

CABINET

Thursday, 6 November 2014

<u>Present:</u>	Councillor	P Davies (Chair)	Leader of the Council
	Councillors	AR McLachlan	Governance, Commissioning and Improvement
		G Davies	Neighbourhoods, Housing and Engagement
		AER Jones	Support Services
		C Jones	Adult Social Care and Public Health
		C Meaden	Leisure, Sport and Culture
		P Hackett	Economy
		Tony Smith	Children and Family Services
		B Mooney	Environment and Sustainability
		S Whittingham	Highways and Transport
<u>In attendance:</u>	Councillors	P Doughty	
		A Leech	

75 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor Adrian Jones declared a personal and prejudicial interest in Item No. 8 on the agenda – Non Domestic Rates Discretionary Rates Relief Policy 2014/15 and 2015/16 - by virtue of being a member of Wallasey Lions and Wallasey Lions' had a Book Shop that received rates relief.

Councillor Pat Hackett declared a personal and prejudicial interest in Item No. 8 on the agenda – Non Domestic Rates Discretionary Rates Relief Policy 2014/15 and 2015/16 - by virtue of holding a position in an organisation mentioned in the report.

Councillors Adrian Jones and Pat Hackett indicated that they would leave the meeting whilst Item No. 8 was under discussion.

Councillor Bernie Mooney declared a personal interest in Item No. 9 on the agenda – Sundry Debtor (DASS) Write-Offs - as Age UK Shops were affected and she worked for them.

76 **MINUTES**

RESOLVED:

That the Minutes of the last meeting of the Committee held on 9 October 2014 be confirmed as a correct record.

77 **SUCCESS OF THE OPEN CHAMPIONSHIP 2014**

Councillor Phil Davies introduced a report by the Chief Executive that informed the Cabinet of a presentation it was to receive on the economic benefit analysis of The Open Golf Championship held in Hoylake during 2014.

Councillor Phil Davies also introduced John Gerrie – METROPUBLIC, Professor Simon Shibli – Sheffield Hallam University and Max Gilliam – Repucom who were in attendance at the meeting to collectively make the presentation.

The presentation was based on the research of a global sports marketing company, Repucon and Sheffield Hallam University's Sports Research Centre commissioned by The R & A, golf's governing body. They had calculated that The Open at Royal Liverpool had delivered a total economic benefit of £76.3m across the Wirral area and to the wider economy of the North West. An estimated £19.1m had been spent by over 200,000 visitors and Wirral businesses including restaurants, hotels and guest houses, pubs and shops had benefitted during the week long championship.

The Cabinet was informed that the international media coverage of the event had resulted in a tourism promotion benefit of £52.2m, based on the marketing of the Wirral as a desirable travel and investment destination. There had been over 5,400 hours of television coverage of The Open across 106 television channels, with a worldwide reach of 505 million households.

Following the presentation Members asked a number of questions which were answered as appropriate. Issues highlighted included:

- St Andrew's hosted the biggest Open Championship in the UK attracting up to half a million spectators and Royal Liverpool was in second place. It was hoped that it would not be too long before The Open returned to Royal Liverpool.
- The R & A owned and ran The Open. There was a Trust and all profits were invested back into the development of the game.
- Approximately 6000 people had received passes to work at The Open e.g. in catering working with excellent chefs which had provided good experience which could be included on future CVs. Some people had been employed as Golf Ambassadors and had received training in

customer care skills. The new skills learnt would help them to get jobs in the future.

- During the 2014 Open Championship an unusually high number of spectators had been from the local area. This was good for quality of life on Wirral. A postcode map would be made available to Members so they could see in detail where the spectators had come from.
- A visitor experience report would be made available to Members so they could get an idea of people's perceptions of Wirral as a place to visit.

The Cabinet agreed that The Open was an opportunity for Wirral to promote itself to a global audience, and it was equally important that local people saw the real and tangible benefits of hosting the event.

To further build on this economic benefit, the Cabinet was asked to support a North West Open Golf Championship Memorandum of Understanding.

The Cabinet noted that the return of the Open Championship in 2014 had provided Wirral with a significant opportunity to build on the success of the previous Open held in 2006. In planning for the Open Championship this year it noted a number of marketing initiatives had been undertaken, including:

- A broadcast quality promotional film, used by The R&A and international media.
- Gateway signage to welcome visitors from far and wide onto Wirral.
- Bespoke literature to support Wirral's local tourism businesses.
- Target advertising, e.g. billboards, notices etc.
- On site visitor information displays.

The Council had worked with colleagues at Merseylearn to deliver "WorldHost" training programmes to over 250 people. This training had encouraged and supported Wirral's tourism businesses in anticipation of welcoming tens of thousands of visitors to Wirral. The training had been provided to a range of services and people including local businesses, taxi drivers and Wirral Golf Ambassadors.

The Council's Tourism Team had promoted the peninsula's visitor offer and over £100,000 of accommodation enquiries had been taken during the 2013 Open at Muirfield. These provisional enquiries had been distributed throughout Wirral's accommodation providers and many had resulted in bookings.

The Cabinet noted from the report that to ensure that the Council evaluated the economic success of an event of this scale and to ensure that any claims of success could stand up to scrutiny, it had been necessary to seek the assistance of independent experts. Therefore in collaboration with The R&A reports had been commissioned from Repucom, the Sport Industry Research

Centre from Sheffield Hallam University and the North West Research Agency. The outcome of the findings had been presented in the presentation.

In addition to the visitor attraction statistics, staff from the Council's Economic Policy Team had worked with colleagues from Job Centre Plus (JCP) to organise an Open Golf Jobs Fair on 7 May 2014. 400 people had been registered on the day and with further subsequent advertising, this figure had increased to over 1000 registrations. These registrations had led to 944 jobs for 20 different employers. JCP had not anticipated the large numbers of claimants signing off due to the work they had taken up as the hours worked for most individuals were within the JCP part time limits. The real benefit had been the work experience that would enrich CVs and the skills picked up as part of the pre-employment training that had been provided. Current hospitality vacancies across the district were being considered for those claimants who had registered for the event and were still unemployed.

