation from (CWAC-PS_71)
AM-019	Section 2, para. 2.108	Amend the text to read as follows “... the current planning permission <u>which enables acceptance of non-inert and inert wastes will continue subject to the current planning application for a time extension</u>	“...the current planning permission expires in June 2012.	Corrects inaccurate statement.  In response to representation received from (Cory

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><u>being granted. If it is not granted, expires in June 2012 then the site will be permitted to accept inert waste only.</u></p> <p><u>The current planning permission for the site allows for the continued filling of inert waste until the site landform profiles have been met. An extension to that permission to allow for the acceptance of non-inert waste until June 2016 was provisionally approved in July 2012.</u></p>		Environmental-PS_39)
AM-020	Section 2, Table 2.8 In row labelled 'Local Void Space to Accommodate Non-LACW'	Amend figures from <del>449</del> and <del>449</del> to <u>1269</u> and <u>1269</u> respectively	449 and 449	Correction of non-inert waste capacity following provisional permission to allow further deposit of these wastes at Lyme & Wood Pits landfill
AM-021	Section 2, Table 2.8 In row labelled 'Total External Void Space needed'	Amend figures from <del>-2344</del> and <del>-4726</del> to <u>-1521</u> and <u>-3906</u> respectively	-2341 and -4726	Correction of non-inert waste capacity following provisional permission to allow further deposit of these wastes at Lyme & Wood Pits landfill
AM-022	Section 2, Table 2.8 In row labelled 'External Void Space Needed'	Amend the row title as follows: External void space needed <u>in long term</u> (annually)	External void space needed (annually)	Clarifies the level of material still to be sent to external landfills once the Lyme & Wood Pits site has closed

## Vision and Spatial Strategy

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-023	Section 3 Paragraph 3.1	Amend the wording of the second sentence as follows:  It describes the Waste <del>DPD</del> <a href="#">Local Plan</a> position relative to other relevant national policies and strategies and is consistent with emerging <a href="#">Local Plan</a> Core Strategies for each of the districts.	It describes the Waste DPD Local Plan position relative to other relevant national policies and strategies and is consistent with emerging Local Plan Core Strategies for each of the districts.	Updates information.
AM-024	Section 3 Paragraph 3.3	Before the first sentence insert the following wording:  <a href="#">In line with 2008/98/EC EU Waste Directive the term waste management facility includes both waste management and waste disposal facilities</a>	N/A no previous definition	For clarification.  In response to representations from (Lancs-PS_73)
AM-025	Section 3 Table 3.1	Amend the text to the first row (Prevention) in the column How the Waste DPD will address the needs, as follows:  Through <a href="#">policies on <del>w</del>Waste Prevention minimisation and Resource Management</a> and <a href="#">Waste Management <del>D</del>esign and <del>L</del>ayout in <del>N</del>ew <del>D</del>evelopment policies.</a>	Through waste prevention minimisation design and layout in new development policies.	For clarification.
AM-026	Section 3 Table 3.1	Amend the text to the second row (Preparing for Re-use) in the column How the Waste DPD will address the needs, as	Through waste minimisation policy including promotion of Site Waste Management Plans for construction	For clarification and to take account of potential change to national legislation.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p>follows:</p> <p>Through <del>waste minimisation</del> <a href="#">Waste Prevention and Resource Management</a> policy including promotion of <del>Site</del> <a href="#">Waste Management Plans</a> <a href="#">audits</a> for construction projects</p>	projects	
AM-027	Section 3 Table 3.1	<p>Amend the text to the third row (Recycling) in the second paragraph in column How the Waste DPD will address the needs, as follows:</p> <p>Through <del>waste minimisation</del> <a href="#">Waste Prevention and Resource Management</a> policy including promotion of <del>Site</del> <a href="#">Waste Management Plans</a> <a href="#">audits</a> for construction projects. Through two design policies</p>	Through waste minimisation policy including promotion of Site Waste Management Plans for construction projects	For clarification and to take account of potential change to national legislation.
AM-028	Section 3 Table 3.1	<p>Amend the text to the fourth row (Other recovery) in the column How the Waste DPD will address the needs, as follows:</p> <p>Through the resource recovery-led strategy. Through contributing to energy security by using <del>ef</del> waste as a renewable energy source, and through the provisions of a criteria –based policy for <del>small-scale</del> EfW.</p>	Through the resource recovery-led strategy. Through contributing to energy security by using of waste as a renewable energy source, and through the provisions of a criteria –based policy for small-scale EfW.	Updates in line with proposed main modification to policy WM14.
AM-029	Section 3 Table 3.1	Amend the text to the fifth row (Disposal) in the third paragraph in column How the Waste DPD will address the needs, as	Where landfill capacity can be identified in Merseyside and Halton in should be safeguarded for the most	Updates in line with proposed main modifications to policies WM7 and WM15.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p>follows:</p> <p>Where landfill capacity <a href="#">is available or</a> can be identified in Merseyside and Halton it should be safeguarded for the most pressing disposal needs, subject to environmental constraints.</p>	<p>pressing disposal needs, subject to environmental constraints.</p>	
AM-030	<p>Section 3</p> <p>After paragraph 3.19 and references.</p> <p>Insert new policy WM0: Presumption in Favour of Sustainable Development</p>	<p><u><a href="#">Explanation:</a></u></p> <p><u><a href="#">Policy WM 0 ensures that the Waste Local Plan is based upon the presumption in favour of sustainable development, as required by the National Planning Policy Framework (The Framework).</a></u></p> <p><u><a href="#">The Framework was published in March 2012 after the Waste Local Plan was submitted to the Secretary of State. The Framework came into effect immediately. It contains a presumption in favour of sustainable development which the Framework states should be seen as a golden thread running through both plan making and decision taking.</a></u></p> <p><u><a href="#">The Waste Local Plan is the principal planning document for waste planning issues in Merseyside and Halton. The Framework states that all Local Plans should follow the approach set out in the presumption in favour of sustainable development, so that it is clear that</a></u></p>	N/A new paragraphs	Changes to national policy.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><a href="#">development which is sustainable can be approved without delay.</a></p> <p><a href="#">The policies in this Waste Local Plan provide clear guidance on how the presumption in favour of sustainable development will be applied to waste developments within the Plan area comprising the six partner Local Planning Authorities. The Waste Local Plan should be read in conjunction with any other relevant adopted Local Plans, such as district Core Strategies, and with any Neighbourhood Plans adopted following referendums.</a></p>		
AM-031	Section 3 Figure 3.2	Update figure to remove site H3 (Runcorn WwTw) and replace sub-regional site in St Helens. Update all Environment Agency data See Replacement Figure 3.2 in Appendix A	N/A	For clarification and to include most up-to-date information.

## Site Allocations to deliver capacity requirements

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-032	Section 4, para. 4.1	Amend the first sentence as follows: The site selection methodology used to	The site selection methodology used to derive	Factual Clarification.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		derive the lists of proposed allocations provided in this chapter is fully described in the supporting document “ <del>Methodology for Site Selection for b</del> Built fFacilities <del>Site Search Methodology</del> ”.	the lists of proposed allocations provided in this chapter is fully described in the supporting document “Methodology for Site Selection for built facilities”.	
AM-033	Section 4 paragraph 4.4	Add the following sentence to the end of the paragraph: <a href="#">Planners and developers should refer to the supporting document “Waste DPD Site Profiles” for site specific information.</a>	N/A New wording	Factual clarification. Refers to additional site information regarding constraints etc.
AM-034	Section 4 paragraph 4.7	Amend the second sentence as follows:  Areas of search are also identified for re-processing and small-scale waste management activity, alongside a criteria based polic <del>ies</del> y for determining sites which come forward on unallocated sites.	Areas of search are also identified for re-processing and small-scale waste management activity, alongside a criteria based policy for determining sites which come forward on unallocated sites	Factual clarification.
AM-035	Section 4 Paragraph 4.15	Amend text in 1 <sup>st</sup> sentence as follows: “Sites allocated within the port and dock estates, specifically in <a href="#">Liverpool</a> Sefton and Wirral,…”	“Sites allocated within the port and dock estates, specifically in Sefton and Wirral…”	Updates statement to include all sites within port/dock estates.  In response to representation received from (ABP-PS_43)
AM-036	Section 4 Paragraph 4.15	Add the following text to the end of the paragraph: <a href="#">Due to their strategic nature within the Port of Liverpool and Port of Garston, sub-regional sites L1 and W1 are also suitable for a range of port related uses. Waste allocations do not take precedence over other port related uses including</a>	N/A new wording	Improves clarity.  In response to representation received from (ABP-PS_43) and Peel (Peel-PS_81)

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<a href="#">provision for offshore energy infrastructure. These sites are therefore not subject to the restrictions set out in paragraphs 4.16 to 4.18 below.”</a>		
AM-037	Section 4, para. 4.17	Add <a href="#">“unless permitted development rights apply.”</a> to end of sentence	When determining applications for non-waste development on a sub-regional site specifically identified for waste management, or within a distance that could affect the potential for waste use on a site specifically identified for waste management, consideration will be given to any potential adverse impact the proposed development might have on the future of the site as a location for waste management and therefore, on the Waste DPD's aims and objectives.	Updates statement with more accurate information.  In response to representation received from (ABP-PS_43)
AM-038	Section 4, new paragraph inserted after existing paragraph 4.18	Insert the following between the first and second sentence: <a href="#">The uptake of sites and ongoing site requirements will be reviewed at regular intervals through the monitoring plan as explained in more detail in Section 6: paragraphs 6.10 to 6.12</a>	N/A new wording	Improves clarity.  In response to representation received from Peel (Peel-PS_81)
AM-039	Section 4 Paragraph 4.27	Amend the end of the paragraph as follows: <del>The site is due to close in June 2012, although there remains a void space. The</del>	The site is due to close in June 2012, although there remains a void space. The operator intends to submit a	Corrects inaccurate statement.  In response to representation



Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<del>operator intends to submit a planning application to extend the timescale for operations but the Waste DPD cannot speculate on the outcome of this, and therefore, it has been assumed that the site will close in June 2012.</del> <a href="#">The current planning permission for the site allows for the continued filling of inert waste until the site landform profiles have been met. An extension to that permission to allow for the acceptance of non-inert waste until June 2016 was provisionally approved in July 2012.</a>	planning application to extend the timescale for operations but the Waste DPD cannot speculate on the outcome of this, and therefore, it has been assumed that the site will close in June 2012.	received from (Cory Environmental-PS_39)
AM-040	Section 4 Paragraph 4.35	Amend the first sentence as follows: In addition to this reassurance from industry, the Waste <del>DPD</del> <a href="#">Local Plan</a> includes <del>a</del> -criteria based <del>policy</del> <sup>ies</sup> WM7 for time extensions for existing operational landfill capacity and WM15 enabling unallocated sites to be assessed for suitability as future landfill.	In addition to this reassurance from industry, the Waste DPD includes a criteria based policy WM7 for time extensions for existing operational landfill capacity and WM15 enabling unallocated sites to be assessed for suitability as future landfill.	Updates in line with proposed main modifications to policies WM7 and WM15.
AM-041	Section 4 Policy WM5 Areas of Search for Additional Sites	Amend the text in the final bullet point. Wirral: Industrial areas associated with Cammell Laird Shipyard, Tranmere and <a href="#">to the north of the Dock Road on</a> the north bank of the West Float Docks, <a href="#">Birkenhead</a> .	Wirral: Industrial areas associated with Cammell Laird Shipyard, Tranmere and the north bank of the West Float Docks.	Improves clarity.  In response to representations received from (Peel-PS_81)
AM-042	Section 4 Para 4.43	Add the following text to the end of the sentence, as follows: The broad Areas of Search and Waste <del>DPD</del> <a href="#">Local Plan</a> allocations are shown in	The broad Areas of Search and Waste DPD allocations are shown in Figure 4.2.	Improves clarity.  In response to representations received

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		Figure 4.2 <a href="#">and on the larger scale maps in the supporting document, PS-044 Areas of Search Development in the Waste DPD.</a>		from (Peel-PS_81)
AM-043	Section 4 Figure 4.2	Update figure to remove site H3 (Runcorn WwTw) and replace sub-regional site in St Helens. Update all Environment Agency data. Make reference to supporting document PS-044 Areas of Search Development in the Waste DPD See replacement Figure 4.2 in Appendix B	N/A	For clarification and to include most up-to-date information.
AM-044	Section 4, para. 4.45	Delete last sentence, and update first sentence as follows:  Replacement sites have been identified for both Huyton and Kirkby HWRCs, and they have both received planning consent from Knowsley Council <a href="#">and both are now operational.</a> <del>Halton Council has indicated that the district site allocation in Runcorn may be used as a site to replace the existing HWRC.</del>	Replacement sites have been identified for both Huyton and Kirkby HWRCs, and they have both received planning consent from Knowsley Council. Halton Council has indicated that the district site allocation in Runcorn may be used as a site to replace the existing HWRC.	For clarification and to include most up-to-date information. Taking into account removal of site H3 as a district site.
AM-045	Section 4, para. 4.46	Amend text as follows: “...have to travel a reasonable distance <del>(approximately 3km)</del> to a HWRC.”	“...have to travel a reasonable distance (approximately 3km) to a HWRC.”	For clarity.  In response to representation received from (MWDA- PS_60)
AM-046	Section 4, para. 4.50	Re-word the first sentence of the paragraph as follows: “ <del>MWDA has indicated that a distance of approximately 3km is t</del> he general rationale <del>is for a</del> <a href="#">for locating an even</a>	MWDA has indicated that a distance of approximately 3km is the general rationale for locating an even distribution of HWRCs.	For clarity.  In response to MWDA [alternative wording during Council approvals process for

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		distribution of HWRCs <a href="#">across the Plan area to provide an overall provision which meets community need.</a>		publication, therefore unable to make the amendment before now.]

