



# Council

Town Hall  
Wallasey

4 October 2013

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday, 14 October 2013** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects : -

**Contact Officer:** Lyndzay Roberts  
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## AGENDA

### 1. DECLARATIONS OF INTEREST

Members of the Council are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest, in connection with any matter to be debated or determined at this meeting and, if so, to declare it and state the nature of such interest.

### 2. MAYOR'S ANNOUNCEMENTS

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

### 3. PETITIONS

To receive petitions submitted in accordance with Standing Order 21.

### 4. PUBLIC QUESTIONS

To deal with questions from members of the public, in accordance with Appendix 1 to Standing Orders.

**5. MINUTES (Pages 1 - 40)**

To approve the accuracy of the minutes of the meetings of the Council held on 15 July and 19 September, 2013

**6. LEADER'S, EXECUTIVE MEMBERS' AND POLICY AND PERFORMANCE COMMITTEE CHAIRS REPORTS (Pages 41 - 80)**

To receive the written reports of the Leader, Cabinet Members and Chair of the Policy and Performance Committee and receive questions and answers on any of those reports in accordance with Standing Orders 10(2)(a) and 11.

**7. MATTERS FOR NOTING (Pages 81 - 82)**

The following matters, determined by the Cabinet, are drawn to the Council's attention in accordance with the Constitution (copies of the related reports can be provided for Council members on request).

**Cabinet – 19 September 2013**

Minute 49 – Financial Monitoring 2013/14

**8. MEMBERS' QUESTIONS**

To consider Members' general questions to the Mayor, a Cabinet Member or a Committee Chair in accordance with Standing Orders 10 (2)(b) and 11.

**9. MATTERS REFERRED FROM POLICY AND PERFORMANCE COMMITTEES (Pages 83 - 84)**

To consider and determine any references from Policy and Performance Committees.

A referral was made by the former Council Excellence Overview and Scrutiny Committee at its last meeting on 26 March, 2013 requesting that Council, 'reaffirms its commitment to the training and support of elected members' (see minute 76 attached).

**10. NOTICES OF MOTION (Pages 85 - 88)**

Notices of motion submitted in accordance with Standing Order 7(1), are attached. They are listed in the order received, and the full text of each motion is attached. The Mayor, having considered each motion, in accordance with Standing Order 7(4) has decided that they will be dealt with as follows:

- (i) **Improving Wirral's Sites for Jobs** (Mayor to refer to the appropriate Policy and Performance Committee)
- (ii) **Tackling Financial Exclusion** (To be debated)
- (iii) **Bedroom Tax** (To be debated)

**11. RECOMMENDATION FROM THE REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE (Pages 89 - 92)**

Council is advised that the Notice of Motion, 'Cuts to Merseyside Fire and Rescue Service' referred from Council at its meeting on 16 July, 2013 (minute 15 refers) was considered by the Regeneration and Environment Policy and Performance Committee at its meeting on 17 September, (the minute is attached) at which the following resolution was passed:

In accordance with Standing Order 7 (5) The Council is asked to consider the following recommendation of the Regeneration and Environment Policy and Performance Committee.

"Resolved –

(1) That the Council be advised that the Regeneration and Environment Policy and Performance Committee fully supports the Notice of Motion in relation to Cuts to Merseyside Fire and Rescue Service.

(2) That the Chief Fire Officer be requested to attend the Committee at the earliest opportunity to highlight the potential impact of the Government proposals on the residents of Wirral.

(3) That a Special Meeting of the Committee be called, if necessary, and that all Members of the Council be invited to attend."

**12. VACANCIES (Pages 93 - 94)**

To receive nominations, in accordance with Standing Order 25(6), in respect of any proposed changes in the membership of the Cabinet and committees, and to approve nominations for appointments to outside organisations.

**13. ANY OTHER BUSINESS**

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



Head of Legal and Member Services

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# Public Document Pack Agenda Item 5

## COUNCIL

Monday, 15 July 2013

Present: The Mayor (Councillor Dave Mitchell) in the Chair  
Deputy Mayor (Councillor Steve Foulkes)

Councillors	RL Abbey	S Hodrien	D Realey
	C Blakeley	A Hodson	L Rennie
	E Boulton	K Hodson	D Roberts
	A Brighthouse	M Hornby	L Rowlands
	P Brightmore	M Johnston	J Salter
	W Clements	AER Jones	H Smith
	A Cox	C Jones	T Smith
	J Crabtree	P Kearney	W Smith
	G Davies	S Kelly	J Stapleton
	P Davies	B Kenny	M Sullivan
	WJ Davies	A Leech	A Sykes
	P Doughty	I Lewis	J Walsh
	D Elderton	AR McLachlan	G Watt
	G Ellis	M McLaughlin	S Whittingham
	L Fraser	C Meaden	J Williamson
	P Gilchrist	B Mooney	I Williams
	P Glasman	S Mountney	KJ Williams
	JE Green	C Muspratt	P Williams
	R Gregson	S Niblock	S Williams
	T Harney	T Norbury	

<u>Apologies</u>	Councillors	D Dodd	P Hayes
		P Hackett	C Povall
		J Hale	

Prior to the first item of business, the Mayor's chaplain, Revd Beth Glover, led the Council in prayers.

### 11 DECLARATIONS OF INTEREST

The Members of the Council were invited to consider whether they had any disclosable pecuniary and/or any other relevant interest in connection with any matters to be determined at this meeting and, if so, to declare it and state the nature of such interest.

Councillors R Abbey, A Leech and J Salter declared a non - pecuniary interest in Item 6 – Leaders', Executive Members' and Chairs' Reports, (see minute 16 post) Item 7A – Matters Requiring Approval by the Council (see minute 17 post) and Motion 3 (Comprehensive Spending Review Announcement – 27 June 2013) (see minute 23 post) by virtue of their appointment to the Leasowe Community Homes Management Board.

Councillors S Foulkes, J Green, K Hodson, D Roberts and S Whittingham declared a non - pecuniary interest in Item 6 – Leaders’, Executive Members’ and Chairs’ Reports, (see minute 16 post) Item 7A – Matters Requiring Approval by the Council (see minute 17 post) and Motion 3 (Comprehensive Spending Review Announcement – 27 June 2013) (see minute 23 post) by virtue of their appointment to the Magenta Living Management Board.

Councillors S Niblock, L Rennie, D Roberts and J Stapleton declared a non - pecuniary interest in Motion 4 (Cuts to Merseyside Fire and Rescue Service) (see minute 21 post) by virtue of their appointment to the Merseyside Fire and Rescue Authority.

## 12 **MAYOR'S ANNOUNCEMENTS**

Apologies for absence were received from Councillors Darren Dodd, Pat Hackett, John Hale, Paul Hayes and Cherry Povall.

The Mayor thanked all members of staff who had assisted on the Armed Forces Day on 29 June, 2013.

He referred to his visit to Greasby Infants School which had won a Confucius Classroom award for its teaching of Mandarin Chinese and the culture of China.

The Mayor also thanked Councillor John Salter for all his work with the Pakistani delegation which had placed orders with McTay Marine, Bromborough, to supply high speed patrol boats to the Pakistan coastguard.

## 13 **PETITIONS**

In accordance with Standing Order 21, the Mayor received petitions submitted by –

- (i) Councillor Walter Smith on behalf of 28 signatories objecting to proposed improvement measures to assist pedestrians, cyclists and equestrians at Levers Causeway, Bebington.
- (ii) Councillor Denise Realey on behalf of 20 signatories over the decision to place a restriction on a road off Woodchurch Road, making it, 'Except for Access'
- (iii) Councillor Anita Leech on behalf of 34 signatories opposed to the bedroom tax
- (iv) Councillor Eddie Boulton on behalf of 105 signatories in Hoylake requesting residents only parking
- (v) Councillor Steve Williams on behalf of 82 signatories objecting to the Wirral brown bin garden waste tax
- (vi) Councillor Leah Fraser on behalf of 78 signatories objecting to the Wirral brown bin garden waste tax
- (vii) Councillor Ian Lewis on behalf of 51 signatories objecting to the Wirral brown bin garden waste tax
- (viii) Councillor Wendy Clements on behalf of 100 signatories objecting to the Wirral brown bin garden waste tax
- (ix) Councillor Simon Mountney on behalf of 82 signatories objecting to the Wirral brown bin garden waste tax
- (x) Councillor Chris Blakeley on behalf of 102 signatories objecting to the Wirral brown bin garden waste tax

- (xi) Councillor Lesley Rennie on behalf of 60 signatories objecting to the Wirral brown bin garden waste tax

**Resolved – That the petitions be noted and referred to the appropriate Chief Officer in accordance with Standing Order 34.**

#### 14 PUBLIC QUESTIONS

1. Mr N Hobro, having given the appropriate notice in accordance with Standing Order 10, asked a question to the Leader of the Council on the publication of the Business Investment Grant (BIG) report of Grant Thornton.

The Leader of the Council responded accordingly.

In accordance with Standing Order 10, Mr Hobro asked a supplementary question and the Leader of the Council responded accordingly.

The Chief Executive informed the Council that there would be no objection to the summary report of Grant Thornton being circulated but it would not be appropriate at this time to publish the full report as it had been referred to the Police. Once the full report had been cleared then it could be published. (The summary report is appended to these minutes).

2. Mr M Morton, having given the appropriate notice in accordance with Standing Order 10, asked a question to the Leader of the Council regarding the payment of severance payments in excess of £100,000.

In accordance with Standing Order 10, Mr Morton asked a supplementary question and the Leader of the Council responded accordingly.

#### 15 MINUTES

The minutes of the meeting of the Annual Council held on 13 May and reconvened on 20 May, 2013 had been circulated to Members and, it was –

**Resolved – That the minutes be approved and adopted as a correct record.**

#### 16 LEADER'S, EXECUTIVE MEMBERS' AND CHAIRS' REPORTS

The Leader of the Council introduced the Cabinet Portfolio summary reports of all the Cabinet Members.

Councillor Blakeley requested an adjournment for 15 minutes to enable members to digest the additional document which had been circulated from the Cabinet Member for Health and Wellbeing and also the statement of the Chief Executive in relation to item 11 on the agenda, 'Notices of Motion'.

With the agreement of the Council the Mayor then adjourned the meeting at 6.45pm.

The meeting resumed at 7.00pm.

The Mayor then requested questions to the Leader on his summary report. The Leader responded to questions from Councillors Stapleton, Roberts, Gilchrist and Harney and made a number of comments, including:

- He agreed that it was very reassuring to hear the comments of the Corporate Peer Challenge Team, which was made up of Members of the three main political parties and vindicated the focus of putting the Council on a sustainable financial footing and addressing issues of corporate governance.
- Acknowledgement had also been made at the LGA Conference with Wirral seen as leading the way on the whole sector led improvement model and he paid tribute to the tremendous effort officers led by the Chief Executive.
- He was pleased with the announcement made at the LGA Annual Conference that Wirral was one of only nine councils in the country to pilot the, 'Whole Place Community Budget' scheme.
- The proposed Combined Authority would focus on economic development, regeneration and transport; it was not a proposal to recreate the former Merseyside County Council under another name. The aim was for it to be in place by April 2014 and an extraordinary Council meeting would need to be held in September to progress the proposal.
- He had, together with the Mayor of Liverpool, attended a meeting in Brussels with Commissioner Johannes Hahn on changes in structural funding which would mean a cut of 60% in the funding allocation for Merseyside. This cut was indefensible given the importance of European across the Merseyside area.
- He acknowledged the lateness of the advice from the Chief Executive in respect of the Notice of Motion on whistle-blowing but Mr Burgess had been taking legal advice up to the last minute and it was only right that the Council had had an adjournment to digest the written advice received.

**Resolved – That the report of Councillor Phil Davies be noted.**

Questions were then invited for Councillor Chris Jones on her report and her response to a question from Councillor McLaughlin included the following comments:

- There were approximately 40,000 carers on Wirral, 12.5% of the population, of which 1,500 had been identified as young carers, some of whom were as young as 4 years of age. The 'Caring for our Carers' strategy, currently out for consultation, would improve ways in identifying carers and improving links with education and training and forging better working relationships with GPs and professionals.

**Resolved – That the report of Councillor Chris Jones be noted.**

Questions were then invited for Councillor Adrian Jones on his report and his responses to questions from Councillors Green, Walsh, Gregson and Norbury included the following comments:

- The cost of IT expertise was a bargain at the price and the money to be spent on IT infrastructure had been agreed in January 2010 but not been followed up. Most of the equipment was now three years older and had worsened because of the delay. One of Cheshire West and Chester Council's IT Manager's with expertise in Social Care systems was working with Wirral Council's Children and



Young People's Department and Adult Social Services Department two days a week.

- It was absolutely necessary to update the Council's IT, especially with Microsoft discontinuing support for XP in 2014.
- He was pleased that eight apprentices had been taken on by the Parks and Countryside Service.
- He agreed that the Government changes in welfare reform were devastating for many on Wirral.

**Resolved – That the report of Councillor Adrian Jones be noted.**

Questions were then invited for Councillor Tony Smith on his report and his responses to questions from Councillors Clements, Abbey and Norbury included the following comments:

- He would respond to Councillor Clements in writing and ensure this was circulated to all Councillors.
- Improvements still needed to be made on the figure of 80% of safeguarding assessments being completed within timescale.
- Savings of £6.3m were on target to be delivered.

**Resolved – That the report of Councillor Tony Smith be noted.**

Questions were then invited for Councillor Phil Davies who, in the absence of Councillor Hackett, responded to questions from Councillors Rennie, Williamson and Whittingham. His response included the following comments:

- A draft Local Development Framework was being produced for consultation to be agreed in the early part of 2014.
- Central Government was requiring all Councils to provide sites for gypsies and travellers and no potential sites could yet be ruled in or out as all views would be taken into account before any final decision.
- He welcomed the £5m Regional Growth Fund monies supporting the offshore wind engineering supply chain. Although the manufacture of turbines took place in Germany and they were then transported to Cammel Laird, there was no reason why the turbines could not be manufactured at Cammel Laird.
- He paid tribute to Kevin Adderley and his team for all their work on the Wirral Waters Enterprise Zone which had been provisionally awarded £5.5m of Local Infrastructure funding.
- Significant interest had also been expressed from automotive suppliers in the Mobil site in Birkenhead.

**Resolved – That the report of Councillor Pat Hackett be noted.**

Questions were then invited for Councillor Brian Kenny on his report and his responses to questions from Councillors Lewis, Cox, Brightmore and Crabtree included the following comments:

- He hoped that by year two, 35,000 households would have subscribed to the garden waste service, the target for the first year had already been exceeded with 30,000 households signed up.

- Households could still put a small amount of garden waste in their green bins and currently there was no question of any Wirral resident being penalised for doing so.
- Nobody had been forced to pay for their garden waste to be collected and of those that had subscribed, over 80% had done so online at a charge of £30.
- Any effect on flytipping following the introduction of the charge was being evaluated and he hoped that people would not resort to flytipping. He would encourage residents to home compost.

**Resolved – That the report of Councillor Brian Kenny be noted.**

Questions were then invited for Councillor Ann McLachlan on her report and her responses to questions from Councillors Lewis, Kelly, Whittingham and Bill Davies included the following comments:

- The Labour Group had appointed assistant Cabinet Portfolio holders, they were not within the Constitution but the appointments had been made by the Labour Group to assist their members in getting more involved.
- Once Constituency Committees were up and running commissioning could be devolved and then more resources.
- Officer support to Policy and Performance Committees included the Scrutiny Support Team based within the Policy Unit and briefing packs had been provided to all Committee members.
- The Performance Management Framework would apply consistent methodology on a monthly cycle to address under performance, targeting key priorities identified by Strategic Directors.

**Resolved – That the report of Councillor Ann McLachlan be noted.**

Questions were then invited for Councillor Chris Meaden on her report and her responses to questions from Councillors Fraser, Mooney, Blakeley and Green included the following comments:

- She paid tribute to all parks' Friends groups for their invaluable contribution in helping to maintain and run Wirral's parks.
- The reduction in Government funding had unfortunately meant a reduction in the number of such items as tennis court nets being purchased.
- The figures for not going forward with PACSPE would be supplied in writing and circulated to all Councillors.
- The team of leisure consultants, V4, had come up with a number of suggestions in respect of the review of leisure centres, sports development and golf courses and it was hoped to present their findings to Cabinet in September.

**Resolved – That the report of Councillor Chris Meaden be noted.**

Questions were then invited for Councillor Harry Smith. No questions were posed, and it was then –

**Resolved – That the report of Councillor Harry Smith be noted.**

Questions were then invited for Councillor George Davies on his report and his responses to questions from Councillors Leech, Kelly, Gilchrist and Blakeley included the following comments:

- He couldn't give an exact figure as to exactly how many three bedroom Wirral Partnership Homes properties were empty but it was at least 240. There were 13 housing associations across Wirral and there were probably about 400 empty properties on Wirral.
- The New Homes Bonus was expected to generate an income of around £3.1m.
- He welcomed the extension of the Affordable Housing Programme to 2017/18 and new provision, including those units at Town Meadow Lane, Moreton.

**Resolved – That the report of Councillor George Davies be noted.**

## 17 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

In accordance with Standing Order 5(2), a number of matters were submitted for approval by the Council.

One matter from the meeting of the Cabinet held on 11 July 2013 (minute 26 – Corporate Plan Performance Management Report) was submitted for approval but was the subject of an amendment.

