

CABINET

Thursday, 4 February 2010

<u>Present</u>	Councillors	S Holbrook	Corporate Resources
		G Davies	Housing and Community Safety
		P Davies	Children's Services & Lifelong Learning
		G Gardiner	Environment
		S Kelly	Community and Customer Engagement
		M McLaughlin	Social Care and Inclusion
		R Moon	Culture, Tourism and Leisure
		J Stapleton	Regeneration and Planning Strategy

<u>Apologies</u>	Councillors	S Foulkes
		J Quinn

COUNCILLOR HOLBROOK VICE-CHAIR IN THE CHAIR

290 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 the agenda and, if so, to declare it and state the nature of such interest.

Councillor P Davies declared a personal interest in respect of:

(i) minute 303 (Joint Health Food Policy) by virtue of his appointment as a Non-Executive Director of Wirral PCT.

(ii) minute 310 (Consultation on National Policy Statements for Ports and Energy Infrastructure) by virtue of his appointment as a Director of Mersey Maritime.

Councillor R Moon declared a personal interest in respect of minute 310 (Consultation on National Policy Statements for Ports and Energy Infrastructure) by virtue of his appointment as a Director of Mersey Maritime.

Councillor S Holbrook declared a personal interest in respect of minute 309 (Joint Merseyside Waste Development Plan Document) by virtue of his employment.

291 MINUTES

The minutes of the last meeting were printed and published.

RESOLVED – That the minutes be approved and adopted.

292 QUARTER THREE PERFORMANCE AND FINANCIAL MONITORING - PRESENTATION

The Deputy Chief Executive and the Director of Finance gave a presentation comprising an overview of performance, at the third quarter, of those indicators that were in the Corporate Plan and those that were statutorily reported (a copy of the Quarter 3 Performance Report) was available in the Web Library). The financial information within the report was based upon the position as at 31 December 2008.

The Directors outlined the key achievements across each of the 5 strategic objectives in turn.

The overall progress was very positive with over 71% of the performance indicators achieving , or exceeding the targets set, and 75% of projects within the Corporate Plan were on target for completion.

The recession continued to impact on the local economy and the Council was working with partners on a range of measures to create new jobs, safeguard existing jobs, and support new businesses. The main achievements were highlighted:

- 696 jobs created, 436 jobs safeguarded so far in 2009/10
- 202 businesses supported through the business Start programme
- 270 jobs created at Tulip Ltd, Bromborough, with over £12m investment and potential for future growth.

RESOLVED:

- (1) That Cabinet notes the performance of the Council in the third quarter.**
- (2) That the officers and staff involved be congratulated for their commitment and hard work which has clearly shown results.**

293 CORPORATE PROCUREMENT STRATEGY

Further to minute 120 (24/9/09) when the Corporate Procurement Strategy (CPS) was approved, the Director of Finance submitted a report seeking approval to amend the Strategy in response to the action plan agreed with the Audit Commission.

RESOLVED:

- (1) That the amended Corporate Procurement Strategy be approved.**
- (2) That Cabinet notes the success of the Corporate Procurement unit with savings of £14,988,000 reported since December 2004, with the latest report received on the 5 November 2009.**
- (3) That Cabinet congratulates the Corporate Procurement unit on its success in delivering savings and looks forward to continued success.**

294 AUDIT COMMISSION USE OF RESOURCES PLAN

Mike Thomas, District Auditor, presented the Use of Resources (UoR) Plan, which set out the approach to be taken by the Audit Commission in the 2009/2010 UoR assessment, who the key contacts would be and the reporting arrangements. He set out the ten Key Lines of Enquiry (KLOE) within the three themes of Managing Finances, Governing the Business and Managing Resources and he highlighted the objectives of the assessment to ensure that the Council had arrangements in place to secure economy, efficiency and effectiveness in its use of resources and being able to deliver value for money and better and sustainable outcomes for local people.