## Development Management Policies

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-047	Section 5	Amend title to section 5.1 as follows: 5.1 Protection of Existing Waste Management Capacity <a href="#">for Built Facilities and Landfill.</a>	5.1 Protection of Existing Waste Management Capacity	To reflect modification to policy WM7.  In response to representations from Cory-0S_39), (Lancs-PS_74) and (CWAC-PS_70).
AM-048	Section 5 Paragraph 5.4	Reword as follows: It is important that adequate waste management capacity is retained throughout the plan period <a href="#">in order to meet the identified needs of the Plan area.</a> Therefore, it is proposed that a change of use from an operational, permitted or consented waste management use <a href="#">to a non-waste use</a> would need to be justified by local circumstances by the applicant, and will	It is important that adequate waste management capacity is retained throughout the plan period. Therefore, it is proposed that a change of use from an operational, permitted or consented waste management use would need to be justified by local circumstances by the	For clarity.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		be monitored through the Implementation and Monitoring Strategy. <u>Consequently, applications for change of use will need to demonstrate that the existing waste management operation meets one or more of the criteria identified in Policy WM7 to protect existing waste management capacity.</u>	applicant, and will be monitored through the Implementation and Monitoring Strategy.	
AM-049	Section 5 Paragraph 5.5	The <del>vast</del> majority of existing, <del>built</del> waste management facilities are located on industrial estates, or in areas where their impact on local amenity is low. However, it is acknowledged that in the past some waste management infrastructure has been developed in unsuitable locations or has been poorly operated <u>creating adverse impacts on its surroundings</u> . A change of use may be acceptable on sites which are found to be in an unsuitable location as a result of new sensitive uses being developed around them, or because a new regeneration scheme or a major <del>scheme project</del> displaces them. <del>which will be deemed suitable for a change of use.</del> It is noted that cessation of waste management activity at a specific site cannot be controlled through planning permission.	The vast majority of existing waste management facilities are located on industrial estates, or in areas where their impact on local amenity is low. However, it is acknowledged that in the past some waste management infrastructure has been developed in unsuitable locations or has been poorly operated. A change of use may only be acceptable on sites which are found to be in an unsuitable location as a result of new sensitive uses being developed around them or because a new regeneration scheme or a	For clarity.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
			major scheme displaces them which will be deemed suitable for a change of use. It is noted that cessation of waste management activity at a specific site cannot be controlled through planning permission.	
AM-050	Section 5 New paragraph 5.6	<u>Over recent years, the amount of waste being deposited at landfill has been reducing. This is partly due to the successful diversion of recyclable and treatable waste from landfill and the additional costs associated with landfill tax escalator and partly due to prevailing industry and financial conditions. Despite this, the need for this disposal route is still essential particularly during the early part of the Plan period. Therefore, a positive approach to applications for time extensions for existing consented operational landfill capacity is considered necessary due to the fact that landfill void space, in particular, for non-inert, non-hazardous landfill is scarce within the</u>	N/A New wording	For clarity.  In response to representations from Cory-0S_39), (Lancs-PS_74) and (CWAC-PS_70).

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<a href="#">Plan area.</a>		
AM-051	Section 5 New paragraph 5.7	<a href="#">National policy requires Local Plans to make provision for communities to take more responsibility for their own waste, and to enable sufficient and timely provision of waste management facilities to meet the needs of their communities. Although landfill disposal lies at the bottom of the waste hierarchy, there is an acknowledged ongoing need to landfill residual non-inert waste that cannot currently be treated in any other way.</a>	N/A New wording	For clarity.  In response to representations from Cory-0S_39), (Lancs-PS_74) and (CWAC-PS_70).
AM-052	Section 5 New paragraph 5.8	<a href="#">In Merseyside and Halton there is only one operational landfill for non-inert waste at Lyme and Wood Pit, Haydock, St Helens. Despite a comprehensive search for new sites across the Plan area, no new sites suitable for non-inert landfill disposal have been found. Consequently, during the Plan period the sub-region may have to rely on exporting a decreasing quantity of residual non-inert waste to landfill sites elsewhere in the North West region. The unavoidable non-inert waste landfill requirement is predicted to decrease substantially early</a>	N/A New wording	For clarity.  In response to representations from Cory-0S_39), (Lancs-PS_74) and (CWAC-PS_70).

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<u>in the Plan period once new built facilities become operational. With this in mind, it is particularly important that Merseyside and Halton fully utilise the existing, consented operational non-inert landfill void space to meet the greatest disposal needs of the Plan area, during the early part of the Plan period.</u>		
AM-053	Section 5 New paragraph 5.9	<u>The second part of Policy WM7 is intended to enable time extensions, particularly for non-inert landfill, at sites which have been specifically designed for this purpose, subject to the applicant meeting the tests set out in the policy text. The applicant must also demonstrate that there remains a need for landfill capacity to serve the Plan area, as it is likely that this will change during the Plan period, as waste prevention measures continue and new treatment technologies are introduced.</u>	N/A New wording	For clarity.  In response to representations from Cory-0S_39), (Lancs-PS_74) and (CWAC-PS_70).
AM-054	Section 5	<u>As a consequence of inserting new paragraphs 5.6 to 5.9 all the subsequent paragraphs will move on by 4 numbers.</u>  <u>For example, previous 5.6 will become</u>		For clarity.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<a href="#">5.10 etc.</a>		
	Section 5 Previous paragraph 5.8	Amend the final sentence as follows:  This can be achieved through binding legal agreements, <del>and use of waste audits or</del> the adoption of SWMPs.	This can be achieved through binding legal agreements, and the adoption of SWMPs.	For clarification and to take account of potential change to national legislation.
AM-055	Section 5 Previous paragraph 5.10	Remove first bullet point, as follows:  <del>• Highlighting the statutory requirement for SWMPs for developments valued at greater than £300,000;</del>	Highlighting the statutory requirement for SWMPs for developments valued at greater than £300,000;	To take account of potential change to national legislation.
AM-056	Section 5 WM12 Box 1 – Heritage & Nature Conservation – point 3	Reword as follows: “With respect to nature conservation, <a href="#">an Appropriate Assessment</a> <del>project-level HRA screening</del> will be required for any <del>site within 1km of an internationally designated site and development which will lead to a likely significant effect on an internationally designated site, either alone or in combination with other plans and/or projects.</del> The applicant will be required to provide sufficient evidence to enable a <a href="#">Habitats Regulations Assessment</a> <del>HRA screening</del> to be undertaken.”	With respect to nature conservation, project-level HRA screening will be required for any site within 1km of an internationally designated site and the applicant will be required to provide sufficient evidence to enable HRA screening to be undertaken.”	<b>Required by Natural England for the DPD to be legally compliant with the Habitats Regulations</b>  <b>In response to representation received from (Natural England – PS_56)</b>
AM-057	Section 5 WM12 Box 1	Title should be amended to read ‘ Information to be submitted in Support of	Information to be submitted in Support of a Waste	For clarity.



Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		a Waste Planning Application for Policy <a href="#">WM12'</a>	Planning Application for Policy	
AM-058	Section 5 following previous para 5.46	New paragraph: <a href="#">"For waste management facilities within the aerodrome safeguarding zone for Liverpool John Lennon Airport consideration must be given to the CAA publication CAP 772 – Birdstrike Risk Management for Aerodromes. This makes reference to the risks associated with landfill sites and waste handling facilities in terms of bird attraction. Such attractions can create new daily migratory routes for scavenging species (e.g. between the site of the waste and existing roosting sites) and this can impact on aircraft routes. As such, on and off aerodrome mitigation can be necessary."</a>	N/A	For clarity.  In response to representation received from (Peel-PS_81)
AM-059	Section 5 Previous paragraph 5.48	Amend the end of the second sentence as follows: Because composting activities are similar to other rural industries the siting of such facilities in the Green Belt may be considered acceptable, since they preserve the openness of the Green Belt in line with paragraphs <del>3.4 of PPG2<sup>G</sup></del> <a href="#">88-90 of the National Planning Policy Framework</a> .	Because composting activities are similar to other rural industries the siting of such facilities in the Green Belt may be considered acceptable, since they preserve the openness of the Green Belt in line with paragraphs 3.4 of PPG2G 88-90 of the National Planning Policy Framework.	Updates in line with current national planning policy.
AM-060	Section 5 Previous para. 5.53	Amend last sentence as follows:	Bearing all these points in mind, this policy WM14	Corrects typographical error.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		Bearing all these points in mind, this policy WM <del>14</del> <sup>13</sup> deals with Planning Applications for New Waste Management Facilities on unallocated sites...	deals with Planning Applications for New Waste Management Facilities on unallocated sites...	
AM-061	Section 5 Previous para. 5.54	Amend the third sentence as follows: Full details of the site assessment process is available as a supporting document – <del>The Built Facilities Site Search</del> <sup>selection</sup> Methodology <del>Report</del> .	Full details of the site assessment process is available as a supporting document – The Built Facilities Site Selection Methodology Report.	Factual clarification.
AM-062	Section 5 Table 5.1	Insert the following text at the bottom of the table:  <u>The site assessment process identifies the principal benefits as positive scoring criteria and, the principal impacts as negative scoring criteria which, when combined, provide a total site score. The scoring criteria vary with distance from the site boundary as a proxy for scale of effects.</u>  <u>The total site score can be positive or negative and is a useful relative measure for comparison between the planning merits and constraints of sites. A negative total site score does not prevent a site coming forward for a potential waste use. The total site score and individual criteria scores provide an indication of the main</u>	N/A new wording	Improves clarity and certainty for developers.  In response to representations from (Lancs-PS_74)

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><a href="#">issues which may need to be considered in the development of any site for a waste use. They should be used to help scope the information, surveys and technical assessments that may be necessary to support a planning application and satisfy the requirements of Policy WM12 and Box 1.</a></p> <p><a href="#">Metadata for the criteria in table 5.1 is provided in "Appendix J:GIS Data Sources" of the supporting document – Build Facilities Site Search Methodology.</a></p>		
AM-063	Section 5 Previous para. 5.59	<p>Amend the text as follows:  <del>Since the Preferred Options Consultation,</del>  MRWDA has <del>also</del> narrowed its Resource Recovery Contract (RRC) procurement process down to the final two bidders, both of whom are proposing to use consented facilities outside the sub region. <a href="#">The procurement process should be finalised by the end of 2012.</a>  <a href="#">However, the outcome of the RRC procurement is not known, whilst there is a high probability of a successful outcome, this is not certain. It is therefore considered necessary to provide a policy for Energy from Waste that will enable meeting the identified</a></p>	<p>Since the Preferred Options Consultation, MWDA has also narrowed its Resource Recovery Contract (RRC) procurement process down to the final two bidders, both of whom are proposing to sue consented facilities outside the sub-region. Therefore, the requirement to allocate sites for EfW specifically for LACW is removed. Policy WM14 ON Energy from Waste Provision is shown below.</p>	<p>Provides clarity and reflects modification to policy WM14</p> <p>In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)</p>