On a motion by Councillor Phil Davies and seconded by Councillor Ann McLachlan, it was –

**Resolved –**

**(1) That the following matters be approved:**

- (i) Minute 7 (Cabinet – 13 June 2013)  
Policy on Discharge of Statutory Homelessness Duty into the Private Rented Sector**
- (ii) Cabinet Member – Economy (Decision published on 18 June, 2013)  
Local Development Framework – Joint Waste Local Plan for Merseyside and Halton**
- (iii) Recommendation from the Leader of the Council (Decision published on 5 July, 2013)  
Appointment of the Council's Section 151 Officer**

In respect of Cabinet minute 26 (11 July 2013) - Corporate Plan Performance Management Report, it was moved by Councillor Phil Davies and seconded by Councillor Ann McLachlan that the minute be approved.

It was moved as an amendment by Councillor Andrew Hodson and seconded by Councillor Fraser, that –

“Council notes that at the meeting of the Policy and Performance Co-ordinating Committee on 3 July 2013 Members criticised the layout, readability and design of the Corporate Plan Performance Report. At this meeting it was agreed that Officers

would revisit the report, make the necessary improvements and present a revised report to the next meeting of the Policy and Performance Co-ordinating Committee. Council will therefore wait for the production of this improved report before considering it for approval.”

After Councillor Andrew Hodson had spoken to his amendment and one other speaker had addressed the Council, the motion and amendment were formally seconded and the Leader of the Council waived his right of reply, the matter was put to the vote.

The amendment was put and lost (18:41) (One abstention)

The minute was put and carried (41:18) (One abstention)

**Resolved (41:18) (One abstention) –**

**That, minute 26 (Cabinet 11 July 2013) - Corporate Plan Performance Management Report, be approved.**

## 18 **MATTERS FOR NOTING**

On a motion by Councillor Phil Davies, seconded by Councillor McLachlan, it was –

**Resolved – That minute 7 (Cabinet – 13 June 2013) - Financial Monitoring 2013/14, be noted.**

## 19 **MEMBERS' QUESTIONS**

In accordance with Standing Orders 10(2)(b) and 11, notice had been given of three questions from the following:

1. Councillor Phil Gilchrist to the Cabinet Member for Highways and Transportation, in respect of the condition of the Council's road network.

Councillor Harry Smith responded accordingly and stated that he would circulate his response to all councillors.

2. Councillor Geoffrey Watt to the Cabinet Member for Highways and Transportation, in respect of the usage and revenue derived from, the two Council-owned car parks in West Kirby (Concourse and Dee Lane).

Councillor Harry Smith responded accordingly.

3. Councillor Stuart Kelly to the Leader of the Council, in respect of the time taken to pay invoices to small and medium enterprise businesses.

Councillor Phil Davies responded accordingly and stated that he would circulate a response to all councillors.

20 **MATTERS REFERRED FROM POLICY AND PERFORMANCE COMMITTEES**

No referrals had been made from those Policy and Performance Committees which had so far met.

21 **NOTICES OF MOTION**

Notices of motion submitted in accordance with Standing Order 7(1), were reported to the Council. The Mayor, having considered each motion, in accordance with Standing Order 7(4) had decided that the Motions would be dealt with as follows:

- (i) Whistle-blowing - to be debated
- (ii) Local Investment in Rail - High Speed2 & Borderlands Railway – referred to the Leader of the Council
- (iii) Comprehensive Spending Review Announcement – 27th June 2013 - to be debated
- (iv) Cuts to Merseyside Fire and Rescue Service - referred to the Regeneration and Environment Policy and Performance Committee

**Resolved – That the following Notices of Motions be referred as follows:**

- (1) Local Investment in Rail - High Speed2 & Borderlands Railway – referred to the Leader of the Council.**
- (2) Cuts to Merseyside Fire and Rescue Service - referred to the Regeneration and Environment Policy and Performance Committee.**

22 **MOTION - WHISTLE-BLOWING**

Prior to the motion on Whistle-blowing being debated, the Chief Executive made a statement to the Council and referred to his advice which had been circulated to all Councillors advising caution when it came to discussing individual cases. The advice was as follows:

“I would like to firstly advise a note of caution to all Elected Members when it comes to discussing individual cases. The Council in this instance has been requested to deal directly with Mr Morton’s solicitor to seek a resolution to the outstanding issues. We are keen to reach a resolution at the earliest opportunity and have corresponded with Mr Morton’s Solicitor to that effect.

I must also draw Council’s attention to the recent judgement by Mr Justice Hughes in the first-tier tribunal between the Appellant and the Information Commissioner. Judge Hughes upheld the Information Commissioner’s decision to uphold this Council’s refusal of personal information relating to the Officers alluded to in this question. This followed his appraisal of the AKA report and all relevant information provided.

In particular it is important that Members note the following conclusions:

**The information which the complainant has asked for is detailed information on personnel matters relating to the individuals concerned. This goes much further than a request to detail of any severance payments made to the individuals. It is also about the terms under which they left the authority. The**

public interest in knowing whether appropriate policies and procedures were followed or whether the council acted inappropriately in terms of the events outlined in the report has been served by the disclosure of the report.

**The individuals identified within the report had not been convicted of any crime. Public accountability for failing is within the Council's practices and rests with the Council as a whole rather than with individual officers.**

He concluded by finding that while there was a legitimate public interest in understanding how the Council had reacted to the report; this information would not help with that process and a balance had to be struck with respect to the rights of the individuals concerned. He found that:

**Any pressing social need for greater transparency on the Council's reaction to the report would not be met by a disclosure of this information. He therefore considers that it would be unfair (and given the implied confidentiality of the employer/employee information, unlawful) for the purposes of the first data protection principle for that information to be disclosed.**

In the light of the above judgement we do not consider that it would be lawful or practical to allow a further investigation into the circumstances surrounding the departure of the two Officers in question.”

The Chief Executive also reported to the Council that that afternoon a first claim had been received at 2.50pm from Mr Morton’s solicitors which would now allow the Council to proceed to reach a settlement with Mr Morton.

It was then –

**Proposed** by Councillor Green  
**Seconded** by Councillor Rennie

- (1) Council notes that on the 19 June 2013 the CQC published an independent report into its registration and oversight of University Hospitals Morecambe Bay NHS Foundation Trust where up to 16 baby deaths and 2 maternal deaths could be attributed to poor quality of care. A significant part of this report focussed on the ‘11 questions’ raised by Care Quality Commission (CQC) whistle-blower Kay Sheldon.
- (2) Mrs. Sheldon, a non-executive Board Member of the CQC, had previously given evidence to the Francis Inquiry concerning high mortality rates at Mid Staffordshire NHS Foundation Trust. Within her evidence Kay Sheldon states that the final straw for her to contact the inquiry was that she had been trying to raise concerns for quite sometime and the Chair of the CQC had been trying to undermine Mrs. Sheldon by suggesting she was mentally unstable.
- (3) Council further notes the recent publication from the National Audit Office “Confidentiality clause and special severance payments” where the Head of the Audit Office stated “it is important that compromise agreements do not leave staff feeling gagged or reward failure either of an employee or an organisation.”

- (4) Council believes that Martin Morton would be able to draw parallels between Mrs. Sheldon's experiences at the CQC and his own experiences at Wirral Borough Council where he blew the whistle on Wirral Borough Council that led to the ordering of the AKA investigation and subsequent report which found that the abnormal had become the norm.
- (5) Martin has received no justice – his life has been ruined and both the AKA report and Martin Smith reports vindicated him. Let us not forget that Martin stood up for those vulnerable adults who couldn't stand up for themselves and was hounded out of his job for doing so. Council is therefore extremely dissatisfied that, over two years on from the publication of the Martin Smith and AKA reports, the Administration have been unable to find an acceptable resolution with Martin Morton.
- (6) Council is further disappointed to note that, along with the public, it has never received an adequate explanation into the sequence of events that allowed two senior members of staff implicated in the Martin Morton whistle-blow to leave, under compromise agreements, less than 1 working day prior to the publication of the AKA report and exactly what role the then leadership of the Council had in that decision.
- (7) Council therefore requests the Chief Executive to:
  - (a) brief the three party leaders about the current state of discussions with Martin Morton and produce a timeline for resolution;
  - (b) conduct a review of all the circumstances surrounding the decision to allow two senior members of staff implicated in the Martin Morton whistle-blow to leave, under compromise agreements and present that review to the three party leaders at the September Leaders' Board prior to full publication.

**An amendment was then submitted in accordance with Standing Order 12(1) and (9) which had been circulated around the Chamber.**

**Proposed** by Councillor Phil Davies

**Seconded** by Councillor George Davies

"In paragraph 7 delete (b) and replace with the following –

- (b) provide a report to both the Improvement Board and Audit and Risk Management Committee detailing the actions taken in response to all findings detailed in the external reports the Council has received in recent years."

**A further amendment was then submitted in accordance with Standing Order 12(1) and (9).**

**Proposed** by Councillor T Harney

**Seconded** by Councillor Pat Williams

"In paragraph 7(b) delete the last four words, 'prior to full publication' and insert, a final sentence, 'Any investigation to be conducted into issues which are legally



allowed and those parts of the report which are allowed to be legally published are published.”

To enable consideration of this further amendment and for the political Groups to receive legal advice:

The Mayor adjourned the meeting at 8.50pm for 10 minutes.

The meeting resumed at 9.05pm

Councillor Bill Davies suggested that Standing Order 9 be suspended to allow debates on the two motions referred for debate. It was agreed that Standing Order 9 be suspended and the Mayor informed the Council that he would limit the debates to movers and seconders and a right of reply.

The Chief Executive informed the Council that the amendment proposed by Councillor Harney was legal but impractical as it would be difficult to compel or request former officers of the Council to provide information to an investigation.

The Head of Legal and Member Services also reminded members that the Council had entered into legally binding agreements with certain individuals and would run the risk of legal action if the Council failed to honour its contractual obligations. The Council also needed to be mindful of the judgement it had been provided with.

Councillor Gilchrist referred to a number of clauses in the Information Commissioner's letter and the Chief Executive stated that he would respond in writing.

The Mayor then requested the movers of the motion and amendments to speak to their proposals followed by the seconders.

During his right of reply, Councillor Green referred to the former Cabinet Member for Social Care and Inclusion, Councillor Moira McLaughlin and to the former Leader of the Council, Councillor Steve Foulkes, and that in his opinion the claims being made at the time by Martin Morton, 'were too quickly dismissed'. Both Councillors Moira McLaughlin and Steve Foulkes strongly objected to the statement made by Councillor Green on the grounds that it was inaccurate and unjustified.

The Head of Legal and Member Services stated that no findings of wrongdoing had been found against any Councillor regarding these matters.

Councillor Green stated that he was not suggesting that there was any wrongdoing but there were issues which needed to be resolved.

Referring to the videoing or recording of the proceedings by members of the public, the Head of Legal and Member Services stated that it was not possible for the Council to monitor or manage recordings in the public domain.

The amendment proposed by Councillor Harney was put and lost (24:35) (One abstention).



In respect of the Labour amendment, Councillor Green along with five Conservative Members, asked that a 'card vote' be recorded. Responding to an intervention from Councillor Bill Davies, the Head of Legal and Member Services clarified that a 'card vote' could be taken as Standing Order 9 had been suspended. The Council then divided as follows –

For the amendment (35) Councillors RL Abbey, P Brightmore, J Crabtree, G Davies, P Davies, WJ Davies, P Doughty, S Foulkes, P Glasman, RJ Gregson, S Hodrien, AER Jones, C Jones, B Kenny, A Leech, ARC McLachlan, M McLaughlin, Mrs C Meaden, B Mooney, C Muspratt, S Niblock, T Norbury, D Realey, DE Roberts, J Salter, H Smith, PA Smith, W Smith, J Stapleton, M Sullivan, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

Against the amendment (24) Councillors C Blakeley, E Boulton, A Brighthouse, Mrs W Clements, T Cox, DM Elderton, L Fraser, PN Gilchrist, J Green, T Harney, AC Hodson, K Hodson, M Hornby, M Johnston, P Kearney, SE Kelly, I Lewis, SR Mountney, Mrs L Rennie, SL Rowlands, A Sykes, GCJ Watt, Mrs P Williams and S Williams.

One abstention – Councillor D Mitchell.

The Labour amendment was therefore put and carried (35:24) (One abstention).

The substantive motion, as amended, was then put to the vote and it was –

**Resolved (35:24) (One abstention) -**

- (1) Council notes that on the 19 June 2013 the CQC published an independent report into its registration and oversight of University Hospitals Morecambe Bay NHS Foundation Trust where up to 16 baby deaths and 2 maternal deaths could be attributed to poor quality of care. A significant part of this report focussed on the '11 questions' raised by Care Quality Commission (CQC) whistle-blower Kay Sheldon.**
- (2) Mrs. Sheldon, a non-executive Board Member of the CQC, had previously given evidence to the Francis Inquiry concerning high mortality rates at Mid Staffordshire NHS Foundation Trust. Within her evidence Kay Sheldon states that the final straw for her to contact the inquiry was that she had been trying to raise concerns for quite sometime and the Chair of the CQC had been trying to undermine Mrs. Sheldon by suggesting she was mentally unstable.**
- (3) Council further notes the recent publication from the National Audit Office "Confidentiality clause and special severance payments" where the Head of the Audit Office stated "it is important that compromise agreements do not leave staff feeling gagged or reward failure either of an employee or an organisation."**
- (4) Council believes that Martin Morton would be able to draw parallels between Mrs. Sheldon's experiences at the CQC and his own experiences at Wirral Borough Council where he blew the whistle on Wirral Borough**

**Council that led to the ordering of the AKA investigation and subsequent report which found that the abnormal had become the norm.**

- (5) Martin has received no justice – his life has been ruined and both the AKA report and Martin Smith reports vindicated him. Let us not forget that Martin stood up for those vulnerable adults who couldn't stand up for themselves and was hounded out of his job for doing so. Council is therefore extremely dissatisfied that, over two years on from the publication of the Martin Smith and AKA reports, the Administration have been unable to find an acceptable resolution with Martin Morton.**
- (6) Council is further disappointed to note that, along with the public, it has never received an adequate explanation into the sequence of events that allowed two senior members of staff implicated in the Martin Morton whistle-blow to leave, under compromise agreements, less than 1 working day prior to the publication of the AKA report and exactly what role the then leadership of the Council had in that decision.**
- (7) Council therefore requests the Chief Executive to:**
  - (a) brief the three party leaders about the current state of discussions with Martin Morton and produce a timeline for resolution;**
  - (b) provide a report to both the Improvement Board and Audit and Risk Management Committee detailing the actions taken in response to all findings detailed in the external reports the Council has received in recent years.**

**23 MOTION - COMPREHENSIVE SPENDING REVIEW ANNOUNCEMENT - 27TH JUNE 2013**

**Proposed** by Councillor Phil Davies

**Seconded** by Councillor Ann McLachlan

- (1) Council notes that the Government's efforts to deal with the deficit so far have focussed on cutting public spending. Since 2010, 1,500 fire fighters have lost their jobs; over 300 libraries and 400 Sure Start centres have closed; police numbers have been reduced by over 6,000 and there are 5,000 fewer nurses. The rise in people relying on food banks is a clear sign that many are facing high levels of economic and social distress.**
- (2) There is a strong case that local authorities should be encouraged to invest in growth. Local government is demonstrating its ability to drive growth by providing infrastructure investment and supporting local businesses. Allowing local government to borrow in line with prudential rules will enable us to invest in building houses and create desperately needed jobs.**
- (3) Councils have been handed some of the deepest cuts in the public sector. Local authorities have seen their budgets cut by 33% in comparison to 8% across Whitehall departments.**

- (4) The additional 10 per cent reduction announced by the Chancellor in the Comprehensive Spending Review on the 27th June confirms local government as the hardest hit part of the public sector and, according to Cllr Sir Merrick Cockell, Chairman of the Local Government Association, will 'stretch essential services such as culture and leisure facilities, school support, road maintenance and growth to breaking point in many areas'.
- (5) This additional cut will equate to Wirral Council having to make savings of between £13.5m and £24m during the period 2015 to 2018. This is on top of the £109m savings the Council has to make between 2012 and 2015.
- (6) At a time of increased unemployment, Council believes that the nation's safety net has been seriously compromised. The bedroom tax, council tax benefit reductions and other cuts will mean that many people will struggle to keep their heads above water.
- (7) Council believes that the government should be supporting those who are being hit hardest by the economic downturn. Scrapping the bedroom tax and looking again at the costs to families of all the benefit changes should be a priority before giving tax cuts to the richest people in the country.

**An amendment which had been circulated in advance of the meeting was submitted in accordance with Standing Order 12(1) and (9), as follows:**

**Proposed** by Councillor Phil Gilchrist  
**Seconded** by Councillor Pat Williams

*"Add at end of existing paragraph (1):*

It should be noted that, in Wirral, no libraries or Children's Centres have been closed and that in setting priorities, school budgets and the Health Service have been given a degree of protection.

*Add at end of existing paragraph (5):*

Council understands that the scale of the deficit, the level of public spending and the limited scope for major changes before 2016 have been accepted by not only the coalition Government but also the Shadow Chancellor. It is now accepted that 'iron discipline' and the scope for keeping current spending within the available funding has become common ground.