RESOLVED:

- (1) That the report be noted.**
- (2) That Cabinet thanks the Audit Commission for this Use of Resources Report and resolves that the authority continue to work hard to deliver efficient use of its resources and provide value for money.**

295 AUDIT COMMISSION ANNUAL AUDIT LETTER

Mike Thomas, District Auditor, presented the Audit Commission Annual Audit Letter, which summarised the findings from the 2008/2009 audit in respect of Wirral Council and the Merseyside Pension Fund. It included messages arising from the audit of financial statements and the results of the work undertaken to assess arrangements to secure value for money in the use of resources. He had issued an unqualified opinion on the Council's financial statements and on the Pension Fund accounts on 30 September 2009. He had also issued an unqualified value for money conclusion, which stated that the Council had adequate arrangements to secure economy, efficiency and effectiveness in its use of resources in 2008/2009. The Use of Resources judgement was based on the same Key Lines of Enquiry (KLOE) as the value for money conclusion and he had also completed a number of reviews to inform the conclusion that the Council was performing adequately against the standards specified by the Audit Commission – level 2 performance.

RESOLVED:

- (1) That the report be noted.**
- (2) That Cabinet thanks the Audit Commission for this Annual Audit and Inspection Letter and resolves that the authority should continue to work with the district auditor to continue to ensure high standards of financial management within the organisation.**

296 PENSION FUND BUDGET 2010-2011

The Director of Finance submitted a report and appendix outlining the proposed Pension Fund Budget incorporating the administration and investment costs for 2010-11, and also the revised budget for 2009-10. The budget was agreed by the Pensions Committee on 13 January 2010.

RESOLVED – That the estimates for 2010-2011 be approved for inclusion in the Council Budget.

297 FINAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2010-11

Further to minute 223 (9/12/09) the Director of Finance reported that the Final Local Government Finance Settlement for 2010/11 had been announced on 20 January 2010, and confirmed that the third and final year of the Settlement would not change from the provisional figures.

RESOLVED – That the Final Local Government Finance Settlement be used to prepare the estimates for presentation to the budget meeting of the Cabinet.

298 **SCRUTINY PROGRAMME BOARD REFERRAL**

At its meeting on 14 January, the Scrutiny Programme Board received a report from the Director of Law, HR and Asset Management reviewing the operation of the Forward Plan. It was resolved:

“ That, in order to make the Forward Plan more user-friendly and to assist the scrutiny function, the Cabinet be requested to agree to the following –

(a) That officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.

(b) That, for a short trial period, Chief Officers be required to submit to the next appropriate Overview and Scrutiny Committee a brief explanation of new items included in the Forward Plan.”

RESOLVED: That

(1) Cabinet resolves that officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.

(2) Cabinet notes that Overview and Scrutiny Committees set their own agenda and can call on officers to present additional reports to meet their requirements.

299 **REPLACEMENT PVI PRE-SCHOOL UNIT AT STANTON ROAD PRIMARY SCHOOL**

The Director of Children’s Services advised Cabinet that the DCSF had announced additional Early Years Capital Funding for the period April 2009 to March 2011, the grant being intended, but not exclusively, to support capital investment in the private, voluntary and independent (PVI) sector. The proposal to replace a poor quality Pre-School Unit located at Stanton Road Primary School with a new modular build unit was presented, detailing the costs and scope of the scheme. Cabinet was asked to consider and approve the proposal.

RESOLVED: That

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

(2) the Director of Technical Services be authorised to obtain all necessary statutory approvals for the project;

(3) the Director of Technical Services be authorised to seek tenders for the project; and

(4) the Director of Children’s Services use his delegated powers to accept the lowest bone-fide tender and report his acceptance of the tender to Cabinet in due course in accordance with the Council’s Procurement Policy.

