

CABINET

Monday, 17 July 2017

<u>Present:</u>	Councillor	P Davies (Chair)	Leader of the Council Growth
	Councillors	P Brightmore A Davies G Davies C Jones B Mooney M Patrick C Spriggs J Williamson S Whittingham	Environment Transformation Housing and Community Safety Social Care and Health Children and Families Localism and Engagement Delivering Differently Finance and Income Generation Highways and Transport

19 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor Angela Davies declared a personal and prejudicial interest in Agenda No. 6 – Proposed Public Health Commissioning Intentions for 2017/18 (Minute No. 24 refers) by virtue of her previous employment. She indicated that she would be leaving the room whilst this item of business was under consideration.

20 MINUTES

RESOLVED:

That the Minutes of the meeting of the Cabinet held on 26 June 2017 be confirmed as a correct record.

21 EXECUTIVE KEY DECISIONS TAKEN UNDER DELEGATED POWERS

The Cabinet noted that no Key Decisions had been taken under delegated powers during the period 15 June 2017 to date of agenda publication (7 July 2017).

22 HONORARY FREEDOM OF THE BOROUGH (POSTHUMOUS AWARD) TO THE 96



Councillor Phil Davies, Leader of the Council, said:

“On 15 April 1989 thousands of Liverpool fans made their journey across the Pennines to watch their football team play in an FA Cup Semi-Final. 96 of those fans did not come home. 9 of those fans were from Wirral. The tragic events at Hillsborough unfolded for the world to see but it was only in April 2016 that the outcome of the inquests were finally made public and the world now knows that the 96 were unlawfully killed and all fans have been completely exonerated from any blame. In discussions with the Mayor, I believe it is now right for this Borough to mark the heroic

fight which overturned the huge miscarriage of justice but also to remember, and never forget, the 96 who lost their lives.

The families of the 96 have been campaigning for justice for nearly 30 years and I believe it is now right for us to bestow upon their family members, the offer of the Freedom of the Borough.

We owe the 96, the families and survivors a debt of gratitude for their commitment to Truth, Justice and Accountability.”

Councillor Phil Davies introduced a report by the Managing Director for Delivery Services that informed that under the Local Government Act 1972, the Council had the authority to grant the title of Honorary Freeman or Freewoman of the Borough to persons of distinction who had rendered eminent Service to the Borough.

In April 1989, 96 football fans, including 9 from Wirral, travelled to Sheffield to watch a football match and never returned.

The Cabinet agreed that the tragic events at Hillsborough and the ongoing fight for justice for nearly 30 years demonstrated the need to recognise and never forget the 96 fans that had lost their lives. It was proposed to bestow the award of Freedom of the Borough (posthumously) on them.

This was a very significant step for the Council to take and very few people had been awarded this status.

Past recipients of this award were:

1993 LT. Commander Ian Fraser, VC
1996 Mr. Joseph Lynch, GC, BEM (GAL)
2005 Mr. Ray Holmes
2006 The Right Reverend David Urquhart
2006 Lord Chan of Oxton
2010 Mr. Stephen Maddox, OBE
2016 PC David Phillips

It was proposed that a scroll would be presented to a family representative of each of the 96 by the Mayor.

The Hillsborough Family Support Group had been consulted on a possible date for this meeting and it was proposed that the Council held an Extraordinary meeting for the purpose of bestowing this award (posthumously) on the 96 at 5pm on Friday, 15 September 2017 in the Council Chamber at Wallasey Town Hall. It was also proposed that following this meeting, there would be a public event on the plateau at the Town Hall to dedicate a plaque and the gardens as the 'Memorial Gardens to the 96'. The evening would be concluded with a Civic reception for family representatives of the 96, when the scrolls and a commemorative gift would be presented to them.