The opportunity to secure further investment in infrastructure, as new money is identified, must be taken. Whilst Wirral has secured £5.5 million for the Wirral Waters Enterprise Zone and needs to secure a share of the first £2 billion being made available for the Single Local Growth Fund, the case for investment in capital projects must be pressed to help tackle unemployment.

Given these conditions, any case to provide additional funding for Wirral's services must be backed with clear evidence. As Wirral is bringing its costs, the way services are organised and commissioned into line with other local councils, we will be better placed to argue for funding to maintain services, but must have a clear case that will stand comparison with other councils tackling deprivation and long standing social

problems. The Local Government Association has described, in general terms, the need for an agreement 'across English local Government'; Wirral must commission work that can inform that process.

*Add at end of existing paragraph (6):*

Given the financial pressures facing families, the Council must ensure that:

- (a) the existence of Discretionary Housing Payments is publicised
- (b) work to seek changes to the regulations on entitlement is brought together, used to argue for more understanding and flexibility and that this case is put to the DWP.

Work must continue on collecting evidence on the impact of benefit changes. This must include gathering information from the main social landlords in Wirral on the impact that the under occupancy rules are having on their finances. This information should then be used to compile a clear picture of housing need and the impact of the changes. This should create a more detailed understanding of how tenants in both the social and private sectors have been affected since the introduction of changes by the last Labour and current coalition Government, how the availability of property has changed and whether there is sufficient property of the right size available in Wirral."

The Mayor then requested the movers of the motion and amendments to speak to their proposals followed by the seconders. The Leader of the Council waived his right of reply and the amendment was put to the vote and lost (23:36) (One abstention).

The motion was put to the vote and carried (36:23) (One abstention).

**Resolved (36:23) (One abstention) –**

- (1) Council notes that the Government's efforts to deal with the deficit so far have focussed on cutting public spending. Since 2010, 1,500 fire fighters have lost their jobs; over 300 libraries and 400 Sure Start centres have closed; police numbers have been reduced by over 6,000 and there are 5,000 fewer nurses. The rise in people relying on food banks is a clear sign that many are facing high levels of economic and social distress.**
- (2) There is a strong case that local authorities should be encouraged to invest in growth. Local government is demonstrating its ability to drive growth by providing infrastructure investment and supporting local businesses. Allowing local government to borrow in line with prudential rules will enable us to invest in building houses and create desperately needed jobs.**
- (3) Councils have been handed some of the deepest cuts in the public sector. Local authorities have seen their budgets cut by 33% in comparison to 8% across Whitehall departments.**
- (4) The additional 10 per cent reduction announced by the Chancellor in the Comprehensive Spending Review on the 27th June confirms local government as the hardest hit part of the public sector and, according to Cllr Sir Merrick Cockell, Chairman of the Local Government Association, will 'stretch essential services such as culture and leisure facilities,**

school support, road maintenance and growth to breaking point in many areas'.

- (5) This additional cut will equate to Wirral Council having to make savings of between £13.5m and £24m during the period 2015 to 2018. This is on top of the £109m savings the Council has to make between 2012 and 2015.
- (6) At a time of increased unemployment, Council believes that the nation's safety net has been seriously compromised. The bedroom tax, council tax benefit reductions and other cuts will mean that many people will struggle to keep their heads above water.
- (7) Council believes that the government should be supporting those who are being hit hardest by the economic downturn. Scrapping the bedroom tax and looking again at the costs to families of all the benefit changes should be a priority before giving tax cuts to the richest people in the country.

## 24 VACANCIES

The Mayor informed the Council that the Head of Legal and Member Services had not been notified of any changes to committee memberships or outside bodies.

### **Appendix - Grant Thornton Summary Report - BIG**

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**BUSINESS INVESTMENT GRANTS**

**SUBJECT TO AN EXEMPTION UNDER SECTION 30 OF THE  
FREEDOM OF INFORMATION ACT**

**dated 24 June 2013**

Draft

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Draft



# 1 INTRODUCTION

- 1.1 We have been instructed by Wirral Borough Council (WBC) to produce a summary of our draft report dated 5 June 2013. In order to understand the detail behind this summary, it would be necessary to read the whole of our draft report dated 5 June 2013.

## INSTRUCTIONS

- 1.2 Grant Thornton UK LLP have been instructed by WBC to undertake the work set out in WBC's request for a quotation, dated 5 October 2012 (the RFQ). The RFQ refers to a contract issued by WBC for the:

*"provision of assessment and advice services in relation to the award of Business Investment Grants (BIG) and the Council's Intensive Start Up Service (ISUS)".*

- 1.3 In reviewing BIG and ISUS we have established that while these were both associated with a sub-contractor called Enterprise Solutions (NW) Ltd (Enterprise Solutions), WBC had separate contracts with Enterprise Solutions in relation to the BIG and ISUS programmes. This draft summary does not address the ISUS programme as that is the subject of a separate draft report, and draft summary submitted to WBC.

- 1.4 The RFQ explained that:

*"A number of allegations were made in respect of both schemes and continuing allegations and additional supporting information continue to be provided up to the present."*

- 1.5 The RFQ explained that investigations had been commenced by two former WBC employees and that WBC had been seeking to appoint a firm of accountants to complete the investigation. In our response to the RFQ, we recommended that the successful applicant should meet with the people who had made the allegations before reviewing documents collated as part of WBC's investigation.

- 1.6 Having met with the people who had made the allegations, we produced an enquiry log which we sent to those people we had met for their review. That part of the enquiry log which is associated with BIG is attached as Appendix 1 to our draft report dated 5 June 2013. The remaining parts of the log are attached to a separate draft report which addresses ISUS and are not referred to in this draft summary.

- 1.7 If further information is produced and brought to our attention after service of this draft summary, we reserve the right to revise our opinions as appropriate.
- 1.8 This work does not constitute an audit performed in accordance with Auditing Standards.
- 1.9 Except to the extent set out in this draft summary, we have relied upon the documents and information provided to us as being accurate and genuine. To the extent that any statements we have relied upon are not established as accurate, it may be necessary to review our conclusions.
- 1.10 No responsibility or liability for this summary, or the draft report dated 5 June 2013 is accepted by Grant Thornton UK LLP or its staff to anyone other than WBC. This draft summary should be read in conjunction with a more detailed draft report, dated 5 June 2013.

## **RESTRICTION ON CIRCULATION**

- 1.11 This draft summary is confidential and should not be used, reproduced or circulated for any other purpose, in whole or in part, without our prior written consent. Such consent will only be given after full consideration of all the circumstances at the time.
- 1.12 It should also be noted that this draft summary addresses concerns we have regarding one of the BIG applications we have reviewed and whether the information associated with it had been given in good faith. We have not identified concerns regarding the integrity or honesty of any WBC employees. We also note that we have been given the access we have required to WBC and Invest Wirral employees.
- 1.13 However, this draft summary is likely to be exempt in whole or in part from disclosure under the Freedom of Information Act, attracting an exemption under section 30. Careful consideration should, therefore, be given before responding to a request for access to this draft summary under the Freedom of Information Act. This is particularly relevant to the comments included from paragraph 2.36.

## **DISCLOSURES OF INTEREST**

- 1.14 Since accepting this instruction, Grant Thornton UK LLP has become the external auditor to WBC. This draft summary and the underlying review has been undertaken by members of our Forensic and Investigation Services team who are not involved in that audit work.

## FORMS OF REPORT

- 1.15 For your convenience, this draft summary may have been made available to recipients in electronic as well as hard copy format. Multiple copies and versions of this draft summary may therefore exist in different media and in the case of any discrepancy the final signed hard copy should be regarded as definitive.

## LIMITING FACTOR - ACCESS TO ENTERPRISE SOLUTIONS

- 1.16 We attached a copy of an unsigned "service level agreement for the provision of specialist business support between Invest Wirral and Wirral Biz" (the SLA), as Document 1 to our draft report dated 5 June 2013. We understand that Enterprise Solutions were commonly known as "Wirral Biz" and also understand that the SLA was never signed. We understand that Enterprise Solutions does not recognise the SLA.

- 1.17 In the absence of better information, we have relied on it as a final and contractually binding document.

- 1.18 Document 1 describes the services which Enterprise Solutions/Wirral Biz were due to provide under the BIG programme. They include advice and assistance concerning the preparation of business plans and "Wirral Council Grant Applications". The SLA explained that:

*"Wirral Biz will work alongside referred businesses offering support under one of the headings listed above [such as support with business plans and WBC grant applications] for a maximum three days per company (£300 per day)."*

- 1.19 The SLA does not specifically refer to audit rights and access to records, but WBC wrote to Enterprise Solutions on 26 November 2012 asking that we be given access to the accounts and records associated with the SLA.

- 1.20 Enterprise Solutions wrote to us on 13 December 2012 and stated:

*"this company has nothing to hide in relation to its involvement in any of the above programmes [one of which was the BIG programme] on which it provided services. We are therefore prepared to grant access on the basis requested, on the understanding that your costs of the exercise are to be borne by the Council."*

- 1.21 Contrary to the commitments made by Enterprise Solutions, we have not been given access to documentation retained by the company concerning the services it provided under the BIG programme and have, therefore, been unable to discuss these with Enterprise Solutions. This has limited the depth of our findings, and is one of the reasons our summary remains in draft form, as we cannot comment on the way in which Enterprise Solutions' own records might help to explain the programme and the way in which the documentation submitted by applicants evolved. This is of particular relevance to an application from an applicant we have referred to as BIG6.
- 1.22 This is also important as ordinarily (subject to possible police involvement), we would have discussed our findings in draft form with Enterprise Solutions before preparing this draft summary. Enterprise Solutions' unwillingness to cooperate with us has meant that we have been unable to do so.

## **HINDSIGHT**

- 1.23 It might be said that the best way to assess the applications described in this draft summary would be with reference to hindsight, for example, is the applicant still trading etc. However, hindsight would not have been available to the BIG Applicants, or WBC staff and we have not, therefore, applied hindsight or reviewed the trading history of applicants after their BIG had been provided.

## 2 EXECUTIVE SUMMARY

2.1 Document 2 (a report titled "Invest Wirral – Big Support") to our draft report dated 5 June 2013 explained that funds applied to the Business Investment Grant (BIG) programme had been intended to:

*"support SME's [sic] with potential for growth in Wirral, but importantly, will also support the sustaining of companies who may be having difficulty during this downturn."*

2.2 The same document also explained that grants were anticipated to range from £4,000 to £20,000.

2.3 We have reviewed six BIG Applications in response to the allegations set out in the enquiry log attached as Appendix 1 to our draft report dated 5 June 2013. These applications were brought to our attention and we do not know a) whether they are representative of the wider population of BIG Applications or b) whether the anomalies we have identified might also apply to the wider population. The six BIG Applications we have reviewed are referred to in this summary as BIG1 to BIG6.

2.4 There are anomalies within each of the BIG Applications we have reviewed as summarised from paragraphs 2.22, 2.32 and 2.36.

2.5 In large part, the anomalies may have arisen because of ambiguities and inconsistencies in the documentation given both to WBC's cabinet and a panel of people who were asked to review BIG Applications (the BIG Panel). It is also likely to be because the majority of the BIG Applications we have reviewed relied on a cashflow forecasting model which had been supplied by Enterprise Solutions<sup>1</sup> which also has its limitations.

2.6 As we understand it, BIG Applications were subject to review which sometimes resulted in amended applications being submitted. It is important to note, therefore, that had the anomalies been identified before the corresponding BIG had been approved, they might have been resolved and the revised application might have succeeded.

<sup>1</sup> or, more particularly, a sub-contractor working on behalf of Enterprise Solutions

- 2.7 The anomalies discussed in our draft report dated 5 June 2013 would not, in isolation<sup>2</sup>, have been sufficient to conclude that an applicant would necessarily have been precluded from a BIG. However, they might have resulted in the submission of improved financial information which might have enabled WBC to make a better informed decision or they might have resulted in the application being rejected.
- 2.8 It is also important to note that, with one possible exception (BIG6), the BIG Applicants themselves are not subject to criticism in this draft summary. This is because, with one possible exception, the BIG Applicants appear to have made transparent applications which were subject to review and approval by WBC. It is also important to note that Enterprise Solutions was not directly responsible for the BIG applications and had not, for example, been instructed to audit or otherwise corroborate the contents of BIG applications.

## **AMBIGUITIES AND INCONSISTENCIES**

### **SOLVENCY**

- 2.9 Document 2 to our draft report dated 5 June 2013 sets out a range of criteria which BIG applicants needed to fulfil in order for their application to succeed. This included the requirement that applicants needed to be "solvent". This term does not appear to have been defined elsewhere and is a very broad term which is capable of interpretation in more than one way.
- 2.10 For the purpose of this draft summary, we have considered solvency within the context of the Insolvency Act. This refers to two tests:
- balance sheet insolvency; and
  - cashflow insolvency, associated with the inability to pay debts as they fall due.
- 2.11 Both of these tests, in particular whether a company is able to pay its debts as they fall due, involve an element of judgement.
- 2.12 We have spoken to the WBC employee who was responsible for drafting the BIG criteria and he has advised that he fails to see how Grant Thornton can decide if any of the applicants were insolvent, particularly given (in his view) that all were trading at least two years further on. Further, he has advised that should a question regarding solvency arise by looking at accounts or forecasts, then the BIG Panel would need to be assured that there was no other funding

<sup>2</sup> with one possible exception (BIG4)

available to stop insolvency, and that 'it is not as straightforward as making a paper based determination'.

- 2.13 As noted at paragraph 1.23, hindsight would not have been available to the BIG Applicants, or WBC and we have not, therefore, applied hindsight or reviewed the trading history of applicants after their BIG had been provided, or corroborated the following comments provided by WBC who have advised us that:

*"The purpose of the BIG fund was to be a source of financial investment to local companies to secure monies for additional and future investment. Of those companies considered in this report, it is important to note that only one of those companies is no longer actively trading and that all were trading at the time of application and award of the grants from the BIG fund.*

*It cannot be ignored that the support provided to these companies under the BIG fund scheme has helped to achieve the objectives of the scheme and contributed positively to the local economy.*

*The support provided to the companies referred to below through the BIG fund scheme resulted in all the projects securing and/or creating jobs – and all the companies continuing to be important employers within the Borough.*

**(Company 1)**

*Company 1 were incorporated in June 1993 and presented an application for funding from the BIG fund which was approved in August 2010. The company continued to trade until earlier this year when in March 2013 it went into administration. Despite its current status of the company, it traded for two and a half years after the award thereby securing jobs and employment in the area.*

**(Company 2)**

*Company 2 is a well established business operating as a sole trader having established itself in the early eighties and had been trading some twenty five years at the time of its application for BIG funding. The company's proposal was agreed in January 2010 and was awarded later in March 2010. The business still operates today providing revenue and employment to the local economy.*

**(Company 3)**

*Company 3 was incorporated in 2003 and continues to successfully trade today following three staged awards during 2010 having successfully had their project agreed in December 2009 and since met their objectives over the last three years.*



**(Company 4)**

*Company 4 was incorporated in December 2008 and was a former recipient of funding from this scheme. Funding for a new project was approved in October 2010. The project was successful and the company continues to trade.*

**(Company 5)**

*Company 5 was incorporated in June 2009 but has since ceased to trade (due to non-financial reasons). However, a new company was formed with the project obligations, assets and workforce transferring to the new company. It was not until September 2012, some twenty six months after the BIG award, that Company 5 was dissolved. Despite the trading position of the Company 5, the BIG fund award helped achieve a positive and successful outcome for the new company.*

**(Company 6)**

*Company 6 was incorporated in December 2009 and having applied for assistance through BIG, which was agreed in May 2010, continues to trade today following five staged payments during 2010 and 2011. "*

- 2.14 We have reviewed the accounts and forecasts of a selection of BIG applicants, as identified to us during the meeting described at paragraph 1.6, and our findings are discussed in more detail in our draft report dated 5 June 2013. Our review has identified a number of matters which might have been reported to the BIG Panel regarding the solvency of five of the six applicants we have reviewed, and we have been unable to find any documentary evidence of these questions being raised during the appraisal process or discussed by the BIG Panel.

**Model provided by Enterprise Solutions**

- 2.15 All but one of the BIG Applications we have reviewed have used a version of a forecasting model supplied by Enterprise Solutions.
- 2.16 The first tab of the model pertaining to one of the BIG Applications (BIG4) stated:

*"This Excel Workbook is intended to help you compile a realistic Financial Forecast for your **proposed business start-up** [our emphasis]."*

- 2.17 Companies House records show that this company was incorporated almost two years before the date of the corresponding BIG Application. BIG4 should not, therefore, have been treated as a "proposed" business start-up and should have been asked to use a more appropriate model.



