



Cabinet

Date:	Monday, 5 September 2016
Time:	10.00 am
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Patrick Sebastian
Tel: 0151 691 8424
e-mail: patricksebastian@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

2. MINUTES

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

RECOMMENDATION: That the minutes be approved and adopted.

LEADER'S UPDATE

3. EXECUTIVE KEY DECISIONS TAKEN UNDER DELEGATED POWERS

Key Decisions – taken under delegated powers. Period 08 July 2016 (date of publication of last Cabinet agenda) to date.

A decision by Cabinet Member – Public Health was published 10 August 2016: Proposal to Recommission and Commission Integrated Sexual and Reproductive Health Services [Call-in period for this decision expired 17:00hrs, 17 August 2016].

WIRRAL PLAN

4. **WIRRAL PLAN PROGRESS UPDATE: 2016/17 QUARTER 1**
(Pages 1 - 4)

CABINET MEMBER REPORTS

5. **PROPOSED PUBLIC HEALTH COMMISSIONING INTENTIONS FOR 2016/17**
(Pages 5 - 16)

6. **THE FORMER LYNDALE SCHOOL, EASTHAM**
(Pages 17 - 24)

7. **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)**

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

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

The following items contain exempt information.

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

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

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



COUNCILLOR
ANN MCLACHLAN

CABINET
5 SEPTEMBER 2016

WIRRAL PLAN PROGRESS UPDATE:
2016/17 QUARTER 1

Councillor Ann McLachlan, Cabinet Member - Transformation, Leisure and Culture, said:

“The Wirral Plan was created to change people’s lives for the better: our 20 Pledges are a series of outcomes we committed to deliver which combined will have a huge impact, improving the quality of life of our residents.”

“Developing the Plan, agreeing it with our Partners and getting unanimous approval at Council were all important steps – now it is all about delivery. We promised Wirral residents we would be open and honest with them about our progress and this report is an important part of this process.”

REPORT SUMMARY

This report provides a progress update in the delivery of the Wirral Plan for the 20 Pledges. It focuses on key activities carried out in Quarter 1 (April to June 2016) and the progress being made. More detailed performance data and information related to all Pledges is reported to the Council’s Overview and Scrutiny Committees.

This report affects all wards within the borough. It is not a key decision.

Performance Highlights – Quarter One

Delivery of the Wirral Plan is driven by all partners working together with residents to make a difference. The points below provide some examples of where interventions and work commissioned towards the 20 Pledges is driving improvements in the lives of Wirral residents:

One of our ambitions is to help more people with disabilities find work. There has been a 9.5% increase in the number of people with disabilities in employment since the Wirral Plan was agreed, and that is in part due to the innovative work being done by the Wirral Partnership and Wirral Evolutions - the Council-owned company providing day services to vulnerable adults. The employment rate for disabled people in Wirral is now greater than the North West average and we will continue to seek significant progress in helping people with disabilities to live more independent lives.

The Council continues to work well with Wirral Chamber of Commerce and local businesses on a range of economic and employment issues. We are seeing greater job opportunities for Wirral residents being delivered with an increase in the employment rate of 3% compared to the start of the Wirral Plan, and an increase in the number of new jobs created compared to the same period last year. Wirral also remains the fastest growing tourism economy in Merseyside with an 8% increase in visitor numbers resulting in an additional £31million being spent in our visitor economy compared to the previous year.

I am also delighted progress is being made in ensuring Wirral's neighbourhoods are safer, with a 2% reduction in the total number of crimes compared to this time last year. The council is working at a local neighbourhood level with partners including the police, local residents groups and the business community to ensure crime reduction resources are focussed where and when there is greatest need.

Reports of anti-social behaviour are also declining with a 13% reduction in the number of incidents reported to the police compared to the same period last year. This drop in anti-social behaviour is testament to the success of the Plan's approach to integrate Police and Community Support Officers with the borough's Community Patrol and Anti-Social Behaviour Officers into one team.

The Wirral Partnership has agreed a new approach to give victims of Domestic Violence greater confidence to report incidents and this approach has seen a successful increase in reporting compared to the same period last year. Meeting our pledge of zero tolerance to Domestic Violence relies on a joint approach with partners and communities working together to tackle domestic abuse in all its forms, and we are grateful for the efforts and work carried out by numerous partners across Wirral on tackling this worrying issue.