The 96 were:

- [John Alfred Anderson \(62\)](#)
- [Colin Mark Ashcroft \(19\)](#)
- [James Gary Aspinall \(18\)](#)
- [Kester Roger Marcus Ball \(16\)](#)
- [Gerard Baron Snr \(67\)](#)
- [Simon Bell \(17\)](#)
- [Barry Sidney Bennett \(26\)](#)
- [David John Benson \(22\)](#)
- [David William Birtle \(22\)](#)
- [Tony Bland \(22\)](#)
- [Paul David Brady \(21\)](#)
- [Andrew Mark Brookes \(26\)](#)
- [Carl Brown \(18\)](#)
- [David Steven Brown \(25\)](#)
- [Henry Thomas Burke \(47\)](#)
- [Peter Andrew Burkett \(24\)](#)
- [Paul William Carlile \(19\)](#)
- [Raymond Thomas Chapman \(50\)](#)
- [Gary Christopher Church \(19\)](#)
- [Joseph Clark \(29\)](#)
- [Paul Clark \(18\)](#)
- [Gary Collins \(22\)](#)
- [Stephen Paul Copoc \(20\)](#)
- [Tracey Elizabeth Cox \(23\)](#)
- [James Philip Delaney \(19\)](#)
- [Christopher Barry Devonside \(18\)](#)
- [Christopher Edwards \(29\)](#)
- [Vincent Michael Fitzsimmons \(34\)](#)
- [Thomas Steven Fox \(21\)](#)
- [Jon-Paul Gilhooley \(10\)](#)
- [Barry Glover \(27\)](#)
- [Ian Thomas Glover \(20\)](#)
- [Derrick George Godwin \(24\)](#)
- [Roy Harry Hamilton \(34\)](#)
- [Philip Hammond \(14\)](#)
- [Eric Hankin \(33\)](#)
- [Gary Harrison \(27\)](#)
- [Stephen Francis Harrison \(31\)](#)
- [Peter Andrew Harrison \(15\)](#)
- [David Hawley \(39\)](#)
- [James Robert Hennessy \(29\)](#)
- [Paul Anthony Hewitson \(26\)](#)
- [Carl Darren Hewitt \(17\)](#)
- [Nicholas Michael Hewitt \(16\)](#)
- [Sarah Louise Hicks \(19\)](#)
- [Victoria Jane Hicks \(15\)](#)
- [Gordon Rodney Horn \(20\)](#)
- [Arthur Horrocks \(41\)](#)
- [Thomas Howard \(39\)](#)
- [Thomas Anthony Howard \(14\)](#)
- [Eric George Hughes \(42\)](#)

- [Alan Johnston \(29\)](#)
- [Christine Anne Jones \(27\)](#)
- [Gary Philip Jones \(18\)](#)
- [Richard Jones \(25\)](#)
- [Nicholas Peter Joynes \(27\)](#)
- [Anthony Peter Kelly \(29\)](#)
- [Michael David Kelly \(38\)](#)
- [Carl David Lewis \(18\)](#)
- [David William Mather \(19\)](#)
- [Brian Christopher Matthews \(38\)](#)
- [Francis Joseph McAllister \(27\)](#)
- [John McBrien \(18\)](#)
- [Marian Hazel McCabe \(21\)](#)
- [Joseph Daniel McCarthy \(21\)](#)
- [Peter McDonnell \(21\)](#)
- [Alan McGlone \(28\)](#)
- [Keith McGrath \(17\)](#)
- [Paul Brian Murray \(14\)](#)
- [Lee Nicol \(14\)](#)
- [Stephen Francis O'Neill \(17\)](#)
- [Jonathon Owens \(18\)](#)
- [William Roy Pemberton \(23\)](#)
- [Carl William Rimmer \(21\)](#)
- [David George Rimmer \(38\)](#)
- [Graham John Roberts \(24\)](#)
- [Steven Joseph Robinson \(17\)](#)
- [Henry Charles Rogers \(17\)](#)
- [Colin Andrew Hugh William Sefton \(23\)](#)
- [Inger Shah \(38\)](#)
- [Paula Ann Smith \(26\)](#)
- [Adam Edward Spearritt \(14\)](#)
- [Philip John Steele \(15\)](#)
- [David Leonard Thomas \(23\)](#)
- [Patrick John Thompson \(35\)](#)
- [Peter Reuben Thompson \(30\)](#)
- [Stuart Paul William Thompson \(17\)](#)
- [Peter Francis Tootle \(21\)](#)
- [Christopher James Traynor \(26\)](#)
- [Martin Kevin Traynor \(16\)](#)
- [Kevin Tyrrell \(15\)](#)
- [Colin Wafer \(19\)](#)
- [Ian David Whelan \(19\)](#)
- [Martin Kenneth Wild \(29\)](#)
- [Kevin Daniel Williams \(15\)](#)
- [Graham John Wright \(17\)](#)

