

CABINET

Tuesday, 9 December 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

103 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillors Tony Cox and Stuart Whittingham declared personal and prejudicial interests in Item No. 12 on the agenda – Day Nursery Delivery (Minute No. 114 refers) by virtue of them being Directors of Nurseries. They indicated that they would be leaving the meeting whilst the item was under discussion.

Councillor Adrian Jones declared a personal interest in Item No. 4 on the agenda – Council Budget Consultation Findings by virtue of him being an allotment holder.

104 MINUTES

RESOLVED:

That the Minutes of the meetings of the Committee held on 6 and 27 November 2014 be confirmed as a correct record.

105 STREETSCENE ENVIRONMENT SERVICES - CONTRACT EXTENSION

Councillor Bernie Mooney introduced a report by the Strategic Director – Regeneration and Environment which reminded the Cabinet that on 11 September 2014 it had reviewed a report (Minute No. 48 refers) that considered the benefits, opportunities and risks associated with extending the current Waste and Environmental Streetscene Services contract. The

Cabinet had noted that the partnership between the current service provider and the Council had demonstrated a successful track record in delivering service improvements and efficiencies, in order to steadily improve Value for Money over the life of the contract. The Cabinet had agreed that the Strategic Director would enter into negotiations with Biffa, in order to ensure that the contractor improved the current “offer” in return for extending the contract to its full permissible term (2027).

The report detailed the “best and final offer” secured from Biffa Waste Services. The Cabinet noted that the negotiations had resulted in an improved financial offer, and agreement to a number of contractual terms and clarification that eliminated or reduced some of the risks highlighted during the review of the contractor’s original offer.

The Cabinet noted that the result of the negotiations was an improvement on the established Value for Money position to a discount equating to £7.27 per household per annum by April 2018. Due to the limitations of data sets around value for money and fluctuating procurement markets, the only way of knowing exactly how advantageous Biffa’s proposal would be to the Council would be to decline the offer and go back out to the market. The cabinet, therefore, had to balance the risks and lost opportunities of accepting the offer with the financial benefits and future opportunities gained by securing a long term deal.

The opportunities lost included:

- Ability to re-package services where synergies may result in enhanced neighbourhood working capacity (e.g. A Street Cleansing, highway maintenance and grounds maintenance bundle);
- The ability to go to the market in a re-tender exercise.

The opportunities gained included:

- Immediate revenue savings totalling a minimum of 9.22% over 4 years;
- Avoidance of procurement costs of up to £250K in 16/17;
- Stability of provider with proven track record in performance;
- Immediate identification of significant further savings for implementation by 2016/17.

Appendix 1 to the report detailed the value and terms of the revised and final offer from Biffa in return for the Council extending the contract to 2027. In total Biffa was offering a contract discount of £13,383K over an extended contract term to 2027. This was an increase of £3,758K from the original offer in January 2014; £450K increase on the current term and £3,308K increase in the extended term. In terms of the Council’s annual revenue budget savings from these proposals, there would be an initial stepped increase of the

savings between 2014-17 before an ongoing annual revenue saving of £1,065K was achieved from 2017-18 onwards.

Appendix 2 to the report detailed key risks arising when considering Biffa's offer. A risk register had been kept since the offer was first proposed by Biffa. Eight key considerations had been reported to Cabinet on the 11 September. There had been no red risks and two amber risks. As a result of final negotiations all risks were now green with the exception of one risk which remained amber, but had a residual overall risk score of 8, compared to 12 based on Biffa's initial proposal. The reduction in risk was due to the agreement from Biffa to jointly fund a contract monitoring officer.

Councillor Bernie Mooney thanked the Officers involved for their hard work in obtaining the deal. Councillor Phil Davies also thanked the Officers and informed the Cabinet that this constituted a good deal for Wirral residents as over the next 15 or 16 years there would be savings of £100,000 or more.

RESOLVED: That

- (1) the acceptance of the revised offer from Biffa outlined in the report be approved in return for an extension to the existing contract to 2027;**
- (2) the Strategic Director of Regeneration and Environment be instructed to work with Biffa to identify further efficiency savings, in order to contribute to reducing the Council's budget deficit from 2016/17 onwards, and to enable the continuation of the Good Neighbour" initiative, and ensure alleyways continued to be cleansed regularly; and**
- (3) the use of the 2014-15 contract saving of £500,000 to establish a reserve in order to facilitate further savings detailed as in (2) above be approved.**

106 **COUNCIL BUDGET CONSULTATION FINDINGS**

The Cabinet considered a report by the Chief Executive and Councillor Phil Davies informed it that he intended to move a Budget Options resolution for 2015-16. Before he moved his resolution he invited Mr Phil Goodwin, Unison Branch Secretary to address the Cabinet.

Mr Goodwin accepted the invitation and reminded the Cabinet that for four years in succession the Council, like others in the North West of England, had been forced to implement cuts due to the Coalition Government's austerity measures.

Mr Goodwin informed that in many parts of the Council, work forces had been “cut to the bone” and some services were now being provided by a “skeleton work forces”. Some staff had suffered cuts of up to £7,000 per annum and some staff members were still under the threat of redundancy. The Council had £4 million worth of savings options to consider but £2.5 million worth would need to be agreed. Mr Goodwin asked the Cabinet to avoid options that result in job cut backs and pay cuts. He suggested that the Cabinet amended the measures proposed and save public services. Mr Goodwin asked that the Cabinet take account of the fact that the workforce had “suffered long and hard from cuts, as a result of the Coalition Government’s actions”.

Councillor Phil Davies introduced the Chief Executive’s report on the Council’s budget proposals for public consultation. The report informed that on 8 September 2014, the Chief Executive had published a series of budget proposals for public consultation as the Council sought to make savings of £18 million in 2015-2016.

The Future Council project had identified potential savings of £15.5 million through changes and efficiencies. If implemented, these changes would potentially reduce the budget gap to £2.5 million in 2015-2016. Options were proposed for public consultation which totalled £3.7 million, providing choice for Members in setting the budget.

The report also presented a summary of the feedback from the public consultation and the pre-decision scrutiny work completed by the Policy and Performance Committees. The Cabinet was requested to consider these findings, and if it was so minded, to use this feedback to inform its budget deliberations and recommendations.

Councillor Davies informed the Cabinet that the Council was faced with a situation where, for five years running, it had to make draconian and savage cuts because of Central Government. The Council had to find savings of £18 million in 2015-16 and £70 million over the next three years. £151 million had already been found since 2010. Councillor Davies also informed that he was of the view that the Council could not sustain that level of cuts without affecting its services. If there was to be more cuts like this for another five years, it would mean the end of local government as people knew it. Councillor Davies also informed that he had not come into public service to make cuts as he believed in vibrant public services and strong local government. Unfortunately, the present Government had an opposing view to his.

