

CABINET

Thursday, 14 January 2010

<u>Present:</u>	Councillor	S Foulkes (Chair)	Finance and Best Value
	Councillors	S Holbrook	Corporate Resources
		G Davies	Housing & Community Safety
		P Davies	Children's Services & Lifelong Learning
		G Gardiner	Environment
		M McLaughlin	Social Care & Inclusion
		R Moon	Tourism & Leisure
		J Quinn	Streetscene & Transport Services
		J Stapleton	Regeneration & Planning Strategy
<u>Apologies</u>	Councillor	S Kelly	Community & Customer Engagement

249 MEMBERS' CODE OF CONDUCT - 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.

Councillor Steve Foulkes declared a prejudicial interest in agenda item 3, 'Outcome of Proposal for the Closure of St Laurence's Catholic Primary School' (see minute 252) by virtue of his friendship with the caretaker of one of the schools referred to in the report.

Councillor Simon Holbrook declared a personal interest in agenda item 15, 'Regional Waste Strategy – Draft Update' (see minute 264) due to his employment.

Councillor Bob Moon declared a prejudicial interest in agenda item 38, 'New Ferry Butterfly Park - Request for Compulsory Purchase Order Powers' (see minute 287) due to his involvement with the volunteers.

Councillor Phil Davies declared personal interests in agenda items 4 and 6 'Outcome of Statutory Notice Consultation on the Proposed Relocation of Gilbrook Special School' and 'Review of Secondary School Places Phase 1 – Mixed Academy' (see minutes 253 and 255 respectively) by virtue of him being a school governor and on the governing body of Wirral Metropolitan College. Also a personal interest in agenda item 8, 'Valuing People Now – A Three Year Strategic Commissioning Framework for People with Learning Disabilities' (see minute 257) by virtue of him being a non-executive Director of NHS Wirral.

Councillor George Davies declared a prejudicial interest in agenda item 6, 'Review of Secondary School Places Phase 1 – Mixed Academy' (see minute 255) by virtue of him being a governor of Park High School.

The Chief Executive, Steve Maddox, declared a personal interest in agenda item 6, 'Review of Secondary School Places Phase 1 – Mixed Academy' (see minute 255) by virtue of him being on the governing body of Wirral Metropolitan College.

250 ANY OTHER BUSINESS - EXTREME WINTER WEATHER

The Leader of the Council invited the Director of Technical Services, as a matter of urgent business, to give a report to the Cabinet on the recent bad winter weather and its impact on services.

The Director reported that the recent spell of extreme weather had seen temperatures drop as low as -15C on Wirral. Although salt stocks had run low, at no time did Wirral run out of salt and stocks had now been replenished with only minor delays in doing so. Aid had been given to Liverpool City Council and this had now been repaid in full. The gritting season normally ran to the end of March and the Government had now imposed a 25% reduction on consumption of salt across all local authorities. He outlined the heavy demands placed on service continuity especially in the week following the heavy snow falls on 5 January. Staff across a range of Council services had coped extremely well and 100 staff had been involved in manually removing snow and ice from priority sites around shopping centres, schools and social services establishments.

The Director further reported that Biffa had 28 crews, 6 more than normal, working a 7 day week to clear the backlog of uncollected bins and he anticipated that the service would be back to normal by Monday 18 January. Inspection of pot holes caused by the extreme freezing temperatures was being carried out and the worst of these would be filled in during the coming week.

With regard to schools he reported on the measures put in place to get all school children home following the cancellation of some school buses on 5 January. All primary and secondary schools had reopened on 11 January, all Special schools on 12 January.

The Director also gave details of continuity of services within the social care sector and reported that transport staff had worked late into the night on Tuesday 5 January. All hot meals had continued to be provided by the Meals on Wheels.

The Director remarked upon the good connectivity between departments across the Council and also the sense of community spirit. He suggested that a formal review of winter maintenance arrangements could build on this.

The Cabinet Member for Streetscene and Transport Services expressed her personal thanks to all staff involved particularly those in the Technical Services Department and remarked upon the improved cross departmental working and communications.

The Leader thanked the Director for his report and remarked upon communities' self help and suggested that grit bins could be purchased if so desired through the "You Decide" funding available to communities via the Area Forums. He also suggested that a review should include possibly increasing the Council's salt storage capacity to allow greater assistance to be given to Hospitals and schools.