Councillor Davies thanked the Managing Director for Delivery Services who had worked tirelessly with the families and Council officers to arrange the event and provide the opportunity for the Council to say thank you to and recognise the efforts of the families over many years as they campaigned to get truth, justice and accountability.

RESOLVED: That Cabinet recommends to the Council

- (1) in pursuance of the provisions of Section 249 (5) of the Local Government Act 1972 and in recognition of the tragic loss of life and continued fight for justice on their behalf, the 96 named above, be posthumously admitted as Honorary Freemen/Freewomen of this Borough at an Extraordinary Council Meeting to be held on Friday 15 September 2017;
- (2) Officers be requested to take all the necessary actions associated with (1) above and arrange for a public event and civic reception for family representatives of the 96 and some invited guests on the evening of 15 September 2017; and
- (3) funding to assist this Freedom of the Borough initiative be provided, up to a maximum of £60,000, from balances.

23 WIRRAL SCHOOLS STRATEGY



Councillor Bernie Mooney, Cabinet Member for Children and Families, said:

“We want every child to attend a good school, getting a good education which helps them live positive, happy lives where they achieve their aspirations. This strategy is about every school in Wirral working together, alongside the Council and other agencies, to support each other and improve.

Wirral already performs very well – 9 in 10 of our children already attend a good school. Our ambition is for this number to be 100% by 2020. To get there we will deliver improvements in our early years, school and college education over the coming years to enable Wirral pupils to achieve their full potential.

I am delighted to say our schools, partners and every related agency are fully behind this strategy. Everyone with an interest in improving local education has worked together to create this collective plan. I am incredibly proud of the work which has already been done, and I am excited at the potential for even better performance this strategy brings.”

Councillor Bernie Mooney introduced a report which informed the Cabinet that, in line with the national agenda, Local Authority School Improvement officers had been working with school leaders to develop a more autonomous and self-improving school system, enabling schools, irrespective of their status, to lead their own improvement. The conversion of schools to academies had resulted in increased autonomy for these schools that were answerable to the Regional Schools Commissioner’s office and the Education Funding Agency. The Cabinet noted that the majority of Wirral secondary schools (76%) were academies and currently only 7% of Wirral primary schools were academies.

The Cabinet was informed that the significant reduction of £3.2 million in the Education Services Grant received by the local authority to undertake statutory

duties around school improvement had meant that schools could not rely on the Local Authority to continue with these functions in the way they had previously. Whilst there was now some reduced provision within the Schools Budget and a new grant from September the majority of national school improvement funding available could only be accessed through collaborative bids by Teaching School, Local Authorities and Multi-Agency Trusts (MATs).

Councillor Mooney proposed that the Leader of the Council be requested to write to the Secretary of State for Education expressing extreme concern at the reduction in Wirral's Education Services Grant because the Council should be investing in young people's education. Cutting this budget was a huge retrograde step and the Government should reconsider its decision.