The Wirral Plan sets a target for all children to be educated in schools rated good or better by Ofsted by 2020. Encouraging progress is being made, with six schools being upgraded from 'requires improvement' to 'good' during the first quarter. Today, 9 out of 10 primary school pupils and 8 out of 10 secondary school pupils in Wirral attend a school which is rated at least 'good'. The Council continues to work alongside teachers and educators to make sure every school is supported to improve and to ensure we continue providing young people with an excellent education.

The Council has appointed 6 'Future in Minds' workers as part of a new initiative to support young people who may be experiencing mental health issues, Our early-years' service has also entered into a partnership with Job Centre Plus to run a programme helping new parents get back into the employment market.

Tackling the problem residents faced in finding appropriate housing is also a key goal of the Wirral Plan. We are on track to achieve our target of bringing 1,250 empty properties back

into use by 2020 and at the time of writing, 388 empty properties have been identified, improved and brought back into use. 760 other properties have also been adapted or improved to help vulnerable people live with greater independence.

Issues such as dog fouling remain a high priority for our residents. A new enforcement policy was launched in May 2016 and has immediately delivered positive results. Fixed Penalty Notices (FPNs) issued to irresponsible dog owners in the first quarter equal the total number issued in the whole of the previous year. Coupled with our continued clampdown on littering, where 2631 FPNs were issued in this quarter, these results show the Council and its partners are serious about protecting our environment.

RECOMMENDATION/S

Cabinet Members are requested to note the content of this report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To ensure Cabinet Members have the opportunity to review the progress of the delivery of the Wirral Plan.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Wirral Plan was agreed at a meeting of the Council in July 2015, creating a long term vision for the borough and a series of 20 Pledges which would be delivered by 2020. This report provides Cabinet with an update on the progress towards those pledges and therefore no other options were considered.

3.0 BACKGROUND INFORMATION

- 3.1 This report provides a summary update of progress in delivering the Wirral Plan. Performance of the Wirral Plan is monitored by the Council's Overview and Scrutiny Committees and the Wirral Plan Partnership Delivery Group.
- 3.2 A Wirral Plan Performance Management Framework has been developed to ensure robust monitoring arrangements are in place. Information available to these groups each quarter include a Wirral Plan Overview Report and detailed reports associated with each Pledge are available for review which are developed through partnership work at Pledge Steering Groups.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are none arising from this report.

5.0 LEGAL

- 5.1 There are no legal implications arising from this report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are none arising from this report.

7.0 RELEVANT RISKS

- 7.1 There are none arising from this report.

8.0 ENGAGEMENT / CONSULTATION

- 8.1 The priorities in the Wirral Plan and underlying pledges were informed by a range of consultations carried out in 2015 and 2016 including the Wirral resident survey.

9.0 EQUALITY IMPLICATIONS

- 9.1 The Wirral Plan equality impact assessment can be found at:

REPORT AUTHOR: Kevin MacCallum
Senior Manager: Communications & Marketing

APPENDICES

REFERENCE MATERIAL

N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	22 February 2016
Cabinet	8 October 2015
Cabinet	9 July 2015

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**COUNCILLOR
JANETTE WILLIAMSON**

CABINET
5 SEPTEMBER 2016

PROPOSED PUBLIC HEALTH
COMMISSIONING INTENTIONS FOR
2016/17

Councillor Janette Williamson Cabinet Member - Public Health, said:

“We are now seeing the benefits of public health being part of Wirral Council in terms of focusing our work on prevention and providing people with the tools and resources to improve their health and wellbeing.

It has never been more important to work in partnership in commissioning services across the health and social care sector. We will continue to draw on public health skills across the board as part of our commitment to help people lead healthier lives.”

REPORT SUMMARY

- The aim of this report is to seek agreement from Cabinet to progress Public Health’s proposed commissioning plans for 2016/17.
- The commissioning proposals in this report link to the delivery of the Wirral Plan 2020 pledges for Healthy Lives, and in also to the statutory responsibilities of the local authority in respect of public health
- The proposed actions affect all Wards within the Borough.
- The decisions requested are key decisions.