The North West Coast was home to three of the current Open Championship venues – Royal Liverpool Golf Club, Royal Birkdale Golf Club and Royal Lytham and St Annes Golf Club. They provided the North West with an enviable opportunity to host a championship every three or four years.

It was reported that in order to ensure that all agencies and delivery partners were operating on as consistent and uniform a Championship model as possible, the Chief Executive and The R&A had designed a Memorandum of Understanding (MoU) which set out the common foundations for future delivery of a North West Open Championship.

The MoU was attached at Appendix 1 to the report and identified the co-signatories as R&A Championship Staging Limited and the Local Authorities of Wirral, Fylde, Sefton and Lancashire County Council along with the Lancashire Constabulary, Merseyside Police and Merseytravel, plus the train operating companies Northern Rail and Merseyrail.

RESOLVED: That:

- (1) Professor Shibli and Messrs Gerrie and Gilliam be thanked for their attendance at the meeting and for their informative presentation;**
- (2) the findings of the report and the economic importance of an Open Championship for Wirral and for the North West region be noted; and**
- (3) the North West Open Golf Championship Memorandum of Understanding be supported.**

FUTURE COUNCIL 2014; CONSULTATION FINDINGS (CHIEF EXECUTIVE BUDGET OPTIONS)

Councillor Phil Davies introduced a report by the Chief Executive which informed that he had published a series of budget proposals for public consultation as the Council sought to make savings of £18 million in 2015/2016. Appended to the report was the following:

- Appendix 1 – Chief Executive’s Budget Proposals – Future Council Project – Theme – Delivering Differently
- Appendix 2 – Chief Executive’s Budget Proposals – Future Council Project – Public Consultation Feedback - Theme – Managing Demand
- Appendix 3 – Chief Executive’s Budget Proposals – Future Council Project – Public Consultation Feedback - Theme – Income and Efficiency
- Appendix 4 – Chief Executive’s Budget Proposals – Future Council Project – Public Consultation Feedback -Theme – Customer Contact

The Cabinet was informed that the Future Council project had been able to identify potential savings of £15.5 million through changes and efficiencies which would not require public consultation. If implemented, these changes would potentially reduce the budget gap to £2.5 million. Options were proposed for public consultation which totalled £3.7 million in 2015/2016, providing choice for Members in setting the budget.

Councillor Phil Davies introduced Phil Goodwin the Branch Secretary of Wirral Unison whom he had agreed could address the Cabinet.

Mr Goodwin reminded the Cabinet that this was the fifth year in a row where the Council was facing cuts. He made the points that this impacted on Council Services and that the Council’s workforce would suffer again as wages were reduced and workloads increased and that redundancy payments had already been cut.

Mr Goodwin informed the Cabinet that the Council’s Budget Options, if agreed, would result in pain and the financial destruction for some Unison members and that some were already on below average pay. He was aware that the Council had to make hard choices and proposed it chose the ones that caused the least disruption to Service users. He also told the Cabinet that his members were “fed up with working in fear of their posts being deleted”.

Councillor Phil Davies told the Cabinet that he agreed with much of what Mr Goodwin had said. Members had not come into local government to make cuts but unfortunately, the national deficit had to be reduced. He was of the view that it could not be right that the south of the country had escaped with few cuts with some southern Councils receiving funding increases. Councillor

Davies informed that the responsibility lay with the Coalition Government. He considered that a new Government was needed that would treat people with dignity and fairness. In the meantime, the Council had to set a budget with the hand Central Government had dealt it.

The Council had managed £151m worth of cuts and had to be creative, innovative and radical in how it delivered Services. Councillor Phil Davies told the Cabinet that Members must work with the Trade Unions to try to address this issue collectively as they shared a commitment to retain good quality Services for the Wirral's most vulnerable people and that they must manage this as humanly as possible. The impact on posts was regrettable.

The Council still had one of the most generous Voluntary Redundancy Schemes in the North West. It must try to avoid compulsory redundancies and ensure that those people who left the Council did so with dignity. Councillor Phil Davies gave his commitment to try to protect front line services.

Councillor Phil Davies informed that no decisions were being made at this meeting on Budget Options. He highlighted the fact that the Council had received a fantastic response to the consultation exercise which had been carried out, as a lot of people had engaged with the process. Members would now digest the outcome of the consultation and look at all of the information that had been collected before making recommendations at the Cabinet meeting scheduled for 9 December 2014.

Councillor Phil Davies thanked Mr Goodwin for his comments and told him he wanted them to work together in the spirit of co-operation. Members had to listen to the people of Wirral, and they intended to do so.

RESOLVED: That:

- (1) Phil Goodwin and his Trade Union colleagues be thanked for their attendance at the meeting;**
- (2) the consultation process and implementation described within the report be noted and Wirral residents, staff and other stakeholders be thanked for their input; and**
- (3) the detailed consultation findings in relation to each budget option as contained within Appendices 1, 2, 3 and 4 to the report and the feedback from the Policy and Performance Committee Members which were provided as further Appendices to the report be noted.**

79 **FINANCIAL MONITORING 2014/15 (MONTH 6) - REVENUE**

Councillor Phil Davies introduced a report by the Director of Resources which set out the revenue position for 2014/15, which at Month 6 (September 2014) showed a projected General Fund overspend of £2.69 million (1% of the net revenue budget). It was noted that this was an improvement compared with a projected overspend reported at month 5 of £3.19 million.

