

CABINET

Thursday, 28 May 2009

Present:

Councillor	S Foulkes (Chair)	
Councillors	S Holbrook	M McLaughlin
	G Davies	R Moon
	P Davies	J Quinn
	G Gardiner	J Stapleton

7 MINUTES

The minutes of the last meeting on 12 May, had been published.

Resolved – That the minutes be approved and adopted.

8 DECLARATIONS OF INTEREST

The members of the Cabinet were invited to consider whether they had a personal or prejudicial interest in connection with any of the items on this agenda and, if so, to declare it and state the nature of such interest. The following declarations were made:

Councillors George Davies, Phil Davies, Foulkes, Holbrook, McLaughlin and Stapleton – a personal interest in minute 9 (Review of Primary Places Phase 5: Area Reviews of Birkenhead, Beechwood, Noctorum and Prenton and Possible Relocation of Gilbrook Special School) by virtue of them being governors of schools referred to in the report and / or being acquainted with people at the schools.

Councillor Phil Davies also declared a personal interest in minute 26 (Adult Social Services – Unrecoverable Historical Debt) due to him being a non-executive Director of NHS Wirral (PCT).

Councillors George Davies and Foulkes declared a prejudicial interest in minute 17 (New Entrance and Administration Block for Bidston Avenue Primary School – Scheme and Estimate Report) due to their being Chair of Governors and a governor respectively at the school.

The Leader of the Council indicated that it was his intention to vary the order of business for the Cabinet in order to consider item 9 (Review of Primary Places Phase 5) as the first item on the agenda.

REVIEW OF PRIMARY PLACES PHASE 5: AREA REVIEWS OF BIRKENHEAD, BEECHWOOD, NOCTORUM AND PRENTON AND POSSIBLE RELOCATION OF GILBROOK SPECIAL SCHOOL

Further to minute 218 (16/10/08) the Director of Children's Services presented a report on the progress of the Phase 5 Area Reviews of primary school places in the small planning areas of Central, South and North Birkenhead, Beechwood, Noctorum and Prenton. Meetings had been held with key stakeholders in each of these areas, and the report contained a summary of provision in each area together with recommendations for options for consultation. Options included:

- (i) an option appraisal for the consolidation of Devonshire Park Primary School;
- (ii) commencing consultations regarding the possible closure of Cathcart Street Primary School or Cole Street Primary School or the closure of both and the establishment of a new primary school on a single site;
- (iii) commencing consultations regarding the possible closure of St Laurence's Catholic School

Cabinet approval was also sought for consultations to be undertaken on the possible relocation of Gilbrook School from Birkenhead to Woodchurch.

A joint letter from the Head Teachers of Cathcart Street and Cole Street Primary Schools was circulated to the Cabinet and the Director responded to some of the points raised in the letter.

The Cabinet Member for Children's Services and Lifelong Learning remarked upon the need to respect the sensitivities around the issue of possible school closures but at the moment all that was being asked of the Cabinet was to agree to the start of a consultation process. All the issues raised in the Head Teachers' letter could be addressed during the consultation exercise. The Director's proposals should not be seen as a reflection on the standard of education provided in the schools referred to, all of which had excellent levels of achievement, but rather about the need to spend public money wisely.

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

Resolved –

(1) That an option appraisal be undertaken regarding the consolidation of Devonshire Park Primary School into a single building.

(2) That consultations be undertaken regarding the following options for change in the North Birkenhead small planning area:

A - Closure of Cathcart Street Primary School

B - Closure of Cole Street Primary School

C - Closure of both Cathcart Street and Cole Street Primary Schools, linked to the establishment of a new Primary school on a single site

D - Closure of St Laurence's Catholic Primary School

(3) That an option appraisal be undertaken regarding potential sites for a single primary school resulting from any of consultation options A, B and C.

(4) That consultations be undertaken regarding the transfer of Gilbrook School to the former premises of Arrowe Hill Primary School, Woodchurch.

(5) That the outcome of the consultation around the options set out in the report be reported back to Cabinet together with any further options that emerge during the consultation process.

(6) That the remaining Phase 5 small planning areas be reviewed again as necessary or through the usual review process.

10 **2008/09 FINANCIAL AND PERFORMANCE REVIEW**

The Deputy Chief Executive / Director of Corporate Services and the Director of Finance gave presentations to the Cabinet on the 2008/09 Financial and Performance Review.

The Deputy Chief Executive / Director of Corporate Services presented details of the Council's performance including benchmarking statistics, sickness monitoring and progress made towards achieving each one of the five strategic objectives. He highlighted the areas of achievement and also key performance issues and risks.