Councillor Mooney informed that achieving well at school was fundamental to improving the quality of life for all of the children and young people in Wirral. The strategy aspired for all of education settings to be rated as "good or outstanding" by 2020, and the Council must deliver improvements in our early years, school and college education over the coming years to enable Wirral pupils to be the best they could be. The strategy aimed to make sure there was consistent quality and levels of attainment across the borough, continuing our record of exceeding national averages for quality, achievement and attainment for all students.

Appended to the report was the Wirral Schools Strategy, a key strategic document which articulated the demand for children and young people to be the best they could be.

The Cabinet noted that the vision of the Schools Strategy was:

"For all Wirral children and young people to achieve their potential, contribute positively to society and lead fulfilling and successful lives"

To achieve this vision, it was essential for the whole school community including pupils, parents, carers and teachers and the local community to work together to help the children and young people to be the best they could be.

The Cabinet also noted that the Strategy covered three broad priorities:-

1. All children and young people in Wirral attend schools which are good or outstanding.
2. All children and young people are supported to achieve their full potential, with a particular focus on our most vulnerable pupils.
3. Children and young people attend the school which best meets their needs.

The Wirral Plan: A 2020 Vision set out a partnership vision to improve outcomes for Wirral residents. Delivery of the priorities and outcomes described in the Plan were underpinned through the delivery of a set of key strategies. The Wirral Schools Strategy was a key strategic document that articulated the ambition for children and young people to be the best they could be.

The Wirral Schools Strategy affected all Wards in the Borough and its approval was, therefore, a key decision.

Councillor Phil Davies supported the proposal that he write to the Secretary of State for Education. He considered the cut in Education Services Grant to be a big mistake and he was hopeful that the Leaders of the other Political Groups would also sign the letter.

Councillor Stuart Whittingham reminded the Cabinet that Britain's exit from the European Union was not far off and as a consequence it was important to invest in young people so that they could acquire the skills to be successful 'post Brexit'.

RESOLVED: That

- (1) the Wirral Schools Strategy be approved;**
- (2) the Leader of the Council be requested to write to the Secretary of State for Education to:**
 - (a) express extreme concern at the reduction in Wirral's Education Services Grant as the Cabinet considers that it should be investing young people's education**
 - (b) inform that cutting Education Services Grant is a huge retrograde step; and**
 - (c) demand that the Government reconsider its decision: and**
- (3) the Leaders of the other Political Groups be invited to sign the letter at (2) above.**

Councillor Angela Davies left the meeting.

24

PROPOSED PUBLIC HEALTH COMMISSIONING INTENTIONS FOR 2017/18



Councillor Chris Jones, Cabinet Member for Social Care and Health, said:

"Giving every Wirral resident the support, opportunity and encouragement they need to live healthier lives is incredibly important. One of our key pledges, creating a healthier borough helps every resident enjoy a better quality of life.

'We take our responsibilities in public health seriously. We work with our colleagues throughout the health sector, and we are creating innovative integrated services with the NHS. This report gives our commissioning intentions for the coming year, giving detailed information on where our resources will be invested and how we will seek to deliver major, ongoing improvements to residents' health in the coming twelve months.'

Councillor Chris Jones introduced a report which sought agreement from the Cabinet to progress Public Health's proposed commissioning intentions for

2017/18. The Cabinet was informed that the proposals in the report linked to the delivery of the Wirral Plan 2020 and the statutory responsibilities of the local authority in respect of public health.

The proposed actions detailed in the report affected all of the Wards in the Borough and were, therefore, key decisions.

Appended to the report were Public Health contracts by provider 2017/18 (including commissioning intentions). The Cabinet noted that the current expenditure in respect of Public Health Contractual Investments 2017/18 amounted to £20,263,715. Councillor Phil Davies informed that this was a huge investment but it was important to meet the Council's pledges around health and quality of life.