RECOMMENDATION/S

1. Cabinet are requested to note the contents of this report and agree to the schedule of commissioning and contracting activities within the report and set out in Table 2 and Appendix 1.
2. It is requested that Cabinet agrees provision is made to meet contracts totalling £20,671,175 (£2,953,025 per annum) for an initial 5 year contract (2017-22) with an option of two one-year extensions for the delivery of reproductive and sexual health services.
3. It is requested that Cabinet agrees provision is made to meet contracts totalling £2,202,185 (£440,437) per annum) for an initial 3 year contract (2017-20) with the option of two one-year extensions for the delivery of information and advice services

1.0 BACKGROUND AND KEY ISSUES

1.1 The Health and Social Care Act (2012) gave Wirral Council statutory duties across three “domains” of Public Health, as described in the Public Health Outcomes Framework. These duties cover the following components:

- Health improvement –including reducing lifestyle related ill-health and inequalities in health, and addressing the underlying determinants of health;
- Health protection – ensuring that comprehensive plans are in place across the local authority, NHS and other agencies to respond to infectious disease outbreaks and other public health emergencies;
- Health service improvement - providing NHS Commissioners, including Clinical Commissioning Groups (CCGs), with expert advice and support to improve and evaluate the quality and efficiency of health services.

1.2 The Public Health grant awarded to the council is designed to deliver the responsibilities set out in the Public Health Outcomes Framework. It requires that the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy should both inform and influence the commissioning plans of the Council and so influence how the Public Health grant is attributed.

1.3. Those responsibilities are delivered through a combination of external contracts, internal investment, small grants and running costs.

1.4 This paper is intended to provide transparency in relation to our commissioning intentions that are delivered through external contracts, categorised as shown in Table 1.

Table 1 – Public Health Contractual Investments (2016/17)

Category	Current Expenditure (2016/17)
Drug and alcohol	£7,967,291
Smoking Cessation	£702,337
Sexual Health	£3,003,025
Children aged 0-19	£7,334,802
Weight Management	£200,000
Health Checks	£360,029
Mental Health	£15,000
Miscellaneous	£517,437
Infection Control	£227,787
TOTAL	£20,338,936

1.5 Services are delivered by a range of providers. Currently (as at 30/04/2016) Public Health directly manages 109 contracts (with 107 providers – Appendix 1 illustrates Public Health contracts by provider for 2016/17). These contracts are proactively managed through the commissioning process.

2.0 COMMISSIONING

2.1 All Public Health contracts are subject to on-going evaluation as part of a clearly defined commissioning cycle approach (in line with the Commissioning Framework developed as part of the Councils Transformation programme), which is designed to maximise return on investment and improve outcomes. This methodology ensures that Public Health services (and contracts) are consistently and routinely tested against a range of criteria.

2.2 The main strategic criteria against which contracts are tested include the following:

- Evidence base (e.g. academic research, engagement feedback, Joint Strategic Needs Assessment);
- Performance of targets (e.g. financial and activity based) and outcomes against plans and benchmarking information;
- Value for money;
- National policy and technical guidance (e.g. Public Health Outcomes Framework);
- Strategic direction (e.g. Corporate Plan strategic aspirations [narrowing the gap in life expectancy], Health and Wellbeing Board Strategy, delivery of Public Health outcomes through council services);
- Legal & contractual frameworks (e.g. incorporate national updates to contract templates used for NHS providers).

2.3 The output from this approach provides the intelligence to inform the development of commissioning/contracting options for approval by Elected Members and Cabinet.

3.0 CONTRACTING PROPOSALS (Please refer to Appendix 1)

3.1 Public Health's proposed commissioning plans for 2016/17 are set out and summarised in Table 2

Table 2 – Summary of Commissioning Plans 2016/17

Action	Financial Value	Number of Contracts
Contracts subject to no changes	£15,943,306	62
Contracts being retendered in-year	£4,211,902	40
Decommissioning and rationalisation of contracts	£183,728	7
TOTAL	£20,338,936	109

Contracts subject to no changes

- 3.2 62 Public Health contracts (with the value of £15,943,306) will not be subject to any change during 2016/ 2017. This is because the contracts are in term, or are being extended for a further year. 56 of the contracts relate to the Health Check contracts with GP practices. These (56 in total, with a value of £360,029) will be extended for the 2017/2018 financial year during which the programme will be retendered.
- 3.3 All contracts will be subject to the service specifications (which underpin the contracts) being reviewed and renegotiated with providers as part of the 2016/17 contract negotiations. The updated specifications (e.g. performance metrics) are designed to ensure that the contracts reflect the commissioning intentions of public health and maximise performance in terms of outcomes and value for money.