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<u>waste management capacity supply and demand needs for waste arising within the Plan area. This is specifically to assist with Local Authority Collected Waste (LACW) should additional contingency be needed in the event that the RRC procurement is unsuccessful.</u> <del>Therefore, the requirement to allocate sites for EfW specifically for LACW is removed. Policy WM14 ON Energy from Waste Provision is shown below</del>		
AM-064	Section 5 Previous para. 5.60	Amend text as follows: Within Merseyside and Halton the existing regionally significant facility at Ineos Chlor has over <del>250,000</del> <u>575,000</u> tonnes of permitted capacity available to treat Solid Recovered Fuel <sup>G</sup> /refuse derived fuel (SRF/RDF) process from approximately <del>500,000</del> <u>1.15 million</u> tonnes of residual waste. There are also several other consented facilities with a lesser capacity. Throughout the development of the Waste Local Plan there has been regular liaison with the owners of these facilities and there is reasonable assurance that these sites will be developed.	Within Merseyside and Halton the existing regionally significant facility at Ineos Chlor has over 250,000 tonnes of permitted capacity available to treat Solid Recovered Fuel <sup>G</sup> /refuse derived fuel (SRF/RDF) process from approximately 500,000 tonnes of residual waste. There are also several other consented facilities with a lesser capacity. Throughout the development of the Waste Local Plan there has been regular liaison with the owners of these facilities	Provides clarity and reflects modification to policy WM14.  In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
			and there is reasonable assurance that these sites will be developed.	
AM-065	Section 5 Previous para. 5.61	Amend text as follows: The policy is responding to the evidence base which clearly demonstrates that Merseyside and Halton has sufficient EfW capacity to meet its LACW and commercial and industrial (C&I) <sup>G</sup> needs, and that it also has some capacity to contribute to regional needs. <u>However, it is written to provide flexibility should the MRWA procurement process be unsuccessful, and an alternative solution, such as a new procurement being necessary.</u> <del>This takes account of the fact that the final bidders for the MWDA RRC intent to utilise facilities outside the sub-region, but that the corresponding amount of EfW capacity in Merseyside and Halton will be available for other sub-regions either to manage LACW or C&amp;I wastes, as is the case at the Ineos Chlor facility.</del>	The policy is responding to the evidence base which clearly demonstrates that Merseyside and Halton has sufficient EfW capacity to meet its LACW and commercial and industrial (C&I) <sup>G</sup> needs, and that it also has some capacity to contribute to regional needs. This takes account of the fact that the final bidders for the MWDA RRC intent to utilise facilities outside the sub-region, but that the corresponding amount of EfW capacity in Merseyside and Halton will be available for other sub-regions either to manage LACW or C&I wastes, as is the case at the Ineos Chlor facility.	Provides clarity and reflects modification to policy WM14  In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)
AM-066	Section 5 Previous para. 5.62	Amend text as follows:  A significant proportion of this consented EfW capacity is currently targeted at C&I waste via merchant facilities and <u>although</u>	A significant proportion of this consented EfW capacity is currently targeted at C&I waste via merchant facilities and the Needs Assessment	Provides clarity and reflects modification to policy WM14  In response to representations received from

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		the Needs Assessment indicates that there is no further justification for allocating further sites within the <del>Waste DPD Plan area</del> for this purpose, <u>policy WM14 is included to provide more certainty to the waste industry should the existing waste management consents not be developed.</u> <del>The industry can use a combination of operational capacity and current planning consents to meet the identified need through for instance, commercial contracts.</del>	indicates that there is no further justification for allocating further sites within the Waste DPD for this purpose. The industry can use a combination of operational capacity and current planning consents to meet the identified need through, for instance, commercial contracts.	(MWDA-PS_61) and (CWAC-PS_71)
AM-067	Section 5 Previous para. 5.63	Amend text as follows: <del>Allocation of sites</del> <u>Granting planning permission</u> for further EfW capacity, if they were built, would <del>inevitably be likely to</del> lead to the import of substantial amounts of waste <del>and RDF</del> into Merseyside and Halton over and above existing imports and those which will take place if <u>existing</u> consented capacity is delivered. <u>It is for this reason that the policy places reliance in the first instance on this existing operational and consented capacity.</u> Whilst it is	Allocation of sites for further EfW capacity, if they were built, would inevitably lead to the import of substantial amounts of waste and RDF into Merseyside and Halton over and above existing imports and those which will take place if consented capacity is delivered. Whilst it is acknowledged that Merseyside and Halton will need to continue exporting some non-inert landfill, and	Provides clarity and reflects modification to policy WM14  In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		acknowledged that Merseyside and Halton will need to continue exporting some non-inert landfill, and that the MRWDA RRC contract <del>will</del> <u>may</u> result in waste being exported this has been balanced by (i) residual waste being imported from neighbouring authorities; (ii) allocating additional sites for treatment; (iii) the existing consented EfW capacity; and (iv) policy WM14. Furthermore, the needs assessment also indicates that Merseyside and Halton is much closer to achieving self sufficiency than it was several years ago.	that the MWDA RRC contract will result in waste being exported this has been balanced by (i) residual waste being imported from neighbouring authorities; (ii) allocating additional sites for treatment; (iii) the existing consented EfW capacity; and (iv) policy WM14. Furthermore, the needs assessment also indicates that Merseyside and Halton is much closer to achieving self sufficiency that it was several years ago.	
AM-068	Section 5 Insert new paragraph after previous paragraph 5.63	Insert text as follows:  <u>Consequently, any application for EfW would need to consider local waste management capacity needs and the status of existing consented EfW facilities, and provide justification if combined heat and power is not proposed and on the amount of renewable energy generated. Updates to</u>	N/A new wording	Provides clarity and reflects modification to policy WM14.  In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<a href="#">information relating to local waste management needs and the status of existing consented EfW facilities will be provided through the relevant Authority's Monitoring Report. Both large and small scale EfW applications will be assessed using criteria based policies (WM12 and WM13). This covers applications for gasification, waste-fired technologies using CHP, pyrolysis, and other novel thermal treatment technologies.</a>		
AM-069	Section 5 Previous Para. 5.65	<p>Delete text as follows:</p> <p><del>Should applications for small scale EfW facilities (up to a maximum of 80,000 tpa treatment capacity or up to a maximum of 10MW heat and power output) come forward in the form of combined heat and power to serve a local need such as an existing business with significant energy requirements or a District heating scheme then criteria based policy (WM12 and WM13) will be used to judge such applications on their merit.</del></p>	<p>Should applications for small scale EfW facilities (up to a maximum of 80,000 tpa treatment capacity or up to a maximum of 10MW heat and power output) come forward in the form of combined heat and power to serve a local need such as an existing business with significant energy requirements or a District heating scheme then criteria based policy (WM12 and WM13) will be used to judge such applications on their</p>	<p>Provides clarity and reflects modification to policy WM14.</p> <p>In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)</p>



Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
			merit.	
AM-070	Section 5 Previous Para. 5.66	Amend text as follows:  These figures <a href="#">for small scale EfW facilities</a> (80,000 tpa treatment capacity and 10MW heat and power output) have been derived from experience of planning applications, the economic viability of operations and typical heat and power outputs that would enable an EfW to contribute a reasonable proportion of renewable energy for business energy requirements or district heating schemes.	These figures (80,000 tpa treatment capacity and 10MW heat and power output) have been derived from experience of planning applications, the economic viability of operations and typical heat and power outputs that would enable an EfW to contribute a reasonable proportion of renewable energy for business energy requirements or district heating schemes.	Provides clarity and reflects modification to policy WM14.  In response to representations received from (MWDA-PS_61) and (CWAC-PS_71)
AM-071	Section 5 Previous Para. 5.69	Amend text as follows:  <a href="#">The policy approach requiring use of CHP for both large and small scale EfW facilities is consistent with the National Planning Policy Framework in particular paragraph 97, and with the overarching strategy of the WLP to push waste</a>	Enabling provision of small scale EfW facilities (within strict policy parameters) within Merseyside and Halton adds flexibility to the Waste DPD, by providing scope for the sub-region to become more self sufficient	Provides clarity and reflects modification to policy WM14.  Updates in line with new national planning policy.  In response to representations received from (MWDA-PS_61) and (CWAC-

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<del>management up the waste hierarchy. Enabling provision of small scale EfW facilities (within strict policy parameters) within Merseyside and Halton adds flexibility to the Waste DPD, by providing scope for the sub-region to become more self sufficient in waste management, and promoting a low carbon economy.</del>	in waste management, and promoting a low carbon economy.	PS_71)
AM-072	Section 5 Paragraph 5.73	Insert the following text between the fourth and final sentence. <u>Policy WM7: Protecting Existing Waste Management Capacity at Built Facilities and Landfill supports the approach of time extensions.</u>  At the end of the final sentence, add the following wording: <u>, subject to the application not resulting in waste being managed lower down the waste hierarchy than is necessary.</u>	If time extensions are consented there may not be a regional requirement for significant new landfill capacity. Nevertheless, it is important that Merseyside and Halton has a robust policy to assess new landfill opportunities on unallocated sites.	Improves clarity and provides greater certainty for future developers.  In response to representations received from (Lancs-PS_75), (CWAC-PS_70) and (Cory-PS_39)
AM-073	Section 5 Paragraph 5.75	At the beginning of the paragraph insert the following text:  <u>Policy WM12 is applicable and is supported by Box 1.</u>  At the end of the first sentence insert the		Improves clarity and provides greater certainty for future developers.  In response to representations received from (Lancs-PS_75), (CWAC-PS_70) and (Cory-PS_39)

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p>following text:</p> <p>Table 5.2 shows the criteria and relevant scores that have been used to assess the allocated landfill sites. <a href="#">The same criteria and scoring should be used to assess suitability of unallocated sites.</a></p> <p>However...</p> <p>At the end of the paragraph insert the following text:</p> <p><a href="#">Significant negative scores will be used to determine what the appropriate mitigation measures will be for the site and what will need to be included with the planning application. By drawing attention to the most significant constraints, and focussing applications on most difficult issues, this process will assist the applicant in preparing the necessary information to support any planning application for landfill proposals.</a></p>		
AM-074	Section 5 Table 5.2	<p>Insert the following text at the bottom of the table:</p> <p><a href="#">The site assessment process identifies</a></p>	N/A new wording	<p>Improves clarity and certainty for developers.</p> <p>In response to</p>

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<p><a href="#">the principal benefits as positive scoring criteria and, the principal impacts as negative scoring criteria which, when combined, provide a total site score. The scoring criteria vary with distance from the site boundary as a proxy for scale of effects.</a></p> <p><a href="#">The total site score can be positive or negative and is a useful relative measure for comparison between the planning merits and constraints of sites. A negative total site score does not prevent a site coming forward for a potential waste use. The total site score and individual criteria scores provide an indication of the main issues which may need to be considered in the development of any site for a waste use. They should be used to help scope the information, surveys and technical assessments that may be necessary to support a planning application and satisfy the requirements of Policy WM12 and Box 1.</a></p> <p><a href="#">Metadata for the criteria in table 5.2 is provided in “Appendix D:Metadata for GIS layers used” of the supporting document – Survey for Landfill in Merseyside and Halton Report.</a></p>		representations from (Lancs-PS_74)

## Implementation and Monitoring

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-075	Section 6 Implementation and Monitoring Table 6.1	In row 'Waste Prevention and Resource Management (WM8) and column 'How it will be implemented', amend the text as follows:  <a href="#">Where applicable</a> , produce Site Waste Management Plans	Produce Site Waste Management Plans	To reflect potential changes to national legislation.
AM-076	Section 6 Implementation and Monitoring Table 6.1	In row 'High Quality Design and Operation of New Waste Management Facilities (WM10) and column 'How it will be implemented', amend the text as follows:  BREEAM Assessments <a href="#">or alternative equivalent standard</a> , to be submitted with planning applications.	BREEAM Assessments to be submitted with planning applications.	For clarity and to reflect supporting text to Policy WM10.
AM-077	Section 6 Implementation and Monitoring Table 6.1	In row 'Waste Management Facilities on Unallocated Sites (WM13) and column 'How it will be implemented', amend the text as follows:  Ensure Guide to Site Prioritisation (policy WM1) <a href="#">is</a> fully met.	Ensure Guide to Site Prioritisation (policy WM1) fully met.	Typographical amendment.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		Through assessment of planning applications to ensure that use of <u>an unallocated site</u> <del>is fully justified</del> <u>has been assessed against the criteria for built facilities shown in table 5.1</u> , and all relevant criteria <u>are</u> met.	Through assessment of planning applications to ensure that use of unallocated site is fully justified and all relevant criteria met.	Reflects modification to policy WM13.
AM-078	Section 6 Implementation and Monitoring Table 6.1	In row 'Landfill on Unallocated Sites (WM13) and column 'How it will be implemented', add the following text: <del>To ensure proposals for landfill on unallocated sites can be satisfactorily assessed.</del> <u>Through assessment of planning applications to ensure that use of an unallocated site has been assessed against the criteria for landfill shown in table 5.2 and all relevant criteria are met.</u>	To ensure proposals for landfill on unallocated sites can be satisfactorily assessed.	Reflects modification to policy WM15 and to provide consistency with policy WM13.
AM-079	Section 6 Implementation and Monitoring Table 6.2	In row 'L1 Land off Stalbridge Road, Garston' columns 'Implemented/Developed by:' and 'Funded by:' Remove the reference to Jack Allen Holdings Ltd, as follows:  Private landlord/ <del>Jack Allen Holdings Ltd</del> (Private Waste Industry)	Private landlord/Jack Allen Holdings Ltd (Private Waste Industry)  Jack Allen Holdings Ltd/Private Finance.	To reflect change in leaseholder interest.

