



Policy and Resources Committee

Date: Wednesday, 16 March 2022

Time: 6.00 p.m.

Venue: Floral Pavilion, New Brighton

Members of the public are encouraged to view the meeting via the webcast (see below), but for anyone who would like to attend in person, seating is limited therefore please contact the Floral Pavilion box office at their website: <https://www.floralpavilion.com/en-GB/categories/wirral%20council> or by telephone on 0151 666 0000 in advance of the meeting, if you would like to reserve a seat. All those attending will be asked to wear a face covering (unless exempt) and are encouraged to take a Lateral Flow Test before attending. You should not attend if you have tested positive for Coronavirus or if you have any symptoms of Coronavirus.

Wirral Council is fully committed to equalities and our obligations under The Equality Act 2010 and Public Sector Equality Duty. If you have any adjustments that would help you attend or participate at this meeting, please let us know as soon as possible and we would be happy to facilitate where possible. Please contact committeeservices@wirral.gov.uk

This meeting will be webcast at
<https://wirral.public-i.tv/core/portal/home>

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AGENDA

1. WELCOME AND INTRODUCTION
2. APOLOGIES
3. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

4. MINUTES (Pages 1 - 18)

To approve the accuracy of the minutes of the meeting held on 15 February, 2022.

5. PUBLIC AND MEMBER QUESTIONS

5a. Public Questions

Notice of question to be given in writing or by email by 12 noon, Friday, 11 March, 2022 to the Council's Monitoring Officer (committeeservices@wirral.gov.uk) and to be dealt with in accordance with Standing Order 10.

For more information on how your personal information will be used, please see this link:

[Document Data Protection Protocol for Public Speakers at Committees | Wirral Council](#)

Please telephone the Committee Services Officer if you have not received an acknowledgement of your question by the deadline for submission.

5b. Statements and Petitions

Notice of representations to be given in writing or by email by 12 noon, Friday, 11 March, 2022 to the Council's Monitoring Officer (committeeservices@wirral.gov.uk) and to be dealt with in accordance with Standing Order 11.1.

Petitions may be presented to the Committee. The person presenting the petition will be allowed to address the meeting briefly (not exceeding one minute) to outline the aims of the petition. The Chair will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion, unless a relevant item appears elsewhere on the Agenda. Please give notice of petitions to committeeservices@wirral.gov.uk in advance of the meeting.

Please telephone the Committee Services Officer if you have not received an acknowledgement of your statement/petition by the deadline for submission.

5c. Questions by Members

Questions by Members to be dealt with in accordance with Standing Orders 12.3 to 12.8.

SECTION A - KEY AND OTHER DECISIONS

- 6. WIRRAL LOCAL PLAN 2021 TO 2037: PUBLICATION OF SUBMISSION DRAFT PLAN (REGULATION 19), AND SUBMISSION TO SECRETARY OF STATE FOR EXAMINATION (REGULATION 22) (Pages 19 - 34)**

The appendices to this report are contained in a separate supplement.

- 7. COMMUNITY ASSET TRANSFER POLICY (Pages 35 - 52)**
- 8. PAY POLICY REPORT 2022-2023 (Pages 53 - 68)**
- 9. USE OF COUNCIL BUILDINGS FOR CIVIC COUNCIL AND COMMITTEE MEETINGS (Pages 69 - 78)**

SECTION B - BUDGET AND PERFORMANCE MANAGEMENT

- 10. BUDGET MONITORING 2022/23 AND BUDGET SETTING PROCESS 2023/24 (Pages 79 - 98)**

SECTION C - WORK PROGRAMME / OVERVIEW AND SCRUTINY

- 11. WORK PROGRAMME 2021-22 (Pages 99 - 110)**

SECTION D - REFERRALS FROM COMMITTEES / COUNCIL

- 12. REFERRALS FROM ECONOMY REGENERATION AND DEVELOPMENT COMMITTEE**
 - 12a. Disposal of Industrial Estate at Quarrybank Street, Birkenhead (Pages 111 - 123)**
 - 12b. Acquisition of Former Co-op Building, 100 New Chester Road, New Ferry (Pages 125 - 139)**
 - 12c. Sale of Freehold Interest in Dominick House, Liscard (Pages 141 - 153)**
- 13. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

The following item contains exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

**14. PROPERTY AND LAND DISPOSALS WIRRAL GROWTH COMPANY – VARIATION TO OPTIONS AGREEMENT
(Pages 155 - 176)**

Policy & Resources Committee Terms of Reference

The Policy and Resources Committee has two main areas of responsibility, which is to provide strategic direction to the operation of the Council, including making decisions on policies and co-ordinating spend not reserved to full Council, and to maintain a strategic overview of outcomes, performance, risk management and budgets.

The Committee is charged by full Council to:-

- (a) formulate, co-ordinate and implement corporate policies and strategies and the medium term financial plan (budget), which includes responsibility for any decision:
 - (i) that relates to such matters to the extent that they are not reserved to full Council;
 - (ii) on any cross-cutting policies that impact on other committee areas;
 - (iii) on policy matters not otherwise allocated to any other committee; and
 - (iv) to determine any dispute or difference between committees;
- (b) provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management, which includes responsibility for a decision:
 - (i) that has a major impact on a number of Council services or on the Council as a whole;
 - (ii) on any virement between Budget funds (revenue) requested by a Committee or officer in excess of **£100,000**;
 - (iii) on any virement between Budget funds (capital) or any amendment to the Capital Programme requested by a Committee or officer in excess of **£100,000**;
 - (iv) regarding land and property including major acquisition and disposals, which includes reserved decision making concerning any purchase, sale or transfer of a value in excess of, or likely to exceed, **£100,000**;
 - (v) regarding companies or limited liability partnerships including acquisition and disposals; and
 - (vi) which is deemed significant in terms of impact on the Council's revenue or capital (to be determined by the Head of Paid Service and/or Section 151 Officer in consultation with the Leader);

- (c) without limiting the generality of responsibility for cross-cutting policies (at (a) above), lead on behalf of the Council:
 - (i) in matters concerning relationships with HM Government, the Liverpool City Region Combined Authority and other major public and non-public bodies;
- (d) appoint Council representatives as required;
- (e) nominate councillors and other persons to outside bodies; and
- (f) undertake responsibility for developing and monitoring the enabling corporate services, including, finance and investment, project support and risk management, strategic procurement and commercial strategies, ICT, property and asset management, human resources and organisational development, law and governance, communications and public affairs, emergency planning and business continuity.

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POLICY AND RESOURCES COMMITTEE

Tuesday, 15 February 2022

Present: Councillor J Williamson (Chair)

Councillors T Anderson S Hayes
H Cameron T Jones
P Cleary J McManus
W Clements Y Nolan
P Gilchrist J Robinson
JE Green P Stuart
EA Grey

Deputy: Councillors A Hodson (In place of L Rennie)

120 WELCOME AND INTRODUCTION

The Chair welcomed everyone to the meeting and those watching the webcast.

121 APOLOGIES

The Chair confirmed that apologies had been received from Councillor Lesley Rennie and that Councillor Andrew Hodson was deputising.

122 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary interests and any other relevant interest and to state the nature of the interest.

The following declarations were made:

Councillor Jeff Green	Personal interest by virtue of him being Chair of Wirral Golf Club and also as a Director of the Wirral Growth Company.
Councillor Jean Robinson	Personal interest by virtue of her being a Director of Wirral Growth Company.

123 MINUTES

Resolved – That the minutes of the meeting held on 17 January, 2022 be approved and adopted as a correct record.

124 PUBLIC QUESTIONS

The Chair informed the meeting that nine questions had been received from members of the public, eight of whom were in attendance, and one who had asked that their question be read out at the meeting.

The nine questions and responses were attached as an appendix to the minutes.

125 STATEMENTS AND PETITIONS

The Chair informed the meeting that a number of petitions had been received and invited those in attendance to present their petitions, as follows:

1. Stephen Bennett presented a petition in respect of the proposed closure of Woodchurch Leisure Centre.
2. Councillor Yvonne Nolan presented a petition in respect of the proposed closure of Rock Ferry Library.
3. Julienne McGeough presented petitions on her behalf and on behalf of Paul Jobson in respect of proposals for increasing charges or introducing charges around residents' parking charges at Tranmere Rovers, Sainsbury's Prenton area and the Birkenhead town area.
4. Alan Dollery presented a petition in respect of the proposed closure of Prenton Library.
5. A petition had been delivered from Matt Webb in respect of the proposed 12 month closure of Bidston Tennis Centre and loss of three indoor courts on reopening.
6. Councillor Wendy Clements presented a petition in respect of the proposed closure of Greasby Library.