The Cabinet also noted that the projected overspend originated in the main from the Families and Wellbeing Directorate. Adult Social Services were currently projecting a £2.7 million overspend. This was mainly due to slippage or non-delivery of in-year savings and demand pressures. The Children's area of the Directorate was also forecasting an overspend of £545,000. This was mainly due to non-achievement of in year transport savings as well as the costs of external residential placements. It was noted that a series of management actions were taking place within the Families and Wellbeing Directorate to help compensate and/or limit any variances.

Appended to the report was the Revenue Monitoring and Reporting Timetable 2014/15, the General Fund Revenue Budget 2014/15 agreed by the Council at its meeting on 25 February 2014, Monitoring Full Details, Growth and Risk, Income and Debt and Accounts Receivable.

RESOLVED: That

- (1) the Cabinet notes that at Month 5 (August 2014), the full year forecast projects a General Fund overspend of £3,189,000; and**
- (2) the Cabinet also notes the risks relating to non delivery of savings as detailed within the report and the continued requirement for mitigation and actions to be identified.**

80 **FINANCIAL MONITORING 2014/15 (MONTH 6) - CAPITAL**

Councillor Phil Davies introduced a report by the Director of Resources which set out the capital position for 2014 to Month 6 (September 2014) and the Cabinet noted that a number of variances had, been identified which would impact on the outturn (Table 2). The report provided information which outlined the 2014/15 Capital Programme and the sources of financing.

The Cabinet noted, in particular, that the re-profiling of the Capital Programme following a half year review, plus previously agreed changes had reduced the borrowing requirement for 2014/15 by £8.8 million. The slippage would result in a one-off financing saving in 2014/15 of £800,000. Consequently, Councillor Phil Davies thanked everyone who had been involved with this. The full budget would be required in 2015/16 when the re-profiled expenditure occurred.

Appended to the report were the Revised Capital Programme and Funding and Capital Receipts.

RESOLVED: That

- (1) the spend to date at Month 6 of £12.7 million, with 50% of the financial year having elapsed be noted; and**
- (2) the revised Capital Programme of £46.7 million be agreed.**

81 **TREASURY MANAGEMENT MONITORING 2014/15 (MID-YEAR REPORT)**

Councillor Phil Davies introduced a report by the Director of Resources that presented a review of Treasury Management policies, practices and activities during the first 6 months of 2014/15. The Director confirmed compliance with treasury limits and prudential indicators being prepared in accordance with the CIPFA Treasury Management Code and the Prudential Code for Capital Finance in Local Authorities.

The Cabinet approved the Treasury Management and Investment Strategy at the start of each financial year. It identified proposals to finance capital expenditure, borrow and invest in the light of capital spending requirements, the interest rate forecasts and the expected economic conditions. At the end of each financial year the Cabinet received an Annual Report which detailed performance against the Strategy. In accordance with the revised Treasury Management Code the updated report was presented to the Cabinet.

Councillor Phil Davies informed that this was a useful technical report that looked at the broad economic context and investment. He thanked those officers who had worked hard on it.

RESOLVED:

That the Treasury Management Performance Monitoring Report be accepted in meeting the Council's obligations under the Treasury Management Code.

Councillors Pat Hackett and Adrian Jones left the meeting whilst the next item of business was under discussion.

82 **NON DOMESTIC RATES DISCRETIONARY RATES RELIEF POLICY 2014/15 AND 2015/16**

Councillor Phil Davies introduced a report by the Head of Business Processes which sought the Cabinet's approval to retain the level of award given under the Discretionary Rate Relief Policy to support appropriate organisations that were the current relief recipients of Non Domestic Rates. It was proposed to

retain the original eligibility criteria to 31 March 2016 for the current recipients. The Cabinet was informed that a further report would be presented to it in early in 2015 setting out revised criteria to be immediately introduced for new applicants and for current recipients for 2016/17 giving this latter category the statutory 12 months' notice of a change.

The Council's policy for awarding discretionary rate relief for non-domestic rate payers was based on Section 47 of the Local Government Finance Act 1988 and the NNDR (Discretionary Relief) Regulations 1989. Central Government had periodically issued guidance urging local authorities to exercise their power of granting relief generously to organisations which satisfied the criteria and this had broadly been adopted by the Council and was attached to the report as Appendix 1.

The policy had its foundation in a report to a meeting of the then Policy and Resources Committee on 24 January 1990, as amended in December 1992, that 100% discretionary rate relief be given to certain non-profit making voluntary or sporting organisations which broadly fitted the criteria laid down. Members reviewed the policy in 2008 and again in February 2011 and amended the criteria to take account of smaller properties being given Small Business Rates Relief.

The Cabinet noted that Discretionary Rate Relief tended to be awarded to three different categories of organisation:

- a. Charities that currently receive 80% mandatory relief may receive the additional 20% as top up discretionary relief.
- b. Organisations not established or conducted for profit may receive up to 100% discretionary rate relief.
- c. Eligible ratepayers situated in a designated rural settlement currently receive 50% mandatory relief topped up by the additional 50% rate relief at the discretion of the Council.

The Cabinet also noted that Discretionary Rate Relief had been funded by the Council and Central Government as follows:

- Where Mandatory Relief of 80% was awarded and topped up by 20% Discretionary Relief. The 20% discretionary rate relief element was funded 75% by the Council and 25% by Central Government. The Council thus paying 15% of the total rates bill.
- Where Discretionary Relief of 100% was awarded the relief was funded 25% by the Council and 75% by Central Government.

The report detailed the split of recipients at 31 March 2014.

RESOLVED: That

- (1) the Discretionary Rate Relief Policy (as set out in Appendix 1 to the report) be approved as the Council's Policy from 2014/15 for current relief recipients;
- (2) the level of Discretionary Rate Relief to be awarded for current qualifying recipients be a maximum level of 100% for Discretionary Relief only cases and in cases where Mandatory Relief of 80% is awarded the additional discretionary top up be 20%. This will be the case in 2014/15 and 2015/16; and
- (3) the qualifying criteria be reviewed at a future meeting of the Cabinet in order to best utilise the available budget for current applicants from 2016/17 and for new applications from the revised criteria's adoption.