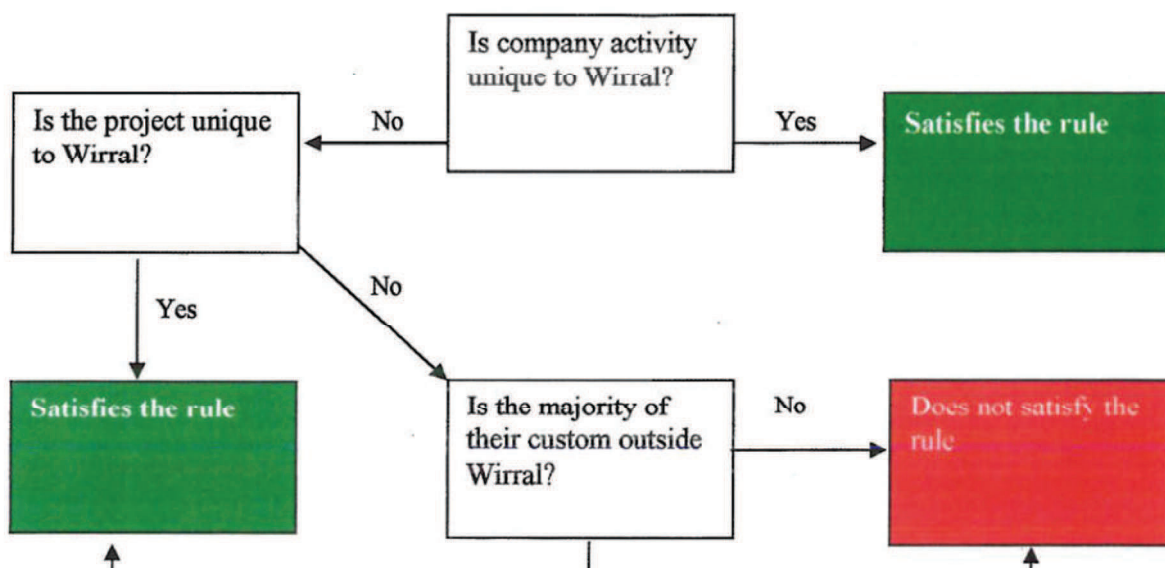
- 2.18 In speaking to the directors of BIG4, they have told us that they initially submitted a forecast using the same approach which they had adopted when making an earlier successful application for a BIG, but were asked to re-submit the forecast using the Enterprise Solutions model.
- 2.19 Furthermore, the underlying assumptions within the forecasting model used by many of the BIG Applicants were inherently optimistic as it assumed that the applicant would incur none of the following which would have resulted in reduced profits and cashflow:
- no bad debts;
  - no stock loss/wastage.
- 2.20 Furthermore, the model appears to have assumed that creditors would either have been paid during the month in which the sale of the corresponding item of stock (or similar) had taken place or one month in arrears. This would not necessarily have applied to businesses which:
- had a lead time of more than one month to convert stock into sales, ie the forecasts linked creditor payments with sales, rather than with the purchase of goods and services; or
  - new or financially distressed businesses which might have been expected to pay in advance for goods and services.
- 2.21 In addition, without manual amendment, the model took no account of the impact that existing liabilities (such as VAT creditors) might have had on future cashflow and the corresponding applicant's ability to pay its debts as they fell due.

#### **THE LOCAL COMPETITION TEST, AND BIG4**

- 2.22 The criteria which should have been used to consider BIG applicants, as submitted to WBC's cabinet stated that the:

*"project must pass the "local competition test" in that their sales are not primarily to a local market or be primarily at the expense of local businesses."*

- 2.23 The test required that sales were not primarily to a local market. In order to help a panel of people responsible for reviewing BIG Applications, WBC produced a flow chart which summarised the "local competition test" as follows:



- 2.24 The extract here shows that the test would be passed if the company or its project was unique to the Wirral. Although the flow chart made reference to the location in which sales had been made, the location of the sales was not a relevant consideration if a conclusion had already been reached that either the "company's activity" or the "project" were unique to the Wirral. Thus, the flow chart does not reflect the wording per the criteria submitted to WBC's cabinet.
- 2.25 Based on the contents of the flowchart, BIG4's application satisfied the local competition rule because its project appears to have been "unique". However, the flowchart did not go on to ask where the sales were primarily to be made, one of the criteria set before WBC's cabinet.
- 2.26 We have spoken to the WBC employee who was responsible for drafting both the BIG criteria and the flowchart discussed above. He has advised that BIG4's application did not fail the local competition test as its project was unique to Wirral. We note that this is on the basis of the flow chart discussed at paragraph 2.23, which does not reflect the wording of the criteria submitted to WBC's cabinet as discussed at paragraph 2.22.

## THE DECISION MAKING PROCESS

2.27 The flowchart attached as Document 4 to our draft report dated 5 June 2013 indicates that the panel set up to consider BIGs could either:

- "reject an application"; or
- "agree with the positive recommendation of the Appraiser and confirm award of the grant".

2.28 In our view, BIG applications submitted by BIG1, BIG2, BIG3, BIG5, and BIG6 contained what appear to have been financial anomalies. These apparent anomalies were not explained to the corresponding BIG Panels.

2.29 The BIG Panel was made up of a combination of people employed by WBC and from third party organisations. With reference to the BIG applications we have reviewed, only one "third party" panellist sat on all of the applications listed within paragraph 2.28. Having discussed some of the anomalies with that panellist, we understand that had he been made aware of the anomalies we discussed with him, he would not have supported the corresponding application without additional information or before the apparent anomalies had been resolved.

2.30 It is uncertain what impact this might have had on the applications. This is because, although we have seen minutes of BIG Panel meetings which reflect practice, we have seen no guidance documentation setting out whether the BIG Panel's decisions were to be taken on a majority basis or on the basis of a unanimous decision.

2.31 With reference to "practice", BIG Panel meeting notes dated 21 April 2011 indicate that on one occasion (not associated with the applications listed at paragraph 2.28) an application had succeeded even though one of the BIG panellists had felt that the application should have been rejected. On at least one occasion, therefore, a BIG Application succeeded despite one panellist taking the view that the application should have been rejected. However, this was not reflected in written terms of reference.

## INDIVIDUAL APPLICATIONS SUBJECT TO REVIEW

### BIG1, BIG2, BIG3, BIG5

2.32 In reviewing these applications, we found significant anomalies which were not brought to the BIG Panel's attention.

2.33 For example, one or more of these four BIG Applicants submitted:

- cash flow forecasts which did not appear to take account of existing liabilities, such as VAT which would, had they been reflected in the cash flow forecasts raised doubt about the applicant's ability to pay debts as they fell due;
- a balance sheet, where an opening balance did not match the corresponding closing balance from the previous period;
- accounts which indicate that the applicant had paid unlawful dividends (ie contrary to the Companies Act);
- forecasts which assumed that turnover and profitability would grow quickly despite a recent history of declining turnover and losses.

2.34 Each of these anomalies might have been addressed and explanations sought, and/or revised and more prudent forecasts prepared for the benefit of the BIG Panel. It is possible that the BIG Applicants we have considered might have:

- provided more complete or more accurate financial information resulting, ultimately, in a successful application; or
- been unable to provide better financial information resulting, ultimately, in the application being declined.

2.35 It is difficult to second guess what impact this information might have had on the BIG Panel. This is particularly true given that the judgement as to whether an application should have succeeded would not have been easy given that BIGs were intended to support businesses which had been unable to locate finance from commercial sources, such as high street banks.

## **BIG6**

2.36 BIG6 provided WBC with two BIG Applications and appear to have provided two sets of accounts in support of those applications with differing year ends.

2.37 The two sets of accounts are almost identical, for example, referring to exactly the same levels of turnover and net profit.

2.38 We also note that both sets of accounts include a £500 grant which appears to have been provided by WBC. Based on the information available to us, it seems that WBC might have recognised that the grant should not have been accounted for in both sets of accounts as it was provided around four months before one of the two accounting periods had begun.

- 2.39 We met with BIG6 and discussed the corresponding application. As things stand, it is unclear, whether BIG6's declaration that the information provided in the corresponding application was "correct and given in good faith" had been appropriate.

## RECOMMENDATIONS

- 2.40 We have made detailed recommendations in our draft report, dated 5 June 2013. These include recommendations that WBC considers whether it:

- can, or should, claw back the BIG given to BIG6; and
- should refer BIG6's application to the Police.

- 2.41 We have recommended that the Police should be asked to confirm that sharing our present draft findings with any third parties would not jeopardise any actual or potential Police investigation. We have recommended to WBC that WBC ensure that the Police are satisfied that either we and/or WBC are able to share these draft findings with any third parties before proceeding further. To do otherwise might jeopardise any subsequent police investigation, if any such investigation was deemed necessary.

- 2.42 It should be noted that, if WBC decide to refer BIG6's application to the Police, it should delay any efforts to claw back the grant until the Police have given the matter due consideration.

- 2.43 It is also very important that WBC:

- reviews the criteria it uses to review grant and similar applications to avoid ambiguities in the corresponding criteria wherever possible; and
- ensures that where panels are used to review applications, the panellists are given written terms of reference.



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# COUNCIL

Thursday, 19 September 2013

Present: The Mayor (Councillor Dave Mitchell) in the Chair  
Deputy Mayor (Councillor Steve Foulkes)

Councillors	RL Abbey	A Hodson	D Realey
	C Blakeley	K Hodson	D Roberts
	E Boulton	M Hornby	L Rowlands
	A Brighthouse	AER Jones	J Salter
	P Brightmore	C Jones	H Smith
	W Clements	P Kearney	T Smith
	J Crabtree	S Kelly	W Smith
	G Davies	B Kenny	J Stapleton
	P Davies	A Leech	M Sullivan
	D Dodd	I Lewis	A Sykes
	P Doughty	AR McLachlan	J Walsh
	D Elderton	M McLaughlin	G Watt
	G Ellis	C Meaden	S Whittingham
	L Fraser	B Mooney	J Williamson
	P Gilchrist	S Mountney	I Williams
	JE Green	C Muspratt	KJ Williams
	R Gregson	S Niblock	P Williams
	P Hackett	T Norbury	S Williams
	P Hayes	C Povall	

Apologies Councillors A Cox T Harney  
WJ Davies M Johnston  
P Glasman L Rennie  
J Hale

## 25 DECLARATIONS OF INTEREST

The Members of the Council were invited to consider whether they had any disclosable pecuniary and/or any other relevant interest in connection with any matters to be determined at this meeting and, if so, to declare it and state the nature of such interest.

In respect of all councillors who sat on bodies referred to in the 'Combined Authority' report, item 3A on the agenda, a general declaration was made of a non-pecuniary interest.

Councillor J Green and T Norbury declared non-pecuniary interests in the 'Combined Authority' report, by virtue of their employment.

## 26 MAYOR'S ANNOUNCEMENTS

Apologies for absence were received from Councillors Tony Cox, Bill Davies, Pat Glasman, John Hale, Tom Harney, Mark Johnston, and Lesley Rennie.

The Mayor congratulated Councillor Jim Crabtree for all his work with the Birkenhead Park Vintage Transport Rally which had taken place over the past weekend.

He referred to the Charity Ball taking place on Friday, 18 October, 2013 and hoped that as many members as possible would be able to attend.

The Mayor also announced that Councillor Mike Sullivan would shortly be running the equivalent of two marathons in one day carrying full Royal Marine military pack. He suggested that everyone in the Council could support this effort by donating £1, with all donations going to one of the Mayor's charities.

## 27 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

Two matters were submitted for approval by the Council.

The first related to the proposed Liverpool City Region Combined Authority and the recommendation from Cabinet which had met earlier on 19 September, 2013.

In respect of Cabinet minute 48 (19 September, 2013) – Combined Authority, it was moved by Councillor Phil Davies and seconded by Councillor Ann McLachlan that the recommendations of Cabinet be approved.

In accordance with Standing Order 12(1) and (9), it was moved as an amendment by Councillor Jeff Green and seconded by Councillor Andrew Hodson, that –

“Council is clear that cross border working across Merseyside, regardless of political or geographical boundaries, is desirable when it has the potential to deliver real economic benefit.

Council, however, believes that the formation of a Combined Authority, on a statutory basis, is a step too far and the six Labour-led City Region Authorities will use this process to begin the recreation of a Merseyside County Council type of authority.

Council is concerned that the creation of a solely Labour-led entity will ignore the views of a significant number of residents in the area and leave them with no voice and no access to the decision making process.

Council notes the geographical differences within the Region and is concerned that a situation may arise were all resources are siphoned off towards the largest authority - Liverpool, with the outlying conurbations, particularly Wirral, being left behind in terms of growth, jobs and investment.

Council wishes to highlight that Wirral has bucked the trend in terms of growth and job creation in the City Region, for example for the last 4 years Wirral is the only area that has seen a year on year increase in employment rate and employment rate in Wirral was 70.7% in March 2013 compared to 60.0% in Liverpool.

Council notes that in the Government's guidance 'Growth Deals: Initial Guidance for Local Enterprise Partnerships' which introduces freedoms, flexibilities and influences over resources from Government, there are at least 3 options offered to demonstrate 'strong governance' namely a Joint Leaders Committee, an Economic Prosperity



Board, a Combined Authority or indeed other arrangements. Council therefore notes that a Combined Authority is not a 'prescribed' option from Government and other options are available to the people of Wirral.

Council believes that, as the Combined Authority scheme was the only option consulted upon and that other options referred to in the Government guidance were not, the consultation process was fundamentally flawed.

Therefore in the light of the flawed options consultation and the wishes of Wirral's business community, who rejected a combined Chamber of Commerce in favour of a Wirral focussed organisation Council recommends that this matter be referred back to the Cabinet for them to consider withdrawing from the Liverpool City Region Combined Authority process in favour of one of the alternative options provided in the guidance in order to access the Government's new Local Growth Fund."

To enable consideration of this amendment the Mayor then adjourned the meeting at 6.25pm for 10 minutes.

The meeting resumed at 6.35pm.

During the course of the debate on this matter, Councillor Blakeley declared a personal interest, when during Councillor Hackett's speech, reference was made to Esther McVey, MP, by virtue of his employment.

A number of issues were raised and discussed during the debate, including the role and functions of the proposed Combined Authority, the extent and level of consultation undertaken to date, the position advanced by Central Government and the arrangements for scrutiny.

Prior to the vote on the amendment, Councillor Green along with five Conservative Members asked that a 'card vote' be recorded.

For the amendment (19) Councillors C Blakeley, E Boulton, Mrs W Clements, D Elderton, G Ellis, L Fraser, J Green, P Hayes, A Hodson, K Hodson, M Hornby, P Kearney, I Lewis, S Mountney, C Povall, L Rowlands, A Sykes, G Watt and S Williams.

Against the amendment (38) Councillors R Abbey, A Brighthouse, P Brightmore, J Crabtree, G Davies, P Davies, D Dodd, P Doughty, S Foulkes, P Gilchrist, R Gregson, P Hackett, A Jones, C Jones, S Kelly, B Kenny, A Leech, A McLachlan, M McLaughlin, Mrs C Meaden, B Mooney, C Muspratt, S Niblock, T Norbury, D Realey, D Roberts, J Salter, H Smith, PA Smith, W Smith, J Stapleton, M Sullivan, J Walsh, S Whittingham, I Williams, K Williams, Mrs P Williams and J Williamson.

One abstention – Councillor D Mitchell

The amendment was therefore lost (19:38) (One abstention)

The recommendation of Cabinet was then put and carried (38:19) (One abstention).

**Resolved (38:19) (One abstention) –**

**That the recommendations in minute 48 (Cabinet 9 September 2013) – Combined Authority, be approved and that this Council agrees -**

- (1) the submission of the Liverpool City Region Strategic Governance Review and Scheme to the Department for Communities and Local Government for the establishment of a Liverpool City Region Combined Authority on the basis of the drafts attached at Appendix 1 and Appendix 2 to the Cabinet report;**
- (2) that the Council should formally become a constituent member of the Liverpool City Region Combined Authority, thereby sharing appropriate economic development and transport powers with other Councils within the Liverpool City Region Combined Authority in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009 and the Local Transport Act 2008; and**
- (3) that approval to make any technical amendments to the Liverpool City Region Strategic Governance Review and Scheme before it is submitted to the Secretary of State on 30 September 2013 be delegated to the Chief Executive in consultation with the Leader of the Council.**

The second matter related to the designation of the new Section 151 Officer.

On a motion by Councillor Phil Davies, seconded by Councillor Ann McLachlan, it was -

**Resolved (unanimously) – That, following the appointment of Vivienne Quayle as Director of Resources (as from 1 November, 2013) by the Employment and Appointments Committee at its meeting on 2 August, 2013, Council approves her designation as Section 151 Officer, pursuant to S113 of the Local Government Finance Act 1988, with effect from 1 November, 2013.**

## 28 **VACANCIES**

The Council was requested to deal with the following matters in respect of appointments to outside organisations.

### **CENTRAL AND SUPPORT SERVICES**

#### **(i). West Kirby Charities**

Councillor David Elderton - re-appoint for a 4 year term until 7 September, 2017  
Councillor Eddie Boulton - re-appoint for a 4 year term until 16 October, 2017

## HEALTH AND WELLBEING

### **(ii). Cheshire and Wirral NHS Partnership Trust - Governor**

Councillor Phil Gilchrist to be re-appointed as from 11 October, 2013 for a three year term, until 10 October, 2016.

### **(iii). Wirral University Teaching Hospital Foundation Trust - Governors**

Councillors Kathy Hodson and Anita Leech appoint for a three year term until 18 September, 2016.

