

# CABINET

Thursday, 24 September 2009

<u>Present:</u>	Councillor	S Foulkes (Chair)	
	Councillors	S Holbrook G Davies S Kelly	R Moon J Quinn J Stapleton
<u>Apologies</u>	Councillors	P Davies G Gardiner	M McLaughlin

## 107 COUNCILLOR SUZANNE MOSELEY

The Chair referred to the recent sudden and tragic death of Councillor Suzanne Moseley. He paid tribute to Suzanne's contribution to the work of the Council and said that she was a well respected Member who would be sadly missed.

Members stood in silent tribute to Suzanne's memory.

## 108 DECLARATIONS OF INTEREST

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. No such declarations were made.

## 109 MINUTES

The Director of Law, HR and Asset Management reported that none of the decisions from the previous meeting, held on 3 September 2009, had been called in.

Resolved - That the minutes of the meeting held on 3 September be approved and adopted.

## 110 RESPONDING TO THE RECESSION

The Deputy Chief Executive/Director of Corporate Services submitted a report outlining the latest impact of global economic conditions on Wirral's economy, and identifying the steps taken by the Council and its partners to respond to the recession through the development of a Recovery Plan. This Plan would contain measures to mitigate the impact of the recession but, at the same time, maintain momentum on the Investment Strategy.

Resolved – That Cabinet:

- (1) Note the contents of this update report.
- (2) Agree the development of a Recovery Plan, aimed at minimising the impact of the recession on Wirral residents and businesses, and planning for future recovery.
- (3) Sign up to the 14 principles of the FSB Small Business Engagement Accord.
- (4) Approve the allocation of £200K from the Working Wirral Big Fund programme to support the Think Big 2009/10 scheme.

## 111 **FUTURE JOBS FUND**

Further to minute (25/6/09) when officers were authorised to work up proposals for Wirral Council as part of a Liverpool City Region bid to the national Future Jobs Fund, the Deputy Chief Executive/Director of Corporate Services submitted a progress report on the detail and subsequent outcome of the bid submission to the Department of Work & Pensions (DWP), and sought authorisation to accept the Terms & Conditions of the Grant Offer.

The formal offer letter from Knowsley Council (as Lead Accountable Body for the Liverpool City Region Bid) had only recently been received and the Director therefore updated his report in light of the final figures set out in the offer letter.

The Chair referred to an email received from Unison seeking an undertaking that there would be no implications for the council's existing workforce and that any new jobs would be additional employment opportunities.

Resolved – That Cabinet:

- (i) accept the Grant Offer Letter and its terms & conditions for the Future Jobs Fund;
- (ii) delegate authority to the Deputy Chief Executive/Director of Corporate Services to respond within the scope of the DWP/KMBC Grant Offer Letter and Terms & Conditions to emerging issues as necessary for the implementation and delivery of the Future Jobs Fund programme

## 112 **INFORMATION AND COMMUNICATIONS TECHNOLOGIES (ICT) STRATEGY 2009**

## 113 **REGIONAL SPATIAL STRATEGY - PARTIAL REVIEW**

The Deputy Chief Executive/Director of Corporate Services submitted a report setting out his response to a consultation document inviting comments on the new wording of policies on the provision of pitches for Gypsies & Travellers and Travelling Showpeople, and revisions to the text on the policy for parking standards. When introduced, the new policies would become part of the statutory Development Plan for Wirral, for use in future planning decisions. The deadline for comments was 19<sup>th</sup> October 2009.

Resolved - That recommendations 1, 2 and 3, set out within the Director's comments in this report form the basis of the Council's representations to the Secretary of State and the Panel for the Examination in Public.

#### **114 GOVERNANCE REVIEW - CONSULTATION ARRANGEMENTS**

The Director of Law , HR and Asset Management, reported concerning the requirement of The Local Government and Public Involvement in Health Act 2007 that the Council review its governance arrangements and move to either a new style Leader and Cabinet model of governance or a directly elected Mayor and Cabinet. The Council was required to take reasonable steps to consult local government electors and any other interested persons in the authority's area before drawing up its governance proposals and the Director's report set out the options for consultation.

