

# Public Document Pack

## CABINET

Thursday, 18 March 2010

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

### 336 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were invited to consider whether they had any personal or prejudicial interests relating any of the items on the agenda and, if so, to declare them and state the nature of such interest(s).

Councillors S Foulkes, P Davies, M McLaughlin, J Stapleton and S Holbrook each declared a personal interest in respect of Minute No. 345 (Admission Arrangements for Community and Voluntary Controlled Primary Schools 2011-2012) and Minute No. 346 (Admission Arrangements for Community and Secondary Schools and the Co-ordinated Scheme 2011-2012) by virtue of them being School Governors.

### 337 MINUTES

#### RESOLVED:

**That the Minutes of the meeting of the Cabinet held on 22 February 2010 be confirmed as a correct record.**

### 338 IMPROVING PRIMARY AND SECONDARY SPECIAL SCHOOL PROVISION FOR PUPILS WITH COMPLEX LEARNING DIFFICULTIES - STANLEY SCHOOL CO-LOCATION SCHEME

The Director of Children's Services reminded Members that on 23 April 2009, the Cabinet had approved, in principal, the replacement of both Stanley and Elleray Park Special schools on new sites, each located with a mainstream primary school. This approval was further developed by the Cabinet on 26 November 2009 giving its approval for formal consultation to take place on the proposal to co-locate Stanley Special School on the new Pensby Primary site.

Members received details of the consultations that had taken place on the proposal along with a progress report on the design process for the co-located schools.

**RESOLVED: That**

- (1) the DCSF 14-19/SEN Capital allocation of £6 million be approved for the construction of Stanley Special school; and**
- (2) the building design for both Pensby and Stanley schools proceed to scheme and estimate, with particular attention being given to the establishment of an efficient and safe traffic management scheme.**

### **339 AIMING HIGH FOR DISABLED CHILDREN - COMMISSIONING PHASE TWO**

The Director of Children's Services presented a report requesting approval to procure short breaks services for 2010/11 as part of the delivery of Aiming High for Disabled Children Project. It was reported that, after a thorough and robust commissioning process there were three requested services to which contracts had not been awarded: Sitting Service, Enablement Support Scheme and Emergency Support Scheme. It was noted that Phase two of the process involved researching the most effective and efficient method to deliver the services.

**RESOLVED: That**

- (1) contracts be awarded to Crossroads Care Cheshire West and Wirral Autistic Society contracts to deliver the Sitting Services;**
- (2) a cost effective model be devised for an emergency support scheme, sustainable post March 2011, utilising the Local Authority Children with Disability Services; and**
- (3) the Leisure Link programme be developed by recruiting additional capacity within the project team.**

### **340 STEP UP INTO SOCIAL WORK PILOT PROGRAMME**

A report by the Director of Children's Services advised Members that the Learn Together Partnership consisted of the Merseyside local authorities plus Warrington and Halton and that on a shared basis, it developed training and learning for the children's workforce. Step Up into Social Work was a national pilot programme offering an employment-based route to qualifying as a social worker. The Director outlined the programme and sought agreement for Wirral Council, as the lead local authority, to host the management of the programme on behalf of the Learn Together Partnership, and also set out the specific arrangements in respect of Wirral.

**RESOLVED: That**

- (1) Wirral Council be declared the lead authority for the Step Up into SocialWork programme on behalf of the Learn Together Partnership and**

**the contract with the Children's Workforce Development Council be approved; and**

- (2) It was agreed that the Council will enter into a procurement process to deliver the MA in social work course.**

#### **341 EARLY YEARS CAPITAL GRANTS**

The Director of Children's Services requested the Cabinet's approval for Early Years capital grants. These grants would support investment in the private, voluntary and independent (PVI) sectors and it was noted that provision had been included in the Capital Programme.

**RESOLVED: That**

- (1) the proposals for allocations of small grants to the 17 PVI settings listed in Appendix 1 to the report be agreed;**
- (2) the adjustment to grants for VAT for the 2 identified settings be agreed;**
- (3) the proposals for developments at Great Meols Primary School and Gayton Primary School be agreed; and**
- (4) the plans for consultation with childminders be agreed.**

#### **342 SUPPORTING HOMELESS YOUNG PEOPLE IN THE COMMUNITY AND ICS TRAINING**

The Director of Children's Services presented a report that recommended a pilot initiative in 2010-11 to support young homeless people, helping them to return to parents or family or to live independently, be continued. The cost of the service was £87,000 per annum. In addition, £30,000 was required for additional training and support for the Integrated Children's System (ICS). Both proposals contributed to key indicators and could be funded from re-profiled Care Matters Area-Based Grant in 2009-10.

**RESOLVED:**

**That the pilot Stop Gap initiative be extended for a further year, at a cost of £87,000 and additional ICS training be undertaken at a cost of £30,000 - both to be funded from re-profiled Care Matters Area-Based Grant in 2009-10.**

#### **343 INCREASE IN NATIONAL MINIMUM FOSTERING ALLOWANCE 2010-11**

The Director of Children's Services presented a report which recommended that the increase in National Minimum Fostering Allowances of £90,000 for 2010-11 be approved and be funded from Balances.

**RESOLVED: That**

- (1) the National Minimum Foster Care Allowances be paid in 2010-11; and
- (2) the estimated cost of £90,000 be approved and funded from Balances.