## NEIGHBOURHOODS, HOUSING AND ENGAGEMENT

### **(iv). Magenta Living (formerly Wirral Partnership Homes) – Board Members**

Due to a reduction in the size of the Board, reduce the number of appointees to 4 with the removal of Councillor Kathy Hodson, the membership now to be:

Councillors     Steve Foulkes  
                       Jeff Green  
                       Denise Roberts  
                       Stuart Whittingham

**Resolved – That the appointments and amendments to membership of outside bodies listed above, be approved.**

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## COUNCIL

14<sup>th</sup> OCTOBER 2013

### CABINET PORTFOLIO SUMMARY REPORT

<b>REPORT OF</b>	<b>COUNCILLOR PHIL DAVIES</b>
<b>CABINET PORTFOLIO</b>	<b>LEADER</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>GRAHAM BURGESS</b>

#### EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his/her portfolio.

#### 1. FUTURE COUNCIL MODEL AND VISION

Over the coming months we will focus upon developing a model and vision for how the Council will operate in the future. This important work will help to determine the future shape of services for our residents, and will set out arrangements for working in partnership with our strategic partners, businesses and the voluntary and community sector to deliver joined up services to appropriately support the diverse needs of Wirral's residents and communities.

All Elected Members will have an opportunity to engage in the development of the future Council model and vision. This was a key focus of the Elected Member annual conference on the 12<sup>th</sup> October. A Policy Council will take place later in the year to agree the vision and priorities for the Council, in order that Council is in a position to adopt a new Corporate Plan in December 2013 to guide the allocation of Councils resources.

Engagement and consultation will also take place with our workforce and partners to ensure that we have a joined up vision and that places our workforce at the heart of delivering this vision.

#### 2. BUDGET

The Council's financial position continues to be challenging and in 2014/15 we will need to find further savings of £27.5 million in order to deal with reductions in Government funding which includes the additional 2% cuts to local government announced by the Chancellor, George Osborne MP in the Autumn Statement. The savings target also takes into consideration additional budget pressures such as inflation and unavoidable demographic growth.

Over the next three years it is estimated that the Council will need to identify savings in the region of £83 million. This is on top of the £48 million savings that were agreed last year. Robust action has been taken over the past 12 months to ensure that the Council is well placed to deliver further savings. Significant progress has been made to stabilise our finances through addressing issues including bad debts

and eliminating departmental overspends. At month 5 of 2013/14 the full year forecast projects a General Fund underspend of £320k. Identifying further savings over the next three years will be difficult and challenging, however we are already looking ahead at savings for future years with the agreed programme of transformational projects and exploring new models for delivery, for example the shared services arrangement with Cheshire West and Chester and Cheshire East Councils.

Within the £27.5 million savings required for 2014/15, 'efficiency savings' of around £7 million have been identified, and the Council is assuming a below inflation Council Tax rise which will generate around £2 million. This means that, of the options put forward for consultation, around £17.5 million need to be agreed as savings to deliver a balanced budget. The Council's Chief Executive published a series of officer budget savings options on the 16<sup>th</sup> September to start a 12 week consultation process. The public consultation on these budget options closes on Friday 6<sup>th</sup> December and in the first two weeks of the consultation had received almost 4,000 responses.

### **3. EUROPEAN FUNDING**

The UK Government's allocation of European Union funding from 2014-20 will result in a significant cut in Merseyside's European funding by around 60%. It is particularly disappointing that money from deprived areas such as the Liverpool City Region will go to the more affluent areas in the south of the country. I have been instrumental in lobbying for a review of this funding allocation with the coalition Government but unfortunately they have so far refused this request. As our clear evidence of unjustness has been ignored, we will join the rest of our City Region partners in legally challenging the coalition Government on this basis.

Government has now set out its preferred model for delivery as a single national programme with Local Enterprise Partnerships taking a strategic role in delivering new programmes. In my role as the Chair of the EU sub group I have led the development of a new EU Structural Funds Programme for the period 2014-2020, and work is currently underway on the development of the Liverpool City Region EU Investment Plan which will be submitted to Government on 7<sup>th</sup> October 2013, with the final submission early 2014.

### **4. COMBINED AUTHORITY**

Council at its meeting on the 19<sup>th</sup> September voted in support of the proposal to establish a Liverpool City Region Combined Authority. This follows a period of consultation with elected members, businesses and partner organisations which provide an overwhelming positive response to the proposals, with over 80% of respondents supporting the proposals.

On the 30<sup>th</sup> September, the six local authorities in the Liverpool City Region submitted to Government a review of its strategic governance arrangements which recommended the creation of a Combined Authority which would demonstrate clear and accountable leadership on strategic economic development, transport, housing and employment skills. The Governance Review concluded that a Combined Authority would be best placed to support economic growth and secure more jobs for the city region.

There are many examples of other city region areas including Greater Manchester, North East, South Yorkshire and West Yorkshire having either established or proposing to establish a similar arrangement.

Government will now consider the proposal and will carry out a further consultation exercise in the autumn. If there is support for the proposal, an order will be laid before Parliament to create the Combined Authority. There will a further opportunity to consider the proposal at a meeting of Council in March 2014 where Elected Members will be asked to approve the creation of a Combined Authority with effect from April 2014.

## **5. VISIT TO CHINA**

I recently led a delegation to Taicang, Wirral's sister city in China with the purpose of promoting the International Trade Centre. The delegation, which included Peel Holdings, met with the Mayor of Taicang, senior government officials and over 50 businesses to promote the International Trade Centre.

There was great interest from Chinese companies and I am very confident that we will see hundreds of new jobs and millions of pounds of new investment coming to Wirral from this development. I also met with the Head of UK Trade & Investment to discuss how opportunities in Wirral, with particular regard to the offshore wind sector and the proposed automotive supplier park on the Wirral Waters site, can be promoted. I met with a number of wind power companies who are interested in opportunities for investing in Wirral which they see as an important centre for the off-shore wind sector.

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**COUNCIL**

**14 OCTOBER 2013**

**CABINET PORTFOLIO SUMMARY REPORT**

<b>REPORT OF</b>	<b>COUNCILLOR CHRISTINE JONES</b>
<b>CABINET PORTFOLIO FOR</b>	<b>ADULT SOCIAL CARE</b>
<b>CO-ORINDATING CHIEF OFFICER</b>	<b>GRAHAM HODKINSON, DIRECTOR OF ADULT SOCIAL SERVICES</b>

**Executive Summary**

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his/her portfolio.

In this update I have recognised the significant work that has been taking place in Adult Social Care to implement savings and to transform the social care market through strategic commissioning.

**Effective Delivery of Residential and Day Service Transformation**

At Cabinet in June changes to a number of residential and day services were agreed which have been delivered on time and within budget.

The key changes are:-

**Development of a smaller Moreton service** – Following detailed individual service reviews it was agreed with carers that a revised smaller service was needed at Moreton. Almost 100 people were relocated to other services, as there was sufficient capacity to meet their needs. The revised Moreton service is for up to 35 people a day. The new Local Area Coordinators will work with people at Moreton to maintain local contact with employers, nurseries, churches and community centres.

**Relocation of services users from Sylvandale residential unit** – Thirteen people have been re-housed into a range of alternative services. Due to the efficient work of staff Sylvandale closed ten days before the proposed date.

**Reprovision of Fernleigh respite care** – This service was commissioned differently from the independent and health sector. In addition people were also offered personal budgets to purchase alternative arrangements to best suit their needs. This proactive partnership work now ensures that all service user needs could be met more cost effectively.

**Amalgamation of Prenton and Union Street into Beaconsfield** - All three services offered an outreach facility for people with recovering mental health needs. Both Prenton and Union Street operated from dilapidated buildings in their local community. Alternative resources were found in Prenton at the local library and also at a small café that is a social enterprise and willing to offer a range of services such as web design, arts and crafts etc. Service users at Union Street identified the use of a room at a resource in Falkland Road. Beaconsfield staff support the workshops that take place at Falkland Road but its very much service user led.

**Develop a social enterprise project board** – Now that the day services restructure is complete the focus is on the development of the social enterprise project. A project Board is in place with input from carers and officers. The findings are due to be reported to cabinet in December 2013.

### **Improvements in services through Commissioning**

- Wirral was one of the first Local Authorities in the Northwest to complete a market Position Statement. The key message is about reshaping the market place - reducing dependency on residential beds and moving to a wider range of options to support people effectively to be as independent as possible in their local communities.
- Consultation on residential and Nursing Fees for 2013/2014 is complete; the main investment is in dementia and complex nursing. The Wirral Model is providing a platform for other commissioners in the region to build their consultation upon. Consultation for 2014/2015 is scheduled to start in October.
- New domiciliary and re-ablement at home contracts have been tendered. There is significant emphasis to support principles of the “Ethical Care Charter”; this includes appropriate contracts, investing in training and offering continuity of care etc The new service will be required to provide a one hour response time. The services must operate and take referrals 365 days a year, 8am - 11pm.
- The Recommendations for appointment will be presented to Cabinet in November 2013.
- Intermediate Care is being remodelled in partnership with the NHS. Two key bed based hubs will be tendered in November (approx. 30 Intermediate Care beds in each hub). Multi Disciplinary Teams being established to support people on discharge to an Intermediate Care bed/at home service. Reablement and intermediate care will combine into a single service
- Mobile nights: Wirral has not had a mobile night service. Therefore people ended up in long stay residential and nursing accommodation, when they may not have needed to do so. Providers for this much needed service are currently being shortlisted and interviewed so that the service can commence from later this month.

In summary there has been a significant amount of activity that is delivering an increasingly cost effective Adult Social care offer through transformational changes in the way that services are delivered and commissioned. I would like to recognise the

hard work and commitment of officers in achieving these improvements across the department.

**Signed:** ..... **Dated:** .....

Councillor Christine Jones  
Cabinet Portfolio Holder

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## COUNCIL

14 OCTOBER 2013

### CABINET PORTFOLIO SUMMARY REPORT

<b>REPORT OF</b>	<b>COUNCILLOR ADRIAN JONES</b>
<b>CABINET PORTFOLIO FOR</b>	<b>CENTRAL AND SUPPORT SERVICE</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>JOE BLOTT, STRATEGIC DIRECTOR</b>

#### EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his/her portfolio.

#### TRANSFORMATION/CHANGE TEAM

The Change Team are working with Cheshire West and Chester to develop a business case for sharing services, as instructed by Cabinet in July. A full update report on this will be presented to Cabinet in November.

#### HUMAN RESOURCES/ORGANISATIONAL DEVELOPMENT

##### LEAVERS

As at 30 September the position on leavers from 2013/14 budget options is as follows:

A total of 253 employees left or are due to leave by December 2013

- 192 volunteers already left
- 18 volunteers have signed and are currently working notice
- 78 employees were issued with notice of which 33 have left.
- Of the 33 -14 did not opt into redeployment

Of the 78 - 36 employees have been redeployed to other posts.

We have 9 people issued with notice who we are currently seeking to redeploy.

We continue to work hard Trade Unions and staff to identify any alternative options and minimise the number of redundancies.

## **ORGANISATIONAL DEVELOPMENT UPDATE**

As part of the Council's Improvement Plan, September saw the launch of the new programme. This is aimed at our senior managers and provides a range of learning opportunities. This is funded from current training budgets.

We are also launching a new Management Development "Essentials" Programme delivered by Internal Officers for all of our managers

Performance Appraisal delivered to senior managers by the end of September.

## **ELECTED MEMBERS DEVELOPMENT**

1. Wirral Elected Member Development Programme is now externally accredited with the Institute of Leadership & Management (ILM)

- Only one other Local Authority in the North West has achieved this and was recommended by the Improvement Board
- It brings quality assurance and a level of validation to our Member Development Programme
- So far one Elected Member has achieved the award ( with others soon to follow)

2. The 2nd cohort of the Wirral Elected Members Leadership Programme will take place in November

- The Programme is delivered by the LGA
- There are two Modules ( Personal & Political Leadership)
- 10 Wirral Elected Members completed as Cohort one.

3. Personal Development Plan (PDP) Reviews will commence in October for all Elected Members

- 49 Elected Members have completed PDPs for 2012/13
- Reviews will pick up any changes to the development needs that may have arisen in the 6 months since the original plans were discussed.

## **IT SERVICES**

### **DISRUPTION TO IT SERVICES**

It was regrettable that a recent power surge meant disruption to the IT Services infrastructure and this was affected for a protracted period over and above other public and partner IT users. IT Services are working closely with Wirral's electrical engineers to improve resilience in the electrical supplies to the Treasury Building.

### **PROJECTS**

Key projects include desktop upgrades and the project to replace the social care application.

## **BUSINESS PROCESSES**

### **WELFARE REFORM**

The authority continues to implement the Government Welfare Reform programme. This has seen the level of contact we receive for both benefits work and revenues collection increase by over 20% from last year with no sign of this reducing as it would normally do half way through the year.

### **COUNCIL TAX SUPPORT SCHEME**

The national Council Tax Benefits scheme was abolished and replaced by the Council Tax Support Scheme which reflects the reduced level of central funding. The maximum level of support is 78% for people of working age. Pensioners and those assessed as vulnerable or disabled remain protected at 100% awards. Given this change we have continued to review cases to ensure that people are claiming what they should and in the first six months we have correctly identified over 1000 people who have been able to be properly moved into the higher category. However this still means the authority is responsible for collecting on average £220 per annum from 15,000 people who had not previously paid council tax. Many of those residents are making payment and while many are unable to we will do our best to ensure some form of repayment is made to help them meet their new liability.

### **LOCAL WELFARE ASSISTANCE SCHEME**

Our scheme to help support emergency payments, which is funded by government grant, continues as expected to increase in numbers of people it offers support to. In the first two months 594 people were helped and in the last two months this has increased by nearly 20% to 710 receiving support with weekly payments regularly totalling £10,000. Officers will now begin a review of the scheme to see what other support mechanisms we, as a council, can consider as well as how this scheme may be altered for future years.

### **UNDER OCCUPANCY**

This is the deduction from claimant's benefits where a room is described as making a property under occupied for the family unit that occupies and is administered by the Council. Initially this saw 4,200 homes affected attracting weekly deduction of benefit of either 14% or 25%. During the year our ongoing work to identify those who should qualify to be exempt from that deduction has seen numbers affected reduce to 3,770. This has been due to identifying carers, disabled persons and other eligible categories that allow bedroom to be exempt and this work continues. The increased rental liability places an increased burden on the Discretionary Housing Payment scheme.

This scheme's grant has nearly been doubled by government this year to help address these changes and a further additional fund has now been made available which will be bid for but the grant only covers around a fifth of the total rent shortfall facing residents and landlords in the social sector.

**ASSET MANAGEMENT**

The integration of asset/property/Health, Safety and Resilience staff into one unit is now complete.

Report to Cabinet on 7<sup>th</sup> November will bring forward proposals in respect of office accommodation, disposals and a proposed model for area reviews of council assets area by area and potential for further integration, shared facilities and release of some assets. The report will bring forward a number of larger sites for disposal for other uses.

The new Stanley special school has opened and completes the development of the new building for Pensby Primary School and Stanley Special School, replacing four previous buildings.

**Signed:** ..... **Dated:** .....

Councillor Adrian Jones  
Cabinet Portfolio Holder



## COUNCIL

14 OCTOBER 2013

### CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	COUNCILLOR TONY SMITH
CABINET PORTFOLIO FOR	CHILDREN'S SERVICES
CO-ORDINATING CHIEF OFFICER	JULIA HASSALL, DIRECTOR OF CHILDREN'S SERVICES

#### EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

#### 1. New senior manager appointments to Children's Services

Two new appointments have been made to complete the Children's Services senior management team; Emma Taylor joined the authority on 7 October as the Head of Specialist Services and Deborah Gornik will join the authority in November as the Head of Targeted Services.

#### 2. Wirral's intensive family intervention programme (troubled families)

Louise Casey, national lead for the Troubled Families programme visited Wirral's programme during September. This was a return visit to talk to families about the impact of this service on their lives and to workers about the strengths of engaging with families in this way. Key information about the programme to date is that:

- Wirral is currently working with, or has worked with approximately 450 families identified for this project since the scheme started;
- There is a dedicated group of key workers, from the charity Catch 22 and the local authority family support service delivering intensive family support across Wirral;
- Using this evidence-based model, families are assessed using a specially developed family assessment and then receive support delivered through a family contract;
- The main focus of the work is to improve school attendance, reduce youth crime and anti-social behaviour, and increase the number of parents in employment;
- Progress is good, with 204 families already achieving positive outcomes;
- The programme is embedded within Targeted Preventative Services and working links with the partner agencies and the voluntary sector are strong.

### **3. Children's achievement in Wirral's schools, academies and colleges**

Once again this year there have been some real successes in the attainment of children in Wirral's schools, academies and colleges. Some of the results include:

- An increase in attainment at Level 2+, at the end of Key Stage 1, in speaking & listening, reading, writing and mathematics, and the free school meal gap has narrowed in speaking and listening;
- A continued increase over the last four years in attainment at L4+, at the end of Key Stage 2, in reading, writing and mathematics and the free school meal gap has narrowed in writing and mathematics. The percentage of pupils making the expected 2 levels progress in writing and mathematics has increased;
- Attainment at the end of Key Stage 4 has increased by 1% to 66% for pupils attaining 5A\* - Cs in their GCSE's, this is above the national average, and is in line with the steady increase over the past ten years;
- Almost half of our students at schools, academies and colleges (49.3%) entering A' levels (including General Studies) received a grade of A\*-B, and the overall pass rate in 2013 is 97.4% in line with the national picture of 98%. Over the past seven years there has been a continuing rise in the number of students gaining a range of qualifications.