Councillors Pat Hackett and Adrian Jones returned to the meeting.

83 **SUNDRY DEBTOR (DASS) WRITE-OFFS**

Councillor Phil Davies introduced a report by the Director of Resources that recommended the writing off of £130,137.36 in outstanding client contributions. This was all part of the process of the ongoing review and cleansing of all long outstanding DASS debt identified in the Independent Report by Eugene Sullivan considered by the Cabinet at its meeting on 23 May 2013. (Minute No. 248 refers.)

The Cabinet noted the total historical debt at the time of the Sullivan Report relating to outstanding client contributions and now processed by the Collection and Recovery Team within the Personal Finance Unit as follows:

Written off to date	£2,812,410.08
Paid In Full	£1,703,565.00
Part Paid	£ 702,894.08
Instalments arranged	£ 134,563.75
Cancelled Debt	£ 321,267.49
Referred to Legal Services	£ 920,306.74
TOTAL PROCESSED DEBT	£6,595,007.14

The Cabinet also noted that work remained ongoing in this section as well as in liaison with the Head of Legal and Member Services and his staff. Also, the progress on the historical debt would be monitored in order to establish the optimum structure for a permanent recovery team.

Write-off values were set out in detail in the report for Members' information.

RESOLVED:

That the report and, particularly, the write-offs of debts be noted.

84 **LOCAL WELFARE ASSISTANCE SCHEME**

Councillor Phil Davies referred to Minute No. 10 of the meeting of the Transformation and Resources Policy and Performance Committee held on 16 September, 2014 where consideration had been given to its Work Programme and the following resolution in respect of the Local Welfare Assistance Scheme had been passed which contained a recommendation for the Cabinet:

'Resolved –

(1)(9:1) (3 abstentions)

That this Committee recognises that given Central Government has cut the money for the Local Welfare Assistance Scheme it is necessary to review how it can continue, and Committee recommends that Cabinet ensures that this money is spent to deliver for those people that the Local Welfare Assistance Scheme was initially established. A suggestion of how this might be achieved is a Task and Finish group.

(2) That the items for the Transformation and Resources Policy and Performance Committee work programme for 2014/15 as shown in Appendix 1 to the report, together with those suggestions made by the Chair and Members be agreed.

(3) That Committee approves the proposal for Spotlight Sessions to be provided as the need is identified by Members.'

Councillor Phil Davies informed the Cabinet that he considered it to be absolutely outrageous that the Government was cutting the Local Welfare Assistance Scheme which helped the most vulnerable people in society, those who were in dire need. He reported that the Council had approximately £600,000 set aside to help. A national consultation was underway on this and he considered it imperative that the Cabinet sent a clear message that it condemned the Government for making these cuts. He also proposed that the Council await the outcome of the consultation exercise before deciding how to allocate the funds still available within its budget.

RESOLVED: That

(1) the Cabinet condemns the Government for cutting the Local Welfare Assistance Scheme; and

- (2) **the outcome of the Government's current consultation exercise be awaited before decisions are made on the allocation of the funding available in the Council's budget.**

85 **WIRRAL COMMISSIONING STRATEGY 2014-16**

Councillor Ann McLachlan introduced a report of the Director of Public Health that sought the Cabinet's approval of the draft Commissioning Strategy (2014-16). The draft Strategy set out the Council's commissioning vision and objectives, and the approach for achieving them. The Cabinet was aware that through this approach the commissioning activities of the Council would be aligned directly to the overarching vision for the borough as set out in the Corporate Plan. The Strategy was appended to the report as Appendix 1.

The Strategy proposed an approach to Strategic Commissioning for the Council based on the intention to move into more outcomes-based commissioning.

The Commissioning Strategy focussed on the following areas:

- Aim of the strategy
- Defining commissioning, procurement and contract management
- Why commissioning is important
- Commissioning principles for Wirral
- Becoming an expert commissioner
- Governance
- Embedding the strategy

Councillor Ann McLachlan referred to the successful bid made to the Cabinet Office and thanked the Strategic Director of Families and Wellbeing and the Director of Public Health who had been the driving forces in respect of it. She informed that the Council now had a good model and policy to take the Council forward.

Councillor Phil Davies considered the report and the Strategy both to be good as they would reduce costs and duplication. The Council was now clear what its outcomes were and he considered that this would make it a more efficient and joined up organisation.

RESOLVED:

That the content of the report be approved.

SELECTIVE LICENSING OF PRIVATE RENTED ACCOMMODATION IN DESIGNATED AREAS OF THE BOROUGH

Councillor George Davies introduced a report by the Strategic Director – Regeneration and Environment that sought the Cabinet’s approval for the commencement of a ten week consultation period during December 2014 on the proposal to implement a Selective Licensing Scheme for private landlords in four designated areas in the Borough known as:

- Area 1 – Birkenhead South
- Area 2 – Egerton North
- Area 3 – Seacombe Library
- Area 4 – Egremont Promenade South

The consultation exercise would be based on the rationale and evidence detailed within the Draft Business Case and the associated appendices, all of which were attached to the report. A full Consultation Plan had been set out in Business Case attached to the report at Appendix 3. It detailed the consultation methods and activity which were planned to be undertaken with a range of stakeholders including but not exclusively tenants, residents, businesses, landlord organisations, specifically those living or operating within the proposed Selective Licensing areas.