300 **WEST KIRBY CHILDREN'S CENTRE - PROPOSED IMPROVEMENTS TO EXISTING CHILDREN CENTRE - SCHEME AND ESTIMATE REPORT**

The Director of Children's Services outlined proposals to extend the existing West Kirby Children's Centre and build a new multi-function room as a single storey gable end extension, adjacent to the existing multi-function room. The scheme would remodel the existing multi-function room to provide a smaller multi-function room, new health room & office accommodation to meet the needs of Extended Services at the Children's Centre. The report set out the estimated costs of the scheme and Cabinet was asked to consider and approve the proposal.

RESOLVED: That

- (1) **the Scheme and Estimate, as presented, be accepted;**
- (2) **the Director of Technical Services obtains all necessary statutory approvals for the project;**
- (3) **the Director of Technical Services seeks tenders for the project;**
- (4) **the Director of Children's Services use his delegated powers to accept the lowest bone-fide tender and report his acceptance of the tender to Cabinet in due course, in accordance with the Council's Procurement Policy; and**
- (5) **Cabinet be made aware of allocations from DCSF Early Years PVI Quality & Access Capital Grant 2008/11, ahead of Cabinet approval of the main Capital Programme for 2010/11.**

301 **APPOINTMENT OF MEMBERS TO SERVE ON THE SCHOOL APPEAL PANELS AND OF APPEAL PANEL CHAIRS**

The Director of Law, HR & Asset Management Cabinet referred to the statutory requirement to appoint members to the School Admission and Exclusion Appeals Panels and invited the Cabinet to consider four applications for membership of these Panels .

The Cabinet was also requested to consider the approval of a number of existing Lay Members who, subject to appropriate training, would be willing to act as Chairs.

RESOLVED:- That

- (1) **The following be appointed to the pool of Lay Members of the Appeals Panel:-**

Annabel Underwood
Jennifer Young
Nicholas Symes
- (2) **The following be appointed to the pool of persons with experience in education for the Appeals Panel:-**

Keith Blackwell
Philippa Blessing
Susan Noyce
John Butler

- (3) The following be appointed to the pool of members within the category “persons who are, or have been, within the previous five years, Head Teachers of maintained schools” of the Appeal Panel:-

Keith Blackwell

- (4) The following be appointed as Chairs to the Appeal Panel:-

**David Spencer
Hilary Welsh
Robin Jones
Sally Reynolds
Jane Hunter.**

302 CARE QUALITY COMMISSION ANNUAL PERFORMANCE ASSESSMENT 2008/09

The Director of Adult Social Services presented a report detailing the judgements of the Care Quality Commission (CQC) following the Annual Performance Assessment of the Department of Adult Social Services. Their overall judgement was that Wirral was performing **well**, and ‘consistently delivering above the minimum requirements for people’.

RESOLVED: That

- (1) **Cabinet welcomes the fact that the Care Quality Commission have recognised that Adult Social Services are performing well and that they are delivering a standard of care which is consistently above the minimum standards required.**
- (2) **Cabinet further recognises that this report covers the year 2008/09 and notes that considerable progress has been made since then in delivering the agenda for the Transformation of Adult Social Services to provide more individual choice and personalised budgets.**
- (3) **Cabinet welcomes the commitment of Adult Social Services staff to providing better services and recognises the hard work involved in delivering high quality services.**
- (4) **Cabinet congratulates all the staff concerned and welcomes their commitment to a continuing drive for improvement.**

303 JOINT HEALTHY FOOD POLICY

The Joint Director of Public Health presented a report setting out the framework for a joint food policy and guidance for the Local Authority. The adoption of that policy and guidance would support Wirral’s Taste for Health, one of the key themes within Wirral’s Health and Wellbeing Strategic Framework which aimed to improve health and reduce health inequalities on Wirral through addressing food, smoking, alcohol misuse, employment and safety. It also supported Corporate Plan and Local Area Agreement targets for childhood obesity and life expectancy (for which obesity was a risk factor).