### **4. Implementing the Multiagency Safeguarding hub (MASH)**

Partnership working to safeguard vulnerable children and adults continues to be strong; an example of this is the development of the Multi Agency Safeguarding hub:

- This new development will improve information sharing arrangements for children and adults at risk of harm through a single multi agency "front door";
- Located together in Moreton, the joint team will be operational prior to Christmas and will include children's and adult social workers, police, probation officers and health workers.
- Evidence from other local authorities indicates that a well run MASH increases the opportunity to quickly gather multiagency information about children, families and adults who are vulnerable, and target responses more effectively to keep people safe.

## COUNCIL

14 OCTOBER 2013

### CABINET PORTFOLIO SUMMARY REPORT

<b>REPORT OF</b>	<b>COUNCILLOR PAT HACKETT</b>
<b>CABINET PORTFOLIO FOR</b>	<b>ECONOMY</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>KEVIN ADDERLEY, STRATEGIC DIRECTOR REGENERATION &amp; ENVIRONMENT</b>

#### EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

#### 1. HOYLAKE GOLF RESORT

Work is progressing well through a competitive dialogue process in identifying a partner for June 2014 to take forward the golf resort. Interest from developers remains strong and the OJEU notice seeking proposals will be issued on October 4, 2013.

#### 2. BROADBAND UK (BDUK)

A contract has now been signed with BT to deliver this project across Merseyside and the detailed implementation programme is now being finalised.

#### 3. BIRKENHEAD TOWN CENTRE

A 12 month lock out agreement is being finalised with Neptune Developments to enable them to progress the development of a master plan for the town centre. When completed, this master plan will come back to Members for consideration.

Significant progress has been achieved in the delivery of the Investment Strategy including contributing to and leading several key City Region developments. Key programme development includes the next European Programme Investment Strategy, contribution towards the LCR Growth Plan and Wirral led the development of a Youth Unemployment Task Force Report.

#### 4. OTHER PROGRESS

- Apprenticeship Programme – Approval for the continued delivery of an apprenticeship programme was given in August and work is starting on the recruitment of at least 50 new apprentices into placements in Wirral businesses

- Development of an Offshore Survival Centre – Officers continue to progress the plans for the development of an offshore wind survival centre in Wirral, based on the growth of the offshore wind industry but in response to the needs of the maritime sector overall.
- Enterprise Zone (Wirral Waters) – significant remediation work is expected to start within the last quarter of 2013/14, following a successful £8m Local Infrastructure Fund (LIF) bid to Government in June. The clearance of the former Mobil site at the West Float will mark an exciting period of development across a site under utilized for most of the last 30 years. This work links to the development of several key projects, including the development of a focal point for hosting International Festival of Business events in Wirral during June/ July 2014.
- Local Asset Backed Vehicle – work has begun to scope the development of a Local Asset Backed Vehicle (LABV) for the Council to look at new ways of working for the Council in delivering key capital regeneration schemes. An options appraisal will be presented back to Cabinet later in the year.
- Regional Growth Fund – progressing the delivery of the Councils successful £5m RGF bid with the first award being made to a local engineering company. We now also have agreement to work with companies to offer financial assistance from the £15m LEP RGF programme. A significant pipeline of proposals is in place and Officers will now progress these through the appraisal process.
- Youth Unemployment Task Force – Wirral has seen a reduction of almost 15% in youth unemployment over the last year with 2,335 18-24 year olds now claiming Jobseekers Allowance in the borough. Building on good progress, Wirral Council will now drive forward the recommendations of the Liverpool City Region Youth Unemployment Task Force successfully led by Wirral. City Region partners will use this report to support identification of resources for Youth Unemployment initiatives.

## **COUNCIL**

**14 OCTOBER 2013**

### **CABINET PORTFOLIO SUMMARY REPORT**

<b>REPORT OF</b>	<b>COUNCILLOR BRIAN KENNY</b>
<b>CABINET PORTFOLIO FOR</b>	<b>ENVIRONMENT &amp; SUSTAINABILITY</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>MARK SMITH, HEAD OF ENVIRONMENT &amp; REGULATION</b>

#### **EXECUTIVE SUMMARY**

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

#### **1. STREET CLEANSING**

After successfully implementing the reduced street cleansing frequencies in July to realise the £1M saving, Biffa have just completed the first 12 week cycle of cleansing in those areas that used to be cleansed monthly. Weekly work, that is now cleansed every 4 weeks, is just starting its 4th cycle of cleanse, with the exception of alleyways which are approximately 1 week behind schedule. This is due purely to the high volumes of waste (with some alleyways requiring a whole day to be spent cleansing just one entry, due to the excessive fly tipping and Section 46 contraventions that are occurring). Biffa have committed an extra alley way team next week to get back on schedule.

Joint inspections resumed with Biffa throughout September and the results are positive, with 95% of streets being cleansed to standard, exceeding the target of 92%. The LEQ corporate indicator for Quarter 2 has also shown improvement and met the Quarter 2 target.

The team have identified around £40K of existing budget to purchase litter bins, in order to increase capacity in secondary retail areas. In conjunction with the Love Wirral Campaign, the Council is about to write to all secondary retail outlets to request their support in helping to keep their shop fronts clean and tidy between scheduled cleanses (that are now twice per week as opposed to every day). Shops will be invited to place a window sticker and other promotional material in their shop asking customers to take their litter home. They will also be encouraged to join the Tidy Business Awards scheme. This first wave of correspondence will be followed up by further information in about 6 months time.

The Waste and Environment Team are currently drafting a Litter Reduction Strategy. The Strategy will be a framework for how Wirral Council will tackle behaviour change in order to encourage people to stop throwing litter and

engender pride and ownership where they live and work. Tackling dog fouling and smoking related litter and litter arising from fast food outlets will be a key focus. The 5 year strategy (with a two year review) will focus on engaging with schools, communities and businesses and reflect neighbourhood priorities. Some consultation with schools has already been carried out to inform the strategy. Wider consultation will be carried out later this year.

## **2. GRAFFITI**

The Graffiti contract with Lairdside Together has been extended for six months until 31st March 2014. The tender process for a new contract will be initiated no later than January.

## **3. GARDEN WASTE**

35,200 Subscribers have now joined the service. The waste collection contractor (Biffa) have overcome most of the operational challenges of mobilising the new service and collection reliability has improved considerably in the last month.

The brown bin take back project is about to go out to tender. The preferred bidder will collect unwanted bins from households during a two week period mid to late November. Residents will be notified one to two weeks prior to their scheduled extraction day. Residents will be instructed to present their bins empty and bins containing rubbish will not be taken, as the company collecting the bins are not likely to be "licensed waste carriers". Residents ignoring this instruction will be informed that they forfeit their rights to a free collection of their brown bin. Consideration will be given to a second wave of extractions, but only if the volume of bins returned is high enough to raise the income to deploy the contractor again.

Home composting sales have increased by 480% (based on purchases made through the Merseyside Home Composting Framework). There have been 49 reported fly tips of green waste between June and August, compared to 43 the previous year. The residual waste tonnages presented in our green bins has increased by 1% through this peak season. Further waste composition analysis is due to be carried out in October to identify the levels of garden waste in the green bins. Overall across the borough, garden waste "recycled" by the public through the kerbside service and that received at Household Waste Reception Centres (HWRCs) combined is down by 7.34% in the first three months. However, more analysis need to be carried out over a longer period to determine the real effect, as tonnages can vary considerably due to seasonal variations.

We have had a lot of interest from other Councils who are seeking to implement charges for Garden Waste. Tara Dumas and myself are presenting our "model" at the annual APSE conference for Environmental Services on the 6th November.

#### **4. WASTE STRATEGY**

Wirral Council continues to take the lead on behalf of the Merseyside and Halton Waste Partnership. Quarterly joint meetings of Directors responsible for waste are being conducted and issues around waste strategy, procurement and efficiencies are tabled regularly at the meeting of Chief Executives and LCR Cabinet.

A joint procurement for the future processing of garden waste is underway, led by Sefton Council. A capability and needs assessment has just been launched on the CHEST to identify potential interested bidders and help inform the process. Further information on this, and the implications for Wirral Council will be presented to Cabinet in November 2013.

#### **5. COASTAL STRATEGY**

The long-term planning for the defence of the coastal environment and the associated infrastructure remains an important part of the Council's responsibilities as a maritime authority. At its meeting on 7<sup>th</sup> October, Cabinet will consider a report setting out a management strategy for coastal defence for the next 100 years, including improvements that will need to be undertaken within the next 20 years. I am proposing that the Council explore funding opportunities to maximise the government grants and other income that can be secured to undertake this important work.

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## COUNCIL

15 OCTOBER

### CABINET PORTFOLIO SUMMARY REPORT

<b>REPORT OF</b>	<b>COUNCILLOR ANN McLACHLAN</b>
<b>CABINET PORTFOLIO FOR</b>	<b>GOVERNANCE &amp; IMPROVEMENT</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>FIONA JOHNSTONE, HEAD OF POLICY &amp; PERFORMANCE/ DIRECTOR OF PUBLIC HEALTH</b>

#### EXECUTIVE SUMMARY

The first six months of this financial year have seen significant progress in delivering on our improvement and governance agenda.

#### 1. IMPROVEMENT PLAN

The Improvement Board has examined progress against the existing Improvement Plan. Recognising that many of the initial actions set out in this plan have been achieved, the focus has moved to supporting Wirral to develop high level strategic outcomes that demonstrate what we are aiming to achieve through our improvement journey. The Board endorsed three outcomes at its meeting in July, which centre on delivering the budget, changing culture and ensuring an effective assurance framework is in place.

Cabinet approved these outcome measures on 19 September and key indicators will be incorporated into the performance management framework to ensure regular monitoring and review.

The Board now feel it is appropriate to consider improvement in Wirral and the future arrangements to support continued improvement. At its meeting in September the Board agreed that a review should be undertaken which sets out progress against the original priorities for the Board, as well as progress against the strategic outcomes.

This review would also capture the contribution external members of the Improvement Board have been able to make to supporting Wirral Council in terms of guidance and practical support, as well as consider what would constitute sufficient progress to allow the Improvement arrangements to alter. It would further consider what learning can be identified that would be helpful to share with local government and others more widely. The Board would be keen to understand through this review if stakeholders outside the council see a change from two years ago.

The Board will meet on 25<sup>th</sup> October to consider a paper that explores these issues and the report will be made publicly available after the meeting and circulated to all Elected Members, other stakeholders and the LGA.

## **2. PERFORMANCE MANAGEMENT**

A Performance Management and Improvement Framework has been developed and approved by Cabinet. This Framework provides the foundation upon which the Council can deliver a more outcomes focussed approach to setting organisational targets which meet the Council's strategic vision.

Performance and Policy Committees have now started to receive regular performance reports which highlight areas of good practice, but also are accompanied by exception reports on any indicators which are failing to meet their targets. Officers accountable for these indicators attend the committees to explain how it is intended that we make improvements to performance. As a result of the feedback on these reports at the Committees from Members, they have been refined and improved and they will now form one of the means (although not the only mechanism) by which Members can identify areas which they would wish to look into in more depth.

Twenty-seven (27) Members have taken part in training on performance to date. The sessions were designed to provide an overview of the policy and performance reports and how they are constructed, and the performance management and improvement framework

The sessions have also provided Elected Members with the opportunity to provide feedback/input on the current performance reports and support. This dialogue has resulted in a number of significant changes and developments for example they initiated the production of technical specifications to support Corporate Plan indicators illustrating how they fit strategically, benchmarking information and the evidence and policy basis on which they are built.

## **3. INFORMATION GOVERNANCE**

The Council has recently established an officer led Information Governance Board to ensure that the Council's information governance arrangements are appropriate. The Council holds and uses vast quantity of information, which is often stored in a number of formats, and it is imperative that the Council is proactive in ensuring that such information is managed and used properly. The Board's role is to review the Council's information governance arrangements; provide advice and guidance to all staff and members; consider issues such as training, explore and embed best practice and monitor improvements. This is an important initiative and further evidence of the Council being proactive and positive in seeking to improve all its governance arrangements.

## **4. FOI**

The Council has for the months of July and August met the target set by the Information Commissioner of responding to at least 85% of requests for

information within the period of 20 working days. A review is currently underway to ensure necessary resources are made available to ensure that the Council continues to build on the improvements made in addressing the significant number of freedom of information requests it receives.

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## **COUNCIL**

**14 OCTOBER 2013**

### **CABINET PORTFOLIO SUMMARY REPORT**

<b>REPORT OF</b>	<b>COUNCILLOR CHRIS MEADEN</b>
<b>CABINET PORTFOLIO FOR</b>	<b>HEALTH &amp; WELLBEING</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>FIONA JOHNSTONE, HEAD OF POLICY &amp; PERFORMANCE/ DIRECTOR OF PUBLIC HEALTH</b>

#### **EXECUTIVE SUMMARY**

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

#### **1. PARKS & COUNTRYSIDE GREEN FLAG**

I am pleased to say that Wirral has successfully achieved 17 Green Flag Awards, 1 Community Pendant and 1 Heritage Award. Green Flag is a nationally recognised scheme where you are measured against criteria, including sustainability, community engagement and maintenance standards. It is the success of achieving the Green Flags which brings a positive endorsement and recognises the quality of Wirral's parks and open spaces, and the commitment of staff, volunteers and our Friends' Groups working in partnership.

#### **2. PARKS & COUNTRYSIDE NEW MACHINERY**

The Council has recently made a positive investment in new machinery, which is in the process of being procured. The new equipment will ensure the ongoing ability for Parks and Open Spaces to be well maintained. New machinery will be more fuel-efficient, reduce the number of breakdowns and meet the latest industry standards, improving operator safety. The new machinery will contribute positively in enabling Parks to meet the challenges facing the Authority to delivery high standards of service with maximum efficiency.

#### **3. LEISURE**

Cabinet have accepted the findings of the recent Leisure Services review which means we will not be closing any facilities for the foreseeable future and will be investing in at least three centres including West Kirby, Europa, and Guinea Gap with improvements also being made at the Oval centre. At the same time we have a clear programme to both improve the leisure offer to Wirral residents whilst ensuring the service also becomes more efficient.

I am also pleased to say that Wirral tennis and sports centre in Bidston will once again play host to the Aegon GB Pro series mens tennis tournament in February 2014 .This prestigious event features many of the world's up and coming players and also encourages engagement with local communities .

Floral Pavilion – On Friday September 13 at the Wirral Business awards, the Floral Pavilion Theatre and Conference Centre won the Visitor Economy Business of the Year. I would like to congratulate all the staff on this significant achievement

#### **4. PUBLIC HEALTH**

We are proposing to re-commission our Drugs and Alcohol Services, so that we are able to put in place an integrated service which is able to encourage people to move through treatment services to recovery as quickly as possible, to becoming fully functioning members of our community.

We are also proposing to re-commission our services for young people aged 5-19. We will be working with our NHS England Local Area Team to ensure that services for children 0-5 years of age meet local needs and that the two approaches dovetail well together. We are looking to integrate our approach to supporting young people preventing potential duplication and silo working and providing a good experience of services for them and their families.

We are also investing in a number of schemes, developed across the Council which will contribute to public health outcomes. These include enhancing our approach to Healthy Homes, providing controlled drinking environments, supporting people with respiratory health problems, and helping to design new home to school transport systems for children with special educational needs, among others. 39 schemes have been identified to be funded, with £25,000 identified for Constituency Committees to spend in supporting local public health schemes.

#### **5. LIBRARY ONE STOP SHOPS**

Wirral Libraries continue against the backdrop of challenging budgets to provide a large range of literary and cultural events for Wirral. Last week saw another highly successful Book Fest feature a wide range of events at many of our Libraries across the Borough with Roger McGough, President of the Poetry Society being the main event but was importantly supported by many local and national writers and authors. Nearly all of the events were free and the Book Fest continues to run at no cost to the Councils budget and I want to thank all those who helped to make it such a success.

Our Libraries work with many organisations to support vulnerable people and we will be developing in collaboration with the Alzheimer Society drop in sessions in various sites to encourage volunteer recruitment for the Society as well as providing support for residents and their families with our facilities and resources. This builds on our ongoing work to support Health initiatives in the Books on Prescription scheme. Reading Well materials are available within

our libraries alongside one off events such as Health Action sessions held last week in support of World Mental Health Day.

October 11<sup>th</sup> will have seen the official launch of our latest merged Library One Stop site at Rock Ferry. The open plan approach including a revamped community space builds on the success and investment we have seen across the borough at a number of sites. The success of these merged units is not solely due to Council presence but is importantly supported by the increase in use and availability of Voluntary and Community group's presence on site alongside other agencies.

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## COUNCIL

14 OCTOBER 2013

### CABINET PORTFOLIO SUMMARY REPORT

<b>REPORT OF</b>	<b>COUNCILLOR HARRY SMITH</b>
<b>CABINET PORTFOLIO FOR</b>	<b>HIGHWAYS &amp; TRANSPORTATION</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>MARK SMITH, HEAD OF ENVIRONMENT &amp; REGULATION</b>

#### EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

#### **1. DELIVERY OF THE TERM HIGHWAY SERVICES CONTRACT FOR 2014 - 2018**

The process for the introduction of a new Highway Services Contract from 1<sup>st</sup> April 2014 is still continuing with five firms invited to tender for the new contract. The closing date for tender submissions was 7<sup>th</sup> October, and evaluation of those submissions will be underway to enable a decision to be taken by Cabinet at our meeting on 7<sup>th</sup> November to award a contract. Demobilisation management arrangements for the existing contractor are already underway to ensure that programmes of work are completed on time, and operational arrangements, such as winter gritting, can be handed over to the new contractor with a smooth transition from April 2014.