344 **SPECIAL GUARDIANSHIP**

A report by the Director of Children's Services served to update Members on the policy changes required in relation to Special Guardianship during 2009/10. The report contained proposals for an interim policy in response to challenges against the Council's current policy, brought by way of ongoing applications for Judicial Review by two Special Guardians. The report also outlined the background in relation to Special Guardianship and current policy agreed by the Cabinet in November 2006 and subsequent developments that had led to a need to make amendments to the policy.

**RESOLVED: That**

- (1) a revised policy be prepared in line with the principles set out in the report and it be presented to the Cabinet as soon as the legal issues are clarified; and
- (2) in the interim and in advance of such a policy being agreed, the Director of Children's Services be authorised to agree financial support for Special Guardian in accordance with the Special Guardianship Regulations (2005) and in line with the advice of the Director of Law, HR and Asset Management.

345 **ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS 2011-2012**

A report by the Director of Children's Services requested the Cabinet to determine the admissions arrangements for community and voluntary controlled primary schools and the coordinated admissions scheme for 2011-2012.

**RESOLVED:**

**That the proposed admission arrangements and co-ordinated scheme for 2011-2012 be agreed.**

346 **ADMISSION ARRANGEMENTS FOR COMMUNITY SECONDARY SCHOOLS AND THE COORDINATED SCHEME 2011-2012**

A report by the Director of Children's requested Cabinet to determine the Authority's admission arrangements for community secondary schools and the co-ordinated admissions scheme for 2011-2012.

**RESOLVED:**

**That the proposed admission arrangements and co-ordinated scheme for 2011-2012 be agreed.**

**347 CONTRACT EXTENSIONS FOR HIGHWAY VERGE AND TREE MAINTENANCE CONTRACTS**

A report by the Director of Technical Services requested the granting of time extensions on two contracts that contributed to the maintenance of the highway infrastructure.

**RESOLVED:**

**That the extension of the Highway Verge and Tree Maintenance Contracts under the existing terms and conditions to the 30th November 2011 be approved.**

**348 M53 JUNCTION 3 MAJOR ROAD SAFETY SCHEME - PROPOSAL TO CARRY OVER CAPITAL FUNDING FROM 2009/10 INTO 2010/11**

A report by the Director of Technical Services sought Members' approval to carry over £250,000 capital funding allocated to the above major safety scheme from 2009/10 into 2010/11 and also increased the size and scope of the original scheme.

**RESOLVED: That**

- (1) the carry over of £250,000 of LTP Capital funding from 2009/10 into 2010/11, for the reasons described in this report, be approved; and**
- (2) the proposal to allocate £185,000 from the Highway Structural Maintenance and Street Lighting Programme for 2010/11 for this scheme be endorsed.**

**349 HIGHWAY STRUCTURAL AND STREET LIGHTING MAINTENANCE PROGRAMME 2010/11**

Further to the report by the Director of Technical Services which had set out the headline Local Transport Capital Programme for 2010/11, which was approved by the Cabinet at its meeting on 14 January 2010 (Minute No.268 refers), Members were requested to approve the detailed Highway Structural Maintenance and Street Lighting Programmes for 2010/11, including the allocation of additional funding from the Council's own Capital and Revenue allocations.

**RESOLVED:**

**That the detailed Highway Structural Maintenance and Street Lighting programme for 2010/11 be approved.**

350 **DEPARTMENTAL SERVICE PLANS AND UPDATED CORPORATE PLAN FOR 2010/11**

The Deputy Chief Executive/Director of Corporate Services presented a report that detailed the final drafts of departmental service plans for 2010/11 alongside an updated Corporate Plan.

**RESOLVED: That**

- (1) the departmental service plans and updated Corporate Plan for 2010/11 be agreed and recommended to the Council for adoption;**
- (2) authority be delegated to the Chief Executive, in consultation with the Leader and Deputy Leader of the Council, to make final minor amendments to the Corporate Plan before it is submitted to the Council; and**
- (3) Members be requested to take responsibility for the delivery of departmental service plans according to their portfolios, in consultation with the appropriate Chief Officer(s).**

351 **THE PEOPLE STRATEGY 2010-13**

A report by the Director of Law, HR and Asset Management included the draft refreshed People Strategy 2010/13 at Appendix 1, along with an implementation plan for 2010/12 at Appendix 2. The aim of the People Strategy was to ensure that the Council had an effective and productive workforce to meet its current and future objectives.

**RESOLVED: That**

- (1) the People Strategy 2010/13 detailed at Appendix 1 to the report be agreed; and**
- (2) the People Strategy Implementation Plan 2010/11 detailed at Appendix 2 to the report be agreed.**

352 **NOMINATION OF MAYOR AND DEPUTY MAYOR FOR MUNICIPAL YEAR 2010/11**

**RESOLVED:**

**That the following nominations be made for the Municipal Year 2010/11 at the Annual Meeting of the Council on 17 May 2010:**

- (1) Councillor A Jennings for the role of Mayor; and**
- (2) Councillor M McLaughlin for the role of Deputy Mayor.**

353 **LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009**

A report by the Director of Law, HR and Asset Management advised Members that the Local Democracy, Economic Development and Construction Act 2009 had received Royal Assent on 12 November 2009. On 16 December 2009, the Government had published a commencement order for sections of the Act coming into effect at various dates between December 2009 and April 2010. The commencement of the duty on councils to promote local democracy, the requirement to publish a petitions scheme, and the changes to the operation of construction contracts, had all been delayed until an unspecified date.