RESOLVED: That

- (1) the contents of the report be noted and the schedule of commissioning and contracting activities as set out in table 2 and Appendix 1 of the report be agreed;**
- (2) provision be made to meet contracts totalling £1,530,000 (£306,000 per annum) for the provision and delivery of the National NHS Healthchecks programme, for a 5 year contract (2018-23);**
- (3) provision be made to meet contracts totalling £685,000 (£137,000 per annum) for an initial 3 year contract (2017-20) with the option of two one-year extensions for the delivery of Third Sector Infrastructure and Support services; and**
- (4) provision be made to meet contracts totalling £1,000,000 (£200,000 per annum) for an initial three year contract (2018-21) with the option of two one-year extensions for the delivery of Weight Management services.**

Councillor Angela Davies returned to the meeting.

25 REVENUE MONITORING 2017/18 QUARTER 1 (TO JUNE 2017)



Councillor Janette Williamson, Cabinet Member for Finance and Income Generation, said:

“Ongoing national austerity policies continue to place huge pressure on local government, particularly in relation to social care services. We are continuing to see hugely increased demand for these services, which brings with it significant costs to the organisation.

The Council continues to plan and manage its budget in a sustainable way, whilst anticipating there will be fluctuations in requirements and the subsequent demands on the budget. This is why the Revenue Budget Contingency was made available. It helps mitigate the enormous demands on our services and why we are able to react to changing

circumstances and be able to provide the support residents need.

We will continue to work hard to ensure our resources are well managed, used to deliver best value for Wirral residents, and enable us to deliver our 20 Pledges.”

Councillor Janette Williamson introduced a report which set out the projected revenue position for 2017/18 as at the end of Quarter 1 (30 June 2017).

The latest forecast was an overspend of £4.2 million for 2017/18. This was essentially as a consequence of additional investment into Children’s Services and associated legal costs regarding the placement of children.

This was a key decision which affected all the Wards in the Borough.

RESOLVED: That:

- (1) the Quarter 1 forecast year end overspend of £4.2 million, of which £3.9 million relates to Children’s Services and related legal costs, be noted;**
- (2) the £8.5 million distribution from the Revenue Budget Contingency be approved;**
- (3) the receipt of £0.18 million of New Homes Bonus Returned Funding Grant, which will be added to General Fund Balances, be noted;**
- (4) Officers continue to identify actions and take measures to effectively manage the overall budget and reduce the impact of the projected overspends;**
- (5) the £1.225 million ‘one-off’ funding from General Fund balances for an extended borough wide programme of tree maintenance works be referred to Council for approval; and**
- (6) the £0.125 million for a rolling programme of tree inspection and maintenance be added to the Council budget projections from 2018/19 onwards, be noted.**

CAPITAL MONITORING 2017/18 QUARTER 1 (TO JUNE 2017)



Councillor Janette Williamson, Cabinet member for Finance and Income Generation, said:

“This report demonstrates the major investment we are making against our priorities.

It shows the sensible and pragmatic steps we are taking to make best use of the resources available to develop our assets to support our services to the public”.

Councillor Janette Williamson introduced a report which provided an update on the progress in delivering the Capital Programme 2017/18 at the end of June 2017. It recommended that the Cabinet agree the 2017/18 Capital Programme of £88.0 million which took into account re-profiling identified during the 2016/17 final accounts together with any additional grant funding notified to the Council. The Cabinet noted that expenditure to date was £4.8 million.

This matter was a key decision which affected all Wards in the Borough.

RESOLVED: That

- (1) the spend at Quarter 1 of £4.8 million, with 25% of the financial year having elapsed be noted and that this is suppressed by the inclusion of amounts that were charges against 2016/17 in accord with accounting practice;**
- (2) the revised Capital Programme of £88.0 million be agreed and referred to the Council; and**
- (3) agreement be given to the Growth Fund scheme being amended to provide a combination of business loans and grants rather than just loans.**

27 ANNUAL GOVERNANCE STATEMENT 2016-17

The Cabinet received the Annual Governance Statement 2016-17 and Action Plan, which had been approved and referred to it for noting by the Audit and Risk Management Committee at its meeting on 12 June 2017, along with the covering report and the Committee's subsequent Minute No. 11.