Resolved – That the petitions be noted and referred to the appropriate Chief Officers in accordance with Standing Order 11.2.

126 QUESTIONS BY MEMBERS

No questions from Members had been received.

127 BUDGET MONITORING QUARTER 3 2021/22

The Director of Resources introduced a report which set out the financial monitoring information for the Council as at quarter 3 (October - December) of 2021-22 and provided an overview of budget performance.

The Committee was aware that the Department for Levelling Up, Housing and Communities (DLUHC) had provided a conditional offer of Exceptional Financial Support (capitalisation directive) for 2021/22 of up to £10.7m. One of the conditions of that offer was that the Council would need to provide

evidence from the assurance review of the authority's financial position and its ability to meet any or all the identified budget gap without any additional borrowing. An Independent Panel had been appointed to monitor the progress of the implementation of the recommendations of the review.

It was therefore vitally important that the Council had robust processes in place to manage and monitor the in-year financial position, to ensure it delivered a balanced position at the end of the year. The report outlined a number of improvements which had been made to address this.

The projected year-end revenue outturn, recorded as part of Quarter 3 financial monitoring activity, represented a favourable variance against revenue budget of £1.345m. As any favourable variance had to contribute to the reduction in the value of the Exceptional Financial Support for 2021/22, the forecast year end position was a balanced budget. This budget position included the utilisation of the Government's Exceptional Financial Support (EFS) but it was not anticipated that the full amount would be required, following a review of new funding received and a reduction in pressures estimated in March. The value of the EFS had now reduced to £6.355m.

The Director of Resources in response to comments from Members agreed that she would supply figures in writing with regard to the aggregated costs of the capitalisation of salaries for this year and future years, and that the list of earmarked reserves with a commentary, would be circulated to all Members.

On a motion by the Chair, seconded by Councillor Yvonne Nolan, it was -

Resolved – That,

- (1) the favourable forecast position, prior to the proposed adjustment to the exceptional financial support, presented at Quarter 3, be noted;**
- (2) the forecast reduction in the requirement to utilise the Government's Exceptional Financial Support (EFS), be noted;**
- (3) the impact of funding and expenditure as a direct consequence of Covid-19, including the additional funding sources which had been identified, be noted.**

128 **CAPITAL MONITORING QUARTER 3 2021/22**

The Director of Resources introduced a report which provided an update on the progress of the Capital Programme 2021/22 at the end of December 2021. The report recommended to Council a revised 2021/22 Capital Programme of £71.9 million which took account of re-profiling, virements, additional funding requirements and grant variations identified since the Capital Programme was formally agreed on 1 March 2021.

In response to comments from Members, the Director stated that any reduction in the capital programme would reduce borrowing and feed into a reduction in revenue spend too. With regard to the reduction in the capitalisation amount and the instruction from Department for Levelling Up, Housing and Communities (DLUHC) to sell off assets, this requirement would reduce as the Council would only be looking to sell off assets equivalent to the loan.

On a motion by the Chair, seconded by Councillor Yvonne Nolan, it was -

RECOMMENDED – To Council,

- (1) the approval of the revised Capital Programme of £71.9 million for 2021/22, including the addition of the new grant funding referred to in section 3.4 in the report;**
- (2) the approval of additional funding for the schemes referred to in section 3.5 in the report;**
- (3) the approval of the virements referred to in Appendix 3 in the report.**

129 **BUDGET 2022/23 AND MEDIUM TERM FINANCIAL PLAN**

The Director of Resources introduced a report which was part of the Council's formal budget process, as set out in the constitution and in accordance with the legal requirements to set a balanced and sustainable budget for 2022/23.

This report presented details of the annual budget for 2022/23; key elements contributing towards the preparation of the budget; recommendations on the budget and council tax, and an update on the Medium-Term Financial Plan (MTFP) covering the period from 2022/23 to 2026/27, previously reported to the Committee on 1 December 2021 (minute 101 refers) as a component of the Medium-Term Financial Strategy (MTFS).

The report contained several appendices, some of which were required to be published as part of the statutory annual budget process and others which provided the Committee with relevant information relating to short and medium-term budget planning, inclusive of consultation aspects and financial assumptions. These assumptions would change, and changes would be reported through the governance process for budget monitoring within the Committee system.

Included with these appendices was also the detailed Schools Budget for 2022/23.

The 2022/23 budget had been compiled using the figures in the provisional Local Government Finance Settlement for 2022/23 as the final settlement, had not at the time of agenda publication, been received. The Director confirmed that the final settlement had been received with a slight improvement of £1k, which did not impact on the assumptions included within the 2022/23 budget report

The 2022/23 budget had been developed with consideration of the recommendations made in the Department for Levelling Up, Housing and Communities (DLUHC) external assurance reports and in consultation with the Independent Panel convened to advise on the Council's financial recovery plan.

The budget proposals, which had been produced with the engagement of Policy and Resources Committee and other Service Committees, and the associated recommendations laid out in this report were a key step in achieving the Council's commitment to produce a stable, prudent and sustainable financial basis to operate from, recognising the finite resources available and prioritising them for the best outcomes for Wirral, with the ongoing aim of delivering better services.

The report was extensive, covering complex information on a number of areas including:

- The national context and local government funding
- Government engagement, DLUHC and Exceptional Financial Support (EFS)
- Organisational change
- The approach to formulating the budget, inclusive of Directorate budget envelopes
- The budget proposals
- The MTFs and future year assumptions
- Council Tax
- Business Rates
- Schools' budgets
- Levies
- The General Fund and earmarked reserves
- Flexible Use of Capital Receipts (FUCR)
- The Section 151 officer's report on the robustness of estimates for budget calculations

Both the Director and Chief Executive responded to a number of comments from Members clarifying the external advice given of the need for a contingency fund of £3m minimum and also assuring the Committee of the rigour with which the Change Programme and delivery of savings would be implemented.

The Chair then moved, seconded by Councillor Jean Robinson, the recommendations set out in the report, with the following alterations to be inserted:

- (a) That the savings proposal listed at Appendix 2 headed “Permanent Closure and Demolition of Woodchurch Leisure Centre” be amended to contain an additional element to the proposal that

Demolition of the Woodchurch Leisure Centre will not be progressed whilst a process is undergone to consider the feasibility of any expressions of interest submitted to the Council by 30 September 2022 for the transfer of the Leisure Centre to be operated by a community group or trust. Any transfer of the Leisure Centre will include the earmarked capital costs of £330k for demolition being made available to assist with required capital maintenance works to the site. In addition, if the Directorate is able to make any efficiencies above and beyond the proposed savings at the end of Quarter 1 in 2022/23, that this will be earmarked towards project support for any successful bid to transfer the facility to a community organisation. This does not affect the proposed revenue saving.

- (b) That a report be brought as soon as practicable to the Policy & Resources Committee to establish a Community Asset Transfer policy in respect of services and assets identified in the budget proposals, which should be fully integrated with the Council’s Community Wealth Building Strategy and the principles adopted within it
- (c) That the savings proposal listed at Appendix 2 headed “Review of Anti-Social Behaviour Team” be deleted. This will remove the proposal of £50k to review the Anti-Social Behaviour Team as the Committee is acutely aware of the blight that anti-social behaviour has on our residents’ lives and the detrimental impact it has on our communities. The £50,000 attached to this saving may be found from a different resource, that being using the Annual Community Safety Grant which the Council receives from the Police and Crime Commissioner which is as yet unallocated for 2022/23. This will both protect our communities and save jobs.
- (d) That the Director for Neighbourhoods ensure that the forthcoming reports to Tourism, Communities, Culture & Leisure Committee contain:
 - (i) a full exploration of all proposals submitted during the consultation period for Hoylake and Brackenwood golf courses, including options for increasing fees, alternative provision and environmental projects;

- (ii) delivery plans for a children’s activity area in the main swimming pool at Europa Pools on dedicated days and school holidays; and
 - (iii) a consideration of how future leisure provision may be underpinned by the Community Wealth Building Strategy and is best able to deliver the Wirral Plan objectives to reduce health inequalities in the Borough.
- (e) That expressions of interest be invited for the transfer of one or more golf courses to a community run body, to be submitted by 30th September 2022, to be developed as a business case and assessed by the Council. This will not affect the saving proposal to come into effect as of 1st April 2022, following Budget Council.
- (f) That a report be brought to a future meeting of the Policy & Resources Committee in respect of a review of the Council’s Social Value Policy, which is requested to take place within the coming six months and focussed on an ambition to make it more ambitious in its targets and for it to integrate with the social value framework currently being developed by the Liverpool City Region Combined Authority.