It was clear that plans must be put in place to implement the requirements within the Act. Therefore, a summary of what must happen across the Council and what plans must be put in place to implement the relevant sections of the Act were detailed in the report for Members' information.

The role of the Statutory Scrutiny Officer was detailed in Appendix A to the report also for Members' information

**RESOLVED: That**

- (1) **comments be received on the proposed approach for implementing the requirements of the Local Democracy, Economic Development and Construction Act 2009, as outlined above;**
- (2) **the commencement of the duty on Councils to promote local democracy, the requirement to publish a petitions scheme, and changes to the operation of construction contracts had been delayed until an unspecified date be noted; and**
- (3) **Council be recommended to appoint the Head of Legal and Member Services as the Council's statutory scrutiny officer.**

354 **BUSINESS AWARD INITIATIVE 2010**

Councillor G Gardiner reported that the Waste and Recycling Team, based in the Department of Technical Services, had recently won the Business Award Initiative 2010.

**RESOLVED:**

**That the Director of Technical Services be requested to relay the Leader and Cabinet's congratulations to the members of the Waste and Recycling Team on winning this prestigious award and thank them for their hard work.**

355 **REDUCING WIRRAL'S CARBON FOOTPRINT - PROGRESS REPORT NO 1**

A report by the Director of Technical Services updated Cabinet Members on the various projects currently being undertaken by the Council, its LSP and other

partners, to 'Reduce Wirral's Carbon Footprint', which was a Corporate Priority in the Council's Corporate Plan 2010/11, and supported NI 186, one of Wirral's Local Area Assessment Targets.

A report detailed progress made to date on these ongoing projects, which were highlighted in the Wirral-Wide Carbon Reduction Action Plan, and requested the Cabinet to approve the Terms of Reference of the Wirral Climate Changes Group and the proposed arrangements for monitoring delivery of the Action Plan to the Council and its Local Strategic Partnership (LSP) partners.

**RESOLVED: That**

- (1) the Terms of Reference of the Wirral Climate Change Group be approved;**
- (2) the performance and progress of the various Wirral-wide 'Carbon Footprint Reduction' projects undertaken by the Council and its LSP and other partners be noted;**
- (3) the various joint 'Carbon Footprint Reduction' projects being undertaken and support for future proposed projects, be endorsed; and**
- (4) the proposed arrangements for monitoring the delivery of these projects, including regular informal briefings for the Cabinet Member for Environment and the LSP Board, be approved.**

**356 BUDGET PROJECTIONS 2011-2014**

A report by the Director of Finance provided Members with an update on 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.**

**357 DATA CENTRES**

A report by the Director of Finance provided Members with an assessment of the current status of the Council data centres and possible options for their future development.

**RESOLVED: That**

- (1) a further report be presented to Cabinet following the outcome of the current review of office accommodation; and**



- (2) **the more immediate priority recommendations be implemented.**

358 **COUNCIL EXCELLENCE OVERVIEW AND SCRUTINY COMMITTEE REFERRAL**

It was reported that at its meeting on 1 February, 2010, the Council Excellence Overview and Scrutiny Committee had considered a report of the Director of Finance on General Financial Matters and had resolved:

- “(1) That the report be noted.
- (2) That the concerns of the Committee in relation to underachieved income from golf courses for the last three years be brought to the attention of the Cabinet.”

**RESOLVED:**

**That the recommendations of the Council Excellence Overview and Scrutiny Committee be noted and a further report be brought to the Cabinet in due course.**

359 **SCRUTINY PROGRAMME BOARD REFERRAL**

It was reported that, at its meeting on 4 March, 2010, the Scrutiny Programme Board had considered a report of the Director of Law, HR and Asset Management on the Draft Protocol – Scrutiny of the Crime and Disorder Reduction Partnership, and resolved:

- “(1) That the draft Scrutiny Protocol for the scrutiny of the Crime and Disorder Reduction Partnership (CDRP) be endorsed and referred to the Sustainable Communities Overview and Scrutiny Committee, the CDRP, the Children and Young People Overview and Scrutiny Committee and the Cabinet for consideration.
- (2) That subject to the Protocol being revised in the light of any comments received, it be presented to the Council for adoption as a clarification of Scrutiny’s relationship with the CDRP.”

**RESOLVED:**

**That in the content of the Draft Protocol Scrutiny of Crime and Disorder Reduction Partnership be noted along with its referral to the Council for adoption**

360 **COMMITTEE CALENDAR FOR MUNICIPAL YEAR 2010/11**

The Director of Law, HR & Asset Management presented a report recommending dates for Council, Cabinet and committee meetings for the Municipal year 2010/11. The revised proposed calendar had been circulated, along with a second supplementary agenda. The report also described various issues that had been

taken into account in compiling it. Four further amendments were also circulated at the meeting for Members' approval.

**RESOLVED:**

**That the revised calendar of meetings for the Municipal year 2010/11, (attached as Appendix A to the Minutes), be approved.**

**[Subsequent to the meeting, the Director of Finance requested that the September meeting of the Audit and Risk Management Committee be brought forward, as due consideration of the Authority's financial accounts needed to be given before the end of September, the meeting has therefore been moved from 30 to 28 September.]**

**361 RICOH WOMEN'S BRITISH OPEN CHAMPIONSHIP**

A report by the Deputy Chief Executive/Director of Corporate Services advised Members that on 1 February 2010 it had been formally announced that the Ricoh Women's British Open Championship 2012 would be staged at Royal Liverpool Golf Club between 9 and 16 September 2012. The Council and its partners had been working with IMG, the owners of the event, and Royal Liverpool Golf Club for sometime to secure this tournament for Wirral. It was part of the Council's overall strategy to develop golf as a major tourism and economic driver for Wirral. Cabinet was also reminded of the recent announcement of the return of The Open championship to Royal Liverpool in 2014.