Councillor Davies was clear, given the pressures Wirral residents were under in respect of the cost of living, that it was appropriate to freeze the Council Tax for another year. He informed that a consultation exercise had informed

the resolution he was about to read out in respect of the 2015-16 Council Budget.

Councillor Davies thanked the people of Wirral for finding the time to take part in the consultation. There had been an amazing response from Wirral people and he was grateful that they had engaged with the process. Many residents realised that, because of the ever diminishing financial support local authorities received from Central Government, difficult decisions had to be made about valued local services and they were taking their opportunity to influence those decisions.

Councillor Davies also thanked Officers for their hard work on such a major consultation exercise. He informed that Wirral was a listening Council, with a listening administration who had listened to the views of local residents.

Councillor Ann McLachlan informed that by investing in employing apprentices the Council was showing its commitment to young people. The Council was also concerned about children's safety and was not implementing the saving relating to school crossing patrols. She informed that the Cabinet had listened to the views expressed and knew people valued these services and young people and children ran through the Council's corporate priorities. Councillor McLachlan also informed that it was important to narrow inequalities that existed and help people to have better lives in the future.

Councillor Davies put forward the following resolution – 2015-16 Budget Options, together with the two recommendations set out in the report, duly seconded by Councillor Ann McLachlan:

“Executive Summary

The Tory-led government has made unprecedented cuts to Wirral Council's budget. Since 2010, £151m of savings have been imposed. By 2017 our grant from central government will have been sharply reduced by a massive 57% in just five years and this is before further cuts are imposed in 2018.

In these circumstances, the Council has had to make some difficult decisions. The Labour administration is determined to do everything possible to protect front-line services and focussing as many of the savings on back-office efficiencies which have minimal impact on services.

In addition to the £20m already agreed for 2015/16, we will need to deliver additional savings totalling £18m. £15.5m will be achieved through making changes to our workforce, getting the best value for contracts, proposing different and innovative ways of delivering services and reducing the cost of senior management.

Taking account of the additional £100k saving from the extension to the BIFFA contract, this leaves £2.4m of savings which need to be found in 2015/16. To help us decide how to achieve this sum, earlier in the year the Chief Executive set out a series of budget options totalling £4m which has been the subject of a consultation exercise with the public, businesses and partners.

After considering the outcome of the consultation we have decided the following:

- We have listened to the public and, in light of the overwhelming opposition to cuts to our Youth and Play service we will not be taking forward this saving.
- Similarly, we recognise that the vast majority of respondents said they would not support charging for parking in our country parks. This option is therefore rejected.
- A substantial majority of residents said they were against closing public conveniences. Once again, we have listened to the public and this option will not be supported.
- With regard to Community libraries, whilst a majority of those who took part in the consultation said they would support a reduction in opening hours, we believe that the scale of savings proposed by the Chief Executive was extreme. We will therefore be supporting a reduced saving which will see Community libraries opening for 18 hours per week.
- We have responded to the concerns expressed by residents regarding the importance of providing salt for grit bins during periods of bad weather. We will not be making this saving.
- The safety of our children is paramount and we have decided not to implement the saving relating to school crossing patrols.
- In line with our corporate priorities around protecting vulnerable communities we will not be charging for introducing cold calling zones or imposing additional charges for pest control.
- We believe the savings in preventative maintenance proposed by the Chief Executive are excessive. We will therefore reduce this by £200k which will enable us to carry out emergency maintenance and safety works.

In order to deliver the savings we require to meet the cuts imposed by the Government, we will introduce a small increase in fees at Council- maintained

allotments, bowling greens and football pitches. Both of these options were supported by a majority of residents. We also feel that it is appropriate to introduce a modest charge for parking at Fort Perch Rock in New Brighton up to 6pm.

We are reluctantly removing the 5% discount on the Council Tax for households where everyone is over 70 years of age. Wirral is the only authority which has such a discount, but we simply cannot afford to continue this measure in the light of the savings we are being forced to make and also in the knowledge that many in the group affected will be in receipt of benefits.

The saving relating to West Kirby Marine Lake can be achieved through internal efficiencies.

The All Age Disability Service will generate a £600k saving through changes to Willowtree respite home and greater integration with other services

Joint commissioning with the NHS will enable us to realise savings in relation to Girtrell Court.

Finally, we will adopt a tough new approach to litter and dog fouling which we are confident will realise an additional £70k through stronger enforcement.

We are pleased that we have been able to deliver required savings without the need to close any children's centre, library or One Stop Shop.

We intend to continue to invest in employing Council apprentices and we will continue our work so that Wirral becomes a Living Wage Borough.

Cabinet thanks the public for engaging in the consultation process. We recognise these are difficult decisions and they are not choices we would have ideally wished to make. They have been forced on us by the unfair cuts imposed by the Government. We will continue to campaign for a government which believes in strong local government and vibrant public services.

Introduction

1. Following the consultation on the Chief Executive's budget options, this resolution sets out a number of budget savings for 2015/16. It is important to emphasise that we are not setting next year's budget. It would be unwise to do this in the absence of key information such as the Revenue Support Grant and the levies and precepts from the Joint Boards. However, given the scale of savings required next year it is sensible to agree budget options as early as possible.

The national picture

2. These are difficult and challenging times for local government and the communities we serve. Because of the Tory-led government's decimation of local government, councils are being asked to do more with diminishing resources. Local government has faced the biggest cuts of any part of the public sector. The Local Government Association says that over this Parliament, local government core funding will fall by 40% and councils will have to make £20 billion of savings. As a result, we are having to take very tough decisions about the future of local services at a time when there are rising pressures, particularly the growing number of older people and demands on children's services.
3. Nationally, Labour is committed to balancing the books in the next parliament so budgets will be extremely tight. But there will be one difference; the money we have as a country will be distributed more fairly.
4. The Prime Minister and the Local Government Secretary say that tough times involve tough choices, but they have forgotten one very important principle. Tough times demand tough choices that are fair. And yet if we look at the way in which the Tory led Government has chosen to take most from those who have least – the most deprived local authorities – it is clear just how unfair and unjustifiable this is.
5. This is confirmed by the Joseph Rowntree Foundation which published research in November stating: *"Cuts in spending power and budgeted spend are systematically greater in more deprived local authorities than in more affluent ones"*
6. Labour has done an analysis of how the reductions in government funding for local authorities have affected different communities in different parts of the country. They show that under the Coalition, households in the ten most deprived local authorities in England will have faced a reduction in spending power per household 16 times greater than the ten least deprived.
7. What is more, because of these decisions the principle of a local government grant settlement which equalises differences in needs and differences in resources between authorities is being eaten away. On current plans, nationally the revenue support grant element, which recognises need, will shrink from £15.2 billion in 2013-14 to £9.3 billion by 2015-16.
8. Wirral Council is four years into an onslaught on its budget and there is no let up. This Tory led Government is failing the people of Wirral, heaping untold misery on them with £151m of cuts since 2010.