The Director of Resources confirmed that the proposals put forward by the Chair were all legal and achievable for a balanced budget to be set.

It was then moved as an amendment by Councillor Tom Anderson, seconded by Councillor Jeff Green, that –

- (a) That the savings proposal listed at Appendix 2 headed “Reprovision of the Library Service” be amended to reduce the savings proposals so as to make sufficient monies available to enable:
- (i) Greasby library to remain operating for the purposes of a community facility and library centre at a cost of £78k;
 - (ii) expressions of interest in community asset transfer of the libraries that may be closed to be supported in assisting the production and implementation of business cases at a cost at a revenue cost of £282k; and
 - (iii) an allocation from within the 2022/23 capital programme be identified, where necessary, to enable expressions of interest in community asset transfer of the libraries that may be closed to be supported in assisting the production and implementation of business cases at a cost of £500k; and
 - (iv) libraries currently proposed to cease operation as of 1st July to continue to operate until 1st November 2022 whilst expressions of interest for their community asset transfer are sought and

business cases developed and assessed, which will provide a reduction of in-year savings of £470k;

amounting to a reduction in revenue savings of £162k for 2022/23 and future years and £752k for 2022/23 only, with the use of the budget surplus to support this.

- (b) That the amount specified in proposed Recommendation 4 of “£0.44m” be deleted and the word “the” to be deleted and replaced with “any”, so as to read - “approve any surplus funding available from a budget proposal of £330.13m to be transferred to the General Fund”.

Councillor Yvonne Nolan expressed her support for Councillor Anderson’s amendment but suggested that Rock Ferry Library be also added to his amendment regarding Greasby Library.

Councillor Anderson agreed that this could be added to his amendment, so that (a) (i), now read:

“Greasby and Rock Ferry libraries to remain operating for the purposes of community facility and library centres at a cost of £162k”

It was then further moved by Councillor Tom Anderson, and seconded by Councillor Helen Cameron, that –

- the savings proposal listed at Appendix 2 headed “Review of Golf Offer” be amended to contain an additional element to the proposal that:

“Closure of these sites will require alternative proposals for use to be brought forward, which the Council intends as landowner will be for leisure or outdoor use only and would be appropriate to the Greenbelt where those sites are within it.”

A further amendment was then moved by Councillor Phil Gilchrist, seconded by Councillor Steve Hayes, that –

“Committee recognises that consultations over the future of a number of facilities do not close until 27th March. In addition, at the time of writing, consultation on the future shape and extent of library provision, has not yet commenced.

Given the views expressed by the report from CIPFA and their opinion on the extent and range of non-statutory services, along with those covered by the provisions of the Libraries and Museums Act 1964, Committee recognises that it is not practicable for all the services offered by the Council to remain as provided.

Having regard to these constraints it is essential that any groups or organisations interested in the potential of community asset transfer are given adequate time and sufficient information to assemble their business cases. In these circumstances officers can be expected to respond to requests from groups and organisations for advice on the running costs of any facilities they are considering for such a transfer.

In these circumstances the timing of the need to make budgetary savings may undermine the ability of a group to assemble its case to take over an asset on behalf of the community. A clear aim should be to avoid an asset being damaged or neglected in any transition whilst productive negotiations take place. A further aim should be to ensure that such negotiations are concluded in a timely manner so that an orderly transition can be arranged if practicable..

To facilitate this the £0.44m contained at recommendation 4 be removed and added to the £3m contingency for delivery of first or in year savings (as specified at paragraph 3.21 of the report).

The up to date position on productive and meaningful approaches can then be reported to the June cycle of committees.”

An amendment was then moved by Councillor Pat Cleary, seconded by Councillor Steve Hayes, that –

- (a) To provide additional useable funding by adopting a proposal to reduce the temperature in occupied Council buildings by 2 degrees, which will in general create a reduced energy cost of £113k.
- (b) To direct that budget saving proposal to increase the Climate Emergency Budget.

Councillor Paul Stuart moved an amendment to the second part of Councillor Cleary’s amendment, in that it be replaced by the following –

“That the £113,000 savings identified around council energy costs are re-directed into the Local Welfare Assistance Fund to be ringfenced for fuel poverty in the form of one-off flat payments to those residents in most need of assistance with their fuel bills. Residents across the Borough are currently suffering from a cost of living crisis which means many are choosing between heating and eating. To enable this to be allocated fairly, the Director of Resources is requested to establish a process that will distribute the money in an equitable manner.”

In response to a Member’s comment, the Director of Resources confirmed that £2.72m had been built into the budget for increased energy costs, and that the savings put forward in energy costs were deemed to be achievable.

At 8.03pm the Chair adjourned the meeting to enable discussions within Groups to take place on the proposals.

The Committee resumed at 8.34pm.

Councillor Phil Gilchrist moved a further amendment, seconded by Councillor Steve Hayes, that –

“Members should be kept fully informed of the response to all consultations so that the proposals brought forward tonight are seen in context and that developments involving community asset transfer are assessed by the Policy and Resources Committee in due course.”

Responding to a Member’s comment the Director of Resources stated that a report would be brought to the next Policy and Resources Committee on a Community Asset Transfer Policy with criteria and timelines.

Members then debated further the proposals and amendments before them.

The Director of Law and Governance then explained how the voting would proceed on the amendments and motion before the Committee.

The first vote was taken on Councillor Anderson’s amendment as altered, concerning libraries and financing, and this was carried (14:1).

A vote was then taken on Councillor Anderson’s amendment regarding golf courses, and this was carried (15:0).

The Director of Law and Governance informed the meeting that Councillor Gilchrist’s first amendment would now fall away as it conflicted with Councillor Anderson’s first amendment, which had been carried.

A vote was then taken on the first part of Councillor Cleary’s amendment, which was carried (15:0).

The second part of Councillor Cleary’s amendment was put and lost (3:12).

Councillor Stuart’s amendment to the second part of Councillor Cleary’s amendment was then put and carried (15:0).

Councillor Gilchrist’s second amendment in respect of Community Asset Transfers, was then put and carried (15:0).

The substantive motion, as amended, was then put and carried (14:1).

Resolved (14:1) – That the Committee:

- (1) Considered the response to the financial proposals forming a draft budget for the purposes of consultation under section 65 of the Local Government Finance Act, set out as:

Appendix 1 Report of the Section 151 officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves

Appendix 2 Savings, income and efficiencies proposals

Appendix 3 Five year Medium-Term Financial Plan

Appendix 4 Budget consultation

Appendix 5 Policy & Service Committee budget proposals feedback

Appendix 6 Pressures/Investments

Appendix 7 The position for the Dedicated Schools Grant

Appendix 11 Medium-Term Financial Strategy

and approved the same as the basis of the formulation of the draft budget subject to the following alterations and additions to the supporting proposals as set out at Appendix 2. These being:

- (a) That the savings proposal listed at Appendix 2 headed “Permanent Closure and Demolition of Woodchurch Leisure Centre” be amended to contain an additional element to the proposal that:

Demolition of the Woodchurch Leisure Centre will not be progressed whilst a process is undergone to consider the feasibility of any expressions of interest submitted to the Council by 30 September 2022 for the transfer of the Leisure Centre to be operated by a community group or trust. Any transfer of the Leisure Centre will include the earmarked capital costs of £330k for demolition being made available to assist with required capital maintenance works to the site. In addition, if the Directorate is able to make any efficiencies above and beyond the proposed savings at the end of Quarter 1 in 2022/23, that this will be earmarked towards project support for any successful bid to transfer the facility to a community organisation. This does not affect the proposed revenue saving.