On a motion by the Leader, duly seconded, it was –

Resolved – That,

(1) Cabinet records its thanks and appreciation to all staff who overcame the recent extreme weather conditions to continue delivering services to the people of Wirral;

(2) Cabinet specifically recognises the hard work and dedication of front line staff and partners directly engaged in dealing with the consequences of the extreme weather;

(3) Cabinet recognises the positive aspects of undertaking a formal review of winter maintenance arrangements across the Council and recommends the Sustainable Communities Overview and Scrutiny Committee undertake this work.

251 **MINUTES**

The Director of Law, HR and Asset Management reported that none of the decisions from the previous meeting, held on 9 December, 2009, had been called in.

Resolved - That the minutes of the meeting held on 9 December, 2009, be approved and adopted.

COUNCILLOR HOLBROOK IN THE CHAIR

252 **OUTCOME OF PROPOSAL FOR THE CLOSURE OF ST LAURENCE'S CATHOLIC PRIMARY SCHOOL**

(Councillor Foulkes having declared a prejudicial interest in this item (see minute 249) left the room during its consideration)

The Director of Children's Services reported further to minute 141 (1/10/09), that statutory notices had been published on 14 October 2009, regarding the closure of St Laurence's Catholic Aided Primary School. He gave details of the outcome of the subsequent representation period and recommended that the proposal be approved and authorisation given for the proposal to close the school.

The Cabinet Member for Children's Services and Lifelong Learning paid tribute to the staff and governors at St Laurence's for their excellent work at the school, the closure of which was simply a reflection of falling school rolls.

Resolved - That the proposal for the closure of St Laurence's Catholic Aided Primary School be approved, and that the Director of Children's Services be authorised to take all necessary steps to ensure the prescribed procedures are followed, including proposals for the re-zoning of schools, in furtherance of the proposal, with closure of the school on 31 August 2010.

COUNCILLOR FOULKES RESUMED THE CHAIR

253 **OUTCOME OF STATUTORY NOTICE CONSULTATION ON THE PROPOSED RELOCATION OF GILBROOK SPECIAL SCHOOL**

The Director of Children's Services reported further to minute 140 (1/10/09), that statutory notices had been published on 14 October 2009, regarding the proposed relocation of Gilbrook Special School to the former site of Arrowe Hill Primary School. The Director of Children's Services described the outcome of the subsequent representation period and recommended that the proposal be approved.

Resolved – That,

(1) the statutory prescribed alteration to transfer the site of Gilbrook Special School to the former site of Arrowe Hill Primary School be approved;

(2) the Director of Children's Services be authorised to take all necessary steps to ensure the prescribed procedures are followed in furtherance of the proposal.

254 **OUTCOME OF STATUTORY NOTICE CONSULTATION ON THE ESTABLISHMENT OF A CHURCH OF ENGLAND CONTROLLED PRIMARY SCHOOL IN EASTHAM**

The Director of Children's Services reported that following several consultations in the Eastham area between 2006 and 2009, and discussions between the Authority and the Anglican Diocese of Chester, Cabinet at its meeting on 28 May 2009 (minute 15 refers) had approved the publication of statutory proposals in relation to the closure of Millfields Primary School, linked to the establishment of a Church of England Controlled School on the same site, subject to the Diocese receiving permission to waive competition from the Secretary of State. This was granted, and consequently statutory notices were published on 14 October 2009. The Director of Children's Services described the outcome of the subsequent representation period and recommended that the proposals be approved.

Resolved – That:

(1) the closure of Millfields Primary School, from 31 August 2010, be approved;

(2) the establishment of a new Church of England Voluntary Controlled school at the Millfields site, from 1 September 2010, be approved;

(3) the Director of Children's Services be authorised to take all necessary steps to ensure the prescribed procedures are followed in furtherance of the proposals.

255 **REVIEW OF SECONDARY SCHOOL PLACES PHASE 1 - MIXED ACADEMY**

(Councillor G Davies, having declared a prejudicial interest in this item (see minute 249) left the room during its consideration)

The Director of Children's Services sought ratification for the Expression of Interest for a Mixed Academy on the site of Park High School, and asked for approval to

commence the statutory consultation process for closure of the predecessor secondary schools.

The Cabinet Member for Children's Services and Lifelong Learning expressed his thanks to the Director and all his staff who had contributed to turning around the Expression of Interest in such a short timeframe following the decision of Cabinet on 9 December, 2009 (minute 221 refers), the Statement of Intent being signed by the Minister for Schools and Learners on 21 December, 2009. He also thanked the DCSF and Governing Bodies of both Park and Rock Ferry High Schools and expressed his delight that both universities, Chester (as lead sponsor) and Liverpool were on board as part of the sponsor team.