9. The 57% reduction in Wirral Council's grant is a slap in the face to Wirral residents from an out-of-touch Tory Government that has nothing positive to say about our future.
10. Residents are being hit from all sides by this Government.
11. Nationally, wages have not kept pace with prices for 52 of the last 53 months under the Tory led government. Working people are on average £1600 a year worse off than they were in 2010.
12. Their botched reorganisation of the NHS has cost £3bn, stretching services and failing patients.
13. Their attack on students as they trebled tuition fees has hit families hard.
14. And, their complete failure to tackle the energy companies has seen prices rise by almost £300 per annum at a time when nobody can afford it.
15. According to the Office for Budget Responsibility, public spending is set to fall to levels not seen since the 1930s. The Local Government Association is predicting further cuts of at least 30% to local authority funding.
16. In spite of their austerity policies, the Government has missed its targets on reducing the deficit and the national debt.
17. And their austerity will only continue, as this Government presides over further cuts to public services. The Institute of Fiscal Studies has reported that less than 50% of the Government's planned spending cuts have been made.
18. A total cut to Local Government funding in 2015-16 of 8.2%, compared to a 1% across the rest of government, is irrefutable evidence of this Government's disregard for the local services that actually matter to residents.
19. Their focus on cutting public services in the North, and particularly deprived North West communities, remain as stark as ever. The simple fact is that Wirral households have lost over double the amount of funding than affluent areas in the South. This is morally indefensible.
20. For the fifth consecutive year of this government, Councils in the North of England are being forced to set their budgets in the context of what they can cut, rather than how they can improve the lives of their residents.
21. Locally, when the Tories and Liberal Democrats were last in control of the Council they left an overspend of £17m and £10m in unrecoverable debt. This is incompetence on a comparable scale to George Osborne admitting

in the recent Autumn Statement that he had missed his financial targets and had to borrow £50bn more than planned in 2010. Wirral residents are losing out as a result of this Government's utter failure to improve the economy.

Labour's priorities

22. At the heart of every decision this Labour administration makes sits three key principles. These principles are embedded in our Corporate Plan, and in the policies which flow from this. In support of our vision for Wirral, we will continue to:

- Protect vulnerable people and communities
- Attract investment and jobs
- Narrow the gap in inequalities

23. Underpinning every decision made by this Council, these principles drive our thinking towards protecting front-line services as far as possible in the face of draconian Government cuts.

24. It is our moral imperative to ensure a sustainable budget for this Council. Not to do so would put all services at risk. Irrespective of this Government's illogical and damaging policies we must set a legal budget, we must show we are a Council that will make best use of its resources and we must exercise good financial management.

25. The answer to this challenge is not withdrawing money from earmarked reserves, which are limited and identified for specific purposes. This would be irresponsible short-termism and would simply build up more problems for the future. This money can only be used once and avoids having to make tough decisions.

26. We will not risk the future stability of this Council with this kind of gesture politics. We must continue to challenge ourselves so we can be sure Wirral is a council that continues to deliver despite Tory led government cuts. That challenge calls for innovation, rigour and fairness.

Delivering for Wirral, protecting vital services

27. Our budget savings for 2015/16 begin with reducing the running costs of the Council. We have been clear from the outset that the broadest shoulders must bear the greatest burden and every effort will be made to mitigate the impact of these draconian cuts on front-line services. Minimal impact on the public is what this Labour administration fights for and so internal efficiencies is key to meeting the expectation of residents.

28. Of the projected £18 million gap for 2015/16, £15.5 million will be met through internal efficiencies and the income from the acceptance of the Council Tax Freeze Grant.
29. The efficiencies we have already identified include reviewing and rationalising our contracts in IT, telecommunications and printing. We will also renegotiate a range of existing commissioned contracts to deliver significant savings. Overall these efficiencies will achieve over £2 million of savings and ensure that frontline services are protected as far as possible.
30. We continue to keep under review our capital investment programme to ensure that resources are used effectively. This includes the release of assets to generate capital receipts which can be used to reduce the need to borrow and deliver savings on capital financing costs.
31. Other efficiencies include deriving savings from investing in new technology, for example to provide LED street lighting. This investment will achieve long term savings without switching off street lights on our highways.
32. We have previously delivered savings of £5.5 million by streamlining senior management and we are committed to delivering further significant savings of £1.5 million in senior management costs. We have paused the restructure of our top tier of management pending the arrival of a new Chief Executive; however we continue to drive out costs in senior management and have so far made in the region of £1 million savings towards senior management costs.
33. As a result of the £15.5 million efficiencies and savings already identified, these changes will bring the budget gap to £2.5 million.
34. While dealing with unprecedented cuts to our finances it would be easy to lose focus on what is important. But we must choose between what is easy and what is right. We must remember our priorities and what we were elected to do; to improve the quality of life of our residents.
35. We are right to continue our demand of innovative and creative solutions to achieve savings. We are right to demand these savings are achieved while ensuring Wirral residents have access to key services and support they need.
36. We are a council that looks forward. That is why in October we committed to capital funding of £4 million to invest in the installation of LED street lighting throughout the borough. More environmentally friendly, cheaper to run – and therefore delivering immediate and recurring savings – and, crucially, a better service for Wirral residents. It is these solutions upon which a new Wirral Council will be built.

Protecting the Vulnerable

37. Once again this Government have neglected to adjust funding to account for demographic growth, ignoring the fact that our population is ageing, meaning more vulnerable adults need our help. We will correct this omission by continuing to invest in services and support for older people, people with disabilities, and children in need. We will not turn our back on the most vulnerable.

Tackling Health Inequalities

38. Our role in leading on the public health agenda has given us huge opportunities to tackle the disgraceful inequalities that still exist in our borough. We will ensure that we use this opportunity to direct funding and support where it will have the biggest impact in improving the health and wellbeing of our residents.