- (b) That a report be brought as soon as practicable to the Policy & Resources Committee to establish a Community Asset Transfer policy in respect of services and assets identified in the budget proposals, which should be fully integrated with the Council’s Community Wealth Building Strategy and the principles adopted within it.

- (c) That the savings proposal listed at Appendix 2 headed “Review of Anti-Social Behaviour Team” be deleted. This will remove the proposal of £50k to review the Anti-Social Behaviour Team as the Committee is acutely aware of the blight that anti-social behaviour has on our residents’ lives and the detrimental impact it has on our communities. The £50,000 attached to this saving may be found from a different resource, that being using the Annual Community Safety Grant which the Council receives from the Police and Crime Commissioner which is as yet unallocated for 2022/23. This will both protect our communities and save jobs.**
- (d) That the Director for Neighbourhoods ensure that the forthcoming reports to Tourism, Communities, Culture & Leisure Committee contain:**
- (i) a full exploration of all proposals submitted during the consultation period for Hoylake and Brackenwood golf courses, including options for increasing fees, alternative provision and environmental projects;**
 - (ii) delivery plans for a children’s activity area in the main swimming pool at Europa Pools on dedicated days and school holidays; and**
 - (iii) a consideration of how future leisure provision may be underpinned by the Community Wealth Building Strategy and is best able to deliver the Wirral Plan objectives to reduce health inequalities in the Borough.**
- (e) That expressions of interest be invited for the transfer of one or more golf courses to a community run body, to be submitted by 30th September 2022, to be developed as a business case and assessed by the Council. This will not affect the saving proposal to come into effect as of 1st April 2022, following Budget Council.**
- (f) That a report be brought to a future meeting of the Policy & Resources Committee in respect of a review of the Council’s Social Value Policy, which is requested to take place within the coming six months and focussed on an ambition to make it more ambitious in its targets and for it to integrate with the social value framework currently being developed by the Liverpool City Region Combined Authority.**
- (g) That the savings proposal listed at Appendix 2 headed “Reprovision of the Library Service” be amended to reduce the**

savings proposals so as to make sufficient monies available so as to enable:

- (i) Greasby and Rock Ferry libraries to remain operating for the purposes of community facility and library centres at a cost of £162k ;**
- (ii) expressions of interest in community asset transfer of the libraries to be supported in assisting the production and implementation of business cases at a cost of £282k ; and**
- (iii) an allocation from within the 2022/23 capital programme be identified, where necessary, to enable expressions of interest in community asset transfer of the libraries that may be closed to be supported in assisting the production and implementation of business cases at a cost of £500k ; and**
- (iv) libraries currently proposed to cease operation as of 1st July to continue to operate until 1st November 2022 whilst expressions of interest for their community asset transfer are sought and business cases developed and assessed, which will provide a reduction of in-year savings of £470k;**

amounting to a reduction in Revenue savings of £162k for 2022/23 and future years and £752k for 2022/23 only with the use of the budget surplus to support this.

- (h) That the savings proposal listed at Appendix 2 headed “Review of Golf Offer” be amended to contain an additional element to the proposal that:**

“Closure of these sites will require alternative proposals for use to be brought forward, which the Council intends as landowner will be for leisure or outdoor use only and would be appropriate to the Greenbelt where those sites are within it.”

- (i) That an additional proposal be listed at Appendix 2:**

- (i) To provide additional useable funding by adopting a proposal to reduce the temperature in occupied Council buildings by 2 degrees, which will in general create a reduced energy cost of £113k; and**
- (ii) That the £113,000 savings identified around council energy costs are re-directed into the Local Welfare Assistance Fund to be ringfenced for fuel poverty in the form of one-off flat payments to those residents in most need of assistance with their fuel bills. Residents across the Borough are currently suffering from a cost of living crisis which**

means many are choosing between heating and eating. To enable this to be allocated fairly, the Director of Resources is requested to establish a process that will distribute the money in an equitable manner.

- (j) Members should be kept fully informed of the response to all consultations so that the proposals brought forward tonight are seen in context and that developments involving community asset transfer are assessed by the Policy and Resources Committee in due course.
- (2) Noted the role of the Change Programme and the approach to currently active Service Reviews in delivering budget proposals.
- (3) Recommends that Council adopt a Revenue Budget, subject to the Local Government Finance Settlement to be issued by The Department for Levelling Up, Housing and Communities (DLUHC) of £330.13m.
- (4) Recommends that Council approve any surplus funding available from a budget proposal of £330.13m to be transferred to the General Fund.
- (5) Accordingly recommends that Council:
 - (a) agree the summary Medium-Term Financial Plan (MTFP) set out as Appendix 3 and adopt the Medium-Term Financial Strategy (MTFS) set out as Appendix 11;
 - (b) adopt the fees and charges set out as Appendix 9, with delegated authority being granted:
 - (i) to the Section 151 Officer to update the Council's Fees and Charges Directory prior to publication before 1 April 2022
 - (ii) to the relevant Director with portfolio, in consultation with the relevant Committee's Chair and Group Spokespersons, to vary existing fees and charges;
 - (c) approve the Discretionary Rate Relief Policy for Business Rates for 2022/23 set out as Appendix 10;
 - (d) set and maintain the level of General Fund Balances at the higher of
 - (i) 4% of the Council's net revenue budget, based on a locally determined assessment of the financial risks that the Council may face in the future in accordance with the report of the Section 151 Officer (Appendix 1);

- (e) **authorise, in respect of the Budget Proposals, that the Director with portfolio undertake such actions as they consider necessary to implement the agreed Budget and deliver the savings, income and efficiency proposals developed as part of the formulation process and update Committees accordingly;**
 - (f) **approve the 2022/23 Schools Budget of £316.2m.**
- (6) Recommends that Council delegate authority to the Section 151 Officer, following consultation with the Chair and Group Spokespersons of the Policy and Resources Committee, to do anything necessary to give effect to the proposals contained in the report and to address any funding changes, if any, arising from the final Local Government Finance Settlement once agreed by Parliament.**
- (7) Recommends (subject to a separate vote at Council) that Council:**
- a. **Sets the Band D Council Tax at £1,713.00 for the Wirral Borough Council element of the Council Tax, representing a general increase of 1.99% and 1.00% ringfenced increase to Adult Social Care, and the Council Tax requirement for the Council's own purposes for 2022/23 of £163m as detailed in Appendix 8.**
 - b. **Notes that the additional precepts from the Police & Crime Commissioner for Merseyside, the Merseyside Fire & Rescue Authority and the Liverpool City Region Combined Authority remain in estimated form and delegates authority to the Section 151 Officer to implement any variation to the overall council tax arising from the final notification of the precepts.**

130 CAPITAL PROGRAMME 2022-27

The Chair suggested that this and the next three items be taken en bloc and this was agreed by the Committee.

The Director of Resources introduced a report on the draft Capital Programme 2022/27 for consideration and referral to Council for approval. It also included information regarding the revenue implications of this Programme and an update on the latest forecast for capital receipts.

The 2022/27 Capital Programme represented a combination of schemes originally approved as part of the 2021/26 Programme, updated through the Capital Monitoring reports in 2021/22 and new bids for inclusion as detailed in this report.

A Member suggested the need for a forward programme of improvements required to leisure facilities in respect of the £660k Leisure Capital Improvement Programme funding.

The Director responded to a number of comments from Members and confirmed that DLUHC had instructed the Council not to use any portion of capital receipts for a community fund, but that all capital receipts were to be used to fund the cost of the capitalisation directive. She suggested that the idea of a capital pot for some form of community funding in areas where assets had been sold off could be revisited.

On a motion by the Chair, seconded by Councillor Yvonne Nolan, it was -

RECOMMENDED – To Council -

- (1) the approval of the new bids as detailed in Appendix 2 to the report requiring £8.963 million borrowing for inclusion in the Capital Programme;**
- (2) the approval of any new bids supported by grant funding do not commence until written confirmation has been received from the granting authority;**
- (3) the approval of the Capital Programme 2022/27 (as detailed in Appendix 3 to the report).**
- (4) that the Director of Resources be requested to present updates on the capital programme in accordance with the agreed capital monitoring arrangements.**

131 **CAPITAL FINANCING STRATEGY 2022/23**

The Director of Resources introduced a report on the Capital Financing Strategy. The Authority's treasury management activity was underpinned by the Chartered Institute of Public Finance and Accountancy (CIPFA) 2017 Code of Practice on Treasury Management ("the Code"), in which there was the requirement for Council to approve an annual Capital Strategy. The report fulfilled the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

On a motion by the Chair, seconded by Councillor Yvonne Nolan, it was -

RECOMMENDED – To Council -

- (1) the approval of the Capital Strategy for 2022/23;**
- (2) the approval of the associated Prudential Indicators to be adopted;**

(3) the approval of the Council's Minimum Revenue Provision policy.