**RESOLVED: That**

- (1) the actions set out in the report required to facilitate the hosting of the Ricoh Women's Golf Open Championship at Royal Liverpool in 2012 be agreed; and**
- (2) the Royal Liverpool Golf Club be congratulated on attracting this tournament which will be a boost for tourism and marketing of the borough.**

**362 LIVERPOOL CITY COUNCIL - CORE STRATEGY DEVELOPMENT PLAN DOCUMENT - CONSULTATION ON REVISED PREFERRED OPTIONS**

A report by the Deputy Chief Executive/Director of Corporate Services advised Members that Liverpool City Council had issued a Revised Preferred Options Report for its Local Development Framework Core Strategy. The report set out the strategic planning context for development in the City to 2026. The deadline for comments had been 15 March 2010. Consequently, Members were asked to endorse comments, set out in section 3 of the report, that had now been submitted, as it had not been possible to report to the Cabinet before the consultation deadline.

**RESOLVED:**

**That the comments submitted by officers as the Council's response to the Revised Preferred Options Report, as set out in section 3 of the report, be endorsed as the Council's formal response.**

**363 LIVERPOOL CITY REGION UPDATE**

A report by the Deputy Chief Executive/Director of Corporate Services served to advise Members on the current position regarding the Liverpool City region operating arrangements. The report also provided an update on progress made in respect of the Liverpool City Region Multi Area Agreement (MAA).

**RESOLVED: That**

- (1) the contents of the report be agreed; and;**
- (2) the Cabinet specifically:**
  - (a) authorises officers to continue to engage in LCR structures, issues and activities set out in the report;**
  - (b) agrees the following representation to the relevant LCR Boards:**
    - Chair of the Environment and Waste Board – Councillor Steve Foulkes**
    - Merseyside Improvement and Efficiency Partnership – Councillor Steve Foulkes**
    - Employment and Skills Board - Councillor Phil Davies**
    - Environment and Waste Board – Councillor Gill Gardner**
  - (c) supports a contribution to enable LCR partners to fund suitable expert legal advice to ensure that available ERDF resources are maximized through new funding initiatives such as JESSICA (as per para 4.9 to the report).**

**364 UPDATE: NEXT GENERATION ACCESS NETWORK FOR WIRRAL**

The Director of Regeneration presented a report which had been requested by Members as part of the 2010/11 Budget. It set out the work undertaken to date in progressing the design, procurement and implementation of a Next Generation Access Network (NGA) for Wirral, outlined the next stages of development and sought endorsement of the way forward.

**RESOLVED: That**

- (1) the actions taken to progress the design, procurement and implementation of a Next Generation Access Network for Wirral be endorsed;**
- (2) Phase 1, providing improved access to Wirral's business areas, be agreed and receive priority, now that sufficient funding arising from an**

allocation from the Working Neighbourhoods Fund (£7.7M) and revenue support of £1.075M from the Council's Revenue Budget had been identified for the period 2010/11 to 2013/14 be agreed; and

- (3) regular reports on the progress on this important Investment Strategy priority be received.

365 **PROGRESS TOWARDS THE TRANSFORMATION OF ADULT SOCIAL SERVICES - ASSISTIVE TECHNOLOGY**

A report by the Director of Adult Social Services advised of a change in the way support services would be assessed and provided by the Department of Adult Social Services. It was proposed that all people, when referred for support, would be assessed to see how assistive technology could be used to meet, or partly meet, people's presenting needs. This would require a shift in resources and was presented as an "invest to save" strategy.

The proposal was also presented in the context of promoting self-directed support and the need to realise significant financial efficiencies over the next three years. The matter involved a key decision first identified in the Forward Plan dated August 2009. The items fell within the Social Care and Inclusion portfolio.

**RESOLVED: That**

- (1) the contract for Assistive Technology be re-tendered in 2010; and
- (2) the detail of this Invest to Save Project agreed by Council be noted.

366 **FREE HOME INSULATION SCHEME**

Members had agreed that £1.049M be allocated within the 2010/11 Budget for year 1 of a 4-year free home insulation programme. A report by the Director of Regeneration sought approval for the implementation of the programme.

The report set out the scope for insulating Wirral's Private Sector Housing, proposals to deliver the scheme, along with costs and outputs.

**RESOLVED: That**

- (1) the proposed outline implementation programme for the provision of free home insulation to be offered to all households across Wirral be endorsed, following an allocation of £1.049M for 2010/11 to deliver the first year of a four year free loft and cavity wall insulation programme; and
- (2) a further report be presented to the Cabinet following the procurement process for the delivery of the programme, which will detail the environmental, financial, training and employment benefits arising from the project.

367 **ANY OTHER BUSINESS - CONTRACT PROCEDURE RULES**

The Director of Finance advised Members that as the Authority had now completed the implementation of the Due North Contract Management System which was accepted as the regional standard portal for electronic tendering and sourcing by North West Local Authorities, it was therefore necessary to amend the relevant Contract Procedure Rules to enable electronic tendering to be fully integrated into the Council processes.

