

CABINET

Thursday, 23 July 2009

<u>Present:</u>	Councillor	S Foulkes (Chair)	
	Councillors	S Holbrook G Davies P Davies G Gardiner S Kelly	M McLaughlin R Moon J Quinn J Stapleton
<u>In attendance:</u>	Councillors	JE Green S Mountney	L Rennie L Rowlands

52 MINUTES

The Director of Law, HR and Asset Management reported that none of the decisions from the previous meeting, held on 25 June 2009, had been called in.

Resolved – That the minutes of the meeting held on 25 June 2009 be approved and adopted.

53 DECLARATIONS OF INTEREST

The members of the Cabinet were asked 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.

Councillors Holbrook and Gardiner declared their prejudicial interest in agenda item 30 – West Kirby Marine Lake Protection Works (see minute 81 post) – Councillor Holbrook by virtue of his employment and Councillor Gardiner by virtue of living in close proximity to the marine lake.

Councillor P Davies declared a personal interest in agenda items 6 – Aiming High for Disabled Children (see minute 58 post) and 8 – Revised Governance Arrangements for the Wirral Health and Wellbeing Partnership (see minute 59 post) by virtue of him being a member of the PCT Board.

Councillor G Davies declared a personal interest in agenda item 4 – Practical Cooking Spaces Scheme and Estimate Report for St Anselm's College and Update on Programme (see minute 56 post) by virtue of him being a governor of St Anselm's College.

54 OPTIONS FOR CHANGE - TOWARDS A STRATEGY FOR CARE SERVICES

Further to minute 287 (10 December 2008), the Director of Adult Social Services referred to the review of in-house services provided by the Care Services Branch, which had been undertaken to ensure the progression of the transformation of Adult

Social Services. He indicated that the need to change in-house services was linked to the increased choice and control which people who required support from Adult Social Services would have following the move towards self directed support and personal budgets. He presented the outcome and conclusions of the Design and Viability Project, which was established to provide a more detailed analysis of any service changes and a rationale supporting the outsourcing proposals and he sought the approval of the Cabinet to undertake consultation on the proposals and conclusions contained within the Consultation Paper. The Cabinet Member for Social Care and Inclusion commented upon the period of major change to be faced by the Department and the inevitable effect it would have on demand for services. She referred to the conclusions contained within the document and commented that the proposed extensive consultation would take place between 10 August and 30 October 2009.

On a motion by Councillor McLaughlin and seconded by Councillor Foulkes, it was –

Resolved –

- (1) That a full and comprehensive consultation process on the conclusions and options contained within the Options for Change document be undertaken, in accordance with the rationale set out in the report now submitted.**
- (2) That in order to ensure that everyone has a full understanding of the issues involved, Cabinet asks that a seminar for elected members be arranged to promote an understanding of self directed support, personal budgets and their impact on future demand for support services.**

Cabinet Recognises, in addition, that the government grant to cover the costs of the transition to personal budgets is due to cease in 2011 and that it is important to have made as much progress as possible while the grant is still available.

Cabinet therefore asks the Director of Adult Social Services to provide the Cabinet with a report on the progress being made towards the use of personal budgets, including any lessons learnt from initial pilot schemes, the numbers already on personal budgets, the number of individuals still to be moved onto personal budgets and the anticipated timescale for full implementation, with any transitional arrangements either in place, or needing to be put in place.

55 POSITIVE ACTIVITIES FOR YOUNG PEOPLE

Further to minute 474 (23 April 2009), the Director of Children's Services reported upon the Positive Activities for Young People (PAYP) Programme, which was intended to provide diversionary activities for young people who could offend or become NEET, (Not in Education Employment or Training) because of a number of factors such as negative peer group pressure, poor school attendance, substance or alcohol misuse. He commented that a commissioning process had established a commissioning panel, which had identified a number of prospective providers and he commented that Area Based Grant funding of £93,790 was available in 2009/10 and £152,550 in 2010/11.