132 **TREASURY MANAGEMENT STRATEGY 2022/23**

The Director of Resources introduced a report on the Treasury Management Strategy. The Authority's treasury management activity was underpinned by the Chartered Institute of Public Finance and Accountancy (CIPFA) 2017 Code of Practice on Treasury Management ("the Code"), which required the production of annual Treasury Management Indicators and a Treasury Management Strategy Statement on likely financing and investment activity. The Code also recommends that Members were informed of treasury management activities at least twice a year.

The report fulfilled the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code. It did not cover the requirements of the 2018 Department for Levelling Up, Housing and Communities (DLUHC) Investment Guidance, which mostly referred to non-treasury investments and was the subject of a separate report.

On a motion by the Chair, seconded by Councillor Yvonne Nolan, it was -

RECOMMENDED – To Council -

(1) the approval of the Treasury Management and Investment Strategy for 2022/2023;

(2) the approval of the Treasury Management Indicators.

133 **INVESTMENT STRATEGY 2022/23**

The Director of Resources introduced a report on the Investment Strategy. In February 2018, the former Ministry for Housing, Communities and Local Government (MHCLG), (now Department for Levelling Up, Housing and Communities (DLUHC)) published updated 'Guidance on Local Government Investments'. The previous edition covered only Treasury Management investments. In recent years local authorities had had an increasing focus on commercial activities including but not exclusive to property. Such activity had the potential to bring both increased returns and increased positive and negative risk. The revised Guidance on Local Authority Investments required that a separate Investment Strategy focusing on non-treasury investments was produced and approved annually by Council.

This report fulfilled the requirement of the DLUHC to produce an investment strategy that covered non-treasury activities.

On a motion by the Chair, seconded by Councillor Yvonne Nolan, it was -

RECOMMENDED – To Council, the approval of the Investment Strategy for 2022/2023 which includes potential investment in the following activity areas:

- 1. Commercial Property**
- 2. Service Investments: Loans**
- 3. Service Investment: Shares (non-currently held)**
- 4. Loan Commitments and Financial Guarantees**

134 PROCEDURE FOR BUDGET DECISION MEETING OF COUNCIL

The Director of Law and Governance introduced a report on the assurance process in formulating the draft Council Budget with a recommendation to Council on a process for adoption at the Budget decision making meeting.

On a motion by the Chair, seconded by Councillor Yvonne Nolan, it was -

RECOMMENDED - To Council, that for the duration of the extraordinary meeting of 28th February 2022 (Budget Council):

- (a) the procedure attached as Appendix A be followed in respect of the meeting; and**
- (b) Council Standing Order 15.4 (timing of speeches) be suspended together with such other standing orders as may conflict with the Budget Council procedure or the Mayor’s administration of the meeting, in such a manner as the Mayor in his or her absolute discretion dictates, to ensure the objective of Council setting a lawful budget and council tax requirement prevails.**

135 CHAIR'S THANKS

At the conclusion of the meeting, the Chair expressed her thanks for the manner in which the Committee had discussed and debated the matters before it, appreciative of the difficult process which the Council was going through and thanked Members and officers for all their hard work.



POLICY AND RESOURCES COMMITTEE

Wednesday, 16 March 2022

REPORT TITLE:	WIRRAL LOCAL PLAN 2021 TO 2037: PUBLICATION OF SUBMISSION DRAFT PLAN (REGULATION 19), AND SUBMISSION TO SECRETARY OF STATE FOR EXAMINATION (REGULATION 22)
REPORT OF:	DIRECTOR OF REGENERATION AND PLACE

REPORT SUMMARY

This report seeks approval to publish the Wirral Local Plan 2021 to 2037- Submission Draft Plan (“the Submission Draft Plan”) for a six-week period to enable representations to be invited on the soundness and legal compliance of the Plan and for the Plan to be subsequently submitted to the Secretary of State for Levelling Up, Housing and Communities (“the Secretary of State”) for Independent Examination, following the conclusion of the publication period under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (“the Regulations”).

The Submission Draft Plan is the document that the Council, subject to Members’ approval, will submit to the Secretary of State for Independent Examination and which it would wish to adopt subject to the recommendations of a Planning Inspector.

The publication of the Submission Draft Plan (under Regulation 19 of the Regulations) is the final stage of engagement prior to the Submission Draft Plan being submitted for Independent Examination. The purpose of this stage is to enable any person to make representations (under Regulation 20 of the Regulations) about the Submission Draft Plan. The representations must relate to the ‘soundness’ or legal compliance of the Local Plan and will then go forward to be considered by the Planning Inspector who will be appointed by the Secretary of State to undertake the Independent Examination.

In accordance with National Planning Policy the Council must, through the Local Plan, provide a positive planning policy framework that supports and boosts the economy. The Submission Draft Plan is appended to this report at Appendix 1 and its accompanying Policies Map can be viewed online via a link at Appendix 2:

In producing the Submission Draft Plan, extensive work and evidence collation has indicated that the needs of the Borough can and should be met within the existing urban areas through an urban intensification approach. Because of this, the ‘exceptional circumstances’ for alterations to be made to Green Belt boundaries do not exist. This approach accords with national planning policy and guidance.

The Council's approved Local Development Scheme (January 2022) identifies that the Council intends to submit the Submission Draft Plan for Independent Examination to the Secretary of State between July and September 2022.

At the Independent Examination an Inspector appointed by the Secretary of State will examine the Submission Draft Plan, the evidence supporting it and the representations received under Regulation 20 and will assess whether the Council's proposed Plan is sound and has met the legal requirements to allow it to be formally adopted. The Inspector may suggest further modifications to the Local Plan.

The Local Plan will support all five themes of the Wirral Plan 2021-26: Inclusive Economy, Safe & Pleasant Communities, Sustainable Environment, Brighter Futures and Active & Healthy Lives.

This matter is a Key Decision and affects all wards within the Borough.

RECOMMENDATION/S

Policy and Resources Committee is requested to recommend to Council to:

1. Agree and publish the Wirral Local Plan-Submission Draft and Policies Map (as set out as Appendices 1 and 2 to this report respectively) ("the Wirral Local Plan") for a period of six weeks as soon as practicable for representations to be invited as to soundness and legal compliance in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the Regulations");
2. Agree the submission of the Wirral Local Plan, along with representations received, to the Secretary of State for Independent Examination under section 20 of the Planning Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"), together with the submission documents prescribed by Regulation 22 of the Regulations, following the conclusion of the Regulation 19 publication period;
3. Note the Sustainability Appraisal, Habitats Regulation Assessment, Equality Impact Assessment, the Local Plan Duty to Co-operate Statement of Compliance, the Regulation 18 Consultation Statement and Local Plan evidence base published alongside Wirral Local Plan;
4. Authorise the Director of Regeneration and Place, in such consultation with the Chair and Spokespersons of Policy and Resources Committee as is practical and appropriate, to:
 - (a) make non-material typographical, formatting, mapping and other minor amendments to the Wirral Local Plan prior to publication and prior to submission of the Local Plan to the Secretary of State;
 - (b) produce and submit any supplementary information and documentation to the Local Plan Inspector(s) as may be required to complete the examination and address any issues relating to soundness and legal compliance including statements of common ground with various organisations;
 - (c) agree such main and other modifications to the Wirral Local Plan during the examination in public process as may be necessary to make the Wirral Local Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Act; and
 - (d) write to the Local Plan Inspector(s) appointed to carry out the Independent Examination of the submitted Wirral Local Plan asking them to recommend such main or other modifications to the submitted Wirral Local Plan as may be necessary to make the Wirral Local Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Act.
5. Endorse the Wirral Local Plan-Submission Draft as a material consideration to be used in the determination of planning applications, with appropriate weight given in accordance with paragraph 48 of the National Planning Policy Framework; and
6. Agree in principle to consider the use of the Council's Compulsory Purchase Order Powers, where required, to assist with the delivery of regeneration projects set out in the Wirral Local Plan