The Cabinet noted that the Housing Act 2004 provided local authorities with a range of tools with a view to encouraging private sector landlords to improve management, amenity and safety standards of their properties and to tackle anti-social behaviour, which in turn would help to improve living standards and improve areas of low demand. The Cabinet was informed that Part 3 Section 80 contained provisions for local authorities to license the private rented sector in some circumstances. Selective Licensing was one form of licensing that could be used. The Cabinet noted that the criteria for introducing selective licensing schemes were: -

- That the area is, or is likely to become, an area of low-housing demand and that making the designation will, when combined with other measures taken in the area by the local authority, contribute to the improvement of the social economic conditions in the area; and/or
- That the area is experiencing a significant and persistent problem with anti-social behaviour and some or all of the private landlords with properties in the area are failing to take appropriate action to combat the problem and that making the designation will, when combined with other measures taken by the local authority, lead to a reduction in or elimination of the problem.

A designation could be in force for up to five years and in making the designation, all private rented properties within the designated boundary area would require a licence to be able to let their property.

RESOLVED: That:

- (1) the Cabinet approves the draft proposal for implementing Selective Licensing in the 4 designated areas in the Borough based on the robust evidence base;**
- (2) the Cabinet approves the consultation plan and draft Business Case as set out in the appendices attached to the report, as the basis for public consultation on Selective Licensing; and**
- (3) the Cabinet gives designated authority to the Strategic Director – Regeneration and Environment and the Cabinet Member for Neighbourhoods, Housing and Engagement to undertake minor amendments to the proposal document should further evidence be made available which should be included in the consultation.**

87 TRANSFORMATION OF DAY SERVICES - LOCAL AUTHORITY COMPANY

The Cabinet was informed that the Director of Adult Social Services had withdrawn this item of business from the agenda in order to carry out further work on it. It would be considered at a future meeting of the Cabinet along with the exempt Appendix which had also been withdrawn. (Minute No. 95 refers.).

88 AN ASSET BASED APPROACH TO SUPPORT 'USING SOCIAL CARE RESOURCES EFFECTIVELY TO TRANSFORM LIVES'

Councillor C Meaden introduced a report by the Director of Adult Social Services that informed that the Council faced a major challenge in meeting rising needs and new legislative requirements through the Care Act, as well as improving health and social care responsiveness and performance. It had to do this in the context of reducing resources.

The challenge was particularly acute in responding to people with health and social care needs, where an ageing population together with increasing complexity associated with people with multiple disabilities had continued to drive demand for care and support.

The Cabinet noted that the Care Act fundamentally shifted the nature of assessment and support planning. The Council would have a legal duty to meet assessed “eligible needs” for adults. The Act aimed to offer more

flexibility in relation to what the person needed and what they wanted to achieve within the care planning process.

The legislative changes drove the need to offer assessment and support planning that was both proportionate to that level of need and based on an approach that recognised the individual's assets. i.e. enabling people to determine the best way in which their needs could be met utilising their own resources, with any additional support being provided via the local authority.

In order to meet the new legislative requirements and to use resources as effectively as possible, Members noted that it was critical to change the nature of the demand for services, not through focusing on service supply but through reframing how people accessed and were supported by their local communities.

The Director's report it was necessary to consult on a new framework for the assessment of social care need and to bring the policy framework for social care provision into line with Care Act guidance.

RESOLVED: That

- (1) Cabinet agrees to a period of 12 weeks consultation commencing on 17 November 2014 in order to consult with both:**
 - (a) the wider public in order to ensure that people who are not currently in receipt of services but could need them in the future have a say;**
 - (b) those people directly impacted by elements of this proposal and to receive a further report in December outlining the outcome and feedback from the consultation.**
- (2) a further report be presented to the Cabinet in December 2014 outlining the outcome and feedback from the consultation exercise.**

89 SCHOOL TRADED SERVICES SEPARATE LEGAL ENTITY

Councillor Tony Smith introduced a report by the Director of Children's Services that informed that in April 2014 this Council's and Cheshire West and Chester (CW&C) Council's Chief Executive had agreed a mandate to jointly develop a business case for a Schools Traded Services company.

The report was intended to enable the Cabinet to make a decision on the future delivery model for school traded services. It proposed that a Separate Legal Entity (SLE) jointly owned by the Council and CW&C Council be

established. It contained the results of the business planning analysis and presented the Strategic Business Case.

The Cabinet was informed that the proposal would also be presented to CW&C Council's Executive on 19 November 2014. The project could only proceed if both Councils agreed to the recommendations.

The report contained exempt information in an Appendix as defined in Schedule 12A of the Local Government Act 1972. It was in the public interest to exclude the press and public under Paragraph 3 'Information relating to the financial or business affairs of any particular person (including the authority holding the information)'. The information contained in the Appendix was commercially sensitive. (Item No. 23 on the agenda – Exempt Appendix – School Trading Services -, Minute No. 96 refers.)

Councillor Tony Smith thanked all of the officers who had contributed to this initiative. It had involved a lot of hard work being carried out in a very short space of time.

Councillor Phil Davies informed that this was exactly the type of model for delivering services that the Council should be looking to adopt in the future. He considered it to be an exciting initiative which had tremendous future potential and he wished it well and looked forward to receiving progress reports on it in due course.

RESOLVED: That

- (1) the overall direction and strategic agenda for change for schools traded services identified in the business case prepared jointly by CW&C and Wirral Councils be agreed;**
- (2) the establishment of a Community Interest Company limited by shares and wholly owned and controlled jointly by Wirral and CW&C Councils for the purpose of providing the services identified in the business case to schools in their area and outside be agreed;**
- (3) it be agreed that the Council will act as guarantor to the pension liabilities of the company as a designating body to the Merseyside Pension Scheme. The risk to be mitigated by the SLE purchasing a bond for 20% of the risk, the remainder be guaranteed by the Local Authorities and a charge made to the SLE at market rate;**
- (4) it be agreed to fund the historic deficit in the Merseyside Pension Fund on a shared basis with the SLE based on a notional share of the assets and liabilities of the Local Authority at the time of transfer;**