Resolved –

- (1) That following a commissioning process the following providers are offered a contract to provide PAYP for the periods set out below –

2009/10

Organisation	District/Area	Number of FTE	Total Cost
Youth Federation	Birkenhead/Wirral	25	£20,750
Fairbridge	Wirral wide	10	£8,300
Youth Offending Service	Wirral wide	26	£21,580
Activate Arts	Wallasey/Birkenhead/ Wirral wide	16	£13,280
Positive Futures	Wirral wide	36	£29,880

2010/11

Organisation	District/Area	Number of FTE	Total Cost
Youth Federation	Wirral wide	25	£33,750
Fairbridge	Wirral wide	10	£13,500
Youth Offending Service	Wirral wide	26	£35,100
Activate Arts	Wallasey/Birkenhead/ Wirral wide	16	£21,600
Positive Futures	Wirral wide	36	£48,600

- (2) That feedback is provided to unsuccessful bidders.

- (3) That individual specifications require providers to ensure there are guaranteed places for young people from organisations working with priority groups of young people such as young carers.

56 **PRACTICAL COOKING SPACES SCHEME AND ESTIMATE REPORT FOR ST ANSELM'S COLLEGE AND UPDATE ON PROGRAMME**

The Director of Children's Services reported upon progress of the Department for Children, Schools and Families (DCSF) initiative to establish practical cooking spaces in four secondary schools to support the introduction of compulsory Food Technology at Key Stage 3 from September 2011. DCSF had invited bids from authorities to fund works in schools which had no existing food technology facilities (including practical kitchens) and no access to facilities at other establishments. The authority's bid was successful for schemes at Wirral Grammar School for Boys,

Calday Grammar School, St Anselm's College and Kilgarth School, with a total allocation of £1,245,000, which included the VAT element for St Anselm's due to it being an Aided School. The allocation equated to an average £300,000 per school to create either new build facilities or to reconfigure existing space within the school to deliver the specialist curriculum activity, although the spend at each site would vary according to the scope of the works required to deliver the curriculum requirement.

The Director provided details of the St. Anselm's College scheme and estimate and proposed that it would be procured as a single stage selective competitive tender during August 2009 with the selected contractor to commence work on site in September 2009 with completion anticipated in April 2010. The total estimated cost, including fees, was £400,345,000 and although an indicative allocation of £300,000 (+VAT in Aided Schools) had been given, authorities had been flexibility to retain any savings made for example on procurement savings. The Director anticipated that by using the Council's Schedule of Rates contracts at Kilgarth School, there would be additional funding for other identified projects.

He reported also that scheme and estimate reports in relation to Wirral Grammar School for Boys and Calday Grammar School would be presented to future meetings of the Cabinet. A more modest scheme was being undertaken at Kilgarth School, which did not exceed £250,000 and would be authorised under delegated authority.

Resolved –

- (1) That, without prejudice to the planning process, the Scheme and Estimate for St Anselm's College as presented, be approved.**
- (2) That approval be given for St Anselm's College to obtain tenders for the scheme and the Director of Children's Services use his delegated powers, if appropriate, to accept the lowest bona fide tender and report back to a future Overview and Scrutiny Committee.**
- (3) That the appointed Architect in consultation with the nominated person from CYPD be authorised to obtain all necessary statutory approvals for the scheme.**
- (4) That the progress of the DCSF Initiative for Practical Cooking Spaces is noted.**

57 **APPOINTMENT OF TECHNICAL ADVISER TO THE WIRRAL ACADEMY/BSF PROGRAMME UNDER THE NATIONAL PARTNERSHIPS FOR SCHOOLS (PFS) FRAMEWORK**

The Director of Children's Services reported that there was a requirement for the Council to appoint a Technical Adviser to the Wirral Academy/BSF Programme under the national Partnerships for Schools (PFS) framework, initially to implement the agreed capital works at Birkenhead High School Academy, but with the provision for further Academy and Building Schools for the Future (BSF) works. He outlined the advantages of joint procurement and reported that the capital allocations provided by PFS included £400,000 for the procurement of Technical Adviser support to implement the approval and subsequent procurement process, using the PFS Contractor Procurement Framework. He commented that the contract for the support

would require careful management to ensure no additional financial risk to the Council, either through the allocation being overspent or through contractual issues.

Resolved – That Cabinet:

- (1) Approves the appointment of the Technical Adviser under the Partnership for Schools (PFS) Framework in respect of works at Birkenhead High School (Academy 1).**
- (2) Approves the provisions for the same Technical Adviser to be appointed Academy 2 and BSF Phase 1.**

58 AIMING HIGH FOR DISABLED CHILDREN

The Director of Children's Services provided an update on progress on the Wirral Local Area Implementation programme for Aiming High for Disabled Children in relation to Short Breaks provision. The approach sought to transform services across sectors to provide support to achieve the best outcomes for children and young people with disabilities and enable children and their families to live ordinary lives.