Contracts forming part of retendering in-year

- 3.4 A significant number of contracts will be retendered during the 2016/2017 financial year. These services account for £4,211,902 (40 contracts). It is anticipated that the retendered contracts will be operational by April 2017. Those contracts will therefore continue during the recommissioning process so that there is no loss of service to residents. The future contract values will be determined by the commissioning process.
- 3.5 Services to be recommissioned will include services to support victims of rape and sexual abuse (£50,000) services to support the drug and alcohol treatment system (£177,412) infection control services (£227,787) and children's resilience services (£363,241).
- 3.6 Wirral Council is mandated to commission reproductive and sexual health services, these mandated services include:
- preventative action to reduce the spread of sexually transmitted infections (STIs) including HIV;
 - treatment services for STIs (but not HIV);
 - contraception and reproductive health promotion and provision;
 - specialist counselling for sexual health.

Four reproductive and sexual health services are currently commissioned as follows:

- Wirral NHS Community Trust provides an integrated Reproductive and Sexual Health service, sub-contracting some elements to Wirral University Teaching Hospital NHS Trust and Wirral Brook;
- Terence Higgins Trust provides specialist outreach, prevention and promotion to high risk groups in order to prevent the spread of HIV in Wirral;
- Sahir House provide non-clinical support for people living with HIV/AIDS;
- Community Pharmacies provide emergency hormonal contraception.

It is necessary to recommission the services highlighted in order to comply with the Public Contract Regulations and Wirral Council Contract Procedure rules, as a result of the full term conclusion of applicable contracts.

- 3.7 Work is currently progressing to develop a whole system approach to commissioning an effective and efficient sexual health service to deliver:
- better outcomes for residents;
 - strengthened clinical pathways;
 - a re-focus on prevention of infection;
 - Seamless but affordable choice in birth control and contraception;
 - more timely prevention, identification and treatment of HIV and sexually transmitted infections.
- 3.8 It is proposed to re-commission reproductive and sexual health services for an initial term of five years (1st April 2017 to 31st March 2022) with the option of two further one year extensions at a maximum value of £20,671,175 (£2,953,025 per annum).
- 3.9 It is requested that Cabinet agrees provision is made to meet contracts totalling £20,671,175 (£2,953,025 per annum) for an initial 5 year contract (2017-22) with the option of two one- year extensions for the delivery of reproductive and sexual health services.

New Services to be commissioned in year:

- 3.10 Work is currently progressing within the Healthy Wirral Programme to develop a model to promote neighbourhood connectivity. A key element of this model is the development of an integrated and coherent information and advice offer for local people.
- 3.11 A review of Information and advice services commissioned by Wirral Council and Wirral Clinical Commissioning Group indicated that the services provided by community and voluntary groups in order to support people with social, emotional or practical needs are not systematically connected to health and social care services. Stakeholder feedback reported that health and social care professionals and the general public feel overwhelmed when asked to identify social interventions available to help them self-care.
- 3.12 It is proposed to commission a new information and advice service model using technology and face to face support as appropriate. This will be jointly commissioned with Wirral Clinical Commissioning Group for an initial term of 3 years with an option for two further one year extensions.
- 3.13 The overall value consists of a contribution from Wirral Clinical Commissioning Group and £2,202,185 (£440,437 per annum) by Wirral Council and is based on the respective values of current service provision.
- 3.14 It is requested that Cabinet agrees provision is made to meet contracts totalling £2,202,185 (£440,437 per annum for an initial 3 year contract (2017-20) with the

option of two one- year extensions for the delivery of information and advice services.

- 3.15 It is recommended that the Director of Public Health be authorised to secure these services within the Council's Contract Procedure Rules, and to take appropriate action in respect of ensuring their effective implementation.

Contracts to be evaluated and reviewed during 2016/17

- 3.16 Contracts with a value of £183,728 will be reviewed as part of normal business during the year. The outcomes of the review and evaluation will determine future commissioning intentions. These are listed in Appendix 1.