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
		<del>Jack Allen Holdings Ltd</del> Private Finance		
AM-080	Section 6 Implementation and Monitoring Table 6.2	Replace site in row <del>S1 Land SW of Sandwash Close, Rainford Industrial Estate</del> with <u>S1a Former Transco Site, Pocket Nook</u>	S1 Land SW of Sandwash Close, Rainford Industrial Estate	To reflect withdrawal of consent by landowner for inclusion of S1 in Waste Local Plan and reflect alternative site location.
AM-081	Section 6 Implementation and Monitoring Table 6.2	Delete row in table referring to site H3		For clarification and to provide most up-to-date information. Site H3 no longer required to provide replacement HWRC in Runcorn.
AM-082	Section 6 Implementation and Monitoring Table 6.2	In row F2 55 Crowland Street and column 'Implemented/Developed by:' amend the text as follows:  <del>Southport Skip Hire</del> <u>Southport Waste Management Limited</u> or Private waste industry	Southport Skip Hire or Private waste industry	To reflect most up to date information.
AM-083	Section 6 Implementation and Monitoring Paragraph 6.11	Amend the first sentence as follows: The monitoring of the Waste <del>DPD Local Plan</del> will need to be fed into <u>each of the Authority's Annual</u> Monitoring Reports (AMR) <del>of each district</del> ,...	The monitoring of the Waste DPD will need to be fed into the Annual Monitoring Reports (AMR) of each district,...	Reflects changes to national legislation.

## Glossary

Reference	Policy/para number	Requested additional modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-084	Section 7	Amend the following glossary definition: In Term column: Joint Municipal Waste Management Strategy (JMWMS) <a href="#">or Joint Recycling and Waste Management Strategy (JRWMS)</a>  In Definition column: The JMWMS/ <a href="#">JRWMS...</a>	Joint Municipal Waste Management Strategy (JMWMS)  The JMWMS...	Reflects change of name.
AM-085	Section 7	Delete row referring to <del>Planning Policy Guidance 2</del>	Planning Policy Guidance 2	Reflects changes to national policy.
AM-086	Section 7	Insert the following glossary definition: <a href="#">Waste Management Facility – In line with the 2008/98EC EU Waste Directive Article 3(9) and for the purposes of the Merseyside and Halton Waste Local Plan the term waste management facility shall include both waste management and waste disposal facilities.</a>	N/A new wording	For clarification.  In response to representations from (Lancs-PS_73)

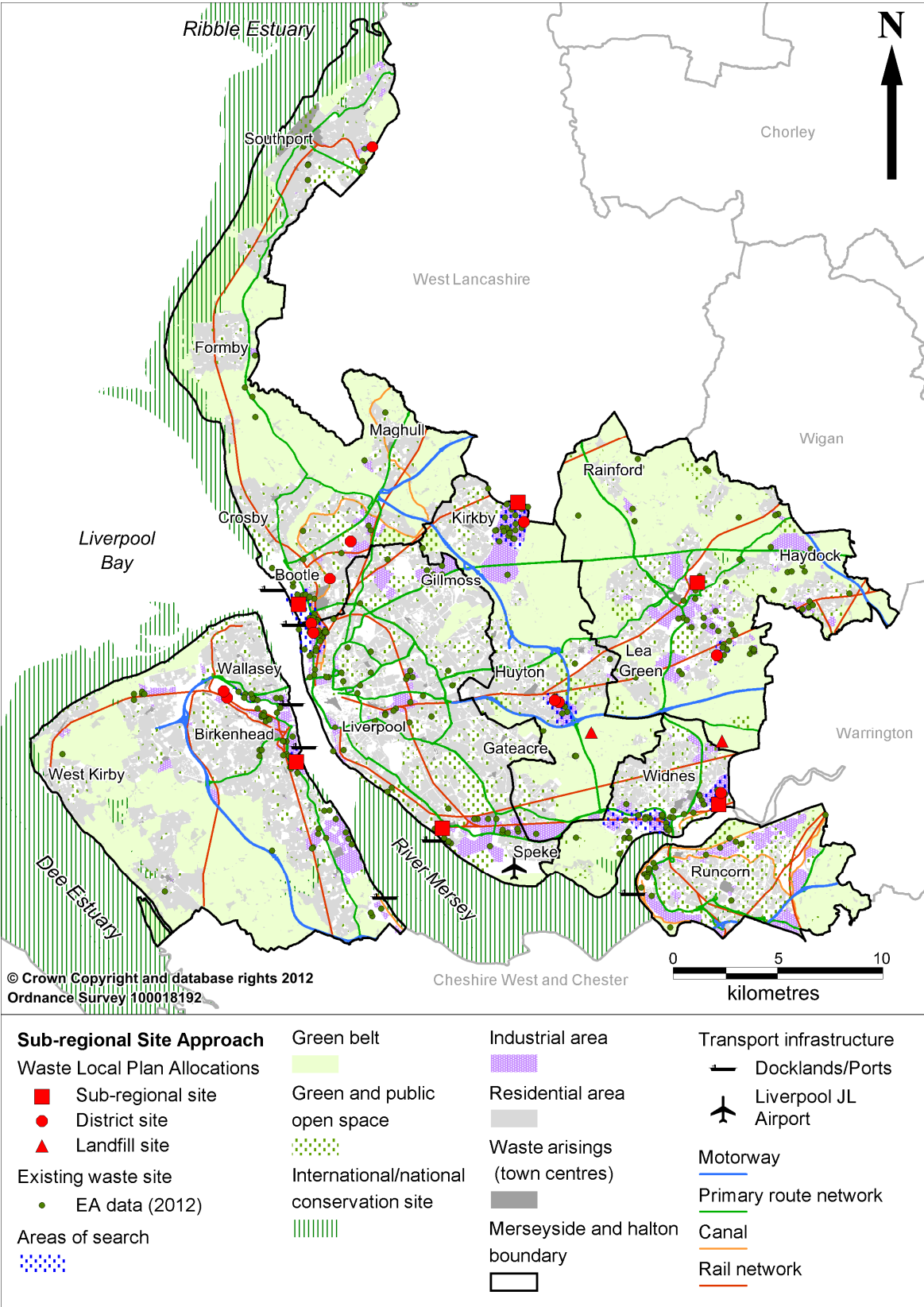


## Appendices and Site Profiles

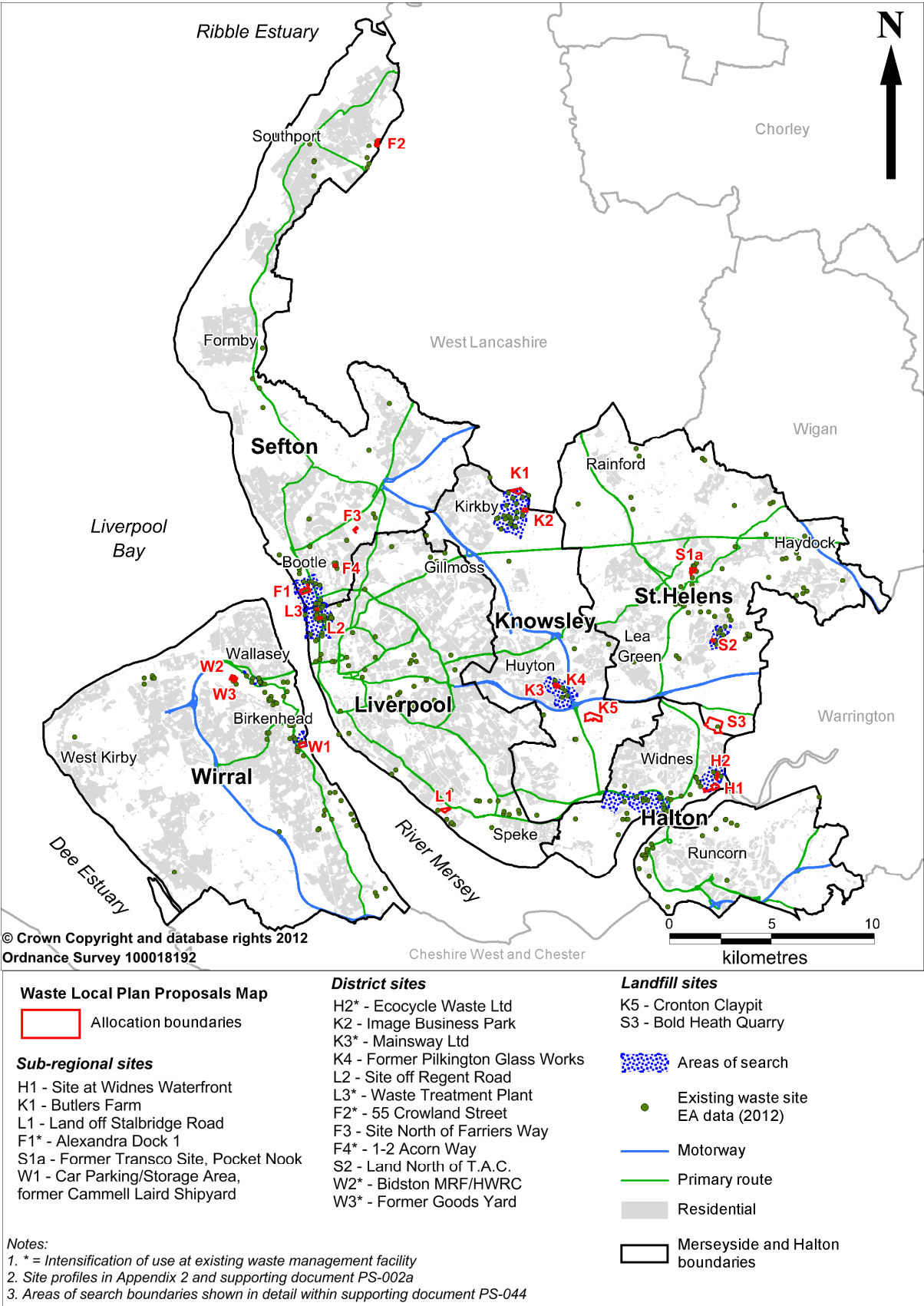
Reference	Policy/para number	Proposed modification to Proposed Submission Document (November 2011)	Previous wording in Proposed Submission Document (November 2011)	Reason for Change
AM-087	Section 8 Appendix 2, Table 8.1	Amend row S1 as follows  Site ID column: S1a* Site Name and Address: <del>Land SW of Sandwash Close, Rainford Industrial Estate</del> <u>Former Transco Site, Pocket Nook</u>	Site ID column: S1 Site Name and Address: Land SW of Sandwash Close, Rainford Industrial Estate	To reflect withdrawal of consent by landowner for inclusion of S1 in Waste Local Plan and reflect alternative site location.
AM-088	Section 8 Appendix 2, Table 8.1	Remove numerical reference in address for site H2 to read 'Eco-cycle Waste Ltd, 3 Johnson's Lane, Widnes'		Typographical error.
AM-089	Section 8 Appendix 2 Site Profile H3 Runcorn WwTw	Delete site profile for H3		Site withdrawn by owner/operator due to operational requirements. No longer need for additional HWRC in Runcorn.
AM-090	Section 8 Site Profile H2 Eco-cycle	Remove numerical reference in address for site H2 to read 'Eco-cycle Waste Ltd, 3 Johnson's Lane, Widnes'		Typographical error.
AM-091	Section 8 Site Profile K3 Mainsway Ltd	Add site area of <u>2.3 ha</u> to profile adjacent to key for area		Typographical error.
AM-092	Section 8 Site Profile S3 Bold Heath Quarry	Revise permitted extraction area for site profile S3.		Factual update
AM-093	Section 8 Site Profile W2 Bidston MRF/HWRC, Wallasey Bridge Road	Add scale bar to site profile		Typographical error (missing cartographical tool).