The Government required the Council and Primary Care Trust to provide for a stepped change to short breaks services and to deliver on what was termed the Full Service Offer, designed to meet the needs of all groups of disabled children. He reported upon action taken in meeting the reporting and performance requirements set out by Together for Disabled Children, who were administering the programme on behalf of the Department for Children, Schools and Families (DCSF) prior to April 2009 and the further steps required over the next two years to March 2011. The Cabinet Member for Children's Services and Lifelong Learning welcomed the detailed analysis and expressed the wish that the short breaks programme could continue beyond 2010/11.

Resolved –

- (1) That the report be noted and a further report with clear recommendations from the residential service review be presented to a future meeting.**
- (2) That the Consultation Strategy for Parent Carers be noted.**
- (3) That the Commissioning Brief be noted and a further report be presented to a future meeting upon the outcome of the tender exercise.**

59 REVISED GOVERNANCE ARRANGEMENTS FOR THE WIRRAL HEALTH AND WELLBEING PARTNERSHIP

The Joint Director of Public Health reported upon the proposed revised governance arrangements for the Wirral Health & Wellbeing Partnership following the I&DeA Healthy Communities Peer Review in April 2008. The partnership was responsible for the health and wellbeing and healthy communities themes within the Local Strategic Partnership (LSP), the Local Area Agreement (LAA) and the Sustainable Communities Strategy and she reported that the Healthy Communities Peer Review team had described relationships between Wirral's key players as 'strong and

maturing', with the development of integrated working arrangements between the Council and the Primary Care Trust being seen as particularly innovative.

However, the review recommended that the governance arrangements for health and wellbeing should be 'sharpened' to take account of the maturity of partnership working and to make best use of strategic capacity. Accordingly, a review of governance arrangements had been undertaken and a revised partnership structure was presented for consideration.

Resolved – That the revised governance arrangements for the Health & Wellbeing Partnership be agreed.

60 STRATEGY FOR CARERS

The Director of Adult Social Services presented the draft Strategy for Carers, which set down a revised strategic direction for developing carer services in Wirral based on contemporary national and local information. It echoed the National Strategy and had been developed with carers and based on carer views. It proposed a number of areas for further development that would realise the vision set down in the strategy. It also sought to demonstrate to carers that their contribution was highly valued and to ensure that their number one priority of recognition by professionals was achieved.

Resolved – That the Strategy for Carers be approved.

61 FINANCIAL AND PERFORMANCE MONITORING QUARTER 1

The Corporate Performance Manager and the Deputy Director of Finance gave a detailed presentation in relation to Financial and Performance Monitoring during the quarter. The full report had been placed in the Web Library and the presentation focused upon key achievements and performance issues in relation to the Council's five Strategic Objectives. It also highlighted the impact of the recession, set out the financial headlines and provided a brief analysis of the revenue budget and capital programme.

Resolved – That the presentation be noted.

62 WIRRAL HEALTH INEQUALITIES PLAN

The Joint Director of Public Health presented the final draft of the Health Inequalities Plan, which had been amended following discussion and consultation with stakeholders. She reported that it was currently being submitted to committees within Wirral Local Strategic Partnership and NHS Wirral in addition to the Cabinet and any amendments as a result would be incorporated into the final version. She gave a detailed presentation in relation to the Plan, which highlighted the challenge for Wirral with regard to actions that were needed to achieve targets and close the gap in life expectancy between Wirral and the national average and also within Wirral between the most deprived 20% Lower Super Output Areas and the Wirral average.

Wirral was currently below trajectory for achieving the national health inequalities target for life expectancy and the Local Area Agreement target for all age all cause mortality. The Health Inequalities Plan outlined three timescales for action and achieving improved outcomes in 2011, 2013 and 2025, which were linked to national

targets and local strategies. It also identified five strategic priorities that needed to be set in place if the targets were to be met. She commented that the Health Inequalities National Support Team (HINST) had reviewed the plan and the NHS Wirral investment areas and had congratulated partners in Wirral for their progress and overall approach to tackling health inequalities. It suggested that the concerted effort outlined would help to close the remaining gap by 2010 and that this should include a focus on Health Action Areas, an ambitious alcohol treatment programme, cardiovascular disease (CVD) screening programme and a programme to combat excess winter deaths.