The framework and guidance had been developed jointly with NHS Wirral, Wirral University Teaching Hospital Foundation Trust, Cheshire & Wirral Partnership Trust

and Wirral Voluntary and Community Sector Network, who would also be looking to their organisations to adopt this as policy and guidance

RESOLVED – That the adoption of the Wirral Healthy Food Policy Framework and Guidance be agreed.

304 **ECONOMIC RECOVERY PLAN**

The Deputy Chief Executive/Director of Corporate Services presented a report setting out proposals for an Economic Recovery Plan for Wirral. It outlined a number of responsive measures to mitigate the impact of the recession on businesses and local residents, whilst at the same time maintaining focus on the medium and longer term economic goals of the Investment Strategy. Members were asked to endorse the Recovery Plan attached as Appendix 1; and agree that regular updates be brought back to Cabinet.

RESOLVED: That

- (1) the Recovery Plan, attached as Appendix 1, be endorsed;**
- (2) quarterly update reports be brought back to Cabinet.**
- (3) Cabinet agrees and supports the Recovery Plan and asks officers and the Council's partners to vigorously pursue the actions and interventions set out in the Plan.**

305 **SUMMARY AND RESPONSE TO RS2010 REGIONAL STRATEGY FOR ENGLAND'S NORTH WEST REGION**

The Deputy Chief Executive/Director of Corporate Services presented a report providing a summary of the RS2010 Regional Strategy for England's North West: Part 1 Higher Level Strategic Framework Consultation Document received from the North West Development Agency (NWDA) and the Regional Leaders Forum 4NW, and a proposed consultation response (Appendix 1). Members were asked to support the response and authorise officers to participate as appropriate in the development of the Regional Strategy on behalf of the Council.

RESOLVED: That

- (1) the content of the RS2010 Regional Strategy for England's North West Part 1 Higher Level Strategic Framework Consultation Document be considered, and the proposed consultation response attached at Appendix 1 for submission to NWDA on behalf of Wirral Council be endorsed; and**
- (2) officers continue to work on associated North West Regional Strategy development issues and return further reports as appropriate.**

306 **MERSEY DEE ALLIANCE (MDA)**

The Deputy Chief Executive/Director of Corporate Services presented a report seeking Cabinet's agreement to changes proposed to the Mersey Dee Alliance Management Agreement.

RESOLVED – That the Deputy Chief Executive/ Director of Corporate Services sign the letter of variation to the Mersey Dee Alliance to enable the North West Development Agency to become a subscribing member of the MDA partnership.

307 BUSINESS SUPPORT IN WIRRAL

The Deputy Chief Executive/Director of Corporate Services presented an update report on the performance to date of the investment made into business support service interventions in Wirral during the current economic conditions. Members were asked to note the excellent performance and the level of support offered to businesses by the Invest Wirral team, and support the recommendations for further enhancing the business support activities outlined within the report.

RESOLVED:

- (1) That the excellent progress made in supporting Wirral businesses current, particularly the performance of the interventions put in place to place mitigate the effects of the recession, be noted and the following recommendations be supported:**
 - (a) Officers undertake a suitable procurement process to appoint an organisation to deliver business support advice functions to Wirral businesses in line with current programmes. This would be specifically to support Wirral business on issues ranging from business planning to health and safety advice, funded from budgets previously agreed by Cabinet; and**
 - (b) Officers progress the upgrading of the web based platform for the Wirral Business Forum to increase its capacity and enhance the overall system in line with the process outlined in section 4 of the report. Members were asked to note that this is in line with the council procurement guidelines and would be funded by budgets previously approved by Cabinet.**
- (2) That Cabinet further congratulates the Invest Wirral team on their excellent performance and the level of support they have been able to offer Wirral's businesses in this difficult climate.**
- (3) That Cabinet notes that that their close working with Wirral businesses, their ability to help businesses tap into national and regional sources finance, and the resources released in last year's budget from the Working Wirral Fund, has helped safeguard over 700 jobs, both in small businesses and in larger enterprises.**
- (4) That Cabinet welcomes the 3.7 m investment by Bristol- Myers Squibbs in their Research and Development laboratory in Moreton, and the creation of 270 new jobs by Tulip Ltd with a £12m investment in a new production facility on Wirral.**
- (5) That Cabinet also welcomes the development of the Apprenticeship scheme in co-operation with local businesses and its contribution to the development of Wirral's young people.**
- (6) That Cabinet notes that the Manufacturing Advisory Service has asked Wirral to make a presentation to representatives of the North West**

Regional Authorities on the business support they offer and welcome the fact that this recognises the operation of Invest Wirral as a benchmark for best practice in the North West Region.