Resolved – That:

(1) the Cabinet notes Ministerial approval of the Expression of Interest for the Mixed Academy and the commencement of Feasibility; and

(2) approval be given to the Director of Children's Services to undertake all necessary formal consultations on the closure of the two predecessor schools as set out by guidance.

256 **RESIDENTS OF BERMUDA ROAD, CURLEW WAY AND EDGHILL ROAD - DECEMBER 2000 - FEBRUARY 2006**

The Director of Adult Social Services advised the Cabinet of recommendations made by the Audit and Risk Management Committee for the reimbursement to tenants and former tenants of Bermuda Road, Curlew Way and Edgehill Road, Moreton in respect of the period between December 2000 and the application of Fairer Charging arrangements in February 2006. The report summarised the Committee's resolutions, set out some legal and practical issues for Members to consider and suggested how the recommendations might be implemented.

The Cabinet Member for Social Care and Inclusion expressed regret that overcharging had occurred and recommended that Cabinet agree the reimbursement.

The Leader thanked the Audit and Risk Management Committee for all the work they had done on this issue and added his personal apologies to those tenants and former tenants who had been overcharged.

Resolved – That,

(1) the recommendations of the Audit and Risk Management Committee be approved and;

(2) the principle of reimbursement of service users at Bermuda Road, Curlew Way and Edgehill Road, Moreton between April 2003 and February 2006, insofar as the sums actually paid by an individual service user exceeded what they might reasonably have been required to pay had the Council implemented Fairer Charging in April 2003, by making, upon receipt of a legitimate claim, any appropriate reimbursement and/or to take any other appropriate restorative action, be approved;

(3) the reimbursement of residents and former residents of Bermuda Road, Curlew Road and Edgehill Road, Moreton for the period dating back from March 2003 to December 2000, based on the difference between the “Special Charging Policy” and the wider review of Social Services charging approved by Members in July 2000, where the Council is in receipt of a legitimate claim; and/or to take any other appropriate restorative action, be approved;

(4) officers be authorised to write (and confirm with appropriate other means) to individuals (and their carers and advocates) informing them of this decision and inviting them to seek appropriate advice so as to ensure they make an informed decision if they choose to submit a claim; and to provide sufficient information to advocates, acting on the individuals’ behalf, to ensure that the individuals can be fully advised of all relevant implications;

(5) officers be authorised to agree approval of any such claims that fall within the limit of the calculated reimbursement figure and/or any other lawful restorative action;

(6) officers be instructed to report the outcomes of those transactions to the Audit and Risk Management Committee and the Health and Well Being Overview and Scrutiny Committee;

(7) officers be instructed to report the outcomes of those transactions to the Department of Work and Pensions; and

(8) the additional cost of the reimbursements, beyond the £68,000 currently set aside in the accounts, be met from the Council balances.

257 **VALUING PEOPLE NOW - A THREE YEAR STRATEGIC COMMISSIONING FRAMEWORK FOR PEOPLE WITH LEARNING DISABILITIES IN WIRRAL**

The Director of Adult Social Services presented a report which set out a new strategy for Learning Disability Services in Wirral. The Strategy was built on “Valuing People Now” and involved all key stakeholders in a new approach.

The delivery plans outlined in the Strategy were anticipated to deliver 10% in financial efficiency savings over 2010-13 across the Health and Social Care economy. However, demands on the budget were set to increase as the numbers of people with learning disability were expected to rise over the next 15 years, from 5,693 in 2010, to 5,719 in 2025. In the same time period, the numbers of people aged 65+ with a Learning Disability were expected to increase from 1,202 in 2010, to 1,579 in 2025, meaning an increase in the numbers with the highest levels of dependency on the Health and Social Care economy from within a group who already required statutory support.

The Cabinet Member for Social Care and Inclusion commented that this was a major step forward for this service.

Resolved - That the Three Year Strategic Commissioning Framework for People with Learning Disabilities in Wirral be implemented.

258 **FUTURE JOBS FUND**

The Deputy Chief Executive / Director of Corporate Services submitted an update on the implementation of the Future Jobs Fund and sought approval for the submission of a new bid to the Department of Work and Pensions (DWP) for further jobs opportunities under the Wirral element of the Liverpool City Region programme.

As reported and approved at Cabinet in June 2009 (minute 50 refers), a Future Jobs Fund Team had been recruited as part of the support package for this project. The 4 posts had been contracted in accordance with the time limited funding up to 31 March 2011. Due to the extension of the DWP initiative as detailed in the report, Members were asked to support an extension to the Future Jobs Fund Team staff contracts up to October 2011, subject to confirmation of additional funding from DWP. Approvals would be taken via a report to Employment and Appointments Committee on confirmation of a grant offer. Any potential additional costs associated with these staff extensions would be met from existing approved delivery costs within the Working Wirral programme.