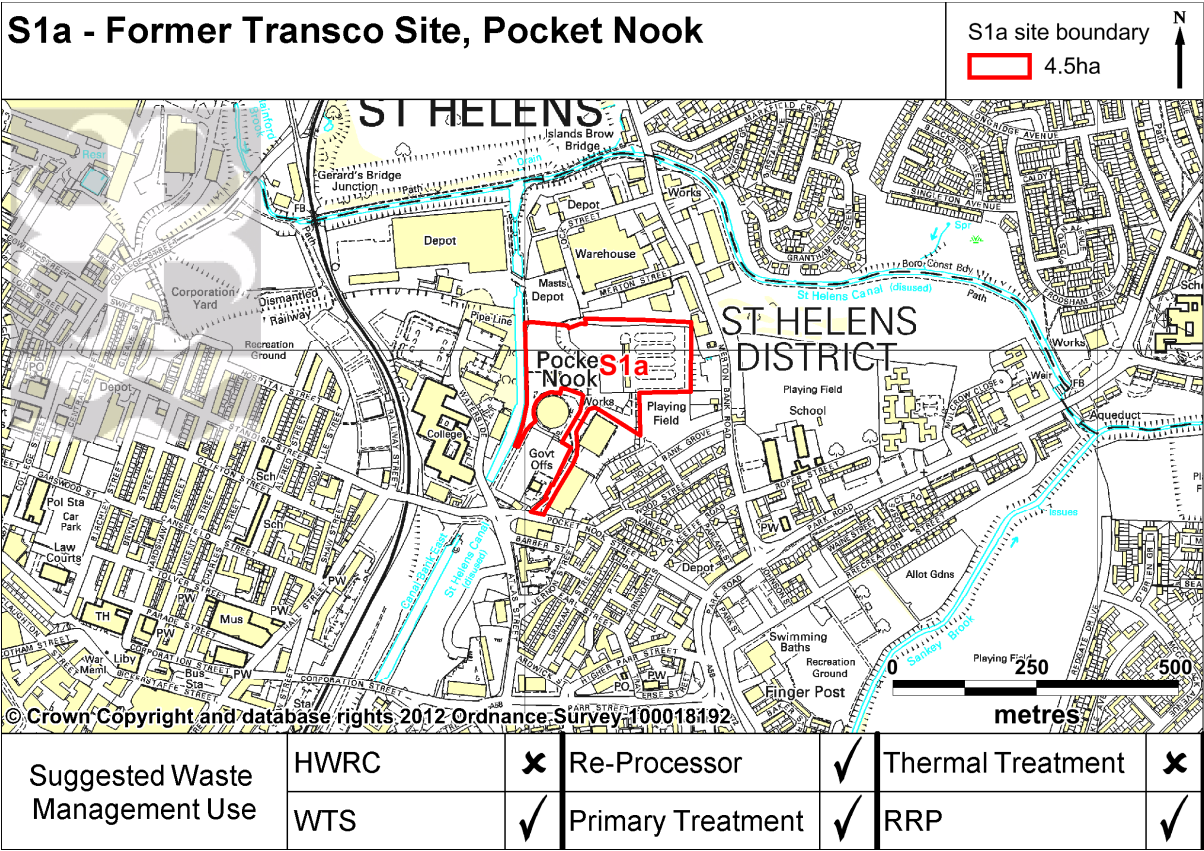
Appendix A: Additional Modifications to Figure 3.2



Appendix B: Additional Modifications to Figure 4.2



Appendix C: Site Profile for Replacement Sub-regional Site S1a.



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## WIRRAL COUNCIL

### CABINET COMMITTEE

6 SEPTEMBER 2012

<b>SUBJECT:</b>	<b>RESTRUCTURE OF THE HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT DEPARTMENT</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>THE ACTING DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR ADRIAN JONES</b>
<b>KEY DECISION?</b> <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	<b>YES</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform Members of the proposed restructure of the Human Resources and Organisational Development Department (HR/OD), and seek approval for the HR/OD budgets to be aligned to the Head of Human Resources and Organisational Development.

#### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 The HR/OD restructure was agreed by Cabinet on 22 July 2010. This detailed the benefits of moving to a centralised HR and OD function with a phased plan for delivery. It was recognised that to meet the challenges facing the Council the HR/OD team would need to work differently, with consistent leadership and direction under a “one team” approach. The Cabinet resolution approved the centralisation of staff and budgets.

- 2.2 The principles of centralising the HR/OD function ensure that HR/OD:

- Operate as one team – bringing all the functions together including transactional elements and ensuring the most effective and efficient utilisation of resources
- Remove of duplication across the function
- Deliver consistency of advice and policy application across the Council
- Align resources to meet defined priorities and work towards these
- Improve service delivery
- Deliver an improved, proactive and customer focussed HR/OD service

- 2.3 Interim Senior Management arrangements have been in place since July 2010, with an interim reporting model which ensured that all HR/OD employees reported directly to a member of the Senior HR/OD Management team. This was implemented to ensure the delivery of key HR/OD priorities. Over time the majority of HR/OD

employees have moved from their departments and are now all based in one location, this will be completed over the next few months.

- 2.4 At a time of significant organisational change it is essential that our staff resource is maximised wherever possible. This can be achieved through effective implementation of HR policies such as robust attendance management, speedy resolution of disciplinary matters and improved performance management. This will necessitate a greater and improved level of support for managers in Departments to be available from the HR/OD Service.
- 2.5 The Council is facing significant organisational challenges, which require significant support from the Human Resources and Organisational Development team. The demands being placed upon the service and the Senior Management team are considerable and it has become necessary to seek additional resources.
- 2.6 The Council is facing a significant budget deficit of £100 million over the next 3 years, which will require key HR/OD support to review ways of working, identify and drive efficiency savings, deliver Management and Organisational restructures to ensure that the Council meets the organisational challenges and business requirements to deliver the required budget savings.

### **3.0 SERVICE DELIVERY MODEL**

- 3.1 The proposal is to implement a centralised HR/OD function with Business partners located in departments. This would ensure that all HR/OD personnel are based together at one central location, where the central HR function would determine priorities and resources and appropriate leadership. A Business Partner model would also co-exist, which would allow for Departments to have a “key” allocated resource. This resource would work closely with the Department(s) to ensure the delivery of key HR/OD and operational priorities, whilst supporting Departmental Management teams. Resources would be allocated to meet priorities across HR/OD to deliver work projects as required by each Service area / Department.
- 3.2 The HR/OD service will be largely delivered through specialist teams. The specialist teams will drive service improvement, consistency of standards and quality of delivery. The specialist teams will develop improved guidance for Managers to enable a less dependant and more empowered service delivery model. Over the next years elements of the specialist teams will migrate to the HR Helpdesk to have knowledge to deliver a more effective service to employees.
- 3.3 The specialist teams for HR are as follows:
  - Employee Relations
  - HR Policy and Strategy
  - Workforce ChangeThe specialist teams for OD are:
  - Leadership and Elected Members
  - Employee Skills
  - Technical / E-Learning
- 3.4 Strategic advice and delivery will be an integral part of the operating model to ensure that the HR/OD service is aligned with business and corporate objectives to facilitate



the delivery of these. Strategic advice and delivery would be delivered by the Head of HR/OD and the Senior Management team.

- 3.5 The operating model is outlined in Appendix 1.
- 3.6 Access to the Service: It is proposed that the service is accessed on a tiered support basis to ensure that all queries and issues can be accessed by the appropriate level of support and advice. Operating a tiered service will ensure that all standard queries can be accessed at one point, therefore ensuring consistent HR/OD advice, and further ensuring support can be maximised to those issues requiring a more strategic or complex resolution.
- 3.7 This operating model further builds on the self serve principle and will also be dependent on the up-skilling of Managers to ensure they have the skills required to manage their employee resources effectively. It is proposed to have a five tier level of access to the service.
- 3.8 Following self serve, all basic/standard queries would be accessed via the internet or the HR helpdesk, in the first instance. It is proposed to enhance the service the current helpdesk provide to ensure effective resolution of issues / queries. The HR handbook is also going to be revised with clear policies and guidance for Managers.
- 3.9 Further to that there would be three levels of support for Managers which would always be provided by a HR/OD Officer or Manager dependent on the nature and level of the query or issue.
- 3.10 The access to service is outlined in Appendix 2.
- 3.11 The HR/OD services to schools will continue operating within the current model, where dedicated schools teams exists in terms of HR/OD advice and Payroll services. Further discussions will take place with schools to explore options for future delivery.

#### **4.0 RESTRUCTURE PROPOSAL**

- 4.1 The future model will consist of a Senior Management team; which including the Head of Human Resources and Organisational Development will consist of four specialist leaders – Human Resources Manager, Senior HR Business Partner, Organisational Development Manager and Project Manager, who report directly to the Head of HR/OD.
- 4.2 Under the Senior Management structure there will be a number of Business Partners with responsibility for Departments, the number of which will be determined by employee ratio. There will also be a number of specialist roles within the “core” to drive key HR/OD performance ensuring the resolution of employee relations issues, development of HR policies, delivery of workforce changes, development of training interventions, and delivery of Management and leadership performance across the Council. The Principal and Human Resources / Organisational Development officers will report into the Business Partner or Specialist Managers depending on their portfolio of work / duties.
- 4.3 It is proposed to undertake the HR/OD restructure in phases to ensure effective service delivery. The core HR/OD functions will take effect in phase one. To support

this, work has commenced to review organisational and HR processes and an improvement plan is in place which will develop an enhanced helpdesk.

- 4.4 The rest of the service will be restructured in phase two, when the impact of Transforming Business Support on core services is known. This includes Payroll, Employee Administration team and the project team delivering Transforming Business Support; following the delivery of Self serve and up-skilling of Managers across the Council.
- 4.5 It is proposed that the first phase of the restructure is implemented as an interim structure developed to drive the required organisational priorities and outcomes. It will be necessary to review the overall HR/OD structural requirements in phase 2 following the implementation of Transforming Business Support, and the required Council priorities. As such it is proposed that the additional resources are filled on a fixed term basis to ensure flexibility of resource requirements.
- 4.6 It is proposed to seek approval for the establishment of the Management structure and posts above SCP 49, from the Council's Employment and Appointments Committee at the meeting on 24 September 2012. The proposed Management structure is detailed in Appendix 3.
- 4.7 The current training function in CYPD delivers training across social care and schools. A review of the service will be subject of a further report.

## 5.0 COMPARISON DETAILS

- 5.1 The Public Sector Corporate services value for money (VfM) Indicators for HR conducted in 2010, compared Wirral Council with other like Local Authorities<sup>1</sup>. Comparisons included the costs of the HR function; costs as a percentage to organisational running costs, and costs per FTE. Other data included comparisons of the ratio of employees to HR staff. The comparison data is detailed in the table below.

Comparison	Wirral	Average	Lower quartile	Upper quartile
HR cost as a percentage of organisational running costs (including Learning & Development)	0.72%	0.96%	0.7%	1.22%
HR cost as a percentage of organisational running costs	0.37%	0.59%	0.47%	0.72%
HR cost per FTE (including L&D)	£535	£737	£561	£876
HR cost per FTE	£274	£464	£357	£551
Ratio of employees to HR staff (including L&D)	115	90	80	107
Ratio of employees to HR staff	141	112	93	141

<sup>1</sup> Local Authorities compared; Cheshire West and Chester, Bury, Gateshead, Oldham, St. Helens, Trafford, Wigan, Knowsley, Salford, Stockport, and Warrington.

- 5.2 HR cost as a percentage of organisational running costs – the cost of the HR service including learning and development was lower (0.72%) when compared with the average of 0.96%. This again was true when the comparison looked at the HR costs against overall organisational spend. This indicates that Wirral HR and OD costs are lower than that of comparators.
- 5.3 HR costs per FTE – the cost of the HR and OD function are considerably lower than that of the comparators. Again this indicates that Wirral Council spend considerably less on their HR/OD service compared to other like organisations.
- 5.4 The ratio of employees to HR/OD staff – this comparator is higher than that of the comparators, with the figures for Wirral Council being equal to those of the Upper quartile.

## **6.0 RELEVANT RISKS**

- 6.1 The Council is facing unprecedented challenges in terms of both the financial challenge and the improvement agenda. Significant transformational change needs to be supported through HR and OD. The risk to the Council of an under resourced service at this time is significant. Given the change required it would be a risk for the council to continue with an HR/OD function that is under resourced in comparison with other organisations. The request for additional funding over the next two years seeks to address this risk, but also gives flexibility within the function with a number of fixed term contracts proposed

## **7.0 OTHER OPTIONS CONSIDERED**

- 7.1 In order to identify the future service delivery model the current and future requirements of the service have been considered. The proposal ensures is for an effective operating model with links across services with specialist teams.

## **8.0 CONSULTATION**

- 8.1 Consultation with the recognised Trade Unions and employees has commenced and is ongoing. Staff briefing sessions to discuss the proposed structure commenced at the end of May 2012, and feedback is due back by the end of August 2012.

## **9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

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

## **10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 10.1 The report proposes the re-structure and enhancement of the human resources functions currently located in departments and corporately to form one central unit. The key elements of this are as follows:

- The transfer of staff and resources from departments to a central HR/OD function. This would include the amalgamation of staffing and training related budgets.
- Integration of transferred staff and existing corporate staff to form restructured central HR/OD function.

- Enhancement of the newly formed central HR/OD function through the creation of a number of additional posts to form a “one team” approach.

10.2 The financial implications of the proposed restructure are as follows:

<b>Element of Restructure</b>	<b>Funding Source</b>	<b>Budget £'000</b>	<b>Member Action</b>	<b>Further Details</b>
Transfer of departmental staff and resources from departments	Existing Departmental budgets	1,145	Approval of transfer of staff and budgets. Recommendation 15.2	Appendix 4
Transfer of departmental training budgets	Existing Departmental budgets	476	Approval of the transfer budgets. Recommendation 15.4	Appendix 5
Creation of additional new posts : as follows Senior lead on organisational change, Business Partners, Business Development Manager, Project Support Officer	Efficiency Investment Fund budget (EIF)	200	Approval of the transfer of funding from the EIF for maximum period of 2 years and recruitment of staff. Recommendation 15.3	
Additional post: OD Management post	Improvement Plan budget	50	Approval of a budget from the Improvement Plan Fund. Recommendation 15.5	

10.3 Discussions have taken place with departments to agree the employees and budget to move to HR/OD. The figures in the table above, line one, represent the direct employee costs only, with the transfer of staff there are additional costs such as car allowances, printing, stationery which are held by departments. These costs will also need to be transferred, as HR/OD is not able to contain such costs within existing resources. Further budget adjustments will be required to ensure that there is appropriate provision for these indirect employee costs and the current shortfall between actual and budget direct employee costs.