**RESOLVED:**

**That Council approval of the amendments to the Contract Procedure Rules be recommended.**

368 **ANY OTHER BUSINESS - CHALLENGE FUND**

A report by the Director of Regeneration sought Members approval to utilise the established procurement route of Liverpool Housing Trust (LHT) as an alternative to the procurement method set out in the Council's Contract Procedure Rules, to ensure that new housing units, which were to be funded by the Homes and Communities Agency (HCA) through their Challenge Fund Initiative, were delivered within Central Government's rigid timescale.

Failure to meet the requirements of the Homes and Communities Agency would mean the delivery of 23 social housing units for Wirral would be lost. It was noted that using the existing framework contract of the Riverside Partnership Development Consortium it would ensure that a robust process to select more contractors capable of delivering those houses within the timescales set could be achieved.

**RESOLVED: That**

- (1) the use of the established procurement procedures of Liverpool Housing Trust (LHT) be approved; and**
- (2) the adoption of the list of five contractors detailed in paragraph 3.8 of the report, as a means of ensuring development and completion of the 23 affordable housing units secured through the HCA Challenge Fund Initiative, be approved.**

369 **ALAN STENNARD, DIRECTOR OF REGENERATION**

The Chief Executive informed the Cabinet that Alan Stennard was attending his last meeting as he had been granted early retirement and would be leaving the Council's employment on 31 March 2010. Mr Stennard had been employed by the Council for 19 years and Members received a brief resume of his career history.

The Chief Executive led the tributes to Mr Stennard, reporting that he had been an exemplary local government colleague.

Councillors Foulkes, Green, Holbrook and G Davies also paid tribute to Mr Stennard, setting out his personal attributes, including his honesty, skills, dedication, commitment and intelligence. Members considered it a privilege to have worked with Mr Stennard and informed that he was an outstanding officer who had worked tirelessly to uplift the lives of people in the borough and he would be sorely missed.

Mr Stennard responded to the comments made about him as appropriate.

**RESOLVED:**

**That Alan Stennard, Director of Regeneration, be thanked for his enormous contribution to the work of the Council and be wished a long and happy retirement.**

**370 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 1 of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.**

**371 OLIVER STREET / GRANGE ROAD DEVELOPMENT, BIRKENHEAD**

The Cabinet received a presentation which included including an overview of the proposed scheme, progress to date and possible timescales for completion by those hoping to carry out the development work necessary. Members were given an opportunity to ask questions.

A report by the Director of Law, HR and Asset Management served to update Members on the proposed development at Oliver Street/Grange Road of a retail food store, and the Director of Law, HR and Asset Management sought directions for the way forward.

**RESOLVED: That**

- (1) the proposed developers be thanked for their informative presentation**
- (2) the continuing progress in the delivery of this scheme be welcomed as it is regarded as very important to the regeneration of Birkenhead Town Centre;**
- (3) the transfer of shares requested, as set out in paragraph 3.4 of the report, be approved; and**
- (4) the Director of Law, HR and Asset Management be authorised to take all necessary steps to secure the successful delivery of the scheme on**

**such terms as he considers to be the most advantageous to the Council to address the matters set out in the report and bring a further report to the Cabinet in due course, once negotiations are completed.**

**372 SITES AT GRANGE ROAD EAST, BIRKENHEAD**

A report by the Director of Law, HR and Asset Management sought approval for the disposal of two parcels of land situated in Grange Road East, Birkenhead for use as private car parks in conjunction with a recently completed speculative office block, located next to the sites.

It was reported that there had been a last-minute development that afternoon. Members were told that if a quick response was required, this might not be possible without delegated authority.

**RESOLVED: That**

- (1) the sites be formally declared surplus to the Council's requirements and sold on the terms outlined in the report; and**
- (2) Authority be delegated to the Cabinet Member for Corporate Resources in consultation with the Director of Law, HR and Asset Management and Group Leaders to take these disposals forward to satisfactory conclusions; and**
- (3) in respect of (2) above, the Director of Law, HR & Asset Management to bring a report to Cabinet only if radical changes are proposed.**

**373 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 progress in respect of the scheme be noted and that a further report be brought to the April meeting.**

**374 NEPTUNE DEVELOPMENT, NEW BRIGHTON - PROGRESS REPORT**

A report by the Director of Law, HR and Asset Management served to update Members on the progress made in connection with the Neptune Development of the New Brighton seafront. The report considered options in respect of the proposed Lido and identified outstanding issues, including associated risks.

The Director was in attendance at the meeting and referred the Cabinet to the letters of objection contained in Appendix 4 to the report, including a request to defer consideration of this item of business. He advised Members that in order to resolve

to make the appropriation, they needed to be satisfied that the land was no longer required as public open space and was required for the purposes of planning and regeneration. The Director noted that one of the Council's Key Strategic Objectives was to create more jobs, achieve a prosperous economy and regenerate Wirral. The Director also referred to the planning permission for the redevelopment of the area, including the land recommended for appropriation. He advised that, in his opinion, it was necessary to appropriate the land for planning purposes.