I shared a conference platform with the Minister for Transport and a number of other Councils' portfolio holders and Leaders at a Local Government Conference in July, and was able to speak to the conference about Wirral's use of a new, national best practice, procurement and contract framework for our proposed contract.

#### **2. HIGHWAY MAINTENANCE**

The highway maintenance part of the Council's Capital Programme – the Structural Maintenance Programme 2013/14 - has progressed well through the summer and we have now completed approximately £2.1 Million worth of work on the network, representing over 85% of the work planned for this year.

The annual survey of the condition of the road network has recently been completed, and for the second year in succession the condition of the principal road network – the 'A' Roads – remains at only 1% of the network requiring maintenance action to prevent the network deteriorating. On a similar basis, the 'B' and 'C' roads have improved from 2% in 2012/13 to 1% this year.

In comparison with other highway authorities, I expect these figures to once again place Wirral amongst the best performing authorities in England, and reflect the level of prudent, continued, investment in highway maintenance in recent years.

### **3. DELIVERY OF 13/14 LOCAL SUSTAINABLE TRANSPORT FUND (LSTF) PROGRAMME**

The Council are on track with the delivery of the agreed LSTF programme, which is delivering projects under the following packages:

- Travel Solutions
- Business Travel Support
- Sustainable Transport Infrastructure Improvements.

All packages are delivering interventions to support economic growth and remove barriers, in order to assist people to secure and sustain employment.

I have also been made aware that given the success of the LSTF delivery across Merseyside, all authorities have been given the opportunity to identify if there are any areas of their existing programme which they consider they could expand on in 2014/15. Wirral have expressed an interest in an additional amount of funding to Merseytravel, who are the accountably body for the project, and are currently awaiting further detail on the required process for a formal application.

### **4. MAJOR SCHEMES SUBMISSION – DOCKS BRIDGES**

As part of the Local Transport Body Major Schemes prioritisation exercise, Wirral have been successful in securing a scheme in the top 12 projects approved to go forward to full major scheme business case development.

The Docks Bridges Scheme is for the full replacement of 2 bridges on the Dock Road ('A' and 'C' Bridge). The bridges form part of the heavy load route through the Docks, they link the Twelve Quays roll-on, roll off ferry terminal to the key freight route providing access to the M53 and the Mersey Tunnels. The bridges were erected in 1931 and there are serious concerns regarding condition of the bridges and despite substantial maintenance they are both continually deteriorating. A scoping report of the requirements for the full business case has been produced.

## **COUNCIL**

**14 OCTOBER 2013**

### **CABINET PORTFOLIO SUMMARY REPORT**

<b>REPORT OF</b>	<b>COUNCILLOR GEORGE DAVIES</b>
<b>CABINET PORTFOLIO FOR</b>	<b>NEIGHBOURHOODS, HOUSING &amp; ENGAGEMENT</b>
<b>CO-ORDINATING CHIEF OFFICER</b>	<b>EMMA DEGG, HEAD OF NEIGHBOURHOODS &amp; ENGAGEMENT</b>

#### **EXECUTIVE SUMMARY**

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

#### **1. Affordable Housing**

A total of 61 affordable homes have been completed so far in 2013/14. In addition, I am pleased to say that in July 2013, a number of Registered providers successfully secured additional funding through the Affordable Homes Programme to deliver a further 99 affordable homes across sites in Birkenhead, Wallasey, Overchurch, Moreton and Woodchurch.

#### **2. Update on Private Sector Stock Condition Survey (PSSCS) and Strategic Housing Market Assessment (SHMA)**

Members will recall that the Council has been undertaking a Private Sector Stock Condition Survey over recent months. The fieldwork and analysis for this piece of work have now been completed and a final report detailing the findings is due to be submitted by 30<sup>th</sup> September 2013. The outcome of this work will inform the Housing Strategy and future strategic priorities for the Council.

The Council is also undertaking a Strategic Housing Market Assessment, which will objectively assess the needs for market and affordable housing in the Wirral area. As part of this work, over recent weeks, a sample survey of Wirral residents associated with this assessment has been undertaken and work from that is nearing completion, with the findings used to enable the Council to update and inform its Housing Strategy, strategic priorities and to provide the evidence base for the preparation of the Core Strategy, which will reset the housing requirement for Wirral to 2030.

#### **3. Energy Efficiency Activity**

The Housing Strategy Team has continued to work with British Gas to ensure the delivery of the Community Energy Saving Programme. Up to 6<sup>th</sup> September 2013 the Borough has benefitted from £13m investment through the following works being carried out to homes within the Seacombe and Liscard wards:-

- 1,154 external wall insulations completed,
- 1,778 internal wall insulations completed,
- Draft proofing completed in 1,329 homes
- Replacement central heating boilers in 179 homes
- 146 local people employed on internal wall insulation, mainly through Wallasey Job Centre and Wirral Met College

The team is currently working with British Gas to identify future areas for the new Energy Company Obligation

#### **4. Constituency Committees and Arrangements for Neighbourhood Working**

The processes for selecting Chairs, Vice-Chairs and Community Representatives for the Constituency Committees are underway. The Committees themselves will launch during October / November 2013.

A public sector workshop was held on the 20 August 2013 and was well attended by our partners. The workshop focussed on identifying the opportunities and potential barriers to working more closely together, and discussions began regarding the establishment of four local Public Service Boards.

Revised Neighbourhood Plans are also being completed to support the process of commissioning activity for the £50,000 that has been allocated to each Constituency Committee.

# WIRRAL COUNCIL

## COUNCIL

14 OCTOBER 2013

<b>SUBJECT:</b>	<b>Reports from Policy and Performance Committee Chairs</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>Head of Policy and Performance / Director of Public Health</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>Cllr Ann McLachlan (Governance &amp; Improvement)</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

1.1 The new procedures for Council meetings require the Chairs of the Council's Policy and Performance Committees to provide written reports to Council in order for Members to receive and answer questions. This report sets out how the new Policy and Performance Committees have contributed to the Council's improved governance arrangements and includes a statement from each of the Committee Chairs on the progress of each committee to date.

### 2.0 BACKGROUND AND KEY ISSUES

2.1 On 30 April 2013, Council approved a series of revisions to the constitution to support improved corporate governance. This included new arrangements for Scrutiny through the creation of three Policy and Performance Committees aligned to the strategic directorates, with one Co-ordinating Committee responsible for corporate issues and overseeing arrangements in respect of cross-cutting pieces of work.

2.2 The Policy and Performance Committees are intended to facilitate an approach that reflects the wider purposes of scrutiny to:

- Hold the Executive to account
- Hold partners to account
- Scan the horizon for new policy and initiatives
- Review and develop policy
- Examine decisions before and after being taken
- Review performance in terms of service delivery and budgets
- Carry out in-depth reviews

- 2.3 To support this approach, there are a number of standing items at each formal meeting and officers have developed a range of products to support Members in discharging their functions as follows:
- **Performance management reports** – These enable members to review service quality in line with agreed directorate plans and performance targets.
  - **Budget monitoring reports** – These provide Members with information on the spend position in terms of revenue and capital budgets as well as performance in relation to in-year efficiency targets.
  - **Policy update reports** – These provide a snapshot of the national policy initiatives going through parliament that will impact on local Councils. They provide Members with the opportunity to identify potential areas of interest for more detailed review, to be included on the work programme.
- 2.4 In addition to the provision of improved and consistent information to Members, the new approach to scrutiny puts a greater emphasis on Members undertaking scrutiny work outside formal meetings. To support this, Policy and Performance Committees have considered and prioritised items for their work programmes as a means for Members to engage in a coordinated programme of task and finish reviews. These are covered in more detail in the reports of the respective Committee Chair's set out below.

### **3.0 COORDINATING COMMITTEE CHAIR'S REPORT**

- 3.1 The first meeting of the Policy and Performance Coordinating Committee on 24<sup>th</sup> June was to deal with the call-in of a decision regarding the Council's delegation to the annual LGA conference. This provided a test of the new procedures for call-in and provided useful learning to ensure this process works effectively.
- 3.2 The Policy and Performance Coordinating Committee as well as being responsible for overseeing corporate and strategic issues and a small number of specific services falling under the Chief Executive's responsibility, also has a coordinating role in terms of overseeing arrangements for cross-cutting pieces of work to avoid duplication across the other Policy & Performance Committees.
- 3.3 The first scheduled meeting of the Committee in July focussed on reviewing and giving approval for the terms of reference and procedure rules for the new Policy and Performance Committees. It was also agreed to delegate the development and prioritisation of the work program to a separate follow up meeting of the Chair and Party Spokespersons. At this meeting it was agreed to prioritise the work program as below:
- **Individual Electoral Registration** – Wirral like all Councils is required to shift its electoral register from the current property based system to a person-based system in 2014. This review will explore the impact this could have on the completeness of the register and low registration amongst certain sections of the community

- **Impact of the Budget Options** – this review will consider some of the headline items that have been the focus of this years efficiency programme to explore their impact and inform future decision-making.
  - **The move to Universal Credit** – this review will examine how the Council is gearing up to implementing Universal Credit and the potential impacts on the Council, partner organisations and claimants due to this change.
- 3.4 At the second meeting of the Committee in September the referral by Cabinet on Wirral becoming part of a Combined Authority for the Liverpool City Region was dealt with. This provided an opportunity for Members comments to be fed into the wider consultation process.
- 3.5 A key responsibility of the Committee is to monitor the performance against the corporate plan and budget. This is achieved using the management dashboard which is evolving in conjunction with feedback from members. Performance against targets is highlighted using red, amber and green indicators, with areas where performance is not meeting target being marked as red. When this occurs an exception report is produced and presented to committee by the accountable officer responsible for that service area, who also is available to take questions. This approach quickly allows members to identify areas where performance is not as strong as it should be and improves accountability.
- 3.6 As Chair I would like to thank fellow members of all parties for their support and contribution. I would also like to show my appreciation to officers who have supported both myself and the committee.

Councillor Stuart Whittingham

#### **4.0 FAMILIES & WELLBEING CHAIR'S REPORT**

- 4.1 In its first two meetings the Families and Well Being Policy and Performance Committee has considered the Departmental Plans for the Families and Well Being Directorate and for Public Health. There have also been follow up reports from Cheshire and Wirral Partnership NHS Foundation Trust on consultations about changes in service. Committee also considered a report on the work of the Safeguarding Children Board and the Safeguarding Adults Partnership Board.
- 4.2 The Committee has the challenge of scrutinising a very wide agenda that deals with items of extreme importance to the children and vulnerable people who are at the heart of much of the work this council undertakes.
- 4.3 **Work in progress**
- A Scrutiny Review to consider the Implications of the Francis Review for Wirral. This work commenced in June and is due to report to the Committee in January.
  - Following on from a report by the Director of Adult Social Services, the Committee has set up a Task and Finish Group to consider the Quality Assurance Framework and Standards in Care Homes. This work will commence in October with a view to reporting to Committee in January.

- A Task and Finish group looking into Domestic Violence is scheduled to commence in November. Building on previous work undertaken, this review is expected to report in the New Year.

#### 4.4 Pieces of work completed

- A scrutiny review entitled **The Outcomes for Looked After Children** was presented to the committee at the September meeting. This extensive review carried out by Councillors Wendy Clements, Pat Williams and Walter Smith contains 25 detailed recommendations covering Foster Carers, Social Care, Post 16 Support, Education, 16+employability, housing, health and support. The first is:

***Aspiration for Wirral's Looked After Children*** "As part of its role as a Corporate Parent, Wirral Council will place aspiration for the Borough's Looked After Children at the heart of its decision-making processes. The Council will work with all relevant partners to encourage them to adopt the same principle."

The report will be presented to Cabinet in a future agenda.

I believe this area of work is vital and I was delighted to be able to accept an invitation to attend the Regional Launch for New Belongings, a project working to improve the lives of Care Leavers where Wirral is one of four local authorities in the North West taking part in this Government initiative.

- A Task and Finish Group brought a report on the role of Co-optees and Partners. This Group also recommended that the previous 0 -19 Standards committee be renamed Attainment Sub-Committee and provide a suitable degree of challenge around the Standards agenda in schools. Statutory co-optees would be invited to be part of this committee.

Councillor Wendy Clements

#### 5.0 REGENERATION & ENVIRONMENT CHAIR'S REPORT

- 5.1 Given the wide breadth of the subject areas covered by the new policy and performance committees, it is necessary for the Committee to concentrate on the key priority areas. The revised performance monitoring and related financial reports represent a useful improvement on previous scrutiny reporting, enabling the Committee to focus on the major issues. However, given the infrequency of full Committee meetings it is important that the data is as up to date as possible. A review of meeting dates or a revised system to provide more current data should be undertaken.
- 5.2 The financial challenge facing the Council is clearly an issue which needs to be fully examined. Given the large size of the Committee it is not practical to give this proper consideration at the ordinary Committee meetings. The first Task and Finish Group which was established this year was to look at both the implementation of the current year budget and the options for 2014 and beyond. The sub committee has the task of completing their work prior to the



budget review meeting at the beginning of November. Initial findings have recognised the considerable work required to achieve the budget savings. Savings were often introduced at relatively short notice and in some cases would now benefit from a review and subsequent modification.

- 5.3 The Council's role in stimulating the local economy and related job creation is clearly another important area. At this month's meeting the Committee examined, in relation to youth unemployment, both the latest statistics and the joint working currently taking place with other Merseyside authorities. There are some positive improvements, and Wirral's performance is better than many comparable areas. Nevertheless the Committee recognised there was still much more to be achieved. The contribution that reducing unemployment would make to achieving the Council's Corporate Plan suggests that consideration should be given to realigning the plan to make it the key target, with a particular related emphasis on youth employment.
- 5.4 The Committee is planning to continue the work of the previous Economic Regeneration Committee in relation to apprenticeships, a Task and Finish Group has met in early October to scope this work.
- 5.5 One change that results from the new constitution is the referral of Notices of Motion to policy and performance committees. The September meeting discussed the Notice of Motion relating to the reduced central government funding of the Merseyside Fire and Rescue Service. The Committee approved the Notice of Motion believing the cuts were irresponsible and should be stopped. The Committee also agreed to invite the Chief Fire Officer to the next meeting to enable members to understand fully the impact of any reduction in service levels and the steps taken by the Fire and Rescue to improve efficiency and reduce their operating costs.
- 5.6 As Chair of the Committee I would like to note my appreciation of the support provided by the revised Scrutiny Support Team.

Councillor Alan Brighthouse

## **6.0 TRANSFORMATION & RESOURCES CHAIR'S REPORT**

- 6.1 The Transformation and Resources Policy and Performance Committee's remit reflects the broad scope of this Directorate incorporating Audit, Business Processes, Finance, Human Resources & Organisational Development, IT, Pensions and Legal Services. At the inaugural meeting on 30 July, the Heads of Service from each gave an informative presentation of the key issues and challenges they face. Members had the opportunity to ask questions and also use this information to feed into the work program.
- 6.2 The work programme itself was discussed at the inaugural meeting following which a meeting of the Chair and Party Spokespersons was convened. At this meeting it was agreed to prioritise the work program as below:
  - A review of the Council's ICT Strategy
  - A review of proposals to develop Shared Services

- A review of the process for handling Freedom of Information Requests
- A review of the Council's sickness absence process and performance.

6.3 The second meeting of the committee in September was used to look at a piece of pre-decision scrutiny on the Council's draft ICT Strategy and Implementation Plan. The Interim Head of IT delivered a presentation setting out the vision and key principles of the strategy as well as the priorities and progress in relation to its implementation. Following a question and answer session, the committee agreed a set of recommendations specifically relating to:

- The overall governance of the strategy
- Monitoring its implementation
- The need to acknowledge and consider the needs of those who are digitally excluded

6.4 This review highlights the value that pre-decision scrutiny can add to the decision making process of the Council, by providing non-Executive Members with an opportunity to influence decisions before they are taken. This is evidence of change within the Council and also the value of scrutiny.

6.5 A key responsibility of the Committee is to monitor the performance in relation to the Directorate Plan and budget. This is achieved using the management dashboard which is evolving in conjunction with feedback from members. Performance against targets is highlighted using red, amber and green indicators, areas where performance is not meeting targets are marked red. When this occurs an exception report is produced and presented to committee by the accountable officer responsible for that service area, who also is available to take questions. This approach quickly allows members to identify areas where performance is not as strong as it should be and improves accountability.

6.6 As Chair I feel that overall progress with the Transformation and Resources Policy and Performance Committee has been positive, and I would like to thank members from all parties for their support and contribution. I would also like show my appreciation to officers who have supported both myself and the committee.

Councillor Stuart Whittingham

## **7.0 RELEVANT RISKS**

7.1 N/A

## **8.0 OTHER OPTIONS CONSIDERED**

8.1 N/A

## **9.0 CONSULTATION**

9.1 N/A

## **10.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

10.1 N/A

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

11.1 N/A

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

12.1 N/A

## **13.0 LEGAL IMPLICATIONS**

13.1 N/A

## **14.0 EQUALITIES IMPLICATIONS**

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

(a) Yes. The impact review has been sent to the Equality and Diversity Co-ordinator and is located at -

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

**(c) No because of another reason which is**

The report is for information to Members and there are no direct equalities implications at this stage.

## **15.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

15.1 N/A

## **16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

16.1 N/A

## **17.0 RECOMMENDATION/S**

17.1 Members are requested to consider the contents of this report and whether they have any questions for the Chairs of the Policy and Performance Committees.