Driving Growth in the Economy

39. Successfully supporting, and embedding, growth in our economy brings benefits across the whole social spectrum. We will focus even more of our attention on ensuring Wirral's economy is robust and thriving for its residents and businesses.

40. Last year we allocated £350,000 to pilot a Selective Licensing Scheme to improve standards in private rented housing. We are currently consulting on such a scheme in four distinct areas within the borough.

41. Building on the £1.5m we allocated in last year's budget for new, affordable housing, we are determined to ensure access to quality housing while increasing our Council Tax base and our financial independence.

42. An exciting new development will transform Birkenhead Town Centre in the same way as New Brighton has once again become a thriving resort. Wirral Waters remains the UK's biggest regeneration project, with work underway on a new Wirral Metropolitan College building and a new 60,000 sq. ft. office development commenced on Tower Wharf.

43. In spite of the cuts, as a Council we are working towards a fair and prosperous vision for Wirral. As one of the Borough's largest employers we will continue to invest in an apprenticeship scheme to maintain our commitment to the borough's young people who are finding it so difficult under this Government to find work.

Listening to the views of the public

44. Part of the responsibility that comes with being elected is to make tough decisions. And, in the face of such unrelenting austerity, those decisions are tougher than ever. We have not, and will not, shirk those responsibilities.
45. We are committed to making decisions in partnership with residents, businesses and partners. As a Council committed to openness, accountability and community engagement, we are heartened that nearly 8,000 respondents – one of the highest levels of engagement of any area in the UK – took part in the budget consultation. We are proud that people have made themselves heard and proud that we have listened.
46. We would like to thank all those who took part in the consultation, sent letters, organised petitions and let us have their views on where these Tory led government cuts must fall. The proposals contained within this document demonstrate that we value that feedback, and we have listened.

In Partnership with our Workforce

47. Our employees remain our most valuable asset. The administration would wish to recognise their consistent dedication during turbulent times. Our staff are committed to this organisation, to Wirral and to the residents they serve. We would like to place on record our sincere thanks to them.
48. The Labour administration recognises the vital role that our Trade Unions play during these difficult times. We work closely to give employees the respect and dignity that their commitment and hard work deserves. We are keen to continue this close working relationship.
49. We are proud that Wirral was one of the first Living Wage Authorities in the country. We are now working towards Wirral becoming a Living Wage Borough.

Budget Proposals following Consultation

Cabinet proposes the following:

Transformation and Resources

50. Wirral Council is already completely unrecognisable from the organisation it was two years ago. Robust governance is now in place. Our external auditor has confirmed that we have proper arrangements in place to secure our financial resilience and challenge how we secure economy, efficiency and effectiveness. Wirral Council is already completely unrecognisable from the organisation it was two years ago with

significantly strengthened governance arrangements in place. In their unqualified Value for Money assessment of the Council, our external auditors Grant Thornton have confirmed that we have secured improvements to financial planning and financial control. They also highlight that we have arrangements in place to secure financial resilience and to challenge how we secure economy, efficiency and effectiveness.

51. These improvements do not mean the work is complete. We will continue to transform and strengthen our corporate support functions to make sure they are providing value for money.
52. Wirral is presently the only Council in the UK to offer a discount on Council Tax to households based purely on the age of the resident. This 5% discount does not apply to the most vulnerable, and those on the lowest income, who already either don't pay any Council Tax or only pay a proportion. Therefore, given a majority of residents support this proposal; as a result of Tory cuts we will remove this discount to save £600,000.
53. The Chief Executive's proposal regarding libraries was to reduce the opening hours at the smaller, community libraries to 10 hours per week. This was in recognition of Wirral having 24 libraries which is more than any other council in the City Region.
54. Whilst there was a majority of residents in support of this proposal, Friends Groups and other library users made a strong the case for their local libraries.
55. Taking account of public feedback, we will not progress this saving in its current form. Therefore, we intend to manage our community libraries so that they can remain open for 18 hours per week. It should be noted that these proposals do not apply to our 4 central libraries where the opening hours will remain unchanged.

Regeneration and Environment

56. Driving growth in our economy, protecting and enhancing our local environment and building on our growing influence on the regional and national stage are interlinked priorities which deliver important outcomes for Wirral residents. It is important that our economy is strong, robust and vibrant. A healthy environment also lays the foundation for a healthy community.
57. As a responsive and listening administration, we have rejected the following savings options proposed by the Chief Executive after consideration of the consultation feedback.

58. We understand how highly our residents value parks, open spaces and beaches throughout Wirral and the important role they play in quality of life, health and recreation.
59. The biggest opposition in this year's consultation was the Chief Executive's proposal to introduce charges for car parking in countryside parks. This administration is rejecting this option and will keep the Parks and Countryside car parks free.
60. Sixty one per cent of residents told us they opposed the closure of public toilets. As a listening administration, we will reject this saving.
61. Cold Calling Zones provide protection for residents from repeat cold callers. Whilst introducing a £10 charge would have plugged some of the gap created by the Tory led government cuts, local residents made it clear that they were opposed to this measure. We will not progress this option.
62. We are determined that we will do everything possible to protect residents from bad weather this winter. Whilst the Chief Executive's proposal protected the winter maintenance and gritting routes, it would have meant that some of the grit bins placed at residents' request would not have been supplied with salt. This proposal has therefore been rejected.
63. Due to cuts by the Tory-led government, more than 1000 school crossing patrols have been axed across the country. This option was once again considered, however, the administration understands that this issue is highly emotive and a concern to many parents. We have therefore decided not to progress this option.
64. The public was consulted on an option to increase charges for pest control. However, this would have hit our most deprived communities the hardest. As a Council committed to protecting the most vulnerable people and communities, we have therefore rejected this saving.
65. Based on the feedback from the public through the consultation and other representations, we believe the following budget options should be accepted to enable us to meet the budget gap caused by the Tory-led government's cuts.
66. These options would involve increasing or introducing charges for services at Landican Cemetery, to bring them in line with charges in neighbouring Councils. They would also include small increases in the fees associated with using Council-maintained allotments, bowling greens and football pitches, bringing them in line with the average costs. Both of these options were supported by a majority of residents.

67. We also feel it is appropriate that a modest charge for parking up to 6 pm. at Fort Perch Rock in New Brighton should be introduced.
68. Wirral is one of the very few councils that invests additional money in 'preventative' maintenance work across our highways and parks. The Chief Executive's option to reduce this by £570k is considered to be a step too far. We will therefore retain £200k for emergency maintenance and safety works.
69. We will clamp down on residents who blight our borough through fly tipping, graffiti, littering, dog fouling and other activities. This new, tough approach will realise £70k through stronger enforcement against the worst offenders.