308 LOCAL DEVELOPMENT FRAMEWORK - EVIDENCE BASE - OPEN SPACE AUDIT

The Deputy Chief Executive/Director of Corporate Services presented a report summarising the initial findings of the Open Space Audit, produced by consultants Strategic Leisure, which was required to provide part of the evidence base for the emerging Local Development Framework and to establish the future strategy for the management of the Council's parks and open spaces. It was recommended that a public consultation exercise be undertaken and that the finalised Audit, taking account of the consultation responses, be reported back to Cabinet for approval and inclusion in the emerging Local Development Framework for Wirral.

RESOLVED: That

- (1) the Deputy Chief Executive/Director of Corporate Services be granted delegated authority in consultation with the Cabinet Member for Regeneration and Planning Strategy to make any necessary factual corrections to the report before the process of public consultation commences**
- (2) public consultation be undertaken along the lines set out in section 5 of this report; and**
- (3) the finalised Audit, taking into account the findings of the public consultation, be reported back to Cabinet for consideration and approval before the findings are included in the emerging Local Development Framework for Wirral.**

309 JOINT MERSEYSIDE WASTE DEVELOPMENT PLAN DOCUMENT - APPROVAL OF PREFERRED OPTIONS

The Deputy Chief Executive/Director of Corporate Services reported that the Council was being asked to approve the content of a Draft Waste Development Preferred Options Report to be published for public consultation in February 2010, which identified sites that might become future allocations. He submitted a report setting out his comments on the proposed preferred options in relation to Wirral, which included one site at Cammell Lairds and two existing sites at Wallasey Bridge Road, Bidston, as having potential for new built facilities to deal with waste transfer and recycling. An agreed sub-regional Core Report was attached to explain the overall content of the proposed consultation document and to set out the recommendations to be considered by each of the partner Councils. The report to Cabinet, therefore, only concentrated on specific information related to Wirral.

RESOLVED: That

- (1) Cabinet is pleased to note that this report does not contain any proposals for landfill on Wirral and believes that this is a reflection on the success and increasing levels of recycling that have been achieved in Wirral.**
- (2) recommendations (i), (ii), (iii) and (v), set out in paragraph 11 of the Core Report attached to the Report, be approved;**

- (3) **recommendation (iv) set out in paragraph 11 of the Core Report attached to the Report be altered to read ‘that the Waste DPD team is authorised to make editorial changes to the Preferred Options Report as may be agreed and directed by the Councils; and’**
- (4) **the principle of funding the future stages in the preparation of the Waste DPD be approved, with any future funding subject to further approval of Cabinet, following a future report.**

310 **CONSULTATION ON NATIONAL POLICY STATEMENTS FOR PORTS AND ENERGY INFRASTRUCTURE - WIRRAL RESPONSE**

The Deputy Chief Executive/Director of Corporate Services presented a report setting out a suggested response to government consultation documents for Ports and Energy Infrastructure

The National Policy Statements had been prepared under section 5(9b) of the Planning Act 2008, to provide the context for decisions to be made by the Infrastructure Planning Commission, formally established on 1st October 2009. The Infrastructure Planning Commission was the body which administered development consent for nationally significant infrastructure, including ports, airports and major energy infrastructure such as power stations, windfarms and major pipelines.

Cabinet was asked to agree that the Director’s report should form the basis of the Council’s responses to these documents.