## **18.0 REASON/S FOR RECOMMENDATION/S**

18.1 To provide Members with the opportunity to ask any questions they have relating to this report.

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**APPENDICES**

N/A

**BACKGROUND PAPERS/REFERENCE MATERIAL**

N/A

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Council – Revisions to the Constitution</b>	<b>30/04/13</b>

## **MATTERS FOR NOTING**

### **Cabinet – 19 September 2013**

#### **49. FINANCIAL MONITORING 2013/14**

The Leader of the Council introduced a report by the Interim Director of Resources which set out the Monitoring position for Month 3 (ending 30 June 2013). Appended to the report were separate appendices for Revenue and Capital. Throughout the financial year the Cabinet would receive monthly updates in respect of Revenue and Capital Monitoring. This is the first report for the 2013/14 financial year.

The Leader told the Cabinet that it was very positive to see an under spend of £267,000. The Council had a £17m overspend when the Administration had taken over in May 2012. Enormous progress had been made and it made good sense to continue with the spending freeze. The measures taken to deal with the budget issues had been sensible. However, the Council still faced a big financial challenge. It was consulting on budget options and would take any responses into account before finalising them in December 2013.

The Leader reported that capital spending was being monitored and funding was being made available to improve West Kirby and Guinea Gap Leisure Centres. The Council now had firmer control of its capital programme.

#### **RESOLVED: That**

##### **Revenue:**

- (1) that the monitoring position of a forecast under spend of £267,000 is noted;**
- (2) to aid continued good financial management that the spending freeze be continued until further notice; and it be noted there were no rejected freeze items in the month;**
- (3) the measures identified by the Strategic Directors to solve any budgetary issues highlighted in the previous monitor be agreed as per Annex 12 of the revenue monitoring appendix;**
- (4) an amount of up to £1million be released from the Efficiency Investment Fund to fund the costs associated with the implementation of the 2013/14 Street Cleansing savings option. {This is per the planned budget and will generate a permanent saving of £1m per annum with the Efficiency Investment Fund being repaid over a four year period (i.e. £1m budget reduction in 2013/14 and a net £0.75m saving from 2014/15 for four years, rising to £1m per annum thereafter)}.**

##### **Capital**

- (5) the monitoring position for capital of £3.784million spend be noted;**

- (6) the revised capital programme of £49.057m as detailed in the capital monitoring appendix be agreed;**
- (7) the re-profiling of a number of schemes into 2014-15 totalling £2.371m be agreed;**
- (8) the additional schemes for the redevelopment of West Kirby and Guinea Gap Leisure Centres at a cost of £1m be agreed;**
- (9) other minor variations of £0.031m be agreed;**
- (10) the receipt of additional Regional Growth Fund grant of £0.433m and Education grant of £0.472m be noted;**
- (11) a reduction in requirement on a number of schemes totalling £0.942m be noted; and**
- (12) the use of £0.039m from the deferred Cultural Services Assets Scheme to part fund essential works to Arrowse Park Changing Pavilion be noted.**

## COUNCIL EXCELLENCE OVERVIEW AND SCRUTINY COMMITTEE 26 MARCH 2013

### **76 ELECTED MEMBER DEVELOPMENT**

The Committee considered the report of the Acting Director of Law, HR and Asset Management updating on the current Elected Member Development Programme and responded to specific questions that had been raised.

The report outlined the Improvement Plan which outlined a number of areas relating to Elected Member Development and the activity that had been taking place to work towards the achievements of these objectives.

Melissa Holt, Organisational Development Manager gave a brief update in relation to the accreditation for which criteria had to be followed for formal assessment in September 2013. Over 75% of Personal Development Plans had been completed which was to be followed by an assessment prior to completion and a collation of a portfolio of evidence.

In relation to Member attendance at training, Ms Holt indicated that she had been pleased with the progress made to date; attendance at courses was varied depending on what the Member had specified within their personal Development Plan and it was not the intention for all Members to attend all training events. Some of the session's i.e. key transformation session had been driven from the Chief Executive's key messages, Leaders and the Improvement Plan these had been well attended on occasion. Ms Holt indicated that the Department was currently trialling a reminder service to encourage more attendances at courses.

In relation to Priority 1 'Skills for Wirral Councillors' programme, Ms Holt indicated that this was a light touch on the LGA's National Leadership Academy Programme and was devised following a suggestion from the Improvement Board who were keen for the Council to devise a programme of training which reflected the needs of the Council.

Following discussion on the item Councillor Whittingham suggested an amendment to the recommendation and moved the following motion which was duly seconded.

'There was a recognition that the role of the councillor in Wirral, and across the country was changing. These development programmes identify and help councillors manage that change

Feedback from this report showed that there was continued appetite amongst Members for their development, something which the take up figures of the PDP's and attendance figure also show.

This Committee recommends that Council reaffirms its commitment to the training and support of elected members'

The Chair indicated that he did not support this Motion and commented that it was not recognised that the Councillor role was changing and that he did not accept the proposals to move services out of area in the form of Constituency Committees.

The Motion was put and carried.

**RESOLVED: (6:4)**

**That there was a recognition that the role of the councillor in Wirral, and across the country was changing. These development programmes identify and help councillors manage that change**

**Feedback from this report showed that there was continued appetite amongst Members for their development, something which the take up figures of the PDP's and attendance figure also show.**

**This Committee recommends that Council reaffirms its commitment to the training and support of elected members.**



## Council – 14 October 2013

### Motions

The following motions have been submitted in accordance with the notice required by Standing Order 7(1) and are listed in the order received.

#### 1 IMPROVING WIRRAL'S SITES FOR JOBS

Proposed by: **Cllr Phil Gilchrist**  
Seconded by: **Cllr Alan Brighthouse**

This Council is determined that Wirral must be well placed to take advantage of funds that may be released to improve the infrastructure within the City Region and Wirral in particular.

Council recognises that recent Employment Land studies listed and scored many sites in Wirral with regard to their availability, accessibility and environmental constraints.

Council notes that the current Corporate Plan recognises the need to provide 'accessible employment opportunities'.

Council calls on officers to:

- a. review the employment sites to establish, in co-operation with the owners, whether there are outdated premises and infrastructure that might be replaced with modern energy efficient premises in a range of sizes and locations.
- b. work with Wirral's business community to ensure that a range of workshops, modern offices and workplaces is in place, especially in areas of high unemployment.
- c. bring together proposals that form a bid to be progressed through the new structures involving the Local Enterprise Partnership and the potential of the Combined Authority.

#### 2 TACKLING FINANCIAL EXCLUSION

Proposed by: **Cllr Stuart Kelly**  
Seconded by: **Cllr Alan Brighthouse**

Council notes that many Wirral people, particularly those on low incomes, cannot easily access mainstream financial services such as bank accounts, low cost loans and cash withdrawal facilities.

This lack of access results in financial exclusion for people and can mean that the cost of many of their financial transactions are higher, resulting in stress, poor health and increased risk of debt and poverty and the need to access short-term credit by sub-prime or payday lenders.

Council, therefore, calls on Cabinet and the Chief Executive to put in place a strategy to promote financial inclusion, such a strategy to include measures to:

1. highlight the issue of access to automatic cash machines (ATMs) to enable people to withdraw money without being charged a fee (ranging from £1.50 to £2.00 per withdrawal), effectively a tax on withdrawing money, by working in partnership with other organisations, including those representing retailers, to promote ways of expanding the network of free ATMs and to examine the possibility of providing free ATMs in Council offices (One Stop Shops/Libraries) in areas of high deprivation.
2. raise awareness and promote the use of Credit Unions as a means of building savings and accessing low cost credit, including;
  - an evaluation of a scheme being introduced by Glasgow City Council which aims to support financial education by depositing £10 in a community Credit Union account for every new secondary school student each year.<sup>1</sup>
  - consideration of how Wirral MBC can contribute to the Archbishop of Canterbury's initiative to build up Credit Unions to help people with financial problems keep away from usurious payday money lenders.<sup>2</sup>
3. Work with the new 'Move Your Money' organisation to encourage residents and businesses to move their bank accounts to get better terms.<sup>3</sup>

Council further welcomes changes made by the Government to make it easier to create new banks and notes the possibility of the creation of a 'Bank of Liverpool' by Liverpool CC with a long-term aim to expand to become a retail bank in which local residents and businesses from the City Region can invest and use the services of and asks Wirral officers to ensure Wirral is able to contribute and benefit from such a development.<sup>4</sup>

#### Links

<sup>1</sup> Link to Glasgow City Council scheme –

<http://www.glasgow.gov.uk/index.aspx?articleid=10084>

<sup>2</sup> Link to Arch Bishop of Canterbury initiative – <http://www.bbc.co.uk/news/business-23433955>

<sup>3</sup> Link to Move your Money UK Organisation – <http://www.moveyourmoney.org.uk/>

<sup>4</sup>Link to Liverpool City Council minutes – <http://councillors.liverpool.gov.uk/mqAi.aspx?ID=93553>

### **3 BEDROOM TAX**

Proposed: **Councillor Phil Davies**  
Seconded: **Councillor George Davies**

This Council believes that the Bedroom Tax introduced by the Tory/LibDem coalition government is morally wrong as well as being financially inefficient.

Council therefore welcomes the recent announcement by Ed Miliband that one of the first acts of the next Labour Government will be to repeal the Bedroom Tax. This will be paid for by reversing George Osborne's recent tax cut for hedge funds announced in Budget 2013; reversing George Osborne's shares for rights scheme which has been rejected by business, has opened up a tax loophole and will lead to £1bn being lost to the Exchequer according to the Office for Budget Responsibility; and tackling disguised employment in the construction industry.

In Wirral 3,800 Registered Provider tenants are affected by the Bedroom Tax.

Council is concerned that the Government has never carried out a proper financial analysis of the hidden costs of the Bedroom Tax. Forcing people to move from a socially owned property to a privately owned property costs more in housing benefit. Chasing people for small debts can cost a lot more than it brings in. Evicting people for not paying rent and re-housing them is extremely expensive. Some Councils and housing associations are no longer able to let out three bedroom properties and this is reducing rental income and our ability to finance more property building.

Council notes that the Bedroom Tax is disproportionately hitting disabled people, 420,000 people who need space for carers, washing space and equipment are being affected by it. People are getting into arrears which is causing them anguish. They are forced to move out of their neighbourhoods and away from their support base because there is a shortage of one-bedroom properties – a situation that has built up because Councils listened to governments of all parties and built properties big enough for families.

The Government gave local authorities discretionary housing payments but that money only covers £1 in every £5 cut from the benefit changes and in many Councils it has already run out.

The Bedroom Tax is forcing people who cannot work and those on low incomes out of their homes and into debt. It is hitting the most vulnerable in society the hardest and is forcing people to loan sharks and food banks. At the same time, the Tory/Lib Dem Government is giving a tax cut to millionaires.

Council calls for urgent action in Wirral to deal with the growing demand on advice services and one stop shops by residents affected by the Bedroom Tax which is approaching crisis point and agrees to allocate an additional £25,000 to Wirral advice agencies to be paid for by the under-spend identified in the month 3 monitoring report.

Council also calls on all parties to write to the relevant minister to request an immediate suspension of the Bedroom Tax to allow for independent research to be undertaken to assess its impact on the most deprived parts of the country.

## Regeneration and Environment Policy and Performance Committee

17 September 2013

### **15 NOTICE OF MOTION – CUTS TO MERSEYSIDE FIRE AND RESCUE SERVICE**

The Head of Legal and Member Services advised that at the meeting of the Council held on 15 July 2013 (minute 21 refers), the following Notice of Motion proposed by Councillor D Roberts and seconded by Councillor J Stapleton was referred by the Mayor to this Committee for consideration.

#### **CUTS TO MERSEYSIDE FIRE AND RESCUE SERVICE**

- (1) Wirral Council recognises the excellent work undertaken by Merseyside Fire and Rescue Service and applauds the commitment of its frontline and support staff. This Council also notes that those individuals' ability to protect the people of Wirral is being jeopardised by the Government cuts to funding as well as undermining staff morale.
- (2) This Council is deeply concerned by the findings of the Ken Knight review of fire and rescue services which makes the case for further huge cuts, mergers with other Authorities or Police Crime Commissioners and most worryingly privatisation. The Ken Knight review gives very little recognition of the very difficult decisions taken by Merseyside Fire and Rescue Authority to date in managing the deepest cuts inflicted on any Authority in the Country and instead advocates its replacement by a PCC without any evidence whatsoever to prove that this would improve the service delivered to the residents of this city region.
- (3) This Council notes with serious concern the Government's alarming proposals to privatise part if not all functions of the fire and rescue service, along with yet further cuts to their grant funding which will impact on their ability in protecting residents from fire, road traffic collisions and other emergencies within the Borough of Wirral.
- (4) This Council is deeply worried that the Government has lost sight of the fire service's main purpose, to protect residents from fire, road traffic collisions and other emergencies and their devastating impact on our communities and that it threatens to put private profit ahead of the need to save lives and help people feel safe in their homes and community.
- (5) This Council further notes that the Government's proposals are in the context of a programme of ill-conceived efficiencies to fire and rescue services. The impact this will have on the communities of Merseyside is extremely worrying and places vulnerable residents in danger.
- (6) This Council also notes due to Government cuts which has seen Merseyside Fire and Rescue Service suffer cuts totalling £19.2m over the 4 year spending review with 180 firefighters posts deleted and a reduction in Fire engines from 42 to 28 by 2015.

- (7) The Government's proposal for further huge cuts in 2015 will have devastating effects on operational response and the community safety and prevention work delivered by the Authority to such an excellent standard.
- (8) This Council therefore calls on the Government, in particular the Secretary of State for Local Government and the Chancellor's department to cease their ill conceived and irresponsible cuts to our fire and rescue services and pledge instead to protect the public from further risk of fire by protecting this front line emergency service from further cuts and threats of privatisation.

In accordance with Standing Order 7 (6), Councillor Roberts had been invited to attend the meeting in order for her to be given an opportunity to explain the Motion. In accordance with Standing Order 7 (5), any recommendation from the Committee in relation to the Notice of Motion would be referred to the Council. Any debate at Council should take place upon the recommendation of the Committee and there should be no separate debate upon the motion itself.

Councillor Roberts indicated that the Notice of Motion had been submitted as a result of deep concerns around the findings of the Ken Knight review of fire and rescue services, which made a case for further cuts to grant funding, mergers and privatisation. She stated that such proposals could seriously impact upon the ability of the Merseyside Fire and Rescue Service (MFRS) to protect Wirral residents from fire, road traffic collisions and other emergencies. She commented that cuts to grant funding to MFRS in recent years were double the national average and that the government proposals would lead to significant cuts in the numbers of firefighters and fire engines.

The Chair commented that he would have preferred to have heard evidence from the Chief Fire Officer to highlight the potential impact on Wirral of the proposals contained within the Ken Knight review. He referred also to the potential impact of a reduction in fire engines on the Council's emergency planning arrangements and upon the ability to respond to flooding, in the light of severe weather in recent years. Members commented that there was clearly a need for local discussion with fire professionals and to examine the link between spend and safety.

The Labour Group spokesperson and other Members expressed the view that the Notice of Motion should be fully supported, so as to support firefighters and send a message to the Government that such proposals were not acceptable. It was also suggested that all Members of the Council would benefit from hearing evidence from the Chief Fire Officer upon the impact on Wirral. The Chair also expressed a view that each of the Constituency Committees should be encouraged to take up this matter.

It was moved by Councillor Foulkes and seconded by Councillor Sullivan –

“That the Council be advised that the Regeneration and Environment Policy and Performance Committee fully supports the Notice of Motion in relation to Cuts to Merseyside Fire and Rescue Service”

The Motion was carried (8:6)

It was further moved by Councillor Foulkes and seconded by Councillor Sullivan –

- (1) That the Chief Fire Officer be requested to attend the next meeting of this Committee to highlight the potential impact of the Government proposals on the residents of Wirral.
- (2) That a Special Meeting of the Committee be called, if necessary, and that all Members of the Council be invited to attend.”

The further Motion was carried unanimously.

**Resolved –**

- (1) That the Council be advised that the Regeneration and Environment Policy and Performance Committee fully supports the Notice of Motion in relation to Cuts to Merseyside Fire and Rescue Service.**
- (2) That the Chief Fire Officer be requested to attend the Committee at the earliest opportunity to highlight the potential impact of the Government proposals on the residents of Wirral.**
- (3) That a Special Meeting of the Committee be called, if necessary, and that all Members of the Council be invited to attend.**

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## **COUNCIL VACANCIES – 14 OCTOBER 2013**

### **Committees**

#### **PENSIONS COMMITTEE**

Vacancy to replace former Councillor Sylvia Hodrien

#### **TRANSFORMATION AND RESOURCES POLICY AND PERFORMANCE COMMITTEE**

Vacancy to replace former Councillor Sylvia Hodrien

#### **LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE**

Vacancy to replace former Councillor Sylvia Hodrien as deputy

#### **FAMILIES AND WELLBEING POLICY AND PERFORMANCE COMMITTEE**

Vacancy to replace former Councillor Sylvia Hodrien as deputy

### **Outside Bodies**

#### **ENVIRONMENT AND SUSTABILITY**

##### **Liverpool Airport Consultative Committee**

Vacancy to replace Councillor Rob Gregson

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