Families and Wellbeing

70. We have an ageing population, and more vulnerable adults needing our help. We have more children and young people needing our support, and we have growing levels of child poverty. We have a duty to meet those needs, and to do so we must be ever more imaginative, we must innovate and we must seek out new ways of doing things.
71. Despite the huge financial constraints placed upon us, in conjunction with our partners we will do everything we can to keep vulnerable people safe.
72. Children, young people and families associated with our Youth and Play service showed great dedication in making the case against the budget option. Residents from across the Wirral made it clear that these Tory cuts should not fall on our Youth and Play service, so this Labour administration will not be making this saving – a saving which many other Councils are taking as more than three youth clubs a week are closing
73. This administration is rightly proud of its commitment to services for young people. We invested £1m last year to partially plug the gap left by Government cuts to early years, and despite further cuts, we have listened to the views of the public and will not be making the saving that would see four satellite youth centres close and funding removed from schemes such as Duke of Edinburgh and Civic Award.
74. Cabinet recognises the support for West Kirby Marine Lake as reflected by the petition received from over 4,000 residents. We have listened to those representations and therefore propose that, while we believe the saving should be made, we would like to see it achieved through improved usage at the site rather than transferring its ownership and management to another provider. The existing staff team will produce a business plan which will set out how this will be achieved.

75. Last year we announced that Wirral had agreed to join a network of 26 'Whole-person Care Innovation Councils', established by Andy Burnham MP, Shadow Secretary of State for Health. Our membership of this network has been a success and this has helped us drive forward further integration between social care and NHS services, an innovative approach which is developing through the 'Vision 2018'. The option related to Girtrell Court will see capital investment into the facility to expand its offer for users and allow for joint commissioning with the NHS to take place. We will also continue our redesign of our social care services, enabling a saving of £600k to be made through changes to the Willowtree respite home, reviewing how support is provided and focusing on greater integration with other services.

Council Tax

76. The Council Tax for next year will be set at Budget Council on 24th February 2015. The Local Government Finance Settlement for 2015-16 has yet to be announced, and it is therefore too early to determine the terms of any Council Tax rise or freeze grant.

77. Last year we decided to accept the government's Council Tax freeze grant on the grounds that the legislation had been amended to ensure that the grant would be built into our base budget. The working assumption in determining the savings requirement for 2015-16 is that this situation will remain and we will be able to freeze the Council tax for a further year. However, we must await the outcome of the financial settlement before a definitive decision can be taken.

Summary of Proposals

78.A summary of the budget options we are proposing is presented in the table below.

Saving Proposal	Officer Proposal	Agreed Saving
	2015-16	2015-16
	£000s	£000s
Council Tax Over 70s Discount	600	600
Community Libraries	411	190
Sub Total	1,011	790

Savings Proposal	Officer Proposal	Agreed Saving
	2015-16	2015-16
	£000s	£000s
Parking in Countryside Parks	50	0
Public Conveniences	140	0
Cold Calling Zones	80	0
Roadside Grit Bins	55	0
School Crossing Patrols	90	0
Pest Control	65	0
Allotments, Bowling and Football	35	35
Preventative Maintenance	570	370
Parking at Fort Perch Rock	25	25
Commemorations and Memorials	100	100
Litter and Dog Fouling Enforcement	70	70
Sub Total	1,280	600

Savings Proposal	Officer Proposal	Agreed Saving
	2015-16	2015-16
	£000s	£000s
Youth and Play	450	0
All Age Disability Service	600	600
West Kirby Marine Lake	25	25
Girtrell Court	385	385
Sub Total	1,460	1,010

Conclusion

79. In spite of cuts by the Tory-led Government this Labour administration has continued to invest in our communities, creating jobs and employment and protecting front-line services.
80. The savings set out in this resolution are based on our corporate priorities and have been informed by the results of the public consultation. We are proud of the fact that, in the face of massive pressure on next year's budget, we will not close a single library, children's centre or one stop shop. This is a remarkable achievement given that elsewhere in the country one children's centre is being closed every five days and two libraries are closing every week.
81. The savings set out in this resolution are not ones we want to make. They are being forced on us by this uncaring Government.
82. One thing is clear: five more years of Tory austerity will mean the end of local government as we know it. The time for lobbying this Government to reverse their disastrous policies is over. They simply will not listen. Next May the people of Wirral, and the rest of the UK, have the opportunity to consign this short-term, compassionless government to history."

RESOLVED: That

- (1) the consultation and scrutiny findings as described in the report be noted and Wirral residents, Elected Members, staff and other stakeholders be thanked for their input;**
- (2) the Cabinet will have regard to these findings in relation to Future Council budget options; and**
- (3) the Cabinet agrees to recommend the budget savings set out above to the Council for approval.**

107 OVERVIEW OF THE COUNCIL'S FUTURE POSITION

Councillor Phil Davies introduced a report by the Director of Resources which set out an overview of the Council's future financial position. The report provided an update to the Medium Term Financial Strategy (MTFS) approved in March 2014 and outlined the approach to operate within the finance available. The Cabinet noted that it would consider the Council's Budget for 2015/16 at its meeting on 10 February 2015 and that the Council would consider it at its meeting on 24 February 2015.

The Cabinet noted that the MTFS provided an overview of the Council's financial position and the strategy required to operate within the finance available. The Council set a detailed budget for the forthcoming financial year

but the annual process fitted within financial plans for a longer timeframe to ensure decisions taken had due regard to future sustainability and were part of a more strategic approach to the future challenges.

The report set out an update to the MTFs and provided the context in which budget decisions for the period 2015/18 were being made. This followed the decisions the Council had taken over the last five years against a changing and challenging local government financial environment. The future response to further reductions in funding, planned through the setting of the 2015/16 budget was detailed in the report and elsewhere on the agenda.

The Cabinet noted that the MTFs approved for 2014/17 reflected the financial projections for the Council based on the SR 2013, a forecast impact of the changes to local government finance that commenced in April 2014 and budget assumptions. The forecast was that the Council would have an overall deficit of £83 million for the period 2014/17.

The Cabinet was informed that the revised position now being updated highlighted a gap of £70 million for the period 2015/18. The previous forecast gap had been updated for information released in the summer and the Council's agreed budget saving options. Further revisions had come from the announcement of the indicative grant figures for 2015/16 and the addition of the anticipated budget gap for 2017/18 to give a financial forecast for 2015/18. A summary of the movement in the forecast gap was set out in table format for the Cabinet's information.