Resolved - That Cabinet note the report and approve the proposed consultation arrangements including preferred options from paragraph 6.3 of the report

#### **115 ANNUAL REVIEW OF THE COUNCIL'S CORPORATE PLAN FOR 2010/11**

The Deputy Chief Executive/ Director of Corporate Services reported upon progress in relation to reviewing and updating the Council's Corporate Plan and set out the aims and priorities for 2010-11 (Appendix 1 refers).

Resolved – That Cabinet approve the revised Corporate Plan framework for 2010/11, and the proposed approach for refreshing the main body of the Corporate Plan and associated delivery plan outlined in section 4 of the report.

#### **116 CUSTOMER ACCESS STRATEGY**

Further to minute 141 (23 July 2008) the Director of Finance reported that the Customer Access Strategy had been reviewed and remained largely unaltered, amended only to update terms.

Resolved - That the Customer Access Strategy be agreed.

#### **117 CAPITAL STRATEGY**

The Director of Finance presented the annual update of the Capital Strategy, the latest of which was agreed by Cabinet on 23 July 2008. There were only minor revisions to the Strategy.

Resolved - That the Capital Strategy be approved

118 **MEDIUM TERM FINANCIAL STRATEGY**

The Director of Finance presented the annual update of the Medium Term Financial Strategy, the latest of which was agreed by Cabinet on 23 July 2008. The aim was to give Cabinet a strategic overview highlighting the significant issues to be considered in financial planning and informing future priorities. It had been refined to reflect the information from the Chancellor of the Exchequer Budget report and the revised Corporate Plan agreed in April 2009.

Resolved –

(1) That the Medium Term Financial Strategy be approved.

(2) That regular updates of the financial projections be reported to Cabinet and to the Council Excellence Overview & Scrutiny Committee.

119 **RISK MANAGEMENT STRATEGY**

The Director of Finance presented the annual update of the Risk Management Strategy which was last agreed by Cabinet on 23 July 2008. There were only minor revisions to the Strategy.

Resolved –

(1) That the revised Risk Management Strategy be approved.

(2) That a further report containing recommendations for longer term improvements to risk management arrangements be provided by Summer 2010.

120 **CORPORATE PROCUREMENT STRATEGY 2009 -2012**

The Director of Finance reported upon progress made by the Procure to Pay (P2P) Section with the Corporate Procurement Strategy key priorities and highlighted the amendments that had been made, within the past twelve months, to address the ever changing procurement agenda. The amended CPS had been reviewed to not only carry the procurement activity of the Council forward but also to achieve significant efficiencies and savings.

Resolved – That the Corporate Procurement Strategy 2009 – 2012 be approved.

121 **DELIVERING EFFICIENCY AND MEASURING AND REPORTING VALUE FOR MONEY GAINS IN LOCAL SERVICES**

The Director of Finance submitted a report recommending approval of the submission of the 2009/10 estimate of the Value for Money Gains National Indicator 179 (NI179) which was required by the Department for Communities and Local Government (DCLG) by 23 October 2009.

Resolved –

(1) That the Value for Money Gains National Indicator 179 cumulative estimate for 2009/10 of £24,634,000 be approved for submission to the DCLG.

(2) That a further report be brought to Cabinet in June 2010 on the final NI179 figure for 2009/10 which will be due for submission to the DCLG in July 2010.

122 **PROPOSED EXTENSION OF FACILITIES MANAGEMENT CONTRACT FOR CHESHIRE LINES BUILDING**

The Director of Technical services submitted a report seeking approval to extend the current Facilities Management contract for the Cheshire Lines Building with the present provider, 1Call Business Solutions, for a further year to 25 April 2011.

Resolved – That the proposal to extend the current contract for Facilities Management Services at Cheshire Lines Building for a one year period commencing 26 April 2010, be approved.

123 **HR/PAYROLL IT SYSTEM**

With the permission of Cabinet, this item was withdrawn.

124 **COMMUNITY COHESION**

The Deputy Chief Executive/Direct of Corporate Services presented a report providing an overview of what was required by the Council to meet its strategic responsibilities for further improving community cohesion across the borough.

Resolved –

(1) That Cabinet endorses the suggested approach to further improving community cohesion.

(2) That Cabinet agrees to receive Community Cohesion progress reports on an annual basis.