4.0 RELEVANT RISKS

- 4.1 It is necessary to recommission the services highlighted in order to comply with the Public Contract Regulations and Wirral Council Contract Procedure rules. It is as a result of the full term conclusion of a number of Public Health contracts.
- 4.2 There is always a risk of disruption to service provision during service redesign, recommissioning and commencement of new services. In order to mitigate against this and minimise disruption, adequate time to plan for and implement the mobilisation of the new service are built in to the procurement process between contract award and commencement.
- 4.3 The procurement process is also subject to scrutiny and at risk of legal challenge. Particular regard is given to Contract Procedure Rules and relevant legislation at all stages of the process and the public health team works closely with the procurement team to ensure compliance.
- 4.4 In the current challenging financial climate the level of impact of any future reductions in budget or policy implications may have on the amount of funding available for public health. The value of the Public Health Grant for 2018 onwards is not yet known. It is important to acknowledge that the Council will need to review all financial allocations in order to achieve a balanced budget over the next few years. Therefore there is a risk associated with commitment to contracts for 5 years, in advance of funding settlements. This will be mitigated by the insertion of appropriate termination clauses in relevant contracts.

5.0 OTHER OPTIONS CONSIDERED

N/A

6.0 CONSULTATION

- 6.1 The following consultation has taken place in order to inform the recommissioning of reproductive and sexual health services:

As part of Wirral Sexual Health Needs Assessment 2014 – 2015:

- An open access online survey.

- An on-site service user survey, that looked into users' experience of Sexual Health Wirral
- Structured one-to-one interviews and focus groups with actual or potential service users to give first-hand insights into the issues people face, their beliefs and attitudes and suggestions for future improvements
- Two stakeholder event days to capture the views of professionals from Wirral sexual health services providers, the voluntary sector and several other organisations involved in relevant areas of work.
- A market engagement event was held in March 2016 in order to discuss proposed service design with prospective providers.

The following consultation has taken place in order to inform the commissioning of information and advice services:

- Research carried out over a 12 week period. This involved Insight and ethnography work with local communities and research with Local people about what issues they are facing in the community and barriers they are facing in accessing services in the community.
- A market engagement event was held in February 2016 in order to discuss proposed service design with prospective providers.
- A commissioner consultation event was held in May 2016 in order to discuss proposed joint commissioning and service design with co-commissioners.
- A market engagement event was held in May 2016 in order to further discuss proposed service design and outline the key service principles and vision with prospective providers.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 There is currently no significant Voluntary, Community and Faith group involvement in the delivery of sexual health services. The re-tender will present the opportunity for greater involvement.

7.2 There is currently Voluntary and Community group involvement in the delivery of information and advice services. Although the recommissioning of an integrated service will present opportunities for involvement, the retender will allow competition from a broader provider base and this can present a risk to current providers.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 There is currently allocated funding for the services highlighted. The tendering exercises will enable more integrated and cost effective models to be developed. Transfer of Undertakings (Protection of Employment) Regulations 2006 (T.U.P.E.) will be applicable.

9.0 LEGAL IMPLICATIONS

9.1 Required Standing Financial Instructions will be followed.

10.0 EQUALITIES IMPLICATIONS

Each area of re-commissioning will have an equalities impact to support the recommissioning process.

11.0 CARBON REDUCTION IMPLICATIONS

11.1 There are no carbon reduction implications based on the content of this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are no planning or community safety implications based on the content of this report.

REPORT AUTHOR: Ian Shaw

Senior Manager Commissioning and Contracting

Telephone: (0151) 666 5174

Email: lanshaw@wirral.gov.uk

APPENDICES

Appendix 1 – Public Health contracts by provider 2016/17 (including commissioning intentions)

REFERENCE MATERIAL

N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
PROPOSED PUBLIC HEALTH CONTRACTING ARRANGEMENTS FOR 2015/16	December 2014

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Wirral Borough Council

Appendix 1 - Public Health Contracts by Provider 2016/17 (including Commissioning Intentions)