- (5) be agreed to provide, in conjunction with CW&C Council, such further financial guarantees as the company may reasonably require subject to the requirements of state aid regulations and the approval of the Director of Finance;**
- (6) it be agreed to meet the Local Authority designated set up costs of the new company, as identified in the business case jointly with CW&C Council (50/50 split); and**
- (7) the following delegations be agreed:**
 - (a) to authorise the Director of Children's Services in collaboration with the Director of Resources and Head of Legal and Member Services to do all things necessary to establish the company and to allow it to provide services to schools in accordance with the business case. Including but not limited to the recruitment and appointment of a Managing Director for the company at the Head of Service, A pay band and the recruitment of the remaining board of executive and non-executive directors;**
 - (b) to determine the memorandum and articles of association of the company in accordance with the principles outlined in the business case, including those matters to be reserved to the Councils as shareholders and the content of the shareholder's agreement;**
 - (c) to determine the shareholder governance arrangements in accordance with the principles outlined in the business case;**
 - (d) to determine the content of the following agreements to be entered into with the company:**
 - (i) the 'buy back' of council support services;**
 - (ii) the arrangements for the 'strategic payment';**
 - (iii) the provision of statutory services by the company for the councils;**
 - (iv) the agreement for the transfer of assets and staff to the company;**
 - (v) any other contractual arrangements required to give effect to the business case;**

- (vi) pension admission and guarantee arrangements;
 - (vii) any loan agreement for working capital or asset purchase.
 - (e) to authorise the Head of Asset Management to determine the terms of any property lease or licence to the company required to give effect to the business case and on such detailed terms or conditions as deemed appropriate by the Head of Legal and Member Services.
 - (f) to authorise the Head of Legal and Member Services to enter into and execute all legal documents necessary to give effect to the establishment of the company and its operation in accordance with the business case.
- (8) the Cabinet notes and agrees that:
- (a) the business case for the company be based upon the financial assumptions listed at paragraph 8.1.2 of the report and further detailed in the business case. If, in the opinion of the Director of Resources, any of those assumptions have materially changed or any financial matter materially affects the detail of the business case; the matter will be the subject of a report to the Cabinet or the matter may be determined by the Director of Resources in consultation with the Cabinet Member for Children and Family Services and the Cabinet Member for Governance, Commissioning and Improvement; and
 - (b) the pension's liability, bond and admission arrangements and VAT status be the subject of further specialist financial advice. Any material impact upon the business case that arises as a consequence of that advice will be the subject of a report to the Cabinet or the matter may be determined by the Director of Resources in consultation with the Cabinet Member for Governance, Commissioning and Improvement.

90 **PERMISSION TO CONSULT ON AMALGAMATION OF PENSBY HIGH SCHOOLS**

Councillor Tony Smith introduced a report by the Director of Children's Services that informed that, in May 2010, the two Pensby secondary schools had entered into a hard Federation, enabling them to work together more closely under a single governing body led by a single headteacher, building

on the existing joint sixth form arrangements. This approach had helped to safeguard viable secondary education for both girls and boys in Pensby as school rolls had fallen in the next few years.

The Cabinet was informed that the Governing Body of the Pensby High Schools Federation had recently approached the Council to begin a formal consultation on the amalgamation of the two schools to form a single establishment. A letter dated 26 September 2014 from the Chair of the Governors of Pensby High Schools Federation informing of the Governing Body's resolution of 25 September 2014 was attached to the report as an Appendix.

The Director's report recommended that, as required by guidance, a six week public consultation exercise be held on the proposed amalgamation of Pensby High School for Boys and Pensby High School for Girls, through closure of Pensby High School for Boys, and changing the gender intake of Pensby High School for Girls to form a mixed sex secondary school in Pensby. The outcome of this consultation would then be reported to the Cabinet so it could decide whether the amalgamation should proceed to the next stage.

RESOLVED:

That a six week public consultation exercise be carried out on the proposed amalgamation of Pensby High School for Boys and Pensby High School for Girls, by ceasing to maintain Pensby Boys and changing the gender intake for Pensby Girls to create a single mixed sex secondary school in Pensby.

91 **CAR PARKING SCRUTINY REVIEW**

Councillor Stuart Whittingham introduced a report by the Chair of the Car Parking Scrutiny Panel that provided background information on the report of the Car Parking Scrutiny Review. The report had been approved by the Policy and Performance - Regeneration and Environment Committee and referred to the Cabinet for further consideration. Attached to the report was the Car Parking Scrutiny Review Final Report, dated September 2014.

The Cabinet noted that a Task and Finish Scrutiny Panel, consisting of seven Members, had been set up in November 2013. The membership of the Panel was Councillors Paul Doughty (Chair), Jim Crabtree, Anita Leech, Jerry Williams, Leah Fraser, Steve Williams and Alan Brighthouse.

Councillor Paul Doughty was in attendance at the meeting and guided the Cabinet through the Panel's Final Report setting out the key elements, answering Members' questions and informing that he considered that the Panel had provided broad recommendations that would, hopefully, help the Cabinet to agree a progressive and convenient Car Parking Strategy as the

outcome of the review had been to inform a coherent; evidence based Car Parking Strategy that considered revenue, users' requirements and the local economy.

It was reported that the review had been conducted over a number of meetings with the assistance of appropriate Council officers between January and July 2014. Information had been provided as requested by the Review Panel to allow detailed question and answer sessions to be carried out. The Panel had also considered town centre economic viability and the effect that the harmonisation of charges had on usage and the policies of similar sized authorities with similar competition from larger commercial and retail offers.

The Final Report had been presented to the meeting of the Policy and Performance - Regeneration and Environment Committee held on 22 September 2014 and the Cabinet had regard to the outcome which was detailed in the report (Minute No. 13 refers) as follows:

'At the invitation of the Chair, Councillor Paul Doughty introduced the Car Parking Scrutiny Review Final Report, which had been undertaken by a Task and Finish Panel that he had chaired and which also comprised Councillors Alan Brighthouse, Jim Crabtree, Leah Fraser, Anita Leech, Jerry Williams and Steve Williams.