Resolved – That,

(1) the submission of a new bid to the Department of Work & Pensions Future Jobs Fund initiative via Knowsley Council as Lead Accountable Body for the Liverpool City Region Programme be supported; and

(2) the number and type of new employment opportunities within Wirral Council departments detailed in this report be included in the forthcoming bid.

259 **BIRKENHEAD AND WIRRAL WATERS INTEGRATED REGENERATION STUDY**

The Director of Regeneration sought agreement for arrangements to consider the Birkenhead and Wirral Waters Integrated Regeneration Study which was expected to be completed in the first quarter of 2010. The Study cost of £120,000 was being funded from a combination of £60,000 Investment Strategy funding and £60,000 Housing Market Renewal Initiative.

Resolved - That the aims of the study and arrangements to consider the Final Report be endorsed.

260 **LOCAL DEVELOPMENT FRAMEWORK - APPROVAL OF AMENDED LOCAL DEVELOPMENT SCHEME**

The Deputy Chief Executive / Director of Corporate Services reported that following the resolution of Cabinet on 23 July 2009 (minute 63 refers) that a revised Local Development Scheme for Wirral should be submitted for the approval of the Secretary of State, the revised Scheme had now been approved by the Secretary of State by letter on 23 November 2009. A resolution of Council was now required to bring the final Scheme into legal effect.

The report also recommended the distribution of the annual award of Housing and Planning Delivery Grant (HPDG) for 2009/10.

Resolved – That Cabinet recommends to Council that,

(1) the Local Development Scheme attached to the Director's report, as approved by the Secretary of State, be approved; and

(2) it resolves to bring the approved Local Development Scheme into legal effect on the Monday following the date the resolution of Council is passed;

(3) the HPDG be distributed with £9,915 allocated to the Department of Regeneration for the publication of a Strategic Housing Market Assessment; £27,000 allocated to the preparation of the Joint Waste DPD; and the remainder allocated to support the continued preparation of the Core Strategy DPD;

(4) in the event that the provisional allocation of HPDG is altered, that the final award of grant is distributed on a similar basis.

261 **LOCAL DEVELOPMENT FRAMEWORK EVIDENCE BASE – STRATEGY FOR RETAIL, TOWN CENTRES AND COMMERCIAL LEISURE**

The Deputy Chief Executive / Director of Corporate Services informed members of the findings of the Strategy for Retail, Town Centre and Commercial Leisure produced by Roger Tym and Partners on behalf of the Council as part of the evidence base for the Wirral Local Development Framework. The report summarised the main aspects of the study encompassing the key recommendations to the Council, including the recommendation that the Strategy for Town Centres, Retail and Commercial Leisure be approved as a material consideration for use by Planning Committee in the determination of planning applications; that the findings of the Study be used to inform the content of the emerging Core Strategy Development Plan Document and that the findings of the Strategy be used to inform the delivery of Investment Strategy priorities.

Having circulated an amended recommendation to the Cabinet, it was then moved by Councillor Stapleton, duly seconded and -

Resolved – That,

(1) Cabinet confirms the designation of Birkenhead as a sub regional centre and supports Options 5 and 6 for meeting future retail and leisure needs in addition to an allowance for growth for existing retail centres across Wirral and recommends to Council that the Strategy for Town Centres, Retail and Commercial Leisure be approved as a material consideration for use by Planning Committee in the determination of planning applications, except for the status of Oxton Road and Grange Road West, where the recommendations in the report are contrary to the Core Strategy Development Plan Core Document, previously approved for public consultation;

(2) the Council will continue to support proposals for retail development coming forward within existing centres and the new Government Planning Policy Statement 4 retains a clear "Town Centres First" approach to retail development;

(3) in Liscard, for example we have granted Planning Permission for redevelopment of the Cherry Tree Centre and we continue to encourage the owners to implement the scheme;

(4) the findings of the Strategy be used to inform the content of the emerging Core Strategy Development Plan Document;

(5) the findings of the Strategy be used to inform the delivery of Investment Strategy priorities;

(6) in addition, Cabinet requests that as part of the current consultation on the Spatial Options that views be sought on whether any other local shopping areas should be considered for possible inclusion as “local centres” within the LDF Core Strategy;

(7) Cabinet requests further reports be produced –

(a) on the interventions and recommendations made in the consultants’ report in the following areas, following consultation with the centres affected and the local area forums and other local stakeholders as appropriate:

- **Hoyleake town centre**
- **New Ferry town centre**
- **New Brighton (Seabank Road)**
- **Seacombe (Borough Road/Poulton Road)**
- **Wallasey Village**
- **Irby Village**

(b) setting out options to deal with the derelict sites identified within the Prenton (Woodchurch Road) centre;

(c) setting out options to address the requirement for additional car parking spaces in Moreton town centre;

(d) setting out options, following consultation with stakeholders, on the issues raised in respect of the secondary shopping areas in Birkenhead including Oxtan Road/Grange Road West, and Argyle Street/Market Street and their consideration as part of Birkenhead Town Centre within the Core Strategy Development Plan Document.

(8) Cabinet notes the plans already in place to address the issues raised at New Brighton (Victoria Road), West Kirby and Laird Street;

(9) the conclusions and designations of the other centres described in the report are noted and agreed.

262 REAL HELP NOW - EMPTY SHOPS FUNDING

The Director of Regeneration advised of an allocation of grant funding in the sum of £52,632 which was made available by the Department of Communities and Local Government on December 4, 2009 to re-open or re-use empty shops and proposed that the allocation of the money be made through the “Funds for You” process.

An amended recommendation was circulated to the Cabinet, and having been moved by Councillor Holbrook and duly seconded, it was -

Resolved – That bids be invited from all area forums and a participatory budgeting process used to decide on the best overall bids with money allocated to a small number of strong bids with a demonstrated evidence of need.

263 BIRKENHEAD PARK RESTORATION - FINAL PHASE OF IMPROVEMENT SCHEME

The Director of Regeneration sought Cabinet approval to the use of the remaining £200,000 balance of the Council's capital programme commitment for the Birkenhead Park restoration scheme.

Resolved - That the remaining £200,000 of the capital allocation for Birkenhead Park be used for improvements to the tennis, football, cricket and bowls facilities as detailed in the Director's report.

264 REGIONAL WASTE STRATEGY DRAFT UPDATE

The Deputy Chief Executive / Director of Corporate Services advised Members that the Regional Leaders Forum (4NW) had been consulting on a proposed update to the Regional Waste Strategy published in 2004 to take account of the National Waste Strategy and European legislation which had subsequently been introduced. The consultation document contained revisions to the text of existing policy statements and included three new policy statements relating to the re-use of waste, public sector involvement and reprocessing and recycling facilities.

When introduced, the updated Strategy would provide an interim framework for developing land use policies and would be a material consideration when determining planning applications until a full review could be undertaken. It was also intended to be a key part of the evidence base for the emerging single Regional Strategy, which would be published for public consultation in the New Year.

The deadline for comments was 11 January 2010 and officers had submitted representations based on the Director's comments set out in the report. It was recommended that Cabinet endorse those comments as the Council's formal response to the Regional Waste Strategy Update.

Resolved - That the Director's comments set out in section 5 of the report be endorsed as the Council's formal response to the Regional Waste Strategy Update.

265 REFRESHED CORPORATE PLAN FOR 2010-13 AND DRAFT DEPARTMENTAL SERVICES PLANS 2010/11

The Deputy Chief Executive / Director of Corporate Services presented the draft, refreshed Corporate Plan delivery framework for 2010/13 alongside Departmental service plans for 2010/11. The Corporate Plan framework took into account the projects and activities identified by departments in their plans as being critical to the delivery of the Council's medium-term aims and 2010/11 priorities.

Resolved – That,

(1) the refreshed Corporate Plan delivery plan for 2010/13 (Appendix 1), be agreed;

(2) the individual departmental service plans (Appendix 2) subject to budget and target setting, be agreed; and

(3) final versions of both the Corporate Plan and departmental service plans in March 2010, further to target and budget setting and the quality assurance activities outlined in paragraph 5.3 of the Director's report, be agreed.

266 **LISCARD HALL**

The Director of Law, HR and Asset Management gave an update to Cabinet on the situation regarding the site of Liscard Hall, together with its ancillary outbuildings, and proposed options for their future retention and development.

Resolved – That,

(1) officers arrange for the preparation of a landscape scheme for the site of the Hall;

(2) the Liscard Hall Steering Group be consulted on any landscape scheme produced;

(3) officers continue to explore options for the use of the outbuildings; and;

(4) the Insurance settlement be ring fenced for future expenditure required to landscape the site of the Hall and to help secure an appropriate alternative use for the outbuildings.