The Director of Finance presented a financial overview of the Council's finances giving a position statement as at 30 April, 2009 including the projected savings which needed to be made in 2009/10.

Both presentations would be circulated to Cabinet members.

Resolved - That the Deputy Chief Executive and Director of Finance be thanked for their informative presentations and Cabinet looks forward to receiving future presentations in this format on a regular basis.

11 **ECONOMIC UPDATE**

Further to minute 484 (23 April 2009), the Deputy Chief Executive / Director of Corporate Services provided an update on the impact of the current recession on Wirral's economy. The report summarised some key indicators and gave details of the co-ordinated and coherent response to the economic situation. This included some positive business developments, the launch of a new online network for local based businesses by Invest Wirral and the funding of 100 apprenticeship places on a minimum 2 year contract.

The Leader of the Council requested the officers update the Cabinet on the latest situation regarding Vauxhall Motors, Ellesmere Port.

The Chief Executive reported that having written to the Government, at the request of the Council in February, he had last week received a letter from Ian Pearson MP, Parliamentary Under-Secretary in the Department for Business, Enterprise and Regulatory Reform, in which reference was made to the success with Jaguar Land Rover but no mention was made of Vauxhall Motors. He would write again requesting a response specifically on Vauxhall Motors and General Motors Europe.

The Deputy Chief Executive / Director of Corporate Services advised the Cabinet that he had had a number of discussions with his opposite number at Cheshire West and Chester Council, as both councils recognised the vital shared interest in supporting Vauxhall Motors.

Resolved –

(1) That the Council re-affirms its commitment to Vauxhall Motors and the Chief Executive write to Ian Pearson MP requesting a response on what specific commitment the Government is making to GM Europe and Vauxhall in particular.

(2) That this Council maintains pressure on the Government to secure the future of Vauxhall Motors at Ellesmere Port by lobbying in a co-ordinated manner with Cheshire West and Chester Council.

(3) That the contents of the report be noted.

12 **LIVERPOOL CITY REGION MULTI AREA AGREEMENT**

The Chief Executive reported upon the current position of the Liverpool City Region Multi Area Agreement. The platforms for Economic Development, Transport and Housing had undergone intensive development in recent weeks to meet challenging timescales for submission. Cabinet was asked to approve the platform papers and authorise Wirral to formally sign off the MAA Platform papers for submission to Government on the 9th June 2009.

The Chief Executive referred to Wirral's responsibility for the environmental waste platform which it was intended to roll out in the early summer with an event mid-June. He also remarked upon the need to establish a forum which would help re-energise the MAA and the need to promote the MAA much more amongst members.

The Cabinet Member for Streetscene and Transport Services referred to the need for improvements in rail links on the mid-Wirral line and for transport to be considered at all levels.

The Leader of the Council referred to the need for more references to manufacturing within the final version.

Resolved -

(1) That the content of the MAA platforms and the refreshed Story of Place document be supported.

(2) That the Chief Executive be authorised, on behalf of Wirral Council, to formally sign off the MAA Platform papers for submission to Government on the 9th June 2009.

(3) That the comments of members be noted.

13 **COMPREHENSIVE ENGAGEMENT STRATEGY - CONSULTATION PROCESS**

The Deputy Chief Executive / Director of Corporate Services presented a report which provided an overview of the draft Comprehensive Engagement Strategy (CES). The draft CES represented the development of a strategic partnership approach to engagement, cohesion, and development of the third sector. The council had taken the lead in developing this key document and Cabinet was asked to endorse the draft CES, attached as an appendix to the report, for the purposes of consultation with partners and the community. A report would be brought back to the Cabinet in September.

Resolved – That the draft strategy, Appendix 1 to the report, be endorsed and be used for the purposes of consultation with key partners and the public.

14 **EQUALITY WATCH SCHEME 2009-2012 - FINAL VERSION**

The Deputy Chief Executive presented the final version of the Council's Equality Watch Scheme to Cabinet for approval. This followed the public consultation exercise which began following the Cabinet report of the 27 November 2008 (minute 272 refers). Most suggestions made by the public had been incorporated within the final version of the Scheme and did not have any additional implications for the Council as documented in the previous Cabinet report. However, a small number of comments would be incorporated into the second Equality Watch Scheme for 2012 to 2015.