Resolved –

- (1) That the presentation be noted.**
- (2) That the Health Inequalities Plan be approved and further progress reports be presented to future meetings of the Cabinet.**

63 **LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – REVIEW OF LOCAL DEVELOPMENT SCHEME**

The Deputy Chief Executive/Director of Corporate Services reported that the preparation of a Local Development Scheme was a statutory requirement under the Planning and Compulsory Purchase Act 2004. It listed the type and number of statutory planning documents that the Council intended to produce, together with a timetable for their preparation and it was required to be submitted for approval to the Secretary of State before it could be brought into effect by Council resolution. Delivery against the Scheme was a criterion for the annual award of Housing Planning Delivery Grant and the development and delivery of strategic policy frameworks to achieve sustainable economic development formed part of the Delivery Plan for the Corporate Plan.

He presented an update to the Local Development Scheme last approved by the Council (Minute 30 (Council – 16 July 2007) refers) and recommended that the revised Scheme be approved for submission to the Secretary of State.

On a motion by Councillor Stapleton and seconded by Councillor Foulkes, it was –

Resolved –

- (1) That the draft Local Development Scheme, attached to the report now submitted, be approved for submission to Secretary of State, subject to the deletion of the Birkenhead Docklands Area Action Plan from the schedule of documents to be prepared.**
- (2) That Cabinet recognises that work is already underway to complete an integrated regeneration study for Birkenhead and Wirral Waters and would expect the findings of this study to be reflected and integrated into the Local Development Framework and Core Strategy in the most appropriate manner.**

- (3) That the Director of Corporate Services be given delegated authority to agree any amendments to the draft Scheme, required by the Secretary of State as a condition of his approval.**
- (4) That any amendments to the draft Scheme that will have financial implications be reported back to the Cabinet as soon as practicable.**

64 **SUSTAINABLE COMMUNITIES ACT PROPOSALS**

Further to minute 448 (9 April 2009), the Deputy Chief Executive/Director of Corporate Services provided an update in relation to the provision made by the Sustainable Communities Act for proposals to be invited from the public which required action from central government. He commented that although a number of submissions were received in response to the call for proposals, only one was received which could potentially be suitable for selection under the terms of the Act. He outlined the proposal, which related to Community Asset Transfer and reported that it had been endorsed by the Strategic Partnership Executive Board subject to consultation with the LSP Assembly and other interest groups.

Resolved –

- (1) That that the proposal for selection under the terms of the Sustainable Communities Act, in relation to Community Asset Transfer be endorsed.**
- (2) That delegated authority be given to the Deputy Chief Executive/Director of Corporate Policy to submit the proposal to the LGA in consultation with the proposer by the deadline of 31 July 2009.**
- (3) That, in view of the need to submit the proposal to the LGA by the deadline of 31 July 2009, call-in be waived, and the Council be advised accordingly.**

65 **QUARRY BANK FLATS, WHETSTONE LANE, BIRKENHEAD**

Further to minute 206 (25 September 2008), the Director of Law, HR and Asset Management reported upon the results of the marketing exercise in relation to expressions of interest from Registered Social Landlords (RSL's) for the refurbishment of Quarry Bank flats, Whetstone Lane, Birkenhead. He commented that the exercise had resulted in two RSL's submitting a total of five design proposals, which had been evaluated against the original tender brief.

He reported that the preferred scheme scheme was submitted by Venture Housing Association (Option A), which met most closely the requirements of the original design brief, and was also the most economically advantageous to the council. The preferred design brief submitted by Venture Housing Association involved reinstatement and refurbishment of the original twelve self contained flats for general social housing. These units would be allocated through Wirralhomes and contribute to the Councils overall provision of affordable housing. However, similar to most housing schemes, the completion of the scheme was dependant on Venture HA securing National Affordable Housing Programme (NAHP) funding with a bid for funding likely to be submitted to the Homes and Communities Agency (HCA) and supported by the Local Authority. He commented also that alongside the process, the

Council was currently negotiating termination of the existing lease with Cosmopolitan HA, who had been in occupation of the building since 14 July 2005.

Resolved – That the proposal contained within the report of the Director of Law, HR and Asset Management be approved and authority be granted to conclude the necessary documentation.