RESOLVED:

- (1) **That the content of this report be used as the basis of responses to the Department for Transport (Draft Ports National Policy Statement) and the Department for Energy and Climate Change (Draft Energy Infrastructure National Policy Statements).**
- (2) **That it is Cabinet’s view that, taking into account the Eddington and Stern reports on global warming and congestion, Merseyside, having the ability to reach more areas of the country more efficiently , should have a higher position in the ranking of development of port infrastructure as part of a national sustainable transport strategy.**

311 **MERSEYSIDE ENVIRONMENTAL ADVISORY SERVICE CONTRACT RENEWAL 2009/10**

The Deputy Chief Executive/Director of Corporate Services submitted a report seeking approval to the renewal of the contract with Merseyside Environmental Advisory Service for the provision of specialist advice on the Local Development Framework and planning applications for a one year period to 31st March 2010. Funding was shared between the 5 Merseyside District Councils and Halton Borough Council, providing economies of scale and specialist services that could not be effectively provided at District level. This Council’s contribution would be shared between the Corporate Services and Technical Services Departments and could be accommodated within existing budgets.

RESOLVED – That, in accordance with paragraph 5.1.2 of the Council’s Contract Procedure Rules, Cabinet agrees to extend the MEAS contract on the

terms described above for the 2009/10 financial year, until 31st March 2010, at a cost for core services of £31,673 for 2009/10.

312 **MERSEY HEARTLANDS NEW GROWTH POINT - RESOURCE ALLOCATION**

Further to minute 39 (25/6/09) the Deputy Chief Executive/Director of Corporate Services reported that a delegated response to the Government's consultation on the reduction of New Growth Point capital funding for 2010/11 was sent by the Cabinet Member and the Growth Point partners on 13th November 2009. The Government had subsequently confirmed the consultation figure and authority was therefore being sought for officers to re-prioritise New Growth Point fund project allocations accordingly and report to a future Cabinet.

Liverpool City Council the lead authority for New Growth Point funding, had reported the final funding allocations to its Executive, thus allowing the release of funding to Wirral as the partner authority. The City Council had also increased its representation on the Growth Point Executive Group and Wirral was invited to appoint an additional representation on this group which managed the Fund on behalf of the partners.

RESOLVED: That

- (1) in the light of reduced Growth Point funding for 2010/11, the Director of Corporate Services (or any officer authorised by the Director) re-prioritise Growth Point projects, and the re-prioritised projects be reported as soon as practicably possible to the Growth Point Executive Group and Cabinet for approval: and**
- (2) an additional Wirral Member be nominated to represent Wirral Council on the joint Liverpool City Council:Wirral Council Growth Point Executive Group.**

313 **PRIVATE SECTOR HOUSING AND REGENERATION ASSISTANCE POLICY**

The Director of Regeneration sought agreement to undertake a consultation exercise in relation to proposed revisions to the Council's Private Sector Housing and Regeneration Assistance Policy. Following the consultation exercise a further report would be presented to Members detailing the final version of the policy, with the intention of implementing the revised policy in May 2010.

RESOLVED – That

- (1) the revised Private Sector Housing and Regeneration Assistance Policy be subject to a consultation exercise, as detailed in item 8.0 of this report; and**
- (2) a further report be submitted to Cabinet in Spring 2010 detailing the final version of the Private Sector Housing and Regeneration Assistance Policy for adoption and implementation from May 2010.**

314 **APPOINTMENT OF CONSULTANCY SUPPORT FOR HOUSING MARKET RENEWAL IN BIRKENHEAD**

The Director of Regeneration submitted a report seeking approval for the appointment of the legal firm Hill Dickinson and cost consultants Tweeds, using

HMRI funding to assist in securing a successful appointment of Keepmoat Homes as the Council's preferred private developer for Housing Market Renewal in Birkenhead.