10.4 To enable the HR/OD function to have sufficient staff resources to meet the Councils future organisational challenges and business requirements it is proposed that additional posts are created. The funding of these posts would be from the Efficiency Investment Fund and the Improvement Plan Fund. The former has sufficient unallocated budget to fund the £0.2m being requested. The Improvement Plan Fund of £0.3m was approved in the 2012/13 budget at Cabinet in February 2012 to improve Governance and Standards across the Council. An additional OD management post has been identified to meet organisational development requirements of the

Improvement plan. This seeks to address a significant under funding in OD. The funding for this post is being sought from the fund that was further considered by Cabinet in June 2012.

## **11.0 LEGAL IMPLICATIONS**

11.1 None

## **12.0 EQUALITIES IMPLICATIONS**

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

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

## **13.0 CARBON REDUCTION IMPLICATIONS**

13.1 None

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

14.1 No

## **15.0 RECOMMENDATION/S**

15.1 Approve the re-structuring of the Human Resources and Organisational Department from within their substantive departments to one centralised function, ensuring the creation of one team.

15.2 To approve alignment of the staffing FTE and budgets from the departments of Technical Services, Law, HR and Asset Management, Finance, Adult Social Services and Children and Young People's to the Head of Human Resources and Organisational Development.

15.3 To approve the budget from the Corporate Efficiency fund for the additional resources necessary this totals £200,000 which will help the Department to meet the organisational challenges and business requirements to deliver the required budget savings.

15.4 To approve alignment of the Training budgets from the departments of: Regeneration, Housing and Planning, Technical Services, Law, HR and Asset Management, Finance, Adult Social Services and Children and Young People's to the Head of Human Resources and Organisational Development.

15.5 To approve the funding of £50,000 for an additional OD management post to meet organisational development requirements of the Improvement plan from the Improvement fund.

## **16.0 REASON/S FOR RECOMMENDATION/S**

16.1 The Human Resources and Organisational Development Department has had interim management arrangements in place at a senior level to support the service deliver the required objectives for the Council.

16.2 An interim reporting model has been implemented which ensured that all HR employees report directly to a member of the Senior HR/OD Management team, until the restructure was implemented.

16.3 These recommendations will ensure that the service move to a centralised Human Resources and Organisational Development function.

**REPORT AUTHOR:**   **Chris Hyams**  
                              **Head of Human Resources and Organisational Development**  
                              telephone: 0151 691 8590  
                              email: [chrishyams@wirral.gov.uk](mailto:chrishyams@wirral.gov.uk)

## **APPENDICES**

Appendix 1: The HR / OD Function  
Appendix 2: Access to HR service  
Appendix 3.1: Proposed HR/OD Management Team Structure  
Appendix 3.2: Business Partner Model  
Appendix 3.3: Specialist Teams  
Appendix 3.4: Organisational Development Structure  
Appendix 4: Staffing FTE and Budget Re-alignment  
Appendix 5: Training Budget Re-alignment

## **REFERENCE MATERIAL**

The Public Sector Corporate services value for money (VfM) Indicators for HR (2010)

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	22 July 2010

## Equality Impact Assessment Toolkit (from May 2012)

### Section 1: Your details

**EIA lead Officer:** Susie Warwick

**Email address:** susiewarwick@wirral.gov.uk

**Head of Section:** Chris Hyams

**Chief Officer:** Bill Norman, Director Law, HR and Asset Management

**Department:** Law, HR and Asset Management

**Date:** 17 May 2012

### Section 2: What Council proposal is being assessed?

**Proposed restructure of the Human Resources and Organisational Development department**

**Section 2b:** Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

**Yes / No** If 'yes' please state which meeting and what date

.....Cabinet 21 June 2012

Please add hyperlink to where your EIA is/will be published on the Council's website

.....

**Section 3:** Does the proposal have the potential to affect..... (please tick relevant boxes)

- √ **Services**
- √ **The workforce**
- ☐ **Communities**
- ☐ **Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

- ☐ **None** (please stop here and email this form to your Chief Officer who needs to email it to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) for publishing)

**Section 4:** Does the proposal have the potential to maintain or enhance the way the Council ..... (please tick relevant boxes)

- √ Eliminates unlawful discrimination, harassment and victimisation
- √ Advances equality of opportunity
- √ Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

- ☐ **No** (please stop here and email this form to your Chief Officer who needs to email it to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) for publishing)



**Section 5:**

**Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?**

**You may also want to consider socio-economic status of individuals.**

**Please list in the table below and include actions required to mitigate any potential negative impact.**

<b>Which group(s) of people could be affected</b>	<b>Potential positive or negative impact</b>	<b>Action required to mitigate any potential negative impact</b>	<b>Lead person</b>	<b>Timescale</b>	<b>Resource implications</b>
All	<p>Positive</p> <p>The HR / OD restructure will result in a number of opportunities for a number of employees to take on additional responsibility for additional remuneration.</p>				
Gender	<p>Positive</p> <p>No employees will be displaced by the restructure therefore all employees will be retained by the department.</p> <p>There will be a number of opportunities that people will either be ring fenced to / or advertised to allow for career progression.</p> <p>There are considerably more women (%) in the department compared to that within the Council.</p>	<p>Continue to review and monitor equality data – data demonstrates that this is currently a little lower than the proportion to % employed (Men)</p> <p>As more women are employed by the Council this is proportionate to the overall numbers in the Council</p>	Chris Hyams	Review quarterly with PIs.	Regular monitoring through equality data collection and reporting

	Negative The proportion of men in this group of employees is lower than the proportion employed overall within the Council	Once the restructure is complete the EIA will be undertaken again to determine the actual impact of the restructure			
Disability	Positive  The proportion of disabled people within this group of employees is higher than the proportion employed overall within the Council  The Council operates a policy which guarantees an interview for all disabled candidates who meet the essential criteria for a role	Continue to review and monitor equality data – data demonstrates that this is currently slightly higher than the proportion to % employed	Chris Hyams	Review quarterly with PIs.	Regular monitoring through equality data collection and reporting
Sexual Orientation	Positive  The proportion of Gay and Heterosexual people within this group of employees is higher than the proportion employed overall within the Council	Continue to review and monitor equality data – data demonstrates that this is currently slightly higher than the proportion to % employed	Chris Hyams	Review quarterly with PIs.	Regular monitoring through equality data collection and reporting
Transgender	Negative  The proportion of people whose Gender has changed since birth within this group of employees is lower than the proportion employed overall within the Council – however this is a very small differential in %	Continue to review and monitor equality data – data demonstrates that this is currently slightly lower than the proportion to % employed	Chris Hyams	Review quarterly with PIs.	Regular monitoring through equality data collection and reporting
Ethnic Origin	Negative	Continue to review and monitor equality data – data	Chris Hyams	Review quarterly with	Regular monitoring

	The proportion of people from non white origin within this group of employees is lower than the proportion employed overall within the Council	demonstrates that this is currently slightly lower than the proportion to % employed		PIs.	through equality data collection and reporting
Age	<p>Positive</p> <p>The proportion of younger people within this group of employees is higher than the proportion employed overall within the Council</p> <p>Negative</p> <p>The proportion of older within this group of employees is lower than the proportion employed overall within the Council</p>	Continue to review and monitor equality data – data demonstrates that this is currently slightly lower than the proportion to % employed	Chris Hyams	Review quarterly with PIs.	Regular monitoring through equality data collection and reporting

**Section 5a:        Where and how will the above actions be monitored?**

On a quarterly basis by the Human Resources team, to determine if the impact changes and the impact this would be. Additionally this is a proposal for a restructure to assess the potential impact, therefore once the restructure has been approved / implemented the Equality Impact assessment will be undertaken again to assess the actual impact.

**Section 5b:        If you think there is no negative impact, what is your reasoning behind this?**

All protected groups – an analysis of the workforce data shows that there is some negative impact, however there is no overall negative impact on the entire make up of the workforce across the Council, this is because the proportion of employees within this group and the equality statistics in relation to all of the protected groups is not out of overall context to that of the total percentage make up of the organisation.

The HR / OD restructure will result in a number of opportunities for a number of employees to take on additional responsibility for additional remuneration, which will benefit a number of employees.

**Section 6: What research / data / information have you used in support of this process?**

**Appendix 1: HR / OD Employees affected by Service changes**

**Section 7:        Are you intending to carry out any consultation with regard to this Council proposal?**

**Yes**

**If 'yes' please continue to section 8.**

**If 'no' please state your reason(s) why:**

(please stop here and email this form to your Chief Officer who needs to email it to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) for publishing)

## **Section 8: How will consultation take place and by when?**

Consultation with the Senior Management team commenced in April 2012 by the Head of Human Resources and Organisational Development. Staff briefings to commence consultation commenced at the end of May 2012 and is ongoing. One to one staff consultations have been planned in for the first 2 weeks of June.

Specific Trade Union discussion on the proposal at the end of May 2012, with the Trade Unions and the Head of Human Resources and Organisational Development.

Before you complete your consultation, please email your preliminary EIA to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) via your Chief Officer in order for the Council to ensure it is meeting it's legal requirements. The EIA will be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Chief Officer who needs to email it to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) for re-publishing.

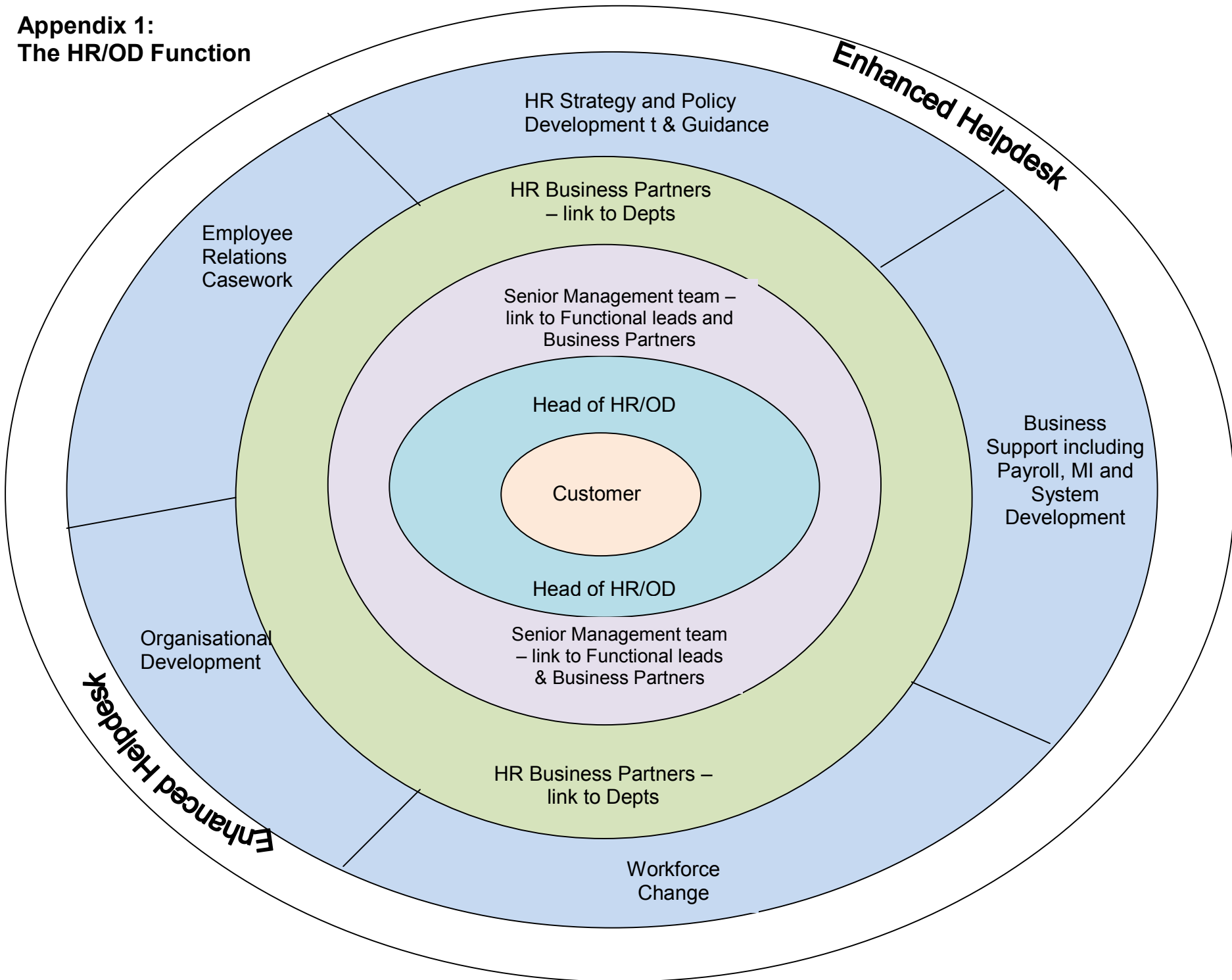
## **Section 9: Have you remembered to:**