**RESOLVED: That**

- (1) the proposed Lido, as detailed in Option 1 and set out in Paragraph 5.4.1. to the report, be approved;**
- (2) under Section 122 of the Local Government Act 1972, the land shown edged in red on the plan attached at Appendix 2 be appropriated for planning purposes, which appropriation will, under Section 237 of the Town and Country Planning Act 1990 as amended, authorise the use of the land by the Council or any person deriving title under them;**
- (3) the position in relation to the appropriation be noted, and the Deputy Chief Executive/Director of Corporate Services, in consultation with the Director of Law, HR and Asset Management, be authorised to deal with any matters arising out of the appropriation of the land identified;**
- (4) the Deputy Chief Executive/Director of Corporate Services, in consultation with the Director of Law, HR and Asset Management, be authorised to complete the Overage Agreements in respect of Phase 1 and Phase 2, on terms which the Director of Law, HR and Asset Management is satisfied are the best that can reasonably be obtained in the circumstance;**
- (5) the Deputy Chief Executive/Director of Corporate Services, in consultation with the Director of Law, HR and Asset Management, be authorised to agree and execute the Leases in respect of Phase 1 and Phase 2 of the project, on terms which the Director of Law, HR and Asset Management is satisfied are the best that can be reasonably obtained in the circumstance; and**
- (6) the Deputy Chief Executive/Director of Corporate Services, in consultation with the Director of Law, HR and Asset Management, be authorised to negotiate and complete a Fourth Further Supplemental Agreement in connection with the assignment of the Development Documents, which shall include any other clauses considered reasonably necessary to safeguard the Council position (so far as can be reasonably achieved having regard to all the circumstances).**

**375 INSURANCE LITIGATION SERVICES**

A report by the Director of Finance advised the Cabinet on the procurement process for a contract to provide legal services associated with the defence of liability insurance claims and recommended acceptance of tenders from BLM and



Weightmans. The contracts would be for up to seven years effective from 1 April 2010.

**RESOLVED:**

**That BLM and Weightmans be engaged to deliver legal services related to the defence of liability insurance claims for an initial period of three years commencing 1 April 2010, retaining the options to extend for two further periods of two years.**

**376 REDUCTION OR REMISSION OF NON DOMESTIC RATES DUE TO HARDSHIP**

A report by the Director of Finance advised Members that within its administrative duties of the collection of Non Domestic Rates, the Council must consider whether ratepayers sustain hardship by paying rates. Rates could be remitted in full or in part where hardship had been established. The Cabinet was requested to consider an application in line with the current policy and criteria.

**RESOLVED:**

**That the applicant company be offered an option to reschedule the 2009-10 instalments beyond March 2010 and allow a deferment of the payment of the arrears to years 2011-12 (50% in each year) be allowed in order to give the company some breathing space in the discharge of this statutory business debt to help foster its recovery.**

**377 ISLE OF WIGHT OFF STREET CAR PARKING - PROPOSED CONTRIBUTION**

A report by the Director of Finance sought approval to contribute £10,000 to a fund coordinated by BDO Stoy Heyward on behalf of Local Authorities with a claim for backdated VAT relating to off street car parking.

**RESOLVED:**

**That a contribution of £10,000 from the Efficiency Investment Budget towards the Isle of Wight Off-Street Parking campaign be approved.**

**378 PROGRESS TOWARDS THE TRANSFORMATION OF ADULT SOCIAL SERVICES - CONTRACTED SUPPORT**

A report by the Director of Adult Social Services advised Cabinet of progress on the consultation with providers of personal support and residential and nursing home care in response to the resolutions it made at its meeting of 9th December 2009.

The Cabinet was asked to decide on whether to implement a variation to the contract to avoid paying inflation for residential and nursing home care in 2010-11.

**RESOLVED: That**

- (3) the consultation with providers be noted and the development of personal support contracts as set out in the report, be agreed;**
- (4) contracts for residential and nursing care be varied in accordance with Clause 18 of the Contract for the provision of residential and nursing home care so that price inflation is not applied in 2010-11, and**
- (5) it be noted that the payment of an increase for inflation for Domiciliary Care, Supporting Living and Direct Payments would be implemented from 1 April 2010.**

**APPENDIX A to Minute 360 - Copy of CALENDAR Revised 2010-11-2a**

# Minute Annex

**APRIL**

**2010**

Thursday	1	
Friday	2	Good Friday
Saturday	3	
Sunday	4	
Monday	5	Easter Monday
Tuesday	6	
Wednesday	7	
Thursday	8	
Friday	9	
Saturday	10	
Sunday	11	
Monday	12	Group Meetings
Tuesday	13	
Wednesday	14	
Thursday	15	Cabinet
Friday	16	
Saturday	17	
Sunday	18	
Monday	19	COUNCIL
Tuesday	20	
Wednesday	21	
Thursday	22	Planning
Friday	23	
Saturday	24	
Sunday	25	
Monday	26	
Tuesday	27	
Wednesday	28	
Thursday	29	
Friday	30	

**MAY****2010**

Saturday	1	
Sunday	2	
Monday	3	BANK HOLIDAY
Tuesday	4	
Wednesday	5	
Thursday	6	LOCAL ELECTIONS
Friday	7	
Saturday	8	
Sunday	9	
Monday	10	
Tuesday	11	
Wednesday	12	Area Forum Chairs
Thursday	13	
Friday	14	
Saturday	15	
Sunday	16	
Monday	17	ANNUAL COUNCIL Part 1
Tuesday	18	
Wednesday	19	LSP Executive Board
Thursday	20	
Friday	21	
Saturday	22	
Sunday	23	
Monday	24	ANNUAL COUNCIL Part 2
Tuesday	25	Licensing Act 2003; Licensing, Health & Safety and GP
Wednesday	26	
Thursday	27	Cabinet
Friday	28	
Saturday	29	
Sunday	30	
Monday	31	BANK HOLIDAY