The Equality Watch Scheme was the Council's corporate single equality scheme, including an action plan for the period April 2009 to March 2012, and aimed to mainstream all six equality strands in employment and service delivery:

Gender (including transgender)
Disability
Race
Sexual Orientation
Age
Religion or Belief

} Also taking into consideration multi-forms of discrimination

The Equality Watch Scheme was critical to the delivery of the council's aim to improve accountability, accessibility and openness and involve those who used the Council's services in their design and delivery, which was aligned to the strategic objective to create an excellent council.

Resolved – That the final version of the Equality Watch Scheme 2009 to 2012 be agreed.

15 **OUTCOME OF FURTHER CONSULTATION ON THE ESTABLISHMENT OF A C OF E CONTROLLED PRIMARY SCHOOL IN EASTHAM**

The Director of Children's Services presented a report on the outcome of the further consultation which had taken place on the establishment of a Church of England controlled primary school in Eastham and requested that the Cabinet approve the publication of statutory notices in relation to this proposal.

The 2005/2006 Primary Places Review of options for change in primary schools in Eastham resulted in the Adjudicator's decision to approve the closure of St Mary's CE (Controlled) Primary School from 31st August 2007. This followed the school's placement in Special Measures by Ofsted in September 2006. At its meeting of 16th March 2006 and re-iterated on 14th December 2006, Cabinet agreed to support the Diocese of Chester if a proposal was received in order to establish a CE Controlled primary school in the Eastham area in replacement for a Community primary school. Discussions had taken place between the governing body of Millfields Primary School, the Diocese and the Local Authority on this subject, resulting in a further consultation on this option.

Resolved –

(1) That statutory proposals be published in respect of the closure of Millfields Primary School on 31st August 2009 and the establishment of a new Church of England Controlled school at the Millfields site from 1st September 2009.

(2) That the Director of Children's Services be authorised to take all necessary steps to publish these proposals, ensure the prescribed procedures are followed, including requesting permissions from the Secretary of State in furtherance of the proposals.

(3) That if permission to waive a competition is not received from the Secretary of State, a further report be brought to Cabinet detailing the competition process and setting out a specification for the new school.

16 ALTERATIONS AND IMPROVEMENTS TO FACILITIES AT THE OAKLANDS CENTRE, LLANRWST - SCHEME AND ESTIMATE REPORT

The Director of Children's Services presented a report detailing the additional improvement and alterations works proposed at the Oaklands Centre and set out the costs of the scheme. Cabinet was requested to consider and approve the proposal.

Resolved –

(1) That the Scheme and Estimate, as presented, be accepted.

(2) That the Director of Technical Services be authorised to procure the project as a single stage selective competitive tender.

(3) That the Director of Technical Services be authorised to obtain all necessary statutory approvals for the project.

COUNCILLOR HOLBROOK IN THE CHAIR

17 NEW ENTRANCE AND ADMINISTRATION BLOCK FOR BIDSTON AVENUE PRIMARY SCHOOL - SCHEME AND ESTIMATE REPORT

(Councillors Foulkes and George Davies, having declared prejudicial interests in this item (see minute 8) left the room during its consideration.)

The Director of Children's Services presented a report detailing work required to modify and undertake significant improvements to Bidston Avenue Primary Schools' main entrance, administration areas and Foundation classes. The scheme would create a single controlled access into the school and would join two buildings which were currently separate, thereby enhancing security. The improvements to the administrative and staffing areas would centralise these spaces and the scheme would also re-configure teaching spaces used for Foundation classes. Cabinet was requested to consider and approve the proposal.

Resolved –

- (1) That the Scheme and Estimate, as presented, be accepted.**
- (2) That the Director of Technical Services be authorised to procure the scheme as a single stage selective competitive tender.**
- (3) That the Director of Technical Services be authorised to obtain all necessary statutory approvals for the scheme.**

COUNCILLOR FOULKES RESUMES THE CHAIR

18 SCHOOLS CAPITAL FUNDING 2009/10

The Director of Children's Services presented a report which provided a summary of the capital funding available under a number of local and national initiatives and programmes and set out a draft programme of works in 2009/10 for consideration by Cabinet. The report also provided an update on the progress of major schemes currently being undertaken and a summary of schemes completed during the 2008/09 financial year. Due to steps taken by central Government to kick start the economy a significant amount of capital funding had potentially been brought forward to this financial year, resulting in a larger than normal programme of work.

The Cabinet Member for Children's Services and Lifelong Learning welcomed the report and the expenditure programmed for 2009/10.