Contracts which will form part of new tenders during 2016/17 (current contract values = £4,211,902)	Category	As per Report £	No of Contracts	Sexual Health £	Rape and Sexual Abuse £	Drugs & Alcohol £	Infection Control £	Children's Resilience £	Info & Advice £
Action for Children	Children 0-19	111,813	1					111,813	
Wirral Brook	Children 0-19	136,500	1					136,500	
Xenzone	Children 0-19	101,320	1					101,320	
Liverpool John Moores	Drugs & Alcohol Substance Misuse	27,810	1			27,810			
Cheshire & Wirral FT	Drugs & Alcohol Substance Misuse	59,220	1			59,220			
Wirral Change	Miscellaneous	52,525	1						52,525
RASA	Sexual Health	50,000	1		50,000				
Sahir	Sexual Health	30,000	1	30,000					
Terence Higgins Trust	Sexual Health	80,125	1	80,125					
Pharmacists	Sexual Health	17,000	26	17,000					
Wirral Community FT	Sexual Health	2,825,900	1	2,825,900					
Wirral Community FT	Infection Control	150,000	1				150,000		
Wirral University FT	Infection Control	77,787	1				77,787		
Wirral University FT	Children 0-19	13,608						13,608	
Wirral University FT	Drugs & Alcohol Substance Misuse	90,382				90,382			
Age Uk	Miscellaneous	127,912	1						127,912
Wirral Citizens Advice Bureau	Miscellaneous	260,000	1						260,000
Subtotal		4,211,902	40	2,953,025	50,000	177,412	227,787	363,241	440,437

No change: £15,943,306	Category	As per Report £	No of Contracts	Tier 2 Weight Mgt £	Health checks £	Drugs & Alcohol £	Smoking & Other £	Childrens 0-19 £
A Better Life (ABL)	Smoking Cessation	699,837	1				699,837	
Change Grow Live (CGL)	Drugs & Alcohol Substance Misuse	7,709,379	1			7,709,379		
Pharma Outcomes	Smoking Cessation	2,500	1				2,500	
Wirral Community FT	Children 0-19	6,971,561	1					6,971,561
GP Healthchecks	Health Checks	360,029	56		360,029			
Slimming World	Weight Management	100,000	1	100,000				
Weight Watchers	Weight Management	100,000	1	100,000				
Subtotal with no change in 16/17		15,943,306	62	200,000	360,029	7,709,379	702,337	6,971,561

For evaluation/review: £183,728	Category	As per Report £	No of Contracts	Commentary
Advocacy in Wirral	Drugs & Alcohol Substance Misuse	60,500	1	These contracts will be reviewed in year as part of normal business processes. The outcome of the review and evaluation will determine future commissioning intentions
Tomorrows Women Wirral	Drugs & Alcohol Substance Misuse	20,000	1	
Bridgewater (iVan)	Screening	11,228	1	
Tranmere Rovers In the Community	Miscellaneous	12,000	1	
Wired	Miscellaneous	40,000	1	
Reader Organisation	Miscellaneous	25,000	1	
Pathfinders	Mental Health	15,000	1	
Subtotal for planned review		183,728	7	

Total Commissioning Intentions	20,338,936	109
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**COUNCILLOR GEORGE
DAVIES**

CABINET
5 SEPTEMBER 2016

THE FORMER LYNDALE SCHOOL,
EASTHAM

Councillor George Davies, Cabinet Member - Housing and Community Safety, said:

“Now the former pupils of The Lyndale School are receiving their education at the other excellent schools in the borough, it falls on the Council to determine the best use of the old school building and surrounding land.

Making sure we make the best possible use of every public building and asset is vital – to get best value for Wirral residents, to invest in and create jobs, and homes and to protect and improve Wirral’s local environment. This is equally true for this site; we must do everything we can to find the best possible use for the land for the benefit of all local residents.”

REPORT SUMMARY

The purpose of this report is to declare the former site of Lyndale School, Eastham a surplus asset to operational requirements and to seek authority for its disposal. Should permission from Cabinet be approved, then additional authority from the Secretary of State to dispose of the site and playing fields will also be required and this will be submitted following a statutory consultation period.

This proposal affects the Eastham Ward.

This is a key decision.

RECOMMENDATION/S

1. That the former Lyndale School be declared surplus to operational requirements and authority be given to disposal on the best terms as recommended by the Council's appointed property consultants, subject to Secretary of State approval.
2. That officers undertake the necessary consultation prior to the Secretary of State application being made to dispose of the school playing fields.
3. That demolition of the building is undertaken immediately which could be prior to the Secretary of State application being approved to dispose the school playing fields and school land, which is allowable.
4. That the land be appropriated for planning purposes.
5. That any Capital receipts received for the disposal of the site be re-invested in sports, recreation or education facilities in the borough.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To dispose of this surplus asset.
- 1.2 To make the best use of the Council's property assets by declaring the property surplus and to seek authority to a disposal.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 As the property is not required by the Council and the condition and suitability of the building is prohibitive for alternative use, a sales and marketing exercise by the Council's appointed property consultants is considered to be the most appropriate method of disposal. Consequently no other options have been considered.