# JUNE

2010

Tuesday	1	Planning
Wednesday	2	Children and Young People O&S; Area Forum (West Wirral)
Thursday	3	Scrutiny Programme Board
Friday	4	
Saturday	5	
Sunday	6	
Monday	7	Sustainable Communities O&S
Tuesday	8	Area Forums (Bidston/Claughton) + (Leas/Mor/Saug)
Wednesday	9	Area Forums (Beb/Clatt); LSP Assembly
Thursday	10	Area Forums (GFI/Upton) + (Lisc/Seac)
Friday	11	
Saturday	12	
Sunday	13	
Monday	14	
Tuesday	15	Area Forums (B'head+Tranmere/RF)
Wednesday	16	Area Forums (Hes/Pens/Thing) + (Brom/Eastham)
Thursday	17	Economy & Regeneration O&S; Employment & Appointments
Friday	18	
Saturday	19	
Sunday	20	
Monday	21	Health & Well Being O&S; Standards
Tuesday	22	Members' Training
Wednesday	23	Area Forums (Oxton/Prenton) + (NB/Wallasey)
Thursday	24	Cabinet
Friday	25	
Saturday	26	
Sunday	27	
Monday	28	Pensions
Tuesday	29	Planning
Wednesday	30	LSP Executive Board; Audit and Risk Management

# JULY

2010

Thursday	1	
Friday	2	
Saturday	3	
Sunday	4	
Monday	5	Group Meetings
Tuesday	6	
Wednesday	7	
Thursday	8	Council Excellence O&S
Friday	9	
Saturday	10	
Sunday	11	
Monday	12	COUNCIL
Tuesday	13	
Wednesday	14	
Thursday	15	
Friday	16	
Saturday	17	
Sunday	18	
Monday	19	
Tuesday	20	Members' Training
Wednesday	21	Planning
Thursday	22	Cabinet
Friday	23	
Saturday	24	
Sunday	25	
Monday	26	
Tuesday	27	
Wednesday	28	
Thursday	29	
Friday	30	
Saturday	31	

# AUGUST

2010

Sunday	1	
Monday	2	
Tuesday	3	
Wednesday	4	
Thursday	5	
Friday	6	
Saturday	7	
Sunday	8	
Monday	9	
Tuesday	10	Planning
Wednesday	11	LSP Executive Board
Thursday	12	
Friday	13	
Saturday	14	
Sunday	15	
Monday	16	
Tuesday	17	
Wednesday	18	
Thursday	19	
Friday	20	
Saturday	21	
Sunday	22	
Monday	23	
Tuesday	24	
Wednesday	25	
Thursday	26	
Friday	27	
Saturday	28	
Sunday	29	
Monday	30	BANK HOLIDAY
Tuesday	31	

# SEPTEMBER

2010

Wednesday	1	
Thursday	2	Cabinet
Friday	3	
Saturday	4	
Sunday	5	
Monday	6	Scrutiny Programme Board
Tuesday	7	Planning
Wednesday	8	Members' Training
Thursday	9	Health & Well Being O&S;                      Area Forum Chairs
Friday	10	
Saturday	11	
Sunday	12	
Monday	13	Licensing Health & Safety and GP
Tuesday	14	Children & Young People O&S
Wednesday	15	Economy & Regeneration O&S
Thursday	16	Employment & Appointments
Friday	17	
Saturday	18	
Sunday	19	
Monday	20	
Tuesday	21	Council Excellence O&S
Wednesday	22	Sustainable Communities O&S
Thursday	23	Cabinet
Friday	24	
Saturday	25	
Sunday	26	
Monday	27	Pensions
Tuesday	28	Planning; Audit & Risk Management
Wednesday	29	LSP Executive Board;                      Standards
Thursday	30	



# OCTOBER

2010

Friday	1	
Saturday	2	
Sunday	3	
Monday	4	Area Forums (Leas/Mor/Saug) + (Brom/East)
Tuesday	5	Area Forum (B'head + Tranmere/RF)
Wednesday	6	Area Forum (Lisc/Seac)
Thursday	7	Area Forum (Hes/Pens/Thing)
Friday	8	
Saturday	9	
Sunday	10	
Monday	11	Group Meetings
Tuesday	12	COUNCIL (Youth Parliament)
Wednesday	13	Area Forums (GFI/Upton) + (Bidston/Claughton)
Thursday	14	Cabinet
Friday	15	
Saturday	16	
Sunday	17	
Monday	18	COUNCIL
Tuesday	19	Area Forums (Oxton/Prenton) + (Beb/Clatt)
Wednesday	20	Area Forums (West Wirral) + (NB/Wall)
Thursday	21	Planning
Friday	22	
Saturday	23	
Sunday	24	
Monday	25	
Tuesday	26	Scrutiny Programme Board
Wednesday	27	Members' Training
Thursday	28	
Friday	29	
Saturday	30	
Sunday	31	