267 **PLACE SURVEY 2008-09 - ANALYSIS AND ACTION PLAN**

The Deputy Chief Executive / Director of Corporate Services provided Cabinet with a report giving detailed analysis of the outcomes of Wirral's statutory Place Survey, undertaken between September and December 2008, and exploring the perceptions of Wirral residents compared with other areas.

The report also referred to national analysis that had been undertaken on the Place Survey, highlighting that people did not always associate improvements in services with the organisations that provided them. Information about what additional consultation and communication activities the Council and partners were undertaking in advance of the next statutory Place Survey, to be undertaken in October 2010, was also included in the report.

Cabinet was requested to note the contents of the report and endorse the activities being undertaken to better communicate with local communities.

Resolved - That the contents of the report be noted and the activities being undertaken to address perception issues, as outlined in Appendix 2 of the Director's report, be agreed.

268 **LOCAL TRANSPORT PLAN CAPITAL PROGRAMME 2010/11**

The Director of Technical Services reported that in November 2007, the Department for Transport (DfT) had approved a Local Transport Capital settlement for Wirral of £7,684,000 for 2010/11. He set out a proposed Local Transport Plan (LTP) Capital Programme for approval based on this settlement.

Resolved - That the LTP Capital Programme, as set out in the Director's report, be approved.

269 **ANNUAL ELECTRICITY AND GAS CONTRACT RENEWAL**

The Director of Technical Services presented a report detailing the Council's annual electricity and gas contract renewals, undertaken by Buying Solutions, following the end of the current contracts on 30 September 2009. The new contracts had reduced the projected annual energy costs by £2.9 million, with £1.6 million savings to the General Fund services and £1.3 million to Schools. In order to meet the Carbon Reduction Commitment, a five year programme of Automatic Meter Reading installations was recommended, as the investment would assist with the delivery of future energy savings.

Resolved – That,

(1) it be noted that the offer made by Buying Solutions was competitively tendered and was accepted using Delegated Authority;

(2) the impact of the revised electricity and gas contracts be reflected in the 2009/10 General Fund budgets returning £0.7 million to Council balances;

(3) the impact of the electricity, gas and potential street lighting contracts be reflected in the 2010/11 General Fund budgets realising £1.6 million in savings;

(4) it be recognised that no provision has been made for the 2010 contract renewals at this stage. Given the unpredictability of the markets further reports will be presented to Cabinet as information is received;

(5) £100,000 per year for 5 years be allocated to a programme of installing / operating Automatic Meter Reading (AMR) in Council buildings to support the Council priority to reduce Wirral's carbon footprint and to comply with the performance criteria of the CRC Energy Efficiency Scheme and that this be met from the Efficiency Investment Fund;

(6) the savings to Schools of £0.7 million in 2009/10 and £1.3 million in 2010/11 be noted and the Schools Forum be requested to consider a programme of AMR installations within schools in order for them to comply with the performance criteria of the CRC Energy Efficiency Scheme and to deliver further benefits in carbon reduction and that the cost of this programme be met from the Schools' Budget.

270 COMPREHENSIVE AREA ASSESSMENT 2009

The Deputy Chief Executive / Director of Corporate Services advised that Comprehensive Area Assessments (CAA) and Organisational Assessments had been published for the first time on 9 December, 2009. Reports for all local areas were available on the One Place website. Green and red flags were part of the area assessment element of CAA; green flags being awarded for exceptional performance or innovation that others could learn from, and red flags for significant concerns where action was needed. Wirral had been awarded no green flags and one red flag for safeguarding vulnerable adults.

In its Organisational Assessment, Wirral Council was scored 2 out of 4 overall. For both the Use of Resources and Managing Performance assessments, Wirral was scored 2.

The report outlined the main findings of CAA, how Wirral compared with other Councils in the Liverpool City Region, and how the local authority, with partners, would seek to respond through its improvement planning processes.

The Leader of the Council commented that the Audit Commission had made the CAA test harder compared to previous years' CPA in order to improve standards and that a robust action plan for improvement would be put in place.

The Deputy Leader of the Council commented that the narrative within the CAA was superficial and that it did not represent value for money from the Audit Commission.

Resolved - That the report be noted and a more detailed Improvement Plan in response to CAA be presented to a future meeting of Cabinet.

271 INSURANCE FUND BUDGET 2010-11

The Director of Finance gave details of the elements which made up the Insurance Fund, the cost of running the Risk and Insurance Section and the budget for 2010/11. The headline from the Budget 2010/11 report was a reduction in estimated insurance costs for 2010/11 of £0.8 million which came partly as a result of extensive work undertaken with schools.