66 **PLANNED PROPERTY MAINTENANCE (PPM) 2009/10**

The Director of Law, HR and Asset Management presented the Planned Property Maintenance (PPM) Programme 2009/10. He commented that the PPM budget was utilised for intermediate property works costing between £10,000 and £100,000 with Facilities Management budgets being utilised for any minor works below £10,000. The Capital Programme separately funded any major works in excess of £100,000 and he indicated that the schemes for boiler replacement and condition surveys were cumulative projects that did not cost in excess of £100,000 for any single project within those categories.

The proposed schemes had been scored against a standard matrix and had been placed in a priority order for action having been checked to ensure that expenditure was only incurred on buildings that had a foreseeable operational life.

Resolved – That the schemes included in the 2009/10 Property Maintenance Programme be approved and officers prepare the schemes and obtain tenders as necessary.

67 **SCHEDULE OF RATES CONTRACTS 2006/2010**

The Director of Law, HR and Asset Management reported that Schedule of Rates (SOR) contracts were maintained for day to day repairs to Council owned buildings and other works including adaptations for people with a disability. The contracts commenced in November and December 2006 for a three year period with the option to extend for a further one year based on performance.

The monitoring of contractor performance had been a key factor in the management of the new SOR arrangement and he proposed the implementation of the clause within the contracts to extend for an additional year with a completion date of 30 November 2010. However, the mechanical maintenance contract had been subject to a re-tendering exercise and was not subject to the request for a contract extension.

Resolved – That based on the outcomes and performance detailed in the report now submitted, the optional one year extension to the following Schedule of Rates contract tenders be approved –

- | | |
|--------------------------------|----------------------------------|
| • Adaptations for the disabled | Northwest Construction UK Ltd |
| • Curtain Walling | JPF Systems Ltd |
| • Electrical Works | Cottrell Electrical Services Ltd |
| • Flooring | Broadless Construction Ltd |
| • General Building | Northwest Construction UK Ltd |
| • Glazing | Wirral Partnership Homes |
| • Roofing | MAC Roofing & Contracting Ltd |

68 **ECONOMIC UPDATE**

The Deputy Chief Executive/Director of Corporate Services provided the latest update on the impact of the current recession on Wirral's economy. The report summarised some key indicators and gave details of the Wirral's co-ordinated responses to support Wirral residents and businesses in the current economic situation. The Chair referred to the success of the various measures put in place and in particular, thanked all who had contributed to the success of the WIN Business Awards.

Resolved – That the report be noted.

69 **LOCAL TRANSPORT PROGRAMME 2009/10 - SAFER ROUTES TO SCHOOLS**

Further to minute 420 (19 March 2009), the Director of Technical Services reported upon a programme of proposed schemes within the allocated £150,000 for Safer Routes to Schools initiatives. He reported that in 2008/09 Wirral's LAA Programme Board approved two Priority Areas for Improvement related to road safety (a. The total number of people Killed or Seriously Injured and, b. The number of children Killed or Seriously Injured). Whilst promoting sustainable travel to and from schools, the Safer Routes to Schools Programme was intrinsically linked to, and designed to benefit, the road safety priorities set by the Council and the programme contained physical and encouragement measures to assist schools, parents and children to adopt more sustainable travel habits in their journey to and from school. He also presented a reserve list, which detailed schemes which could be brought forward should an identified scheme within the main programme be identified as being impractical or encounter significant objection.

Resolved –

- (1) That the Safer Routes to Schools Programme for 2009/10 as set out in the report now submitted, be approved.**
- (2) That the Director of Technical Services be authorised to select a suitable alternative from the reserve list in consultation with the Cabinet Member for Streetscene and Transport Services and Party Spokespersons in the event that it proves impractical to proceed with an approved scheme or unallocated finance becomes available.**

70 **SPEED LIMIT AND TRAFFIC REGULATION ORDER REVIEW 2009-2011**

The Director of Technical Services reported upon the methodology proposed to undertake the mandatory review of existing speed limits on all A, B and C roads across Wirral and he reported also upon how existing Traffic Regulation Orders (TRO's) relating to waiting restrictions would be assessed and how necessary alterations would be implemented. He commented that the study was based upon the Department for Transport (DfT) circular 1/06 and Traffic Advisory leaflet 2/06 which set out guidance on the setting of local speeds limits. The key objectives of the document were to provide guidance on the review of existing speed limits and their suitability with regard to current accident rates, levels of development, road users

and quality of life for local communities and the main driver was to improve road safety.