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The proposed publication of the Submission Draft Plan is in accordance with the Council's adopted Local Development Scheme and Statement of Community Involvement. The recommended process as set out within this report complies with relevant legislative requirements and is necessary before the Wirral Local Plan can be submitted to the Secretary of State for Independent Examination.
- 1.2 The current Wirral Unitary Development Plan ("UDP") was adopted in 2000 and is in need of replacement.
- 1.3 The proposed Local Plan policies, spatial strategy and site allocations are supported by an extensive range of supporting documents and evidence, including a Sustainability Appraisal, Habitat Regulations Assessment and Infrastructure Delivery Plan.
- 1.4 The continued progression of the Local Plan towards adoption will provide for the future development and infrastructure needs of the Borough in a sustainable and appropriate manner and will provide up to date planning policies to guide and support future development proposals. The Government requires all local planning authorities to have an up-to-date Local Plan in place by 2023. The Council is subject to the threat of intervention by the Secretary of State in the event the Local Plan is not prepared in a timely manner.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 To not to publish the Submission Draft Local Plan is an option, however it is considered to be sound and legally compliant and will help deliver the comprehensive regeneration of Birkenhead and other identified areas in need of regeneration. Any delay will restrict the ability of the Council to deliver plan-led growth to meet future development and infrastructure needs and leave the Borough vulnerable to speculative development proposals. It would undermine the development of a comprehensive regeneration strategy for the Borough and it would also leave the Council vulnerable to formal intervention by the Secretary of State exercising his default plan-making powers under Part 2 of the 2004 Act.
- 2.2 Amending the Submission Draft Plan, including the Council's Preferred Spatial Strategy prior to publication under Regulation 19 of the Regulations would be an option. However, any alterations to the Submission Draft Plan at this stage will require a considerable amount of further work to be undertaken, which will make it impossible for the Council to submit the Submission Draft Plan for Independent Examination in accordance with the Council's approved Local Development Scheme and is likely to undermine the soundness and/or legal compliance of the Plan and risk intervention by the Secretary of State.

3.0 BACKGROUND INFORMATION

- 3.1 A Local Plan is required to set out the proposed strategy for meeting the Borough's development needs and the planning framework to guide the future use and development of land in the Borough for at least 15 years from adoption. It must identify how the Borough will grow and develop whilst at the same time maintaining its attractiveness as a place to live, work and visit.
- 3.2 The Local Plan forms part of the statutory Development Plan for the area. The Development Plan is the statutory basis upon which planning applications and other land use planning decisions must be determined, unless there are material considerations that indicate otherwise. The Local Plan is intended to provide certainty to communities and businesses about where development will be promoted and about where development will be restricted. It also allows infrastructure providers to plan effectively for the future.
- 3.3 The existing statutory Development Plan for the Metropolitan Borough of Wirral currently comprises:
- the 'saved' policies in the Unitary Development Plan for Wirral (UDP), which was adopted by the Council in February 2000;
 - the Joint Waste Local Plan for Merseyside and Halton, which was adopted in July 2013; and
 - Neighbourhood Development Plans for Devonshire Park (December 2015) and Hoylake (December 2016).
- 3.4 The proposed Wirral Local Plan will cover the period 2021-2037. At the heart of the proposed Wirral Local Plan is the comprehensive regeneration of Birkenhead, addressing decades of physical and social decline and deprivation and progressing the vision of the Birkenhead 2040 Framework. Proposals are also included to promote regeneration in New Brighton, Liscard, Seacombe and New Ferry. Once adopted, the policies in the Wirral Local Plan will replace all of the remaining policies in the existing Unitary Development Plan. Any future Neighbourhood Plans must also have regard to it.
- 3.5 The Wirral Local Plan will:
- Set the general scale and distribution of new development which is required to meet the Borough's needs to 2037;
 - Provide the spatial planning context for the comprehensive regeneration of Birkenhead and other priority areas in the Borough, to address deep-seated physical, social, housing and economic deprivation;
 - Set the strategic planning policies of the Council, taking account of key factors such as population trends, economic growth, climate change, resources and the character of the environment;
 - Set out the planning objectives, principles and requirements for future development proposals, including detailed 'development management' policies to guide future land use decisions, including decisions on planning applications;

- Show in detail where new homes, workplaces and facilities will be located through site and area specific allocations of land, which are shown on a Policies Map; and
- Show key environmental designations and include site and area specific proposals for the conservation and enhancement of historic and natural assets, which will also be shown on the Policies Map.

3.6 The Wirral Local Plan must be prepared to meet the requirements of national legislation, policy and guidance in accordance with a pre-determined statutory process. The next stage in that process is the publication of a Submission Draft Plan under Regulation 19. The comments received on the Submission Draft Plan will then go forward to be considered by a Planning Inspector appointed by the Secretary of State to undertake a formal Examination of the Plan before its policies and proposals can be legally adopted as part of the Development Plan for Wirral.

Local Plan timeline

- 3.7 The preparation of the Submission Draft Plan, attached to this report at Appendix 1, follows public consultation on a review of Development Options published in September 2018 and an Issues and Options Consultation published in January 2020, which sought comments on a number of evidence base studies and potential allocations for housing and employment development sites including an interim Sustainability Appraisal and Habitats Regulations Assessment and the Council's Preferred Option of Urban Intensification. Additional evidence base documents were published for public consultation during 2020 and 2021.
- 3.8 In replacing the UDP the original intention was to prepare a Core Strategy Local Plan which would be followed by the second stage preparation of a site-specific Land Allocations and a Heritage Local Plan. The stages undertaken to prepare the Core Strategy and the subsequent 2018 Development Options Review in 2018 can be viewed on the Council's web site here: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-plans/core-strategy-local-plan>. A detailed timeline can also be found in the Local Development scheme which can be viewed on the Council's web site here: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-plans/local-development-scheme>
- 3.9 The Council received 26,474 separate comments from some 1557 respondents during the Issues and Options Consultation, which have been used to inform the preparation of the Submission Draft Plan. A summary of the comments received, the key issues that were raised and the Council's responses are set out in the detailed Consultation Statement which can be viewed on the Council's web site here: <https://wirral.tiny.us/ydr8demm>
- 3.10 The Submission Draft Plan sets out the strategy, policies and proposals for meeting the Borough's development needs in a sustainable and transformational manner from 2021 to 2037. These range from the regeneration of areas of vacant and underused land to the protection and improvement of Wirral's historic and natural environment. At the heart of the Plan is the comprehensive regeneration of Birkenhead as a low carbon sustainable waterfront garden 'city' based on the proposals of the Draft Birkenhead 2040 Framework. Complementary regeneration policies for other 'Left Bank' places including New Brighton, Liscard and New Ferry are also set out.

- 3.11 In producing the Submission Draft Plan, extensive work and evidence collation has indicated that the needs of the Borough can and should be met within the existing urban areas through an urban intensification approach. Because of this, the 'exceptional circumstances' for alterations to be made to Green Belt boundaries do not exist, an approach which accords with national planning policy and guidance.

Sustainability Appraisal

- 3.12 A statutory Sustainability Appraisal (SA) has informed the preparation of the Submission Draft Plan. Reasonable alternatives to the policies and sites have been assessed at various stages in the preparation of the Plan and has informed the development of the spatial strategy and the selection of sites. As well as an appraisal of each policy and site, the SA includes an assessment of the cumulative effects of the Submission Draft Plan against sustainability objectives. The SA also addresses the requirements of Strategic Environmental Assessment, Equalities Impact Assessment and Health Impact Assessment. See: <https://wirral.tiny.us/2p8abcff>
- 3.13 A Non-Technical Summary is appended to this report at Appendix 3.

Habitats Regulation Assessment

- 3.14 A statutory Habitats Regulations Assessment (HRA) has also been undertaken to identify any aspects of the emerging Plan that would have the potential to cause a likely significant effect on Natura 2000 or European sites (including designated Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites). The HRA concludes that the Submission Draft Plan will not result in a likely significant effect, either alone or in combination, upon any of these sites. See: <https://wirral.tiny.us/yzurvr7u>
- 3.15 A summary of conclusions and recommendations of the HRA is also appended to this report at Appendix 4.