RESOLVED: That

- (1) the services of Hill Dickinson and Tweeds be retained to support the Council in concluding negotiations with Lovell and opening formal legal negotiations with Keepmoat Homes via a new contract in line with 5.2 of the Council's Contract Procedure Rules. The new contract to be based on existing rates procured via competitive tendering and providing continuity in the Council's dealings with private developers;**
- (2) £50,000 from the HMRI Programme (Resources) for 2009/10 and 2010/11 approved by Cabinet 9th July 2008 (minute 121) be used to retain Hill Dickinson's services and the previously agreed budget of £25,000 be used from the same HMRI Programme to retain Tweeds; and**
- (3) the retention of Hill Dickinson and Tweeds be reviewed in 2011 when the future of housing market renewal funding beyond March 2011 becomes known.**

315 2010/11 LOCAL TRANSPORT CAPITAL PROGRAMME - ROAD SAFETY BLOCK

Further to minute 268 (14/1/2010) the Director of Technical Services submitted a report detailing the Road Safety Block programme for 2010/11.

RESOLVED: That

- (1) the Road Safety Block programme for 2010/11, as set out in the report, be approved; and**
- (2) the Director of Technical Services be authorised to select a suitable alternative from the reserve list of schemes, in consultation with Overview and Scrutiny Committee Spokespersons, in the event that it should prove impractical to proceed with an approved scheme or unallocated finance becomes available.**

316 2010/11 LOCAL TRANSPORT CAPITAL PROGRAMME - ENVIRONMENT / AIR QUALITY BLOCK

Further to minute 268 (14/1/2010) the Director of Technical Services submitted a report detailing the Environment/Air Quality Block programme for 2010/11.

RESOLVED: That

- (1) the Environmental/Air Quality Block programme for 2010/11, as set out in the report, be approved; and**
- (2) the Director of Technical Services be authorised to select a suitable alternative from the reserve list of schemes, in consultation with Overview and Scrutiny Committee Spokespersons, in the event that it should prove impractical to proceed with an approved scheme or unallocated finance becomes available.**

317 **2010/11 LOCAL TRANSPORT CAPITAL PROGRAMME - HIGHWAY STRUCTURAL MAINTENANCE (PRINCIPAL AND NON-PRINCIPAL CLASSIFIED ROADS)**

Further to minute 268 (14/1/2010) the Director of Technical Services submitted a report detailing the programme for Highway Structural Maintenance schemes on Principal and Non-principal classified roads for 2010/11.

RESOLVED – That an initial £500k programme from the list of schemes in Appendix A be approved, to be funded from the Principal and Non-Principal Roads allocation, as described in the report.

318 **EMERGENCY ROAD REPAIRS**

The Director of Technical Services submitted a report confirming a one-off financial injection of £250,000, funded from balances to the Highway Maintenance Budget for this current financial year, to facilitate a programme of emergency road repairs resulting from the recent extreme weather conditions.

RESOLVED – That a one-off financial injection of £250,000, funded from balances to the Highway Maintenance Budget, to facilitate a programme of emergency road repairs resulting from the recent extreme weather conditions, as described in the report, be approved.

319 **THE OVAL SPORTS & RECREATION CENTRE, BEBINGTON - SCHEME COMPLETION REPORT**

The Director of Regeneration reported upon the final outcome of the successful remodelling of the main sports building at the Oval Sports Centre.

RESOLVED: That

- (1) the achievements gained through the remodelling and refurbishment works undertaken at the Oval Sports Centre be noted;**
- (2) the increased construction costs and fees on the project, as outlined in section 5.0 of the report, be approved and a variation to the Capital Programme to cover the costs, in the sum of £609,685, be agreed; and**
- (3) the changes and enhancements made to the Council's tendering procedures for major construction schemes be noted.**

320 **COUNCILLOR CALL FOR ACTION - RECORD AND EVIDENCE TRAIL**

Further to minute (9/12/09) when Cabinet had recommended the Protocol in respect of Councillor Call for Action (CCfA) to Council for approval (Appendix A), the Director of Law, HR and Asset Management had prepared a checklist of evidence to help Members gather information to assist any Councillor Calls for Action (Appendix B). It had been endorsed by the Scrutiny Programme Board at its meeting on 14 January 2009 (Minute 35 refers) and referred to the Cabinet for consideration and recommendation to the Council for approval.