# NOVEMBER

2010

Monday	1	Health & Well Being O&S
Tuesday	2	
Wednesday	3	
Thursday	4	Cabinet
Friday	5	
Saturday	6	
Sunday	7	
Monday	8	Licensing Act 2003; Licensing, Health & Safety and GP
Tuesday	9	Planning
Wednesday	10	LSP Executive Board
Thursday	11	
Friday	12	
Saturday	13	
Sunday	14	
Monday	15	
Tuesday	16	Children & Young People O&S; Pensions
Wednesday	17	Sustainable Communities O&S
Thursday	18	Council Excellence O&S
Friday	19	
Saturday	20	
Sunday	21	
Monday	22	Audit & Risk Management
Tuesday	23	Employment and Appointments
Wednesday	24	Economy & Regeneration O&S
Thursday	25	Cabinet
Friday	26	
Saturday	27	
Sunday	28	
Monday	29	
Tuesday	30	Members' Training

# DECEMBER

2010

Wednesday	1	Planning
Thursday	2	Standards
Friday	3	
Saturday	4	
Sunday	5	
Monday	6	Group Meetings
Tuesday	7	
Wednesday	8	LSP Assembly
Thursday	9	Cabinet
Friday	10	
Saturday	11	
Sunday	12	
Monday	13	COUNCIL
Tuesday	14	
Wednesday	15	
Thursday	16	
Friday	17	
Saturday	18	
Sunday	19	
Monday	20	
Tuesday	21	
Wednesday	22	
Thursday	23	
Friday	24	Christmas Eve
Saturday	25	Christmas Day
Sunday	26	Boxing Day
Monday	27	Bank Holiday
Tuesday	28	Bank Holiday
Wednesday	29	
Thursday	30	
Friday	31	

# JANUARY

2011

Saturday	1	New Years Day
Sunday	2	
Monday	3	Bank Holiday
Tuesday	4	Planning
Wednesday	5	Scrutiny Programme Board
Thursday	6	Area Forum Chairs
Friday	7	
Saturday	8	
Sunday	9	
Monday	10	Licensing, Health & Safety and GP
Tuesday	11	Pensions
Wednesday	12	Economy & Regeneration O&S
Thursday	13	Cabinet
Friday	14	
Saturday	15	
Sunday	16	
Monday	17	Audit & Risk Management
Tuesday	18	Health & Well Being O&S
Wednesday	19	LSP Executive Board
Thursday	20	Sustainable Communities O&S
Friday	21	
Saturday	22	
Sunday	23	
Monday	24	
Tuesday	25	Planning
Wednesday	26	Children & Young People O&S; Standards
Thursday	27	Employment & Appointments
Friday	28	
Saturday	29	
Sunday	30	
Monday	31	Council Excellence O&S

# FEBRUARY

2011

Tuesday	1	Members' Training
Wednesday	2	
Thursday	3	Cabinet
Friday	4	
Saturday	5	
Sunday	6	
Monday	7	Group Meetings
Tuesday	8	
Wednesday	9	
Thursday	10	
Friday	11	
Saturday	12	
Sunday	13	
Monday	14	COUNCIL
Tuesday	15	Planning
Wednesday	16	LSP Executive Board
Thursday	17	
Friday	18	
Saturday	19	
Sunday	20	
Monday	21	Cabinet (Budget Meeting)
Tuesday	22	
Wednesday	23	
Thursday	24	
Friday	25	
Saturday	26	
Sunday	27	
Monday	28	Members' Training

# MARCH

2011

Tuesday	1	BUDGET COUNCIL
Wednesday	2	Scrutiny Programme Board
Thursday	3	
Friday	4	
Saturday	5	
Sunday	6	
Monday	7	
Tuesday	8	Planning
Wednesday	9	BUDGET COUNCIL (RESERVE)
Thursday	10	Sustainable Communities O&S
Friday	11	
Saturday	12	
Sunday	13	
Monday	14	Economy & Regeneration O&S
Tuesday	15	Children & Young People O&S
Wednesday	16	Council Excellence O&S
Thursday	17	Cabinet
Friday	18	
Saturday	19	
Sunday	20	
Monday	21	Licensing, Health & Safety and GP
Tuesday	22	Health & Well Being O&S
Wednesday	23	Employment & Appointments
Thursday	24	Standards
Friday	25	
Saturday	26	
Sunday	27	
Monday	28	Audit & Risk Management
Tuesday	29	Pensions
Wednesday	30	LSP Executive Board
Thursday	31	Planning

Friday	1	
Saturday	2	
Sunday	3	
Monday	4	
Tuesday	5	
Wednesday	6	
Thursday	7	
Friday	8	
Saturday	9	
Sunday	10	
Monday	11	Group Meetings
Tuesday	12	
Wednesday	13	
Thursday	14	Cabinet
Friday	15	
Saturday	16	
Sunday	17	
Monday	18	COUNCIL
Tuesday	19	
Wednesday	20	
Thursday	21	
Friday	22	Good Friday
Saturday	23	
Sunday	24	Easter Day
Monday	25	Easter Monday
Tuesday	26	Planning
Wednesday	27	
Thursday	28	
Friday	29	
Saturday	30	

Sunday	1	
Monday	2	
Tuesday	3	
Wednesday	4	
Thursday	5	MUNICIPAL ELECTIONS
Friday	6	
Saturday	7	
Sunday	8	
Monday	9	
Tuesday	10	
Wednesday	11	
Thursday	12	
Friday	13	
Saturday	14	
Sunday	15	
Monday	16	
Tuesday	17	
Wednesday	18	
Thursday	19	
Friday	20	
Saturday	21	
Sunday	22	
Monday	23	
Tuesday	24	
Wednesday	25	
Thursday	26	
Friday	27	
Saturday	28	
Sunday	29	
Monday	30	
Tuesday	31	