Infrastructure

- 3.16 The Council has also worked to ensure that the infrastructure needed to support planned growth has been properly understood and considered, particularly with regard to education, health and transport, which were some of the issues of greatest public concern. An Infrastructure Delivery Plan and Schedule (IDP) has been prepared following extensive ongoing consultation with infrastructure providers and other stakeholders and sets the requirements for the level of growth identified in the Submission Draft Plan. The IDP is available on the website as part of the Council's evidence base at: <https://wirral.tiny.us/4yesy78p>

Duty to co-operate

- 3.17 Local planning authorities are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. The Council has collaborated extensively and on an ongoing basis with the prescribed Duty to Cooperate bodies in producing the Submission Draft Plan. A Duty to Cooperate Statement of Compliance has been prepared to support the Submission Draft Plan, which is attached as Appendix 5 to this report. The Statement summarises the cross-boundary collaborative work and engagement that has been undertaken, and how it has informed the development of the Plan. A

number of Statements of Common Ground have been or are being prepared to supplement the Statement of Compliance.

Evidence Base

3.18 The preparation of the Submission Plan has been informed by an extensive evidence base which can be viewed online here: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-planning-evidence-and-research-reports-3>

3.19 Key evidence base documents include:

Title	Explanation
Strategic Housing Land Availability Assessment	A technical exercise to determine the quantity and suitability of land that could potentially be available for future housing development.
Strategic Housing Market Assessment	An assessment of future housing requirements in area, which informs the Local Plan strategy and housing targets.
Employment Land and Premises Study	An assessment of the anticipated demand for employment land in the Borough over the plan period as well as the potential employment sites that could be used to address this requirement.
Whole Plan Viability Study	An assessment of the viability of delivering the policies and proposals in the Local Plan to ensure that the proposed sites, policies and the scale of development are not subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened
Strategic Flood Risk Assessment	A collection of information on all known sources of flooding that may affect existing or future development within the Borough, including tidal, river, surface water (local drainage), sewers and groundwater flooding.
Draft Birkenhead 2040 Framework	A comprehensive regeneration strategy for Birkenhead which has been used to inform the preparation of the policies and proposals for regeneration within the Local Plan.

3.20 **A Policies Map** must be prepared to accompany the Local Plan. The Submission Draft Policies Map shows the main policy designations that are proposed to apply within the Borough, such as Green Belt, housing allocations, employment areas, environmental assets, conservation areas, open spaces and other areas where specific policies are proposed to apply. The Submission Draft Policies Map can be viewed here <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/wirral-s-new-local-plan/new-local-plan-0>

Arrangements for Publication of the Submission Draft Plan

- 3.21 Subject to agreement by Council, publication of the Submission Draft Plan and supporting documents under Regulation 19 of the Regulations will take place as soon as practicable for a six-week period and subsequent stages will be publicised as set out in Appendix 6 of this report in accordance with the Council's adopted Statement of Community Involvement.

Making Representations on the Submission Draft Plan

- 3.22 The purpose of this stage of the plan-making process is to enable any person to make representations under Regulation 20 of the Regulations) about the Submission Draft Plan. Representations must relate to the 'soundness' or legal compliance of the Plan. The Submission Draft Plan is the document that the Council intends to submit to the Secretary of State for Independent Examination. Every duly made Regulation 20 representation will be submitted to the Secretary of State alongside the Submission Draft Plan and will be considered by the Planning Inspector(s) appointed to carry out the Examination.
- 3.23 A prescribed form required by the Planning Inspectorate for completing representations will be available to complete when reading the document via the Council's Planning Portal. For those unable to use the Portal the representation form will be available to download from the Council's Local Plan and Planning Policy website <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/wirral-new-local-plan/new-local-plan> and will also be available in hard copy form.
- 3.24 A frequently asked questions note will be produced which will explain the publication process, how long it lasts, how to make representations, document availability etc and will be available on the Council's website and in hard copy.

Walk in Events

- 3.25 Subject to Covid restrictions and suitable venue availability a series of walk-in events will be arranged at different venues across the Borough to explain the proposals of the Submission Draft Plan and how to make representations using the standard form required by the Planning Inspectorate. These will not be consultation events in the same way as took place in early 2020 on the Issues and Options Report. The procedures for this stage are prescribed by the Regulations on the basis that the Council has reached a settled position on the spatial strategy for the Borough and is not expecting to change it before the Submission Draft Plan is submitted to the Secretary of State.
- 3.26 Reflecting the purpose of the Independent Examination, the focus of Regulation 20 representations should be on whether the Submission Draft Plan has been prepared in accordance with the duty to co-operate under section 33A of the 2004 Act, whether it complies with the relevant legal (procedural) requirements, and whether it is sound. The tests of soundness are set out within paragraph 35 of NPPF and require that the Plan is:

(a) Positively prepared, providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other

authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

(b) Justified being an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

(c) Effective—being deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

(d) Consistent with national policy, enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

3.27 When considering if the Submission Draft Plan meets its legal requirements, the Inspector will consider a number of issues including whether:

- the Plan been prepared in accordance with the timetable set out in the Local Development Scheme?
- consultation on the Plan has been in accordance with the Council's Statement of Community Involvement and the appropriate bodies have been consulted?
- the Plan has been prepared in co-operation with other local planning authorities and prescribed bodies, such as the Environment Agency and the Local Enterprise Partnership, to identify and address any issues?
- an adequate Sustainability Appraisal been carried out in accordance with the Strategic Environmental Assessment Regulations?
- an adequate Appropriate Assessment under the Habitats Regulations been carried out?
- the Plan complies with other legislation including the Public Sector Equalities Duty

Submission and Examination of the Draft Local Plan

3.28 Once the publication period has closed, the Council will collate all the Regulation 20 representations received during the Regulation 19 publication stage. Following this process, the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the Submission Draft Plan and its supporting documents will then be submitted to the Secretary of State for Examination.

3.29 The Council has appointed a Programme Officer whose role is to work on behalf of the appointed Local Plan Inspector to co-ordinate and manage the Local Plan Examination. The Council will also need to ensure that the necessary procedural requirements are met in relation to the submission of the Plan to enable the Local Plan Examination to commence in a timely manner. The Planning Inspectorate has

produced guidance aimed at all those involved in the process and concerned with the procedural aspects of examining a Local Plan. Following the submission of the Submission Draft Plan and its supporting documents, the Secretary of State will appoint a Local Plan Inspector(s) as soon as possible and the Independent Examination will formally commence.

- 3.30 The process of Independent Examination under section 20 of the 2004 Act is primarily carried out by the appointed Local Plan Inspector(s), having regard to:
- (1) the draft Local Plan submitted to the Secretary of State;
 - (2) the supporting documents submitted by the local planning authority in accordance with Regulation 22 of the Regulations;
 - (3) duly made representations under Regulation 20 of the Regulations; and
 - (4) written representations submitted on the invitation of the Local Plan Inspector(s) in connection with examination hearings and any consultation on any proposed modifications of the submitted Local Plan.
- 3.31 The scope of any Examination hearing sessions will be limited to the matters and issues identified by the Inspector. There is no general right to be heard at the Examination hearings. Only those persons who make Regulation 20 representations seeking to change the Local Plan have a right to be heard by the Local Plan Inspector(s) carrying out the Examination.
- 3.32 During the Covid-19 pandemic hearing sessions for Local Plan Examinations have been taking place by a mix of virtual, blended and in-person formats (hosted by the Local Planning Authority), depending on the particular circumstances of the examination and the national situation at the time, with virtual hearing sessions streamed online in many cases. The appointed Inspector(s) will determine the format of the sessions in close liaison with the Council. It is possible that the Wirral Local Plan hearings may involve a hybrid approach with a combination of virtual and in-person sessions.
- 3.33 During the Examination, it is likely that the Local Plan Inspector(s) will ask the Council to submit additional information and documentation, either before or during the course of the Examination hearings. Such information may take the form of a 'topic papers' or 'statements of common ground', to clarify or update the Council's position on relevant matters, or any agreed position established between the Council and other stakeholders. It is impossible to predict whether and to what extent it may be necessary or appropriate to submit further information or documentation to the Local Plan Inspector(s). However, the Council does not have control over the management of the Examination, which is a matter for the Inspector(s). Supplementary documentation or information may only be submitted to the Examination with the permission or at the request of the Local Plan Inspector(s). Any information or document requested by the Inspector(s) must be prepared and submitted promptly.
- 3.34 To enable the Planning Inspector to recommend the adoption of the Local Plan without delay, the Council should ask the Inspector to recommend any main or other modifications of the draft Local Plan considered necessary to make it sound and legally compliant. The Examination process includes a procedure for publishing

proposed main modifications at the Inspector's direction and following Member approval for consultation over a six-week period after the completion of the Examination hearings. The proposed main modifications of a Local Plan must be subject to Sustainability Appraisal and may require the updating of other evidence, which must also be published for consultation at the same time as the proposed main modifications. Subject to the responses received, which are usually dealt with in writing, the Inspector will proceed to complete and issue his/ her final report on the Examination. Subsequent adoption of the Local Plan would require a resolution of full Council. In view of the often fast-moving process during a hearing session it may be necessary for the Council to indicate its agreement to minor modifications to the Local Plan. Consideration may also be required to major modifications. Depending on the significance of the proposed change, consultation with the Chair and Spokespersons of the Policy and Resources Committee will be sought where practical and appropriate.