RESOLVED – That the use and implementation of the Councillor Call for Action – Member Checklist and Evidence, set out at Appendix B, be approved and appended to the Protocol for adoption by the Council.

321 **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. The public interest test has been applied and favours exclusion.

322 **PROPOSED SALE OF DEVELOPMENT SITES AT HOLT HILL, TRANMERE AND BENNETTS HILL, OXTON**

The Director of Law, HR & Asset Management submitted a report seeking approval to declare the site of the former properties 7a, 7-13, and 15-15a Holt Hill, Tranmere surplus to requirements and approve the sale of this site and the yard known as 26A Bennetts Hill, Oxtton, to enable the development of affordable housing on both sites.

RESOLVED: That

- (1) the Holt Hill clearance site identified in the report be declared a surplus asset; and**
- (2) the disposal of the Holt Hill and Bennetts Hill sites identified (subject to the necessary NAHP funding being confirmed) be approved, in accordance with the terms outlined in the report, without prejudice to the planning process.**

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

The Director of Law, HR & Asset Management reported upon the current situation regarding the proposed developments at Europa Boulevard/Conway Street, Conway Park, Birkenhead. He submitted a supplemental report on the outcome of the most recent discussions with the developer to inform Cabinet's considerations.

RESOLVED:

- (1) That the developer be granted additional time to rearrange its financial and contractual arrangements and commence works, as set out in the report.**
- (2) That progress be monitored and reported to the 18 March meeting of Cabinet.**

324 **BENEFITS BUDGET, PROVISION AND RESERVE**

The Director of Finance reported upon the latest position regarding the amounts held in the Housing Benefit provision and reserve and recommended the release of £1.5 million to the General Fund Balance. The report also set out the projected Benefits budget requirements for 2010-11.

RESOLVED: That

- (1) having regard to the risk involved, the sum of £1.5 million of the Housing Benefit reserve and provision be returned to the General Fund Balance; and**
- (2) having regard to the significant increase in Housing and Council Tax Benefit claimants and the improvements to maximise Benefits Subsidy, the net increase of £1,170,000 million be included within the Council budget for 2010/11.**

325 TRANSPORT REVIEW

With the permission of Cabinet, this item was withdrawn.

326 FOUNDATION SCHOOLS - DISCRETIONARY RATE RELIEF

The Director of Finance submitted a report detailing the eligibility for the award of Discretionary Rate Relief to Foundation Schools and the consequent increase in the Discretionary Rate Relief budget. Members were requested to agree the increased budget requirement and note the award of this relief to Foundation Schools, in line with current Council Policy.

RESOLVED: That

- (1) Discretionary Rate Relief to Foundation Schools be awarded; and**
- (2) the budget for Discretionary Rate Relief be increased by £80,000.**

327 WIRRAL'S SUPPORTED AND SPECIAL NEEDS HOUSING NEGOTIATED CONTRACTS

The Director of Regeneration reported upon progress made with the renegotiation of Supporting People contracts and sought approval to the award of new contracts for sheltered housing and two services for clients experiencing social exclusion.

RESOLVED – That the award of contracts, as set out in Appendix One, be agreed.

328 WIRRAL'S SUPPORTED AND SPECIAL NEEDS HOUSING TENDERED CONTRACTS - FLOATING SUPPORT

The Director of Regeneration reported upon progress made with the tendering of Supporting People floating support services delivered to clients in their own homes, and sought approval to the award of Socially Excluded tendered floating support contracts.

RESOLVED – That the award of contracts, as set out in Appendix One of the report, to enable some of the most vulnerable and socially excluded people to sustain their independence within the community through the provision of housing related floating support, be agreed.