It was clear to the Cabinet that the total financial resources of the Council and partners needed to be maximised, prioritised and channelled to the right areas and activities. As such resources would need to be matched to priorities as identified in the Corporate Plan whilst ensuring that statutory functions continued to be delivered and that enabling functions were provided in the most efficient way.

The Council had already examined and challenged the way services were delivered, looking for improvements in the effectiveness of services to produce savings. It had also challenged the methods of delivery.

The increasing deficit coupled with the ability of the Council to continue to get "the same for less" became increasingly difficult and the emphasis for future years would be on the challenging services the Council continued to fund, integrating with partner organisations in order to get focus on the overall "public purse" and ensuring that efficient ways of working were at the heart of the organisation. Efficiencies alone would not resolve the funding gap. Difficult decisions on the range of services provided would need to be made and the Corporate Plan would set out the vision and framework for those decisions.

The Cabinet noted that the level of General Fund balances and reserves that the Council maintained was critical to its financial resilience. It was important balances and reserves maintained were sufficient to fund costs that occurred be it from planned activities or unexpected events. A review of reserves, provisions and general fund balances was being undertaken as part of the process to set the 2015/16 budget. This would take account of the financial risks anticipated in the coming period 2015/18 and known commitments and plans. The outcome of the review would be reported to the Cabinet at its meeting on 10 February 2015.

The Council had a planned 2014/17 Capital Programme of £92.0 million. The 2015/18 Programme would be reported at the Budget Cabinet meeting. In preparing this, the existing Programme would be revised with the re-profiling of schemes and the resources anticipated being available. New schemes would be considered for inclusion in the Programme.

RESOLVED: That

- (1) the forecast funding gap for 2015/18 and that it includes assumptions regarding items still to be determined such as the Local Government Finance Settlement and the determination of levies for 2015/18 be noted; and**
- (2) further updates relating to the financial position be presented to the Cabinet at its meeting on 10 February 2015.**

108 **COUNCIL TAX 2015-16**

Councillor Phil Davies introduced a report by the Head of Business Processes which brought together related issues regarding the proposed Council Tax Tax-Base for 2015-16 upon which the annual billing and Council Tax levels would be set; the proposed Council Tax levels and exemptions for 2015-16 and the Council Tax Support Scheme to be used during 2015-16. The Cabinet noted that all, apart from the Pensioner Household Discount which was a local discount, needed to be approved by Council by 31 January 2015.

Appended to the report at Appendix 1 was the Future Council Budget Options Scrutiny Review Report of the Policy and Performance Families and Wellbeing Committee dated November 2014

The Council had a number of statutory decisions it must make each year in respect of its administration of Council Tax. The Authority was required to annually determine the Council Tax Tax-Base in order to determine the appropriate levels for the Preceptor Authorities (Wirral Council, Police and Crime Commissioner and Fire and Rescue Services). The Tax-Base had a direct impact on the Council Tax that would be levied for Wirral for 2015-16.

The decision could be a delegated function but was to be considered by the Cabinet and the Council for 2015/16.

Local Discounts could be granted under Section 13a of the Local Government Act 1992 and were used in Wirral to support Wirral Women's Aid Refuge and award Pensioner Household Discounts. These were reviewed annually. The Local Government Finance Act 2012 had introduced changes in national Council Tax discounts and exemptions. These were considered and adopted for 2013-14 by the Cabinet on 24 January 2013. Also considered was the level of discount awarded on empty properties and the premium charged on long-term empties. These were unchanged in 2014-15. The Council had chosen to maximise the amount payable in each category and had to review its charges again for 2015-16. The calculation and factors taken into consideration were set out in Appendix 2 of the report. The Pensioner Discount in 2015-16 was the subject of public consultation, the results of which were covered in a separate report and needed to be agreed at least 21 days prior to their adoption.

In April 2013 the Government had replaced the national Council Tax Benefits Scheme with a localised scheme of support which was set and administered by each Council to support people on a low income. Certain national parameters remained such as previous levels of support continued for pensioners and vulnerable people. The Council's Tax Support Scheme had been largely based on the previous Council Tax Benefit Scheme. The Scheme had to be approved by each 31 January prior to the year it would be applied. The calculations, implications and factors taken into consideration were set out in Appendix 3.

RESOLVED:

That Cabinet agrees and recommends to Council for approval:

- (1) the figure of 89,344.9 as the Council Tax Tax-Base for 2015/16;**
- (2) that the level and award for each local discount for 2015/16 made as follows:**

Wirral Women's and Children's Aid

Award the Refuge discount of 50% and the Flat's discount of 75%

Pensioner Household discount

The Household Pensioner discount be removed.

Empty Property Discounts

The discount and premium rate charges remain unchanged for 2015/16 as follows:

Discount category D 0%

- Full charge on properties undergoing renovations.

Discount category C 0%

- Full charge on empty properties from date they become unoccupied.

Empty Premium 150%

- Properties empty for more than two years.

- (3) **the Council Tax Support Scheme approved for use in 2013-14 and 2014-15 be also approved as the Scheme for 2015-16 subject to the annual up-rating of figures which maintains the existing level of support in line with that used for the Housing Benefits Scheme; and**
- (4) **the funding of the annual up-rating (estimated as £265,000) be treated as a growth item in the preparation of the 2015-16 budget.**

109 **BUDGET COUNCIL AGENDA AND PROCEDURE**

Councillor Phil Davies introduced a report of the Head of Legal and Member Services which proposed an Agenda and the procedure for the Budget Meeting of the Council to be held on 24 February 2015.

Standing Order 13 provided that the Head of Legal and Member Services:

“Shall, prior to the Budget meeting of the Council, consult with the Leaders of each political group and submit to the Cabinet and Council a suggested procedure to be adopted at the budget meeting, but if no such procedure is adopted the normal procedures of the Council in relation to amendments to Cabinet recommendations shall apply”.

The Cabinet was reminded that the Council’s Budget meeting was scheduled to take place on 24 February 2015.