It was noted that the Audit and Risk Management Committee had

'RESOLVED: That

- (1) the report be updated to indicate the receipt of further letters from OFSTEAD and the guidance and input from the Department for Education and Employment;**
- (2) the steps that will be taken to account for their observations be included in the revised report and Action Plan;**
- (3) subject to the above amendments, the Annual Governance Statement and Action Plan be approved and presented to the July 2017 meeting of the Cabinet; and**
- (4) progress on the Annual Governance Statement Action Plan shall be reported to each meeting of the Audit and Risk Management Committee.'**

RESOLVED:

That the Annual Governance Statement 2016-17 be approved.

28 **INTERNAL AUDIT UPDATE**

The Cabinet received a report entitled Internal Audit Update which had been referred to it by the Audit and Risk Management Committee at its meeting on 12 June, 2017 along with the subsequent Committee Minute No. 19. It was noted that the Committee had

'RESOLVED:

That the matter of Attendance Management be escalated to the Cabinet, and that:

- (1) assurance be sought on the issue of compliance regarding the recording of absences has been addressed, that these are properly recorded, lessons are learned, and appropriate actions taken; and**
- (2) the Cabinet be requested to track data in sufficient depth so that areas of concern were correctly identified to provide assurance.'**

The Assistant Director: HR and Organisational Development was in attendance at the meeting to respond to the issues of attendance management and compliance that had been raised. She referred to the Council's 2016/17 Attendance Management Policy and informed that her officers were working with officers in Internal Audit to identify under reporting and that initiatives were now in place to support managers. Regular reports were being prepared so that the Senior Leadership Team could monitor the situation. Also, work based training and learning looking particularly at the Policy's application was available for Managers to complete.

Councillor Phil Davies informed that he was pleased that steps had been taken to tighten up on compliance with the Attendance Management Policy. He requested that a report on these issues be prepared for consideration by the Audit and Risk Management Committee in three months' time and that the report be then referred to the Cabinet for its consideration.

RESOLVED: That

- (1) the contents of the report and Audit and Risk Management Committee's subsequent Minute No. 19 be noted; and**
- (2) a report on Attendance Management and issues associated with compliance with this Policy be prepared for consideration by the Audit and Risk Management Committee in three months' time and that the report be then referred to the Cabinet for its consideration.**

29 **AUDIT AND RISK MANAGEMENT COMMITTEE ANNUAL REPORT 2016/17**

The Cabinet received the Audit and Risk Management Committee's Annual Report 2016/17 which had been considered by the Committee at its meeting on 12 June 2017, along with the covering report and the Committee's subsequent Minute No. 7.

It was noted that the Committee had

'RESOLVED:

That the Annual Report 2016/17 of the Audit and Risk Management Committee be approved and submitted to the Cabinet and to the Council (for noting).'

RESOLVED:

That the Audit and Risk Management Committee's Annual Report 2016/17 be noted and referred to Council for noting.

30 **DEPARTURE OF THE ASSISTANT DIRECTOR: LAW AND GOVERNANCE AND MONITORING OFFICER**

Councillor Phil Davies informed the Cabinet that Mr Surjit Tour, the Assistant Director: Law and Governance and Monitoring Officer was attending his last Cabinet meeting as he was leaving the Council on 3 September 2017 to take up a new position as Director – Monitoring Officer at Sandwell Metropolitan Borough Council.

Councillor Davies expressed his sincere appreciation and asked that his thanks for Surjit's outstanding work as Assistant Director: Law and Governance and Monitoring Officer be put on record. He informed that there had been some challenges but that Surjit had always provided excellent advice. Councillor Davies wished Surjit well in his future career at Sandwell.