(3) That arrangements be made for a presentation of the Cohesion action plan for all members of the council immediately before the next meeting of the Council Excellence Overview and Scrutiny Committee on 19 November.

125 **YOUTH HUBS COMMISSIONING**

Further to minute 474 (23/4/09) the Director of Children's Services submitted a report setting out the process that was followed to commission four Super Youth Clubs, one in each of the four districts of Wirral. The 'My Place' report to Cabinet on 25 September, 2008 had already identified Shaftesbury as the Birkenhead Super Youth Centre Hub. In line with the Cabinet decision at its meeting on 23 April (Cabinet report, Commissioning Criteria for universal, open access youth support services), a second round of commissioning during May – July 2009 had identified a further three providers, namely, Eastham Youth Club as the Centre for South Wirral, Wallasey Fire Station for Wallasey and West Kirby Youth Centre for West Wirral.

Resolved –

(1) That Cabinet endorse the commissioning process and approve the recommendations for the following four Super Youth Clubs for Wirral:

Birkenhead - Shaftesbury  
Wallasey - Wallasey Fire Station  
South Wirral - Eastham Youth Club  
West Wirral - West Kirby Youth Club

(2) That work with the management committees of both statutory and voluntary youth clubs be continued to ensure continuity coherence of the Youth Offer

126 **POLICY FOR TRANSPORT PROVISION IN CHILDRENS' SOCIAL CARE**

The Director of Children's Services submitted a report setting out proposals for a policy for transport provision in children's social care to provide a consistent approach to provision and clear criteria for circumstances where assistance to purchase a vehicle was appropriate.

Resolved - That Cabinet approve the policy for transport provision in children's social care.

127 **THE SAIL PROJECT - REPRESENTATIONS**

The Chair reported that he had received a request from Mr H Dalglish, West Kirby Working Group, to address the meeting.

M Dalglish re-affirmed his commitment to world class sailing centre at West Kirby, but still had concerns about the Sail Project. He was concerned that there had been no public consultations regarding the current proposals and therefore asked Cabinet to add a condition to any Development Agreement that the developer should conduct a

rigorous consultation exercise with stakeholders, the public, and appropriate sports governing bodies.

In response to a request from Councillor Jeff Green, Leader of the Conservative Group, for the removal of the exemption, the Chair explained that there was a clear distinction between those matters which could be discussed in public and the developer's business case and other potential future investment issues which should remain exempt to protect business confidence and attract future investment.

The Director of Law, HR and Asset Management, advised Cabinet concerning the reasons for exemption and the need for it to be satisfied that the public interest is better served by excluding the press and public.

## 128 **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.

## 129 **THE SAIL PROJECT**

The Director of Law, HR and Asset Management, submitted a progress report regarding the Sail Project. It informed Members of further discussions that had taken place with Carpenter Investments and the Council's appointed Valuation Advisers, and summarised Heads of Terms that have been provisionally agreed, subject to Cabinet approval.

Councillor Jeff Green addressed the meeting and explained his concerns regarding the overall financial implications, the loss of car parking revenue, and the need for a more comprehensive public consultation exercise.

Councillor Gerry Ellis, Ward Councillor , addressed the meeting. He reported that his constituents were opposed this project, as demonstrated by the number of people who had voted against it at the Area Forum. He also expressed his concerns regarding the design of the project, and the loss of car parking spaces within the scheme.

Resolved –

(1) That the Director of Law, HR and Asset Management be authorised to undertake detailed negotiations with Carpenter Investments with a view to drafting a Development Agreement including a consultation and stakeholder engagement plan, which would be reported back to a future meeting of Cabinet for approval

(2) That Cabinet give approval in principle for the Council to seek powers of Compulsory Purchase in order to facilitate redevelopment of the site, in the event that all other reasonable means to acquire vacant possession have proved unsuccessful, subject to the Developer indemnifying the Council against the associated costs.

130 **MERSEYSIDE INFORMATION SERVICES (MIS)**

The Deputy Chief Executive/ Director of Corporate Services submitted a progress report on the procurement process for the tender of the Merseyside Information Service (MIS) contract. Members were asked to note the current position of the process in relation to the partnership arrangements and authorise officers to conclude the awarding of the contract under the terms outlined in this report.