3.0 BACKGROUND INFORMATION

- 3.1 The former Lyndale School is located in Lyndale Avenue, Eastham and is shown thickly edged on the attached plan. The whole site extends to approximately 2.2 acres. Cabinet at its meeting of 17 December 2014 made the decision to close the school effective on 31 August 2016 and from that date will no longer be required for Council purposes.
- 3.2 As the land has been used for school purposes within the last 8 years, in accordance with the guidance provided by the Department for Education, the Council will need to seek approval from the Secretary of State for (i) the disposal of community school land in accordance with schedule 1 of the Academies Act 2010 and (ii) the disposal of school playing field land under section 77 of the School Standards and Framework Act 1998. A statutory six week public consultation will be required prior to the application to the Secretary of state. Notification of approval from the Secretary of State can take a few months.
- 3.3 Should the disposal be approved by the Secretary of State, it is proposed that a marketing exercise for the site be undertaken on the Council's behalf by its appointed property consultants and the site be sold on the best terms reasonably achievable as recommended by the consultant. This is considered to be the best way of meeting the Council's obligation to achieve best value as required by section 123 of the Local Government Act 1972. The Secretary of State requires that capital receipts following the disposal of playing fields should be re-invested in sports facilities, recreation or education facilities at other schools.
- 3.4 Under Section 233 of the Town and Country Planning Act 1990 "where any land has been acquired or appropriated by a local authority for planning purposes and is for the time being held by them for those purposes the authority may dispose of the land to such person, in such manner and subject to such conditions as appear to them to be expedient in order to secure the best use of that land".
- 3.5 Approval is sought, subject to there being no objections referred to above, to the appropriation and disposal of the land together with approval that any objections

be considered by the Deputy Chief Executive in consultation with the Portfolio Holder to determine the appropriation and disposal.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The Council will demolish the existing building prior to marketing for sale and funding for the demolition will be met from the Council's Capital Programme (£200,000).
- 4.2 The capital receipt is anticipated to be in excess of the threshold for Delegated Authority limits. It is anticipated that the site will be re-developed with residential units. The number of units will be determined in accordance with Planning Policy. Once a development scheme is completed, the Council will benefit from additional Council Tax income.

5.0 LEGAL

- 5.1 The disposal will require the preparation of appropriate legal documentation related to the disposal.
- 5.2 A full marketing exercise by the Council's appointed property consultants is considered to be the best way of demonstrating that the best price reasonably obtainable has been achieved, which satisfies s123 of the Local Government Act 1972.
- 5.3 Consent from the Secretary of State via form SATPF1 will be required before the playing fields can be sold and form SCH1F for the disposal of the school site.
- 5.4 It is necessary that the site of the school be formally appropriated for planning purposes and the required notices under section 122 of the Local Government Act 1972 be served.
- 5.5 Any future planning application must be determined in accordance with the development plan unless material considerations indicate otherwise under Section 38 (6) of the Planning & Compulsory Purchase Act 2004. The site is designated as part of the Primarily Residential Area in the Unitary Development Plan, which together with the joint Waste Local Plan for Merseyside consists of the statutory development plan for Wirral.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no IT or staffing implications arising from this report.
- 6.2 The proposal is to dispose of a surplus asset.

7.0 RELEVANT RISKS

- 7.1 There is a risk that the Secretary of State will not grant permission to dispose the former school land and playing fields and further discussions with the Department for Education would be required.

- 7.2 There is a risk that the property will not sell, in which case the Council will continue to be responsible for its maintenance until a purchaser was found or an alternative use identified.
- 7.3 Not demolishing the building until written permission from the Secretary of State is received could result in many months where vandalism of the site is likely and costly security measures would be required to protect the empty building and provide a safe residential environment. Demolishing the building immediately would overcome these risks and is allowable within the guidance from the Department for Education.

8.0 ENGAGEMENT / CONSULTATION

- 8.1 Secretary of State approval is required which requires a six week consultation period.
- 8.2 The appointed property consultants will undertake a promotional exercise to advertise the availability of the property/land.