RESOLVED: That

- (1) **the Agenda and Budget Council Procedure set out in Appendix 1 to the report be approved;**

- (2) **the Council be recommended, at its meeting on 15 December 2014, to adopt the Agenda and Budget Council Procedure set out at Appendix 1 to the report in respect of the Budget Council meeting scheduled for 24 February 2015;**
- (3) **the Council be recommended to authorise the Head of Legal and Member Services to make changes to the Agenda and/or Budget Council Procedure set out in Appendix 1 to the report providing the consent of all the three Political Group Leaders has been obtained.**

110 **FINANCIAL MONITORING 2014/15 (MONTH 7) - REVENUE**

Councillor Phil Davies introduced a report by the Director of Resources which set out the revenue position for 2014/15, which at Month 7 (October 2014) showed a projected General Fund overspend of £2.25 million (0.8% of the net revenue budget). This was an improvement compared with a projected overspend reported at month 6 of £2.69 million as detailed in graph 1. The Cabinet noted that the improvement was largely a result of an increased projected underspend within Regeneration and Environment which was due to savings made in advance and efficiencies from supporting people contracts.

The Cabinet was informed that the projected overspend originated, in the main, from the Families and Wellbeing Directorate. Adult Social Services continued to project 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 £552,000. This was largely due to the non-achievement of in year transport savings as well as costs of external placements. A series of management actions were taking place within the Directorate to help compensate and/or limit any variances.

Councillor Davies informed that he was glad that the Council was continuing to drive down overspend. It was now standing at £2.25 million as opposed to £17 million in 2012. He thanked Cabinet Members and Officers for their efforts in bringing this about.

RESOLVED: That

- (1) **in Month 7 (October 2014), it be noted that the full year forecast projects a gross General Fund overspend of £2,249,000; and**
- (2) **the risks relating to non delivery of savings as detailed within the report and the continued requirement for mitigation and actions to be identified be noted.**

111 **FINANCIAL MONITORING 2014/15 (MONTH7) - CAPITAL**

Councillor Phil Davies introduced a report of the Director of Resources, which set out the capital position at Month 7 (October 2014). The Cabinet noted a number of variances which would impact on the forecast outturn (Table 2). The report provided information which outlined the 2014/15 Capital Programme and the sources of funding.

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

Councillor Phil Davies informed that the Council was realising as many capital receipts as possible and paid tribute to Councillor Adrian Jones who was leading the work on this.

RESOLVED: That

- (1) the spend to date at Month 7 of £15.8 million, with 58% of the financial year having elapsed be noted;**
- (2) the inclusion of the LED Lighting Scheme as agreed by Council on 20 October 2014 be noted;**
- (3) the revised Capital Programme of £45.7 million be agreed and referred to the Council for approval;**
- (4) the re-profiling in respect of the schemes referred to in Table 2, reference D (£1.211 million) be agreed and referred to the Council for approval; and**
- (5) the inclusion in the Capital Programme of the Flood Risk Management (£87,000, 2014/15) and Parks Improvement Works (£35,000, 2014/15) schemes be agreed and referred to the Council for approval.**

112 **AMENDMENT TO THE TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2014-15**

The Leader of the Council introduced a report of the Director of Resources that reminded the Cabinet that the original Treasury Management and Investment Strategy 2014-15 was approved by it as part of the Medium Term Financial Strategy 2014-17 on 12 February 2014. The UK was implementing the final bail-in provisions of the EU Bank Recovery and Resolution Directive which would commence in January 2015, a year ahead of most other countries. Credit rating agencies had informed that they plan to review EU banks' ratings in line with each country's implementation of the directive.

The Director reported that many UK banks had standalone credit ratings in the “BBB” category with uplifts for potential Government support taking them into the “A” category. The Cabinet noted that there was a realistic risk that some major UK banks’ credit ratings would, this financial year, fall below the Council’s current minimum investment criteria rating of A-, if this uplift was removed. Therefore, it was considered that, as a precursor to this, the Investment element of the Strategy should be amended.

A revised table of Non-Specific Investments was attached to the report as Appendix 1.

RESOLVED:

That the Cabinet approves and recommends to Council for approval the amendment in respect of the Annual Investment Strategy in Appendix 1. This is the inclusion of a specific proviso relating to banks and other organisations with a long-term credit rating of BBB+.

113 **VISION 2018: AN UPDATE FOR PARTNER GOVERNING BODIES/ORGANISATIONAL BOARDS**

Councillor Chris Jones introduced a report by the Strategic Director - Families and Wellbeing which warned that there was a real and significant financial challenge facing the NHS, Local Government and the Council’s partners in the coming years.

The Cabinet noted that if the Council continued to deliver services the way it did now, the demand for services would outweigh the available funding. An ageing population with increased complex health conditions, the increased expectations of patients, and the cost of new drugs and technologies that enabled people to live longer, meant, nationally, that the NHS would be facing a potential shortfall of £30 billion by 2020/21. Alongside this, councils had to make unprecedented savings, due to reductions in funding from Central Government. This was a challenge facing health systems up and down the country.

Vision 2018 was the local response to national challenge which was being led by Chief Executive Officers (or equivalent) in; Wirral Clinical Commissioning Group; Wirral Council; Cheshire and Wirral Partnership NHS Foundation Trust; Wirral Community NHS Trust and Wirral University Teaching Hospital NHS Foundation Trust.

Members noted that Vision 2018 was the plan to re-shape health services and social care in Wirral, whilst supporting people to take more responsibility for looking after their own health. Over the next 20 years, the number of people who were aged over 85 or over would more than double, meaning many more people with multiple, long term health conditions and increased financial

pressures. However, it was also noted that these challenges also presented opportunities.

Vision 2018 would transform GP, primary care, community health, hospital and social care services in Wirral.

It would mean:

- Community based health services (e.g.: access to GPs, community nurses and social workers) seven days a week.
- More hospital services in the community, with consultant led teams.
- Health and social care professionals working together for people with ongoing needs: one assessment, one care plan, one key coordinator.
- Specialist in-patient hospital care for those that need it.
- Support for people to look after themselves and stay healthy.

A Vision 2018 Strategy was in the process of being developed to outline the case for change, to describe the vision for Wirral health and social care economy and how this would be achieved.

Attached to the report was the Vision 2018: An Update for Partner Governing Bodies/Organisational Boards which described the process to date in respect of:

- the review of Vision 2018 governance arrangements and programme structure and priorities;
- the case for change describing the size of the financial challenge and population need;
- and the development of the next steps for implementing change.

Councillor Phil Davies made reference to the financial pressures and the increasing demand for local services. He also referred to the link between poor health and an inability to get into employment and not being able to improve quality of life. Councillor Davies considered that the Council should do all that it could to enable people to stay in their own homes as long as possible. He congratulated all those involved in the Vision 2018 on their hard work.

RESOLVED: That

- (1) the progress of the development of Vision 2018 be noted; and**
- (2) feedback be provided to the Strategic Leadership Group regarding progress to date and next steps.**

Councillors Tony Smith and Stuart Whittingham left the meeting whilst the next item of business was under discussion.