Resolved –

- (1) That the draft 2009/10 departmental Capital Programme be approved.**
- (2) That the various grant and local capital funding sources be noted.**
- (3) That individual schemes be the subject of further option reports and scheme and estimate reports where applicable.**
- (4) That approval be given to progress schemes at Stanton Road, Irby Primary and Greasby Infant Schools using the Early Years Quality and Access grant, as set out in paragraph 3.7 of the report.**

19 **WIRRAL BIZ PROGRAMME - REQUEST FOR FURTHER 3 MONTH EXTENSION**

The Director of Regeneration submitted a report which sought the Cabinet's agreement to extend the existing Wirralbiz business start programme for the period 1st July to 30th September 2009 whilst the contracting process with the North West Development Agency (NWDA) for the provision of their Regional Business Start Programme was completed. This would ensure that there was no discontinuity of service to people in Wirral who wished to start their own business during this period.

There was an allocation of £2.086m within the Working Neighbourhoods Fund to support the business start up programme in Wirral and the required £262,500 would be taken from this allocation.

Resolved – That £262,500 of funding from the £2.086m Working Neighbourhoods Fund allocation for the business start programme be approved to extend the Wirralbiz Programme from 1 July 2009 to September 30, 2009.

20 **CONSTRUCTION EMPLOYMENT INTEGRATOR**

The Director of Regeneration submitted a report which sought the Cabinet's approval to establish a Construction Employment Integrator for Wirral the aim of which was to provide a mechanism that would ensure that people from disadvantaged groups and areas within Wirral were able to access job and training opportunities in the construction industry.

The costs of establishing and running the Integrator for a period of three years amounted to £885,955 and it was proposed to fund all these costs from the Working Neighbourhoods Fund which was part of the Council's Area Based Grant. As the CEI became established a contribution from other agencies and the construction industry would be sought to expand its activities further into the construction sector and potentially into other sectors.

The Director reported that the CEI would require an Integrator Team to be established by the Council which would comprise a CEI Manager, a Planning and Procurement Officer and a Monitoring and Intelligence Officer. These posts had been fully costed in the Business Plan and a report recommending the establishment of these would be taken to the Employment and Appointments Committee in June 2009. The Finance and Administration support would be provided from existing resources within the Council's Regeneration Team.

The Cabinet Member for Regeneration and Planning Strategy welcomed the project and that Wirral was leading the way on Merseyside with this scheme.

Resolved –

(1) That the Construction Employment Integrator as set out in the Director's report be established in Wirral.

(2) That the Director of Regeneration submit a report to the Employment and Appointments Committee in June 2009 to establish the posts for the Integrator Team.

21 **SECURE AND USE EUROPEAN FUNDS TO SUPPORT WIRRAL'S TOURISM BUSINESSES DURING THE NATIONAL ECONOMIC DOWNTURN**

The Deputy Chief Executive / Director of Corporate Services submitted a report upon a more strategic approach that had been taken, to help local tourism businesses sustain and increase trade, during the current national economic downturn. Immediate action was necessary, so the Council's Destination Marketing Office (DMO) had been working closely with The Mersey Partnership (TMP) and the other Merseyside boroughs, to develop a joint three-year "Partners for Tourism Growth" project for European funds. The Wirral element of the bid, from the Northwest Development Agency's (NWDA) operational programme, would directly help local tourism businesses market their products and services to potential and existing visitors, more effectively and efficiently.

The Director reported that the total cost of the Wirral element of the three year project would be £600,000, of which £300,000 was a European Regional Development Fund (ERDF) grant, matched against £300,000 from the Council's existing budget (i.e. DMO staff time and the marketing budget).

Resolved – That to enable the Wirral element of the “Partners for Tourism Growth” project to be successfully delivered, an allocation of £300,000, from the Council’s existing resources, (i.e. Destination Marketing Office staff time and marketing budget), be approved over the three-year period stated, thus enabling an application for £300,000, of European Regional Development Funds, to be secured from the Northwest Development Agency’s operational programme.

22 **PROJECTED BUDGET 2010-11**

The Director of Finance presented a report on the projected budget for 2010-2011 which would be the final year of the Comprehensive Spending Review 2007 (CSR). The report set out the budget summary for 2009/10, variations that had been identified for 2010/11, a number of other developments, details of balances and apportionment of efficiency requirements.

Resolved - That the projected budget for 2010-11 be updated and reported regularly to the Cabinet.

23 **HM TREASURY BUDGET 22 APRIL 2009**

The Cabinet considered a report from the Director of Finance which presented a brief summary of the major implications for Local Authorities arising from the Chancellor of the Exchequer's 2009 budget presented on 22 April 2009.