- a) **Add appropriate departmental hyperlink to where your EIA is/will be published (section 2b)**
- b) **Include any potential positive impacts as well as negative impacts? (section 5)**
- c) **Send this EIA to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) via your Chief Officer?**
- d) **Review section 5 once consultation has taken place and sent your completed EIA to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) via your Chief Officer for re-publishing?**

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**Appendix 1:  
The HR/OD Function**

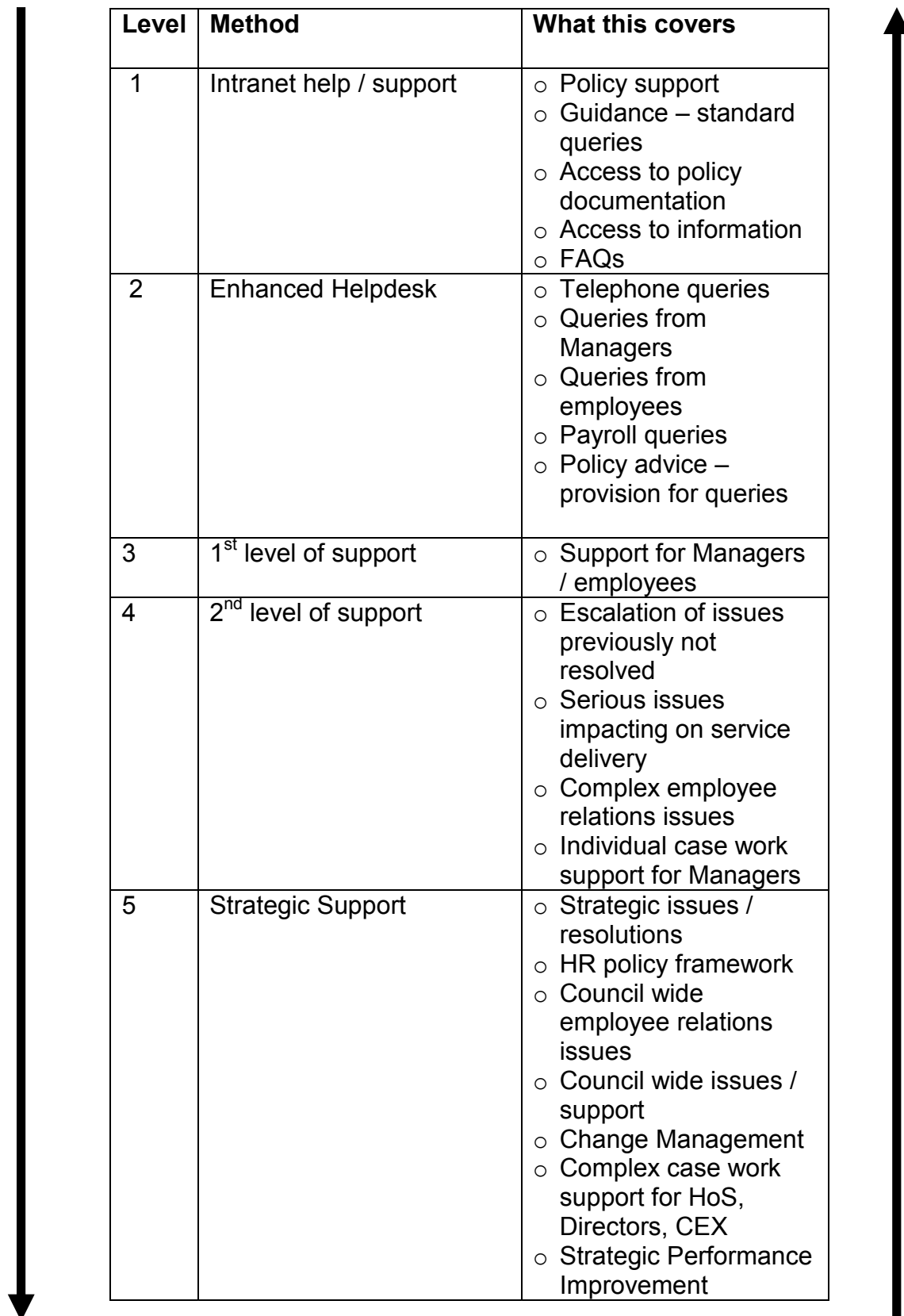
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## Appendix 2: Access to HR service

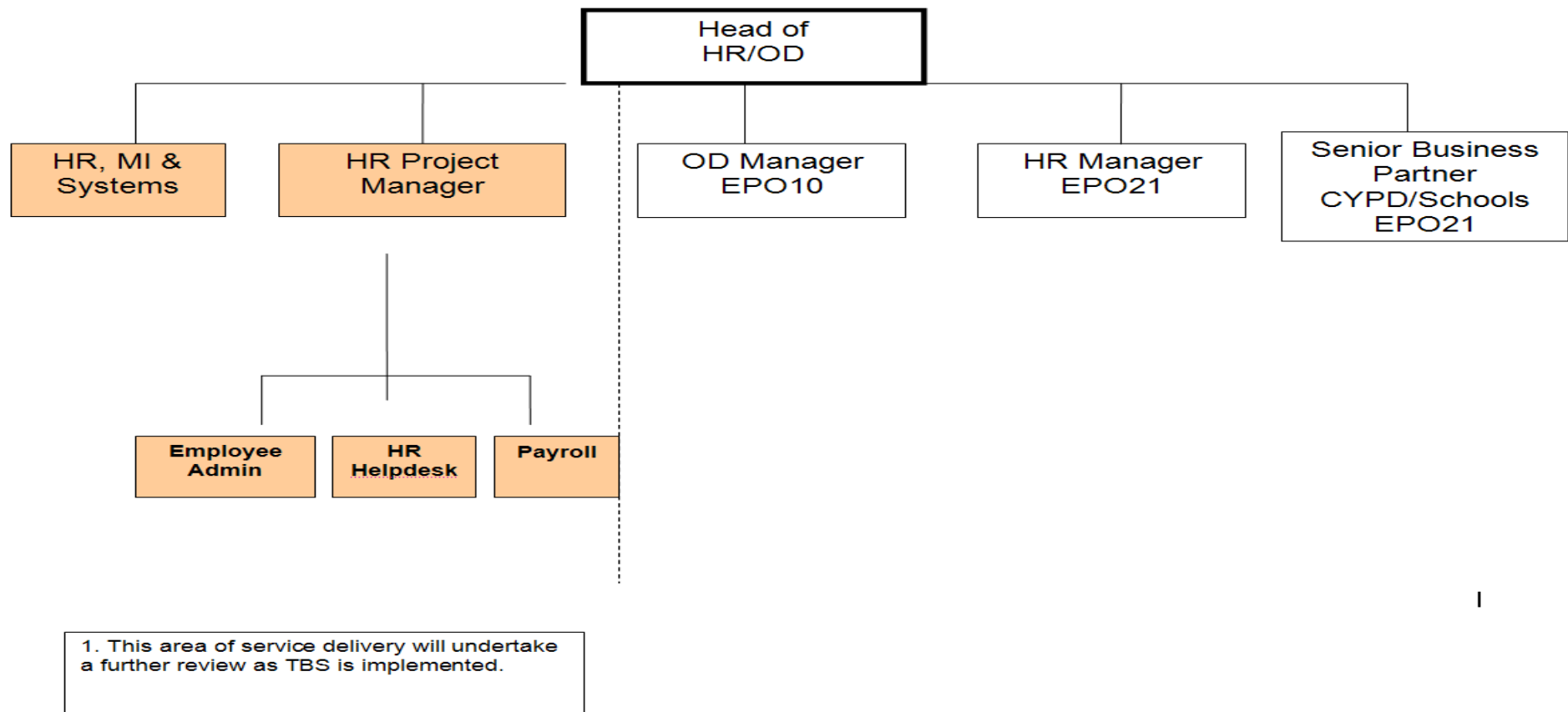


Level	Method	What this covers
1	Intranet help / support	<ul style="list-style-type: none"> <li>○ Policy support</li> <li>○ Guidance – standard queries</li> <li>○ Access to policy documentation</li> <li>○ Access to information</li> <li>○ FAQs</li> </ul>
2	Enhanced Helpdesk	<ul style="list-style-type: none"> <li>○ Telephone queries</li> <li>○ Queries from Managers</li> <li>○ Queries from employees</li> <li>○ Payroll queries</li> <li>○ Policy advice – provision for queries</li> </ul>
3	1 <sup>st</sup> level of support	<ul style="list-style-type: none"> <li>○ Support for Managers / employees</li> </ul>
4	2 <sup>nd</sup> level of support	<ul style="list-style-type: none"> <li>○ Escalation of issues previously not resolved</li> <li>○ Serious issues impacting on service delivery</li> <li>○ Complex employee relations issues</li> <li>○ Individual case work support for Managers</li> </ul>
5	Strategic Support	<ul style="list-style-type: none"> <li>○ Strategic issues / resolutions</li> <li>○ HR policy framework</li> <li>○ Council wide employee relations issues</li> <li>○ Council wide issues / support</li> <li>○ Change Management</li> <li>○ Complex case work support for HoS, Directors, CEX</li> <li>○ Strategic Performance Improvement</li> </ul>

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## Appendix 3.1:

### Proposed HR/OD Management Team Structure

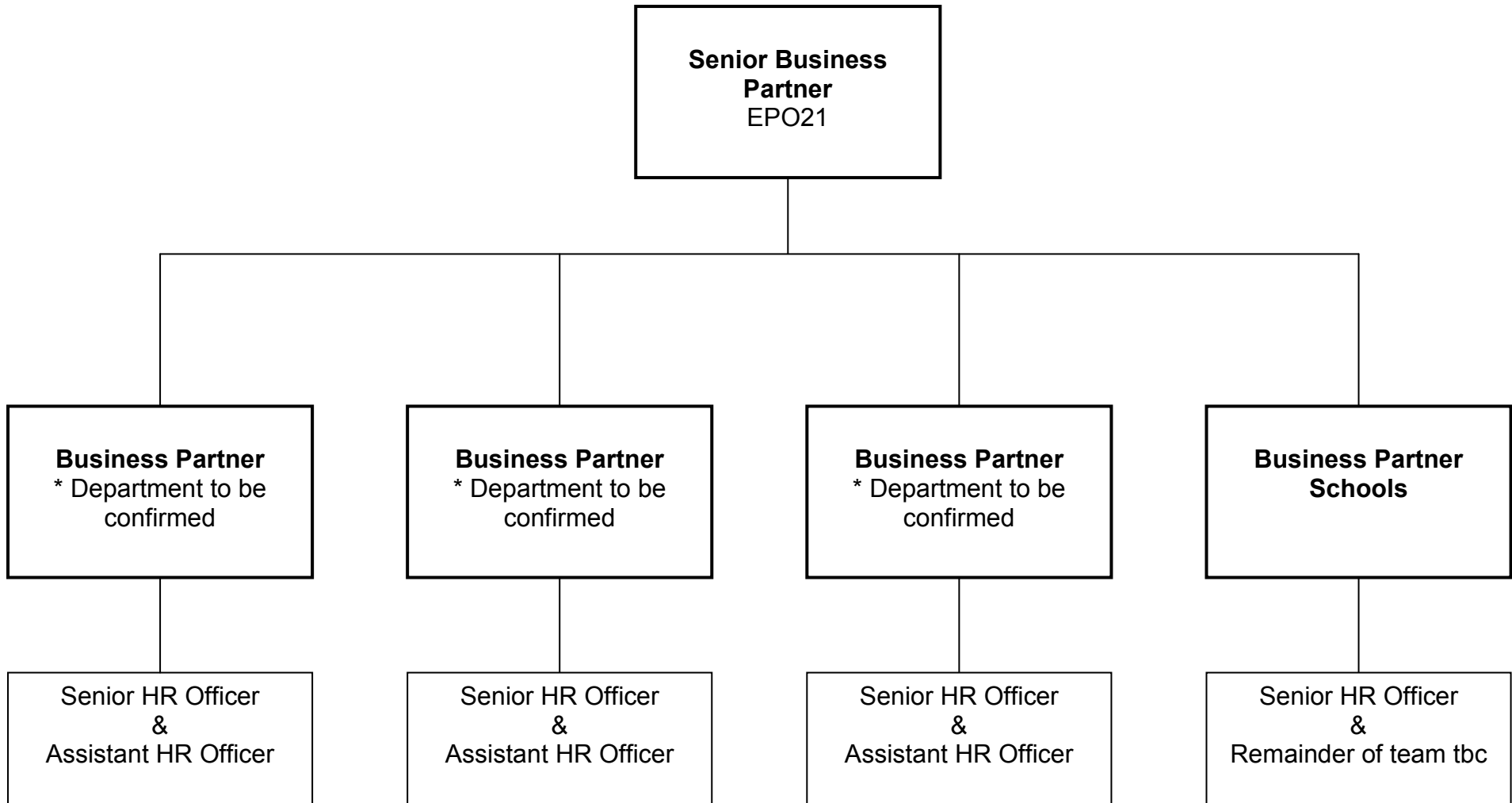


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## Appendix 3.2:

### Proposed HR/OD Structure: Business Partner Model

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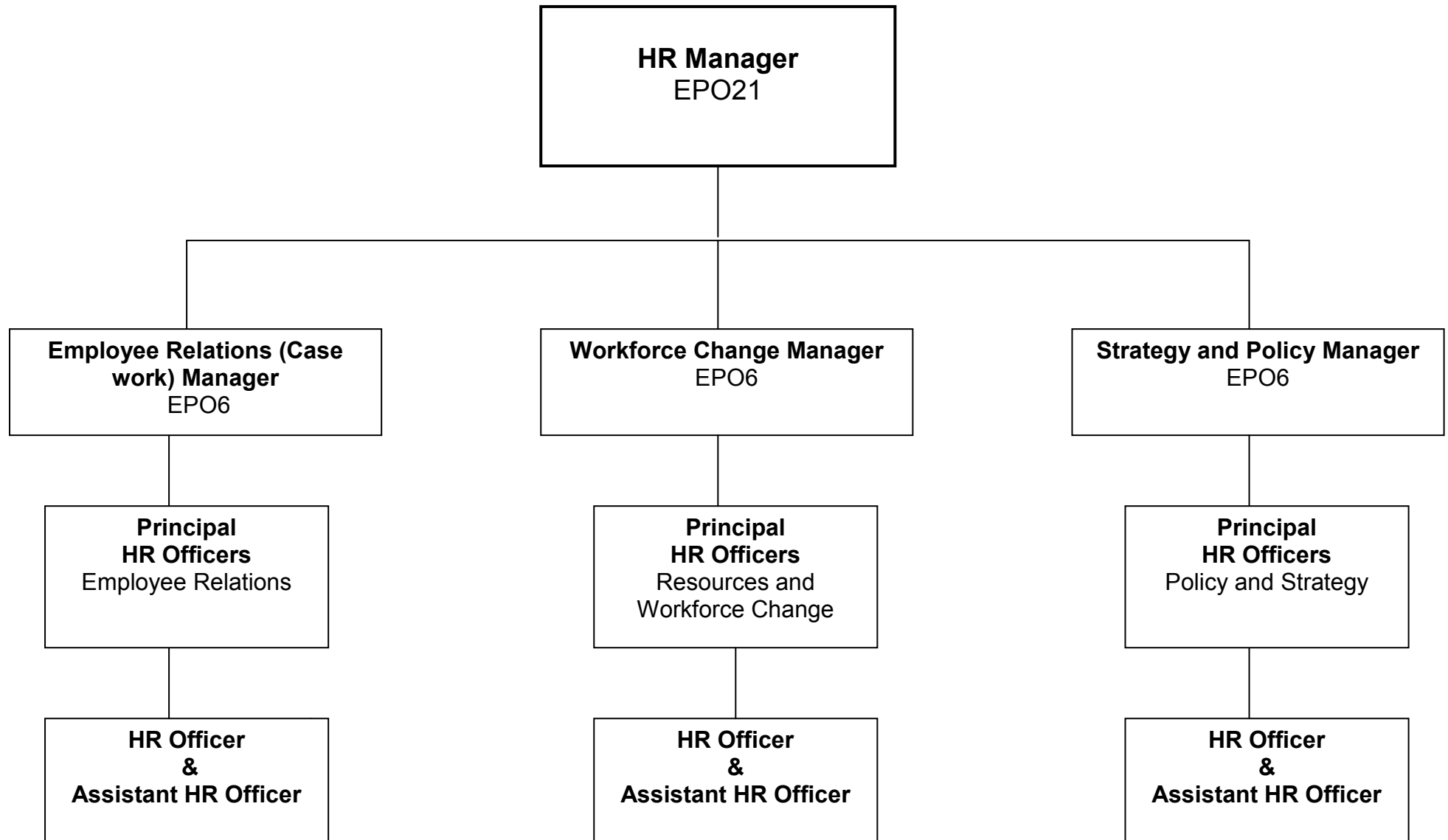


\* Department to be confirmed dependant on Senior Manager restructure

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## Appendix 3.3:

### Proposed HR/OD Structure: Specialist Teams

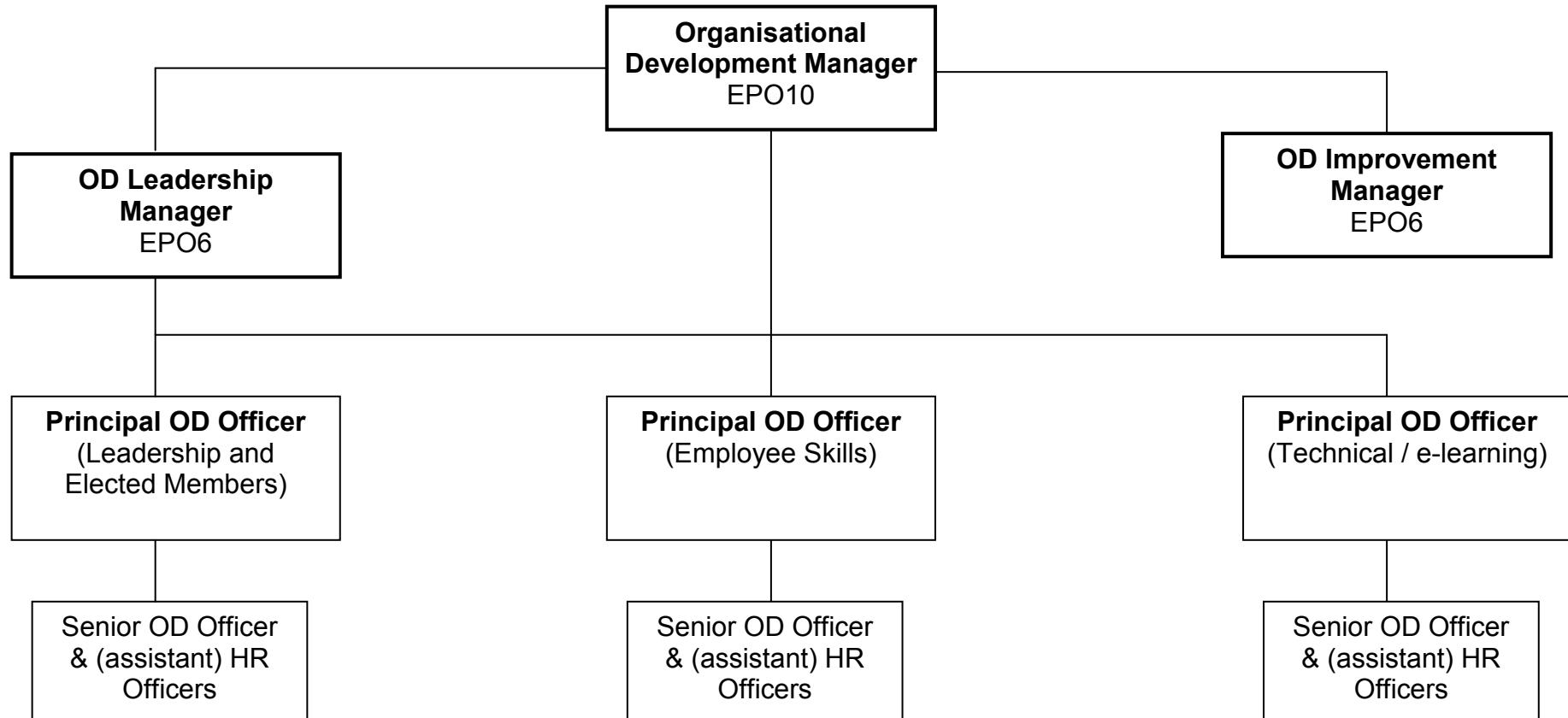


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## Appendix 3.4:

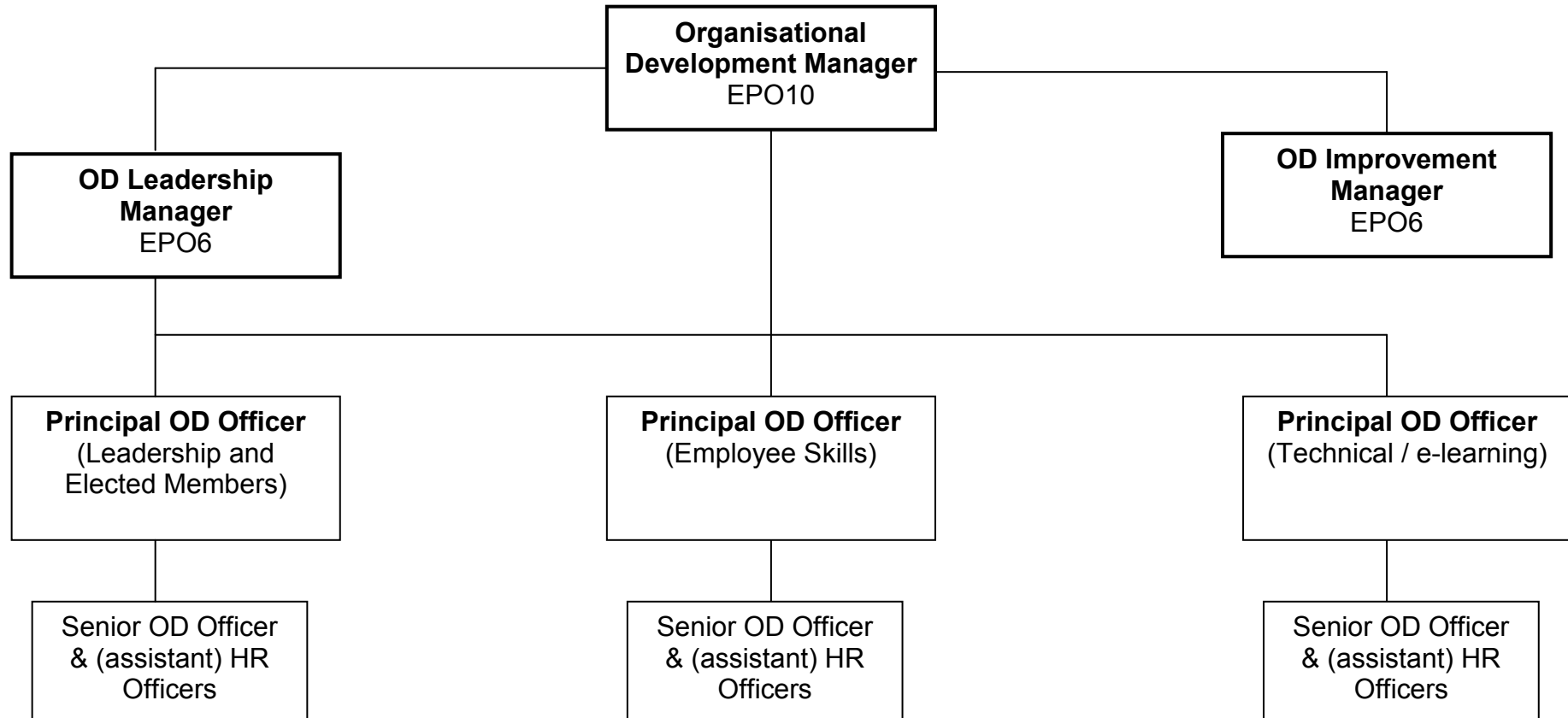
### Proposed HR/OD Structure: Organisational Development



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## Appendix 3.4:

### Proposed HR/OD Structure: Organisational Development



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#### Appendix 4:

#### Employee Budgets to be aligned to Head of Human Resources and Organisational Development

<b>Originating Department</b>	<b>Employee FTE</b>	<b>Budget *</b>
CYPD	12.92	£389,800
DASS	14.85	£518,800
Finance	2.78	£100,700
Law	1.00	£20,500
Technical Services	2.91	£115,100
<b>TOTAL</b>	<b>34.46</b>	<b>£1,144,900</b>

\* Figures include on-costs

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## Appendix 5:

### Training Budgets to be aligned to Head of Human Resources and Organisational Development

Originating Department	Budget
CYPD	To be determined subject to grant allocation
DASS	£68,000
Finance	£189,000
Law	£93,000
Technical Services	£98,100
Regen, Housing and Planning	£28,300
<b>TOTAL</b>	<b>476,400</b>

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