9.0 EQUALITY IMPLICATIONS

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

No, because there is no relevance to equality.

REPORT AUTHOR: **Steven McMorran**
 Manager Assets and Surveying
 telephone: (0151) 666 3891
 email: stevemcmorran@wirral.gov.uk

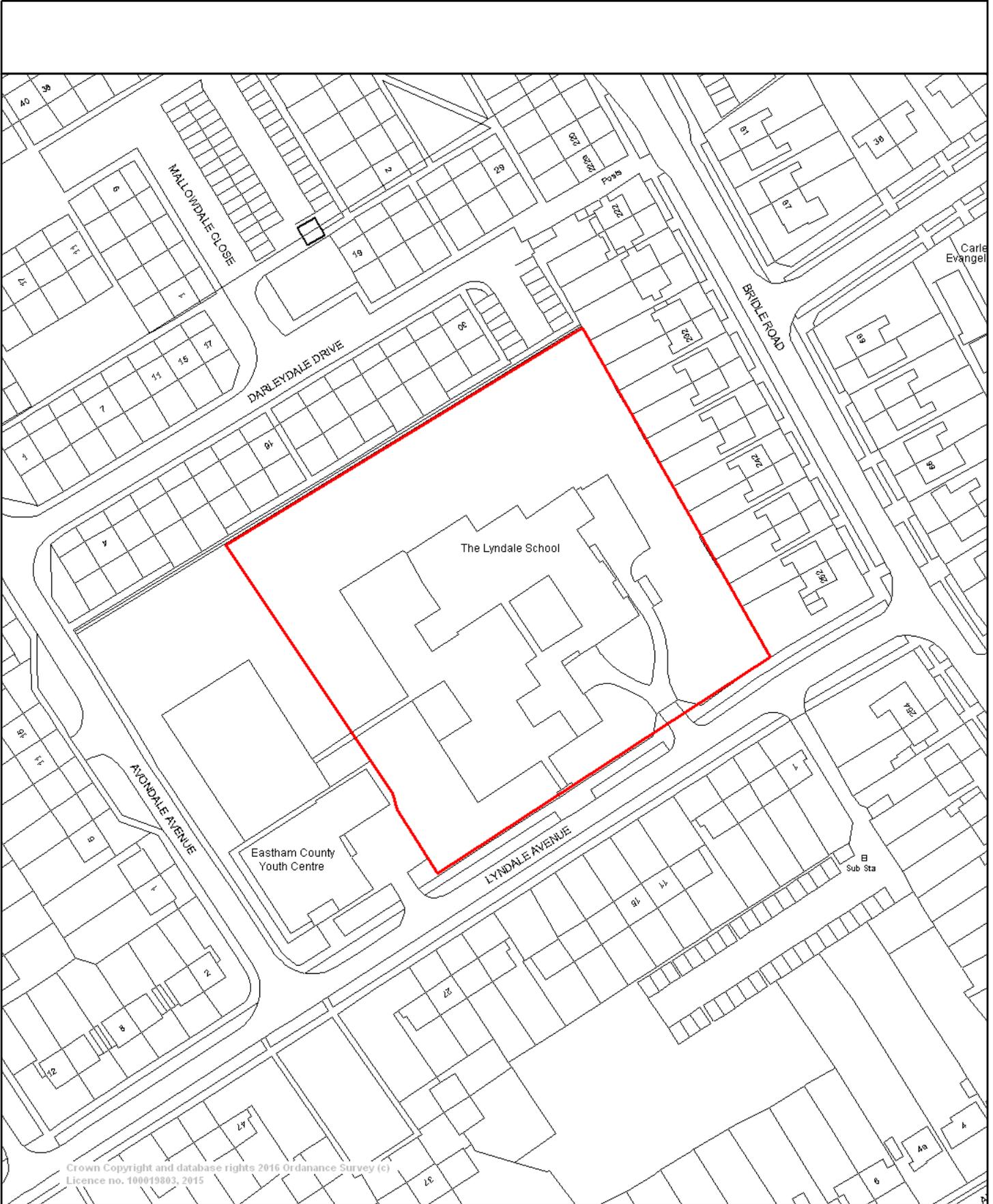
APPENDICES

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet - Report detailing the outcome of the representation Period regarding the Proposed closure of Lyndale school	17 December 2014

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Date 22/6/2016

Dept: **Page 23**

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