Resolved –

(1) That the report be noted.

(2) That the methodology to be adopted and in particular the key principles proposed as the means for reviewing existing speed limits and Traffic Regulation Orders across the Borough, be endorsed.

71 **ENERGY SAVING INITIATIVE - INVEST TO SAVE ELECTRICITY METERING FOR STREET LIGHTING BY THE INTRODUCTION OF A CENTRAL MANAGEMENT SYSTEM**

The Director of Technical Services reported upon the need to reduce the Council's energy consumption and proposed the trial installation of a Central Management System (CMS) to control the operation of approximately 350 streetlights and to accurately measure their energy consumption. He indicated that this in turn would facilitate immediate financial benefits for any energy saving measures implemented and he outlined the operational benefits of the proposal.

He commented that System manufacturers claimed that energy savings of 40% could be achieved and that current street lighting energy costs for the Council were in the region of £1.5m. To meet the cost of setting up the trial system, he proposed investment of the saving of £137,000 as a result of the Street Lighting (Electricity) Contract Renewal 2009 (see minute 73 post).

Resolved – That the proposal for the trial to be carried out using the £137,000 saving identified in the report of the Director of Technical Services (Street Lighting (Electricity) Contract Renewal 2009) as the source of funding, be approved.

72 **ENVIRONMENTAL STREETSCENE SERVICES - CONTRACT REVIEW**

The Director of Technical Services reported that the Environmental Streetscene Services contract with Biffa had now been in operation for over two years and he provided details of those matters related to the contract which had financial implications. Since the inception of the contract a budgetary shortfall relating to inflationary uplifts to the contract sum together with the effect of additional properties coming on-stream had arisen in the sum of £311,000, which had been accommodated mainly through increased recycling activity. In addition a re-engineering of the contract had allowed a permanent saving of £150,000 to be achieved. He reported that the contract was still fully funded and the variations identified had resulted in a contract sum of £11,417,400 at 1 April 2009.

However, further annual costs of £285,300 as well as the annual property count increase in the region of £25,000 were likely to arise in the near future. The Director indicated that through maximising recycling credits and further re-engineering of the contract he may be able to contribute £100,000 although it was unlikely that he would be able to fully fund the increased requirements.

Resolved –

- (1) That the permanent increased costs of £185,300 applicable from 2009-2010 as detailed in section 6.1 of the report now submitted, be noted.**
- (2) That Cabinet notes the proposed inclusion in the Technical Services budget the effect of the contractual Property Count Uplift on an annual basis throughout the remaining life of the contract and commencing from August 2009.**
- (3) That the Director of Technical Services to instructed to report the outcome of the Environmental Streetscene Contract Value Engineering exercise to Cabinet in Autumn 2009 to enable any necessary growth in revenue budget to be approved.**

73 STREET LIGHTING (ELECTRICITY) CONTRACT RENEWAL 2009

The Director of Technical Services reported upon the Council's Street Lighting contract renewal, undertaken by Solutions (BS), following the end of the current one year contract on 31 March 2009. The new contract had reduced operating costs from £1,624,149 in 2008/09 to £1,486,734 in 2009/10, producing full year saving of £137,000. However due to the re-alignment of the street lighting contract from April to October £137,000 would be available for re-investment subject to there being no increases in October. He reported also that as part of the 2009-10 estimates exercise, the Council agreed a Policy Option of £180,000 towards any tariff increases in 2009-10. This sum was no longer required and may now be returned to balances.

To enable further street lighting efficiencies to be implemented, he had requested Cabinet approval to reinvest the £137,000 saving into new Invest to Save Energy Efficiency Initiatives during 2009/10 (see minute 71 ante).

Resolved –

- (1) That it be noted that the offer made by Buying Solutions was competitively tendered and the tender accepted using Delegated Authority.**
- (2) That to enable the Department to reinvest the savings into Invest to Save street lighting energy efficiency initiatives, the reinvestment of the financial savings be approved.**
- (3) That the 2009-10 Policy Option of £180,000 be accepted as a saving to the Council.**

74 ANNUAL AUDIT FEES 2009/10

The Director of Finance provided details of the proposed Audit Commission fees for 2009/10, which had been agreed by the Audit and Risk Management Committee on 29 June 2009 (minute 12 refers). The fee proposed for 2009/10 was 13% above the scale fee for Wirral Council, but had been reduced by 4.1% due to reductions in respect of better quality assurance of information that was presented for audit and a stronger control environment reflected in the higher Use of Resources scores.