The detailed report set out the context for the Review and its scope and methodology. It recognised that the pressures on retail and commercial centres were many and varied and that a Car Parking Strategy should be supportive of the economic sustainability of each of the centres. Following research and discussion of the approach taken by other, similar local authorities, the Panel had proposed a number of 'Objectives' and 'Principles' to provide a guiding framework for any future Strategy and considered that they were in full harmony with the Council's Corporate Plan. Councillor Paul Doughty highlighted the Panel's findings, which had resulted in a range of recommendations for consideration, related to pricing, technology and demand based decision making. It had not been the role of the Panel to formulate a Car Parking Strategy but it was hoped that its recommendations would provide a suitable framework. Councillor Doughty thanked the Members of the Panel and the support officers for the considerable work they had undertaken. He also drew the attention of the Committee to a minor error in Table 1.2 of the Review and circulated a correction.

A Member referred to considerable increased parking charges, particularly in Heswall and West Kirby and expressed a view that such increases were detrimental to the local economy. He also commented that it was not acceptable to charge Medical Centre patients for parking at West Kirby Concourse. As locations for increased parking charges

were not specified in the Review, he could not support its recommendations.

The Chair indicated that the Review made no such recommendation and anticipated that the detail of any future Car Parking Strategy prepared by officers would be subject to consultation. He commented also that there had been cross party involvement in the Panel and he commended its recommendations.

Resolved (12:2) –

(1) That the Car Parking Scrutiny Review and its recommendations be endorsed.

(2) That the Review be referred to the Cabinet for approval.'

Councillor Stuart Whittingham thanked the Car Parking Scrutiny Review Panel and everyone involved in the Review for the Final Report. He proposed that, because of the potential budget implications, that the Cabinet note the content of the Car Parking Scrutiny Review Final Report and it be considered in detail at the same time as the Cabinet considered the Council's budget options.

Councillor Phil Davies informed the Cabinet that he considered it refreshing to see the recommendations that the Scrutiny Review Panel had made and he welcomed the Panel's proposals around looking at demand and the viability of shopping centres.

Councillor Stuart Whittingham addressed the Cabinet about the present cost of living crisis because wages had not kept up with prices and that, coupled with the rise in zero hours contracts, meant that many people were not feeling the benefits of any recovery in the economy. It was noted that this cost of living crisis was also having an adverse effect on local businesses in Wirral's shopping areas.

As an authority the Council was committed to supporting local town centres in its administrative area and Members were very aware that Christmas was an important time for both families and local businesses. With this in mind, Councillor Stuart Whittingham requested the Cabinet to support the following recommendations to the Council as they constituted a change to the Council's budgetary framework:

'That

- (1) from Tuesday, 9 December until the end of December 2014 the Council cuts the cost of parking in Council owned car parks by introducing free parking after 3pm;

- (2) on Boxing Day and New Year's Day the Council provides free all day parking in Council owned car parks; and
- (3) Officers be instructed to evaluate any change in usage in Council owned car parks compared to previous years.

Councillor Whittingham told the Cabinet that he believed that if these recommendations were agreed by the Council, they would go some way to easing the burden on families and help support local businesses at this important time of year. The financial impact could be met from existing approved budgets.

Councillor Phil Davies reported that if the Council was to agree these recommendations, residents and local businesses would welcome the announcement. The proposals provided a real lifeline to some businesses that were operating on the margin

RESOLVED: That

- (1) **the Cabinet will give consideration to the recommendations set out in Car Parking Scrutiny Review Final Report at the same time as it gives consideration to the Council's budget options for 2014/15; and**
- (2) **Council be RECOMMENDED to agree: That**
 - (a) **from Tuesday, 9 December until the end of December 2014 the Council cuts the cost of parking in Council owned car parks by introducing free parking after 3pm;**
 - (b) **on Boxing Day and New Year's Day the Council provide free all day parking in Council owned car parks; and**
 - (c) **officers be instructed to evaluate any change in usage in Council owned car parks over the time periods set out in (a) and (b) above, compared to previous years.**

92 **YOUTH EMPLOYMENT GATEWAY (YOUTH CONTRACT UNDERSPEND)**

Councillor Pat Hackett introduced a report by the Strategic Director – Regeneration and Environment that informed Members of the outcome of a Liverpool City Region (LCR) bid that had successfully secured £5.9m of funds from the national Youth Contract Underspend Programme to support young people into sustainable employment. The report provided an overview of the

Programme and the opportunity for the Council to deliver activity to reduce youth unemployment in Wirral.

The Cabinet was informed that Knowsley Council was the accountable body for these funds across the city region and delegated authority was sought for the Strategic Director, Regeneration and Environment, in consultation with the Head of Legal and Member Services to accept funds from Knowsley Council, commence a competitive procurement procedure and subsequently appoint a supplier to deliver this Programme on Wirral on behalf of the Council.

The Strategic Director proposed that the call-in period for this report be waived to enable the procurement procedure to commence at the earliest opportunity and enable delivery on Wirral to start in this financial year. The Chief Executive agreed that the decision proposed was reasonable in all the circumstances and that it be treated as a matter of urgency in accordance with Standing Order No. 35(10)(a).

The Cabinet noted that it was a requirement of the funding that the Council secured additional European Union funds to add to the Programme. Authorisation was sought for the Strategic Director, Regeneration and Environment, to submit a bid and, subject to a successful application, accept the funds.

Appendix 1 to the report contained commercially sensitive information regarding a future competitive tendering process, the disclosure of which was not considered to be appropriate. Accordingly, it was deemed to be exempt from disclosure under paragraph 3, Part 1 of schedule 12A of the Local Government Act 1972 (as amended). Appendix 1 was attached to the agenda at Item No. 24. – Exempt Appendix – Youth Employment Gateway - (Minute No. 97 refers)

Councillor Phil Davies informed the Cabinet that he was pleased that the outcome had been to successfully attract £5.9m of funding from the national Youth Contract Underspend Programme with additional money from Europe. This outlined the strength of the City Region. He also reported that he had signed a growth deal with the Minister the previous day.