The Budget had not made any significant changes to the three year settlement set out in the 2007 Comprehensive Spending Review, which ran to 2010/11. The efficiency target for Local Authorities would be increased from 3% to 4% from 2010-11. For Wirral this represented an increase from £9.5m to £12.7m.

The Leader of the Council referred to the substantial rise in Government borrowing and the increasingly difficult financial situation which would need to be addressed.

Resolved – That the report be noted.

24 WIRRAL COUNCIL AND WIRRAL PARTNERSHIP HOMES - COMMUNITY FUND

The Director of Finance presented a report on the arrangements for the management of the Community Fund and recommended endorsement of those arrangements. The Fund would continue to be administered by Wirral Partnership Homes (WPH) and overseen by the Joint Working Group comprised of equal membership from the Council and WPH. His report included a summary of grants allocated from the fund until 2011.

Councillor Phil Davies moved a recommendation which was duly seconded, and it was -

Resolved –

(1) That the revised arrangements for the management of the Community Fund be agreed and Cabinet welcomes the fact that the Audit Commission has approved the proposals for the use of the Community Fund put forward by the Cabinet.

(2) That Cabinet recognises that the final decision on any submission rests with the Joint Working Group and will need to meet the legal requirement to ensure that they meet the terms of the Community Fund Deed and the charitable objects of Wirral Partnership Homes.

25 BUDGET PROJECTIONS 2011-14

With the release of documents supporting the Chancellor of the Exchequer's Budget on 22 April, 2009, the Director of Finance presented a report with initial estimates of the projected budgets for the years from 2011 to 2014. He drew the Cabinet's attention to the projected savings required of £50m between 2011 to 2014.

Resolved –

(1) That the budget projections be kept under review as the global recession develops.

(2) That further efficiencies be sought through the delivery of the strategic change programme, the extension of that programme and by specific service efficiencies.

26 ADULT SOCIAL SERVICES - UNRECOVERABLE HISTORICAL DEBT

The Director of Adult Social Services submitted a report which detailed a number of historical debts raised against the NHS. These debts, some of which dated back to 2000/01, related to the cost of care provided to a number of people with specialised or complex needs, some of whom lived outside Wirral. Having sought counsel's advice and arbitration from the Strategic Health Authority these debts were considered to be irrecoverable and the Director sought Cabinet's approval for the writing off of these debts.

As the invoices were raised in previous financial years and income was included in the accounts when the invoice was raised, the income would have been included within the Adult Social Services accounts for those particular years. By now agreeing not to pursue recovery of the invoices the loss of income would be charged to the Adult Social Services accounts for the 2008/09 financial year.

The Cabinet Member for Social Care and Inclusion commented that although the debts had been pursued vigorously it was now time to draw a line under them. They had accrued at a time when robust procedures were not in place but the department had now transformed itself in the way it dealt with these issues.

Resolved – That the cancellation of the invoices to the value of £1.812m, for the reasons stated within the report, to be charged against the Adult Social Services Department in the financial year 2008/09, be approved.

27 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

Resolved - 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.

28 **REQUEST FOR FINANCIAL ASSISTANCE**

The Deputy Chief Executive / Director of Corporate Services sought the Cabinet's approval to provide a grant from the Think Big Investment Fund to the company named in the report, in the sum of £35,000, to assist towards their business growth project which included investing in new equipment to enable them to offer a new service which was complementary to their main business.

Resolved - That a Think Big Investment Fund grant of £35,000 be approved towards the business growth project being undertaken by the company named within the report.

29 **BYRNE AVENUE BATHS, BYRNE AVENUE, ROCK FERRY**

The Director of Law, HR and Asset Management submitted a report which advised the Cabinet of the current position regarding Byrne Avenue Baths and reviewed the options available to the Council with regard to the future of this facility.

Resolved –

(1) That Cabinet notes that this building is being repossessed by the Council and, when repossessed, authorises officers to take the necessary action to maintain it in a safe and secure condition.

(2) That Cabinet confirms that the facility is not required for the delivery of Council services and is declared as a surplus asset.

(3) That, the building is advertised as available for possible Community Asset transfer.

(4) That a further report be submitted to the Cabinet advising of any progress made, with appropriate recommendations.

30 ANY OTHER BUSINESS

In connection with minute 11, the Deputy Chief Executive / Director of Corporate Services updated the Cabinet on the latest situation in respect of the Bromborough based chemical plant, Croda International and stated that he would keep the Cabinet members informed of any further developments.