Resolved – That,

(1) the Insurance Fund Budget 2010/11 be agreed; and

(2) the savings of £430,000 to the General Fund and £350,000 to Schools in 2010/11 be agreed.

272 COLLECTION FUND 2009-10

The Director of Finance presented a report estimating the Collection Fund for the year ending 31 March 2010 which had to be notified to the precepting Authorities by 22 January 2010.

The Leader of the Council commented that with the backdrop of one of the worst recessions for many years, having a balanced collection fund was a good position to be in.

Resolved - That the declaration of an estimated balanced position for the Collection Fund for the year ending 31 March 2010 be noted.

273 **BUDGET PROJECTIONS 2011-2014**

The Director of Finance advised that with the release of the Chancellor of the Exchequer's Pre-Budget Report on 9 December 2009 it was now possible to revise the estimate of the projected budgets for the years from 2011 to 2014.

Resolved – That,

(1) the budget projections be kept under review; and

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

274 **CHANCELLOR OF THE EXCHEQUER'S PRE-BUDGET REPORT - 9 DECEMBER 2009**

The Director of Finance advised that the Chancellor of the Exchequer presented his Pre-Budget Report (PBR) on 9 December 2009 and summarised the key implications for local authorities.

Resolved - That continuing support be given to the Local Government Association in presenting the case that as local authorities are the most efficient part of the public sector and are already contributing more than their fair share to savings, any increased efficiencies should be weighted towards other parts of the public sector.

275 **AREA BASED GRANT**

The Director of Finance updated the Cabinet on changes to the composition and value of the Area Based Grant for 2009/10 and 2010/11.

Resolved - That the allocation of additional Area Based Grant for 2009-10 and 2010/11 be on the indicative basis identified by the Government.

276 **PUBLICATION OF DETAILS OF PAYMENTS TO SUPPLIERS**

The Director of Finance outlined the possible implementation of the proposal to publish information regarding payments to suppliers from 1 April 2010 which would number some 1200 items per month, on average.

The Leader of the Council referred to the need to be aware of the possible increased demand on staffing resources as a result of queries arising from the publication of this information.

Resolved - That the proposal to publish items of expenditure on goods and services of £1,000 and above, on a monthly basis, be approved.

277 CHANGE PROGRAMME

The Director of Finance advised that Cabinet had received regular reports on the Strategic Change Programme (SCP), initially agreed on 10 December 2008. The programme had been reviewed to maximise the delivery of efficiencies within the context of the Medium Term Financial Strategy.

The Leader of the Council commented that he looked forward to an improved explanation of those projects which were marked as 'red' in their progress status.

Resolved – That,

(1) the revised Strategic Change Programme be agreed; and

(2) the progress of the programme be reported quarterly to the Cabinet.

278 STRATEGIC ASSET REVIEW - I.T REQUIREMENTS

The Director of Finance presented Cabinet with the IT changes necessary to support the office rationalisation element of the Strategic Asset Review (SAR) and the implications for the future funding of desktop equipment.

Resolved – That,

(1) the information technology elements of the office rationalisation strategy be approved; and

(2) funding of £163,000 for temporary staff in support of the IT changes be met from the IT Reserve.

279 BUILDING MAINTENANCE AND FINANCING

Further to the report on the Capital Programme 2009/13 presented to Cabinet on 9 December 2009 (minute 225 refers), the Director of Finance requested Cabinet to approve a programme of investment, and the related funding, for building maintenance highway maintenance and IT equipment.

Resolved – That,

(1) the capital schemes now identified as revenue schemes be funded from the Treasury Management capital financing budget; and

(2) the additional revenue investment into Cultural Services facilities and for a programme of IT equipment replacement be agreed. Additional costs in excess of resources previously agreed by the Cabinet to be funded from whatever could be made available from the Treasury Management budget for debt rescheduling and the capital financing budget.

280 **ICT LICENCES**

The Director of Finance informed Cabinet of the outcome of an IT desk top software audit carried out by IT Services to ensure that all software in use was appropriately licensed. The audit revealed a significant shortfall in Microsoft software licenses. Cabinet was requested to approve the payment of £205,000 in respect of unlicensed Microsoft software. The payment could be funded from the IT Reserve.

Resolved - That the payment of £205,000 in respect of unlicensed Microsoft software be approved and that the payment be funded from the IT Reserve.

281 **LEVEL 3 OF THE EQUALITY STANDARD FOR LOCAL GOVERNMENT**

The Deputy Chief Executive / Director of Corporate Services provided Cabinet with an overview of the Council's achievements in order to be awarded Level 3 of the Equality Standard for Local Government in November 2009.