114 **DAY NURSERY DELIVERY**

Councillor Ann McLachlan introduced a report by the Director of Children's Services, which reminded the Cabinet that at its meeting on 7 July 2014 it had been agreed that proposals to cease delivery of Day Nursery provision by the Council, at five different locations, would be subject to a further 12 week period of consultation (this was to ensure that the school holiday period did not inhibit schools from engaging with the process). (Minute No. 30 refers.)

The report provided the Cabinet with an update on the future proposals for the Council's Day Nursery provision, following the further period of consultation – undertaken between 15 July 2014 and 22 October 2014.

The Cabinet noted that ceasing to deliver Day Nursery provision would realise a saving of £772,000 already taken as part of the Council's Budget saving options for 2013/14, but not yet fully delivered. It represented the shortfall between fees and charges collected at six day nursery settings from parents/carers and the cost to deliver the service.

Following a tendering exercise in 2013, one of the day nursery settings had transitioned to a social enterprise company; this had been resolved by the Cabinet at its meeting on 19 June 2014 and would reduce the outstanding saving to approximately £700,000. (Minute No. 5 refers.)

Councillor Phil Davies paid tribute to the work of the Head of Targeted Services and her Team and informed the Cabinet that it was important to ensure that nursery provision was available wherever one lived in the Borough.

RESOLVED: That:

- (1) the recommendation to stop delivering day nursery provision as soon as practicable (arrangements for carefully managing transitions for families, staff and services have been considered in the report) be agreed;**
- (2) work with families accessing day nursery provision shall begin in order to ensure a smooth transition of care, using a phased approach where necessary, in order to minimise the disruption and need for multiple transfers and disruption to children and their parents and carers;**
- (3) negotiations with relevant partners and co-located primary schools from the five settings (for the continued delivery of the 2, 3 and 4 year old offer) be progressed, with due regard being given**

to HR arrangements for staff that are fair, equitable and transparent;

- (4) subject to appropriate agreements being secured, facilities and resources be transferred to schools and partners to deliver the extended 2 year old offer;
- (5) in the event appropriate agreements are not reached, or are not reached within mutually agreeable timeframe to support children, parents and staff, a contingency plan be detailed in order to support transitions and secure sufficiency of the early education offer at the affected settings. The plan will consider:
 - Direct delivery (by the Council) of the 2, 3 and 4 year old early education offer on a term-time only basis and for a period of time until other partners can be identified or other local providers can accommodate and meet need. This will need to ensure clarity of the government's intention with regard to extending the two year old offer longer term.
 - How to best meet any transitional arrangements for the 2, 3 and 4 year old offer as changes to service delivery are implemented.
 - Any HR implications as a consequence for staff.
- (6) it be agreed that the Cabinet Member - Children and Young People be given delegated authority to direct and monitor the progress against the recommendations.

Councillors Tony Smith and Stuart Whittingham returned to the meeting.

115 **LAND DISPOSALS AT MANOR DRIVE, UPTON AND AT KERR'S FIELD, PASTURE ROAD, MORETON**

Councillor Adrian Jones introduced a report by the Assistant Chief Executive which sought approval for the disposal of land at Manor Drive, Upton following the Court's decision to uphold the termination of the tenancy. The report also provided an update on the proposals to relocate Upton Park Pony Owners' Association from Manor Drive, Upton to alternative land known as Kerr's Field which was located off Pasture Road, Moreton.

The report also sought approval to enter into an Agreement for Lease/Lease of land at Kerr's Field, Pasture Road, Moreton shown in the report for indicative purposes edged in red on Plan 2 annexed to the report for the relocation of the Upton Park Pony Owners' Association.

In addition, approval was required for the land shown edged red on Plan 2 to be appropriated for planning purposes under Section 237 of the Town and Country Planning Act 1990. Appropriation occurred where the Council held land for one particular purpose and it made a declaration that it was going to hold it for a different purpose. The site was held as open space, as part of the North Wirral Country Park, which was designated as a Countryside Recreational Site on the UDP Proposals Map.

The Cabinet was informed that section 122 of the Local Government Act required the Council to advertise the intention to appropriate open space as shown red on Plan 2 for two successive weeks in a newspaper circulating in the area. Section 123 of the Local Government Act required the Council to similarly advertise any proposed disposal of open space land. Any objections needed to be notified to the Council for consideration prior to such appropriation or disposal.

The Cabinet was therefore requested, subject to there being no objections as referred to in the paragraph above, to approve the appropriation and disposal of the land shown edged in red on Plan 2 and to approve the appropriation and grant of an Agreement for Lease/Lease of land. It was further proposed that any objections be considered by the Director of Universal and Infrastructure Services in consultation with the relevant Cabinet Member who would then have delegated authority to determine the appropriation and disposal.

The Chief Executive informed that he was agreeable to call-in being waived so that the asset could be disposed of in a timely manner.

Councillor Phil Davies informed that the Upton Park Pony Owners Association was long established and it was important to deal sensitively with its requirements. He hoped the resolutions met the concerns that had been expressed.

RESOLVED: That

- (1) the land off Manor Drive, Upton known as Fernbank Farm be declared surplus to requirements and officers be instructed to dispose of the land in accordance with S123 Local Government Act 1972;**
- (2) the area of land known as Kerr's field shown edged red on Plan 2 be declared surplus to requirements and it be agreed that, subject to there being no objections to the disposal of the land at Kerr's field referred to in paragraph 1.4 of the report, an Agreement for Lease and a 99 year Lease of the land be granted at an agreed rent to be negotiated by the Director of Universal and**

Infrastructure Services and the Head of Legal and Member Services and upon terms satisfactory to the Council;

- (3) Cabinet agrees, subject to there being no objections to the disposal of the land at Kerr's field shown edged red, be appropriated for planning purposes;**
- (4) any objections received, following the public notices of the intended appropriation and disposals, shall be considered by the Director of Universal and Infrastructure Services in consultation with the relevant Cabinet Member who shall have delegated authority to determine the relevant appropriations and disposal of land at Kerr's field;**
- (5) approval be given for works to be undertaken at the alternative site Kerr's field, off Pasture Road, Moreton, subject to planning approval;**
- (6) in the event that possession of the land at Manor Drive, Upton be not given by the Upton Park Pony Owners Association by 13 February 2015, approval be given to the enforcement of the court order after 14 February 2015; and**
- (7) in order for the asset to be disposed of in a timely fashion the decisions be not subject to call-in.**