Members questioned the level of fee and in particular, the factors that placed the Council towards high risk in terms of 'audit risk'.

Resolved – That the audit fees for 2009/10 be noted.

75 **PROJECTED BUDGET 2010-2011**

The Director of Finance presented the projected budget for 2010/2011, which would be the final year of the Comprehensive Spending Review (CSR) 2007. He outlined variations identified and outlined other developments which were likely to impact on the financial position of the authority in 2010/2011.

The gap between projected expenditure and anticipated resources was £10.9m and would need to be bridged by a combination of savings and/or increased Council Tax. He set out the efficiency plan targets and commented that he had assumed an annual Council Tax increase of 4%.

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

76 **MERSEYSIDE PROCUREMENT COLLABORATION**

The Director of Finance provided a summary of progress made by the Merseyside Procurement Collaboration and sought authority to continue the work via partner contributions. He indicated that to date, external of £224,000 had contributed to the collaboration registering some £20m in savings, which were retained by partner organisations. The direct cost to the Council, for the partner contribution would be £11,135 for each of the next two years and would be met from the Efficiency Investment Budget.

Resolved –

- (1) That the progress to date of the Merseyside Procurement Collaboration be noted.**
- (2) That Cabinet agrees to continue with the Merseyside Procurement Collaboration.**
- (3) That a contribution of £11,135 to be funded from the Efficiency Investment Budget be approved.**

77 **STATEMENT OF ACCOUNTS 2008-09**

The Director of Finance presented the Statement of Accounts 2008/2009, which had been agreed by the Audit and Risk Management Committee on 29 June 2009 (minute 5 refers). The Director commented upon the role of members in ensuring that the accounts accurately presented the overall financial position of the Council and indicated that they had been subject to considerable debate and scrutiny by the Audit and Risk Management Committee.

Resolved – That the Statement of Accounts 2008/2009 be approved.

78 **INFORMATION AND COMMUNICATION TECHNOLOGIES SECURITY POLICY**

The Director of Finance provided details of significant proposed amendments to the Information and Communication Technologies (ICT) Security Policy, last presented to Cabinet on 10 December 2008. He commented upon the importance of the ICT Security Policy and indicated that it had been amended following consideration by the Information Strategy Group, the Information Manager and Internal Audit.

Resolved – That the amended Information and Communications Technology (ICT) Security Policy be approved.

79 **ESTABLISHING A REPOSSESSION PREVENTION FUND**

The Director of Regeneration reported upon the award of grant by the Department for Communities and Local Government (DCLG) to the Council, to establish a Repossession Prevention Fund to enable the Housing Options Team to offer small loans, where possible, to households who were at risk of homelessness through repossession or eviction, in order to enable them to remain in their home. He outlined the guidance received from the DCLG and set out a list of examples of where the fund could be used to reduce repossessions and evictions.

Resolved – That the grant of £123,000 awarded to the Council by DCLG be used to establish a Repossessions Prevention Fund, to be managed and administered by the Housing Options team within the Regeneration Department.

80 **PROPOSED EXTENSION TO LANDICAN CREMATORIUM WITH NEW CREMATORS AND MERCURY ABATEMENT EQUIPMENT - SCHEME AND ESTIMATE REPORT**

The Director of Regeneration reported upon guidance issued by the Department of the Environment, Food and Rural Affairs (DEFRA) in relation to a required 50% reduction in mercury emissions from crematoria in the UK by 31 December 2012. He commented that the local authority regulator had been informed that Landican Crematorium would meet the requirement by December 2012 and an allocation of £3m had been set aside in the Council's Capital Programme for 2009 – 2011 for the replacement of the existing cremators, the installation of mercury abatement equipment, and associated building works.

However, he reported that an increase in capital funding was required for the installation of new equipment to meet the statutory requirements, together with ancillary improvement works for a reduction in gas consumption and CO2 emissions. The total estimated costs, including fees, were £3,483,000 and he commented that without the proposed increased investment, there would necessarily be a reduction in income arising from penalty payment for non-compliance.

A. Resolved –

(1) That the scheme and estimate be approved.

(2) That the Director of Technical Services be authorised to obtain all necessary statutory approvals for the proposed works.