RESOLVED: That:

- (1) the investment of £5.9m from the national youth contract Underspend Programme to deliver activity to reduce youth unemployment across the Liverpool City Region be welcomed;**
- (2) on receipt of a finalised funding offer letter from Knowsley Council authority be delegated to the Strategic Director, Regeneration and Environment, in consultation with the Head of**

Legal and Member Services to finalise and accept the grant agreement offer on behalf of the Council;

- (3) the Strategic Director, Regeneration and Environment be authorised to commence a competitive procurement procedure and subsequently accept the most economically advantageous tender to select a supplier to deliver the Youth Employment Gateway programme in Wirral;**
- (4) the call-in period for the recommendations in this report be waived to enable the procurement procedure to commence at the earliest opportunity and enable delivery of the Youth Employment Gateway programme in Wirral to commence this financial year; and**
- (5) the Strategic Director, Regeneration and Environment be authorised to submit a bid for European Union's funds, namely European Social Fund and Youth Employment Initiative, to seek additional funds for the Youth Employment Gateway Programme and, subject to a successful application, accept the funding offer letter in consultation with the Head of Legal and Member Services.**

93 WIRRAL APPRENTICE PROGRAMME SCRUTINY REVIEW

Councillor Pat Hackett introduced a report of the Chair of the Apprentice Scrutiny Review Panel that provided background information on the report of the Apprentice Scrutiny Review, which had been approved by the Policy and Performance Committee - Regeneration and Environment and referred to the Cabinet for further consideration. Appended to the report as Appendix 1 was the Wirral Apprentice Programme Scrutiny Review Final Report, September 2014.

The Cabinet was informed that, at the meeting of the Policy and Performance - Regeneration and Environment Committee held on 23 September 2013, Members had approved a work programme which had included a review of apprenticeships.

A Task and Finish Group consisting of four Members of that Committee had been set up. Its membership consisted of Councillors Anita Leech (Chair), Rob Gregson and Eddie Boulton along with former Councillor Mark Johnston.

Councillor Anita Leech was in attendance at the meeting and guided the Cabinet through the Panel's Final Report setting out the key elements, answering Members' questions and informing that the purpose of the review had been to ensure that funding allocated to the Apprentice Programme was being used effectively and was providing the best outcomes for apprentices through exploiting all available opportunities.

The Cabinet noted that the Final Report had been presented to the meeting of the Policy and Performance - Regeneration and Environment Committee on 22 September 2014 and had regard to the outcome which was detailed in the report (Minute No. 14 refers) as follows.

'Further to Minute 16 (17 September 2013), Councillor Anita Leech introduced the Wirral Apprentice Programme Scrutiny Review, which had been undertaken by a Panel she had chaired, which had also comprised of Councillors Eddie Boulton, Rob Gregson and former Councillor Mark Johnston. She confirmed that the purpose of the Review had been to ensure that funding allocated to the Apprentice Programme was being used effectively and was providing the best outcomes for apprentices through the exploitation of all available opportunities.

The Panel had gathered evidence from a wide range of sources and had made a number of recommendations around key themes including the requirement for support of apprentices, the availability and quality of information and guidance available to young people, getting young people ready for work, the Wirral Apprentice Policy and barriers to those who were considering an apprenticeship. Councillor Leech thanked all of the Members of the Panel, in particular former Councillor Mark Johnston and the scrutiny support officers, Tim Games and latterly Mike Lester, for their assistance.

Members thanked the Panel for a very comprehensive report and recognised the considerable work still required in the development, creation and accessibility of apprenticeships.

Resolved (13:0) (One abstention) –

(1) That the Scrutiny Review and its recommendations be endorsed.

(2) That the Review be referred to the Cabinet for approval.'

Councillor Phil Davies informed the Cabinet that he considered the Final Report to be an excellent piece of scrutiny work and he congratulated Councillor Anita Leech and the other Panel Members on it.

Councillor Bernie Mooney made reference to the cross party task and finish work that had been undertaken. She considered that it illustrated that scrutiny was working well at Wirral Council and she offered her congratulations on a fabulous Final Report.

Councillor Tony Smith informed that more vocational schools were required to help children obtain practical skills at 14+ so that they would have a better chance of obtaining apprenticeships when they left school.

Councillor Anita Leech reported that readiness for work was one of the Scrutiny Review Panel's concerns.

RESOLVED: That:

- (1) the contents and recommendations of the Apprentice Scrutiny Report be supported; and**
- (2) officers be requested to develop an Action Plan to implement the recommendations set out in the report.**

94 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

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

95 EXEMPT APPENDICES - TRANSFORMATION OF DAY SERVICES - LOCAL AUTHORITY COMPANY

The Cabinet was now aware that the Director of Adult Social Services had withdrawn Item No. 13 Transformation of Day Services – Local Authority Company, a report listed in Part 1 of the agenda in order to carry out further work on it. (Minute No. 87 refers) As this item of business consisted of the exempt appendix to that report, it had also been withdrawn. The Cabinet noted that the report and its Appendix would be considered at a future meeting of the Cabinet.

96 EXEMPT APPENDIX - SCHOOL TRADED SERVICES

The Cabinet noted the contents of the exempt Appendix to Item No. 15 on the agenda – School Traded Services Separate Legal Entity (Minute No. 89 refers).

97 **EXEMPT APPENDIX - YOUTH EMPLOYMENT GATEWAY**

The Cabinet noted the contents of the exempt Appendix to Item No. 15 on the agenda – Youth Employment Gateway (Youth Contract Underspend) (Minute No. 92 refers).