Resolved – That Cabinet note the current position of the procurement process outlined within the report and authorise the Head of Law, Human Resources and Asset Management to award the contract on the same terms as Cabinet approved on 25th June, with the changes to the inter authority management agreement being implemented as outlined in this report.

131 **LAND OFF VALLEY ROAD, BIDSTON**

The Director of Law, HR and Asset Management, submitted a report seeking approval to grant an option for lease to dispose of land off Valley Road, Bidston, to Rampworx for the purpose of securing a major indoor skatepark/youth facility development. This proposal would complement the development of youth services across Wirral that have been the subject of previous Cabinet reports and would also contribute to the delivery of the integrated Youth Support Strategy.

Resolved –

(1) That the Council grants an option to lease the site in accordance with the terms of this report, subject to funding for the project being secured within a 3 year period and planning permission being granted.

(2) That the Council instructs the District Valuer to provide an independent valuation of the land.

132 **THE BRIDGE PROJECT, 99 BRIDGE STREET, BIRKENHEAD**

The Director of Law, HR and Asset Management, submitted a report seeking approval to the disposal of a property known as The Bridge, a unit for young homeless people located at 99 Bridge Street, Birkenhead, to Forum Housing Association.

Resolved - That the property known as The Bridge, located at 99 Bridge Street, Birkenhead, be disposed of to Forum Housing Association subject to it successfully securing NAHP funding, in accordance with the terms set out in this report.



133 **GRANGE ROAD WEST SPORTS CENTRE, GRANGE ROAD WEST, BIRKENHEAD**

The Director of Law, HR and Asset Management, reported upon expressions of interest received for community asset transfer relating to Grange Road West Sports Centre, Grange Road West, Birkenhead and recommended that two parties be invited to proceed to the next stage.

Resolved - That the Grange Road West Community Partnership and the Birkenhead Development Committee be invited to progress to the next stage of assessment and invited to make further more detailed submissions.

134 **BROMBOROUGH SOCIAL CENTRE, FORWOOD ROAD, BROMBOROUGH**

The Director of Law, HR and Asset Management, reported upon expression of interest received for community asset transfer relating to Bromborough Social Centre, Forwood Road, Bromborough and recommended that the applicant be invited to proceed to the next stage.

Resolved – That Age Concern Wirral progress to the next stage of assessment and invited to submit a further more detailed submission.

135 **BYRNE AVENUE RECREATION CENTRE, BYRNE AVENUE, ROCK FERRY**

The Director of Law, HR and Asset Management, reported upon expressions of interest received under the Community Asset Transfer Policy for the Byrne Avenue Recreation Centre, Rock Ferry and recommended that one applicant proceeds to the next stage of assessment.

Resolved – That the Byrne Avenue Community Trust be invited to progress to the next stage of assessment and be invited to make a more detailed submission.

136 **RIVER STREETS COMMUNITY CENTRE**

The Director of Law, HR and Asset Management, reported upon expressions of interest received under the Community Asset Transfer Policy for the Former River Streets Community Centre, Buccleuch Street, Birkenhead and recommended that two applicants proceed to the next stage of assessment.

Resolved - That The Women's Enterprising Breakthrough and Wallasey Gymnastics Club be invited to progress to the next stage of assessment and be invited to make more detailed submissions.

137 **ANY OTHER BUSINESS - ADULT SOCIAL SERVICES CHARGING POLICY - "IN-HOUSE" SUPPORTED LIVING UNITS**

Councillor Holbrook referred to his attendance at the meeting of the Audit and Risk Management Committee on 23 September, which had considered the report of the Chief Internal Auditor in relation to an investigation of matters raised by a whistleblower (Mr M Morton) with the Audit Commission under the Public Interest Disclosure Act ('PIDA'). He reported that the committee had given full and detailed consideration to the report and he asked Cabinet to support their decisions.

Resolved –

(1) That Cabinet welcomes and supports the decisions taken by the Audit and Risk Management Committee on 23 September.

(2) That the Director of Law, HR and Asset Management, be instructed to commence an investigation into the treatment of Mr Morton in relation to allegations of bullying.