- (3) That the Director of Technical Services be authorised to seek tenders for the proposed works, in accordance with the Council's procurement rules, and report those tenders to a future meeting of the Cabinet for Members' consideration**

B. RECOMMENDED –

- (4) That, subject to the approval of the Council, the Capital Programme allocation for the scheme be increased from £3,000,000 to £3,483,000.**

81 WEST KIRBY MARINE LAKE PROTECTION WORKS

Having declared their prejudicial interest in this item, Councillors Holbrook and Gardiner left the room during its consideration.

Further to minute 493 (23 April 2009), the Director of Technical Services provided an update in relation to the works to West Kirby Marine Lake following the main contractor, Pierse Contracting Ltd., having gone into administration. He reported that initial contact between the Council and liquidator had been made and it had been explained to the liquidator that no money would be forthcoming in respect of payment to Pierse until the full cost of completing the works was known, including costs incurred due to additional staff time, consultant's fees and other additional expenditure.

The second place contractor, Jones Bros (Ruthin) Ltd., had agreed to undertake the completion contract, subject to re-pricing based on the outstanding works and their willingness to mobilise at short notice, taking account of the contractual requirement to allow the prestigious Wilson Trophy Sailing Competition to proceed, had helped to ensure that delays were kept to a minimum. He reported that Jones Bros had complied with the contractual requirement for the provision of a Bond. They had no parental company and were not required to provide a guarantee for the works other than that identified in the contract. He reported that due to the default of the first Contractor, the Council would not have a company to hold responsible should defects in materials or workmanship become evident in those works carried out by Pierse Contracting Ltd. However, a large proportion of the works had been undertaken by a single sub-contractor, Hesselberg Hydro (1991) Ltd., who had offered to provide a warranty for the asphaltic works undertaken on behalf of Pierse. The Director confirmed that the warranty would be provided at no additional cost to the Council as it would be deductible from monies owed to Pierse Contracting Ltd.

Resolved –

- (1) That the purchase of a warranty from Hesselberg Hydro for the un-guaranteed bituminous works in a sum up to a maximum of the amount specified in Appendix 1 to the report now submitted, be endorsed.**
- (2) That the financial implications around the liquidation of Pierse Contracting resulting in no net increase in financial burden on the Council be noted.**

- (3) That the decision to appoint Jones Bros (Ruthin) Ltd. to undertake the Completion Contract, be endorsed.
- (4) That the thanks of the Cabinet be accorded to those officers who had been involved in ensuring the successful completion of the scheme.

82 **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.

83 **EXPRESSIONS OF INTEREST - PACIFIC ROAD ARTS CENTRE AND WIRRAL TRANSPORT MUSEUM/TRAMWAY**

Further to minute 325 (15 January 2009), the Director of Law, HR and Asset Management provided a summary of submissions that had been received in respect of the Pacific Road Arts Centre and Wirral Tramway and proposed the establishment of a number of key principles for the second phase of the process.

Resolved –

- (1) That the expressions of interest in the future operation of Pacific Road Arts Centre and the Wirral Transport Museum and Tramway be noted.
- (2) That the parties submitting the top three scoring submissions be invited to proceed to the second stage.
- (3) That the principles outlined in paragraph 6.3 of the report now submitted be approved as the basis for formulation and evaluation of bids.

84 **FRAMEWORK ARRANGEMENTS FOR CONSULTANT SERVICES PROPOSED EXTENSION AND FRAMEWORK TERM**

The Director of Technical Services provided an update on the performance of the Consultant Framework Arrangement for commissioning professional consultant services in the Technical Services Department. He outlined the benefits of the use of the framework and commented upon the performance of consultants, all of which but one had confirmed their wish for the arrangement to be extended for a further 12 months.

Resolved –

- (1) That the extension of the existing Consultant Framework Arrangement for a further 12 months from 1 November 2009 to 31 October 2010, subject to the revisions set out in the report now submitted, be approved.

(2) That the advertising and procurement of a new Consultant Framework panel in accordance with the Council's procurement rules, to be in place from 1 November 2010, be approved.

85 INFORMATION TECHNOLOGY HARDWARE - STORAGE AREA NETWORK

The Director of Finance reported upon the outcome of the tendering exercise for the replacement of the Storage Area Network (SAN) situated in the Treasury Building data centres.

Resolved – That the contract for the provision of a replacement SAN, including five years support and maintenance, be awarded to European Electronique at a total cost of £911,300.