Resolved - That the Council's Level 3 award be noted and that an action plan for reaching 'Excellent' status be presented to a future meeting of Cabinet.

282 **INVESTORS IN PEOPLE (IIP)**

The Director of Law, HR and Asset Management updated the Cabinet on the outcome of a recent Corporate Assessment under the Investors in People Standard which showed that the "Managing Assessor was satisfied beyond any doubt that Wirral Council continues to meet the requirements of the Investors in People Standard."

Resolved – That,

(1) the report be noted;

(2) all the internal reviewers and employees who took part be thanked for their work; and

(3) a further report be submitted detailing plans and future developments in this area.

283 **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.

284 **BRIDGE COURT, WEST KIRBY**

The Director of Law, HR and Asset Management sought approval to the disposal of 28-46 Bridge Court, West Kirby to Wirral Partnership Homes (WPH). The Director advised that following discussions with WPH it was recommended to proceed by way of a 99 year lease rather than a freehold disposal.

Resolved - That 28-46 Bridge Court, West Kirby be sold to Wirral Partnership Homes on the basis of a 99 year lease on the terms now reported.

285 **VICTORIA HALL, BEBINGTON**

The Director of Law, HR and Asset Management advised the Cabinet of the expressions of interest received for community asset transfer relating to Victoria Hall, Bebington, with a recommendation that one of the parties be invited to proceed to the next stage.

Resolved - That the Victoria Hall User Management Group progress to the next stage of assessment and be invited to submit further more detailed proposals.

286 **LAND AT EUROPA BOULEVARD, CONWAY PARK, BIRKENHEAD**

The Director of Law, HR and Asset Management updated Cabinet on the current situation regarding the proposed developments at Europa Boulevard / Conway Street, Conway Park, Birkenhead.

Resolved - That the matter be deferred to the next appropriate meeting of the Cabinet.

287 **NEW FERRY BUTTERFLY PARK - REQUEST FOR COMPULSORY PURCHASE ORDER POWERS**

(Councillor B Moon, having declared a prejudicial interest in this item (see minute 249) left the room during its consideration)

The Director of Regeneration sought authorisation to exercise Compulsory Purchase Order powers contained within the Town and Country Planning Act 1990 (Section 226(1)(a)) to acquire the site of the New Ferry Butterfly Park from the private landowner to preserve the future of the park for environmental purposes.

The Head of Housing and Regeneration referred to a petition of some 3500 signatures in support of preserving the future of the butterfly park.

With the permission of the Chair, Councillor S Niblock, ward councillor, addressed the Cabinet in support of the petitioners.

Resolved – That,

(1) the use of Compulsory Purchase Order powers under the Town & Country Planning Act 1990, Section 226 (1) (a) be authorised to acquire the site of the Butterfly Park in New Ferry

(2) the Director of Law, HR and Asset Management be authorised to take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order including the publication and service of all notices and the presentation of the Council's case at any public inquiry and acquire all interests in land within the CPO either by agreement or compulsorily;

(3) “call-in” be waived due to the urgent necessity to progress the CPO.

288 LIABILITY INSURANCE AND COMPUTER INSURANCE TENDERS

The Director of Finance advised Cabinet on the procurement process for the Computer insurance contract and the Liability insurance and claims handling contracts and recommended the awarding of the Liability contract to Zurich Municipal and the Computer policy to Risk Management Partners. The contracts would be for up to seven years effective from 1 April 2010 and would save approximately £170,000 per year. The maximum self insured financial exposure to liability claims would also be reduced by 30% to £2.5m per year.

Resolved – That,

(1) the Liability Insurance and Claims Handling contract be awarded to Zurich Municipal for an initial period of three years commencing 1 April 2010, retaining the options to extend for two further periods of two years;

(2) the Computer insurance contract be awarded to Risk Management Partners for an initial period of three years commencing 1 April 2010, retaining the options to extend for two further periods of two years;

(3) the budget reduction of £170,000 be agreed.

289 FLEMING CLAIMS - VAT RECOVERY - LEISURE SERVICES (SPORTS)

Further to a report to Cabinet on 5 November, 2009 (minute 187 refers) the Director of Finance updated the Cabinet in respect of reimbursement received by the Council and payments made to Price Waterhouse Coopers (PwC) in respect of backdated Value Added Tax (VAT) claims.

Resolved – That,

(1) the receipt of £2,619,477 in respect of Leisure Services (sports) be added to balances.

(2) the payment of £523,895 to PwC be funded from the Efficiency Investment Budget.