The Role of the Council in delivering Regeneration

- 3.35 In order to deliver a number of the regeneration policies set out in the Submission Draft Plan it will be necessary in some cases to undertake site assembly to enable development to proceed. Site assembly will be undertaken by private developers, the Council and other delivery bodies. Whilst every effort will be made to acquire land through negotiation it may be necessary for the Council to be willing to use its Compulsory Purchase powers. For this reason, members are being recommended (amongst other matters) to agree in principle the use of the Council's Compulsory Purchase Order Powers, where required, to assist with the delivery of regeneration projects set out in the Wirral Local Plan.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The costs of publication, submission, and examination of the Local Plan are difficult to estimate given the uncertainty over the questions raised and matters to be examined by the inspector and the length of the Examination (see section 6 below). Provision of £320,000 has been made in the Local Plan budget for publication and Examination related costs.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council is legally required to prepare and maintain an up to date Local Plan to set out the strategic priorities for the Borough and the policies that address them in accordance with a predetermined statutory process. The process as set out within this report complies with the provisions of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Local Plan must be prepared in accordance with the Council's adopted Local Development Scheme.
- 5.2 The Wirral Local Plan must be made available for inspection at the Council's principal office and at such other places within the authority area as the Council consider appropriate. Wallasey Town Hall has prior to the pandemic being the Council's principal office. However, it is not currently in use as a public facility and is not staffed or available for use as a principal office. The intention is instead to use

Birkenhead Central Library as the principal office for the purpose of the inspection of the Wirral Local Plan.

- 5.3 The principal terms of any Compulsory Purchase process, if such process were required, would be outlined in a future Committee report(s). There are various powers for making a compulsory purchase order. The most relevant powers are likely to be under Section 226(1)(a) of the Town and County Planning Act 1990 and under section 17 of the Housing Act 1985.
- 5.4 Section 226(1)(a) of the Town and County Planning Act 1990 allows a local authority, on being authorised to do so by the Secretary of State, to have power to acquire any land in their area if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. A local authority can only exercise the power if the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objectives:
- (1) the promotion or improvement of the economic well-being of their area;
 - (2) the promotion or improvement of the social well-being of their area;
 - (3) the promotion or improvement of the environmental well-being of their area.
- 5.5 Section 17 of the Housing Act 1985 empowers local housing authorities to acquire land, houses or other properties by compulsion for the provision of housing accommodation. Acquisition must achieve a quantitative or qualitative housing gain.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 The Examination process will require a significant amount of Officer time and resources, particularly during the hearing sessions. Expert witnesses (including external consultants) will be required to support and represent the Council as required. In addition, the Council will be required to provide adequate rooms and facilities throughout the hearings if conducted in-person.
- 6.2 The duration of the entire Examination process will depend very much upon the nature, scope and complexity of objections within the Regulation 20 representations which will inform the matters and issues identified by the Local Plan Inspector to be considered at the Examination hearings but is likely to exceed 12 months. The resource and cost implications for the Council arising from the Examination, including the hearing sessions, will depend upon the length, complexity and level of detail of the process

7.0 RELEVANT RISKS

- 7.1 The implications of paragraph 11 of the NPPF, is that unless sufficient land for residential development can be identified in the emerging Local Plan, the absence of an appropriate residential land supply could lead to the loss of appeals against the refusal of planning permission, with costs awarded against the Council, unless any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed.

7.2 There is a risk of intervention by the Secretary of State if delivery milestones are not met. The publication of a Submission Draft Plan under Regulation 19 is the second milestone on the Local Development Scheme. A detailed project plan and resources plan are in place and are monitored on a regular basis.

8.0 ENGAGEMENT/CONSULTATION

8.1 Requirements for engagement during the preparation of the Local Plan are set out in the Council's adopted Statement of Community Involvement (SCI). In accordance with the SCI an extensive consultation on the Issues and Options Document was undertaken in early 2020 and a detailed consultation statement can be viewed here: <https://wirral.tiny.us/ydr8demm> As set out in paragraphs 3.21 to 3.27 above and in accordance with the Council's adopted SCI the Submission Draft Plan will be the subject to further publicity as part of the Regulation 19 publication process to allow representations to be submitted on its soundness and legal compliance.

9.0 EQUALITY IMPLICATIONS

9.1 The Council has a duty under the Equality Act 2010, including the Public Sector Equality Duty, to ensure that the objectives and proposals within the Wirral Local Plan eliminate unlawful discrimination (direct and indirect), as well as advancing equality of opportunity and fostering good relations between those with protected characteristics and all others. An Equality Impact Assessment has been prepared to inform the preparation of the Submission Draft Plan and is appended at Appendix 7 to this report. It can also be viewed here <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The Submission Draft Plan sets out a whole series of policies dealing with the protection and enhancement of the Borough's environmental assets and to address and mitigate climate change. The preparation of the Submission Draft Plan has been informed by separate Sustainability Appraisal and Habitat Regulation Assessment processes

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The Submission Draft Plan does not have any direct community wealth implications but the adoption of the Local Plan will result in the delivery of significant development which will give opportunities for social wealth capture. The Submission Draft Plan includes a Social Value Policy (Policy WS 2 refers).

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APPENDICES

Appendix 1: Wirral Local Plan 2021 to 2037 Submission Draft Plan

Appendix 2: Wirral Local Plan 2021 to 2037 Policies Map Web Links

Appendix 3: Wirral Local Plan 2021 to 2037 Sustainability Appraisal – Non Technical Summary

Appendix 4: Wirral Local Plan 2021 to 2037 Habitat Regulations Assessment - Summary of conclusions and recommendations

Appendix 5: Wirral Local plan 2021 to 2037-Duty to Cooperate Compliance Statement

Appendix 6: Publicity requirements as set out in the Council's adopted Statement of Community Involvement (Table 3.1).

Appendix 7: Wirral Local Plan Submission Draft 2021 to 2037 Equality Impact Assessment

BACKGROUND PAPERS

Wirral Local Plan 2021-2037 Sustainability Appraisal <https://wirral.tiny.us/2p8abcff>

Wirral Local Plan 2021-2037 Habitat Regulation Assessment <https://wirral.tiny.us/yzurvr7u>

Wirral Local Plan 2020 to 2035 Issues and Options Consultation-Consultation Statement.
<https://wirral.tiny.us/ydr8demm>

[Planning and Compulsory Purchase Act 2004](#) (Sections 15, 17, 35 and 36 refer)

[Localism Act 2011](#) (Sections 111 and 113 refer)

[Neighbourhood Planning Act 2017](#) (Sections 11 and 12 refer)

[Town and Country Planning \(Local Planning\)\(England\) Regulations 2012](#) (Regulation 34)

[National Planning Policy Framework \(DLUHC\)](#)

[Planning Practice Guidance \(DLUHC\)](#)

[Local Development Scheme for Wirral](#) (Wirral Council, January 2022)

[Procedure Guide for Local Plan Examination](#) (Planning Inspectorate, 2021)

Infrastructure Delivery Plan <https://wirral.tiny.us/4yesy78p>

Local Plan evidence base <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-planning-evidence-and-research-reports-3>

The stages undertaken to prepare the Core Strategy and the subsequent 2018 Development Options Review in 2018 <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-plans/core-strategy-local-plan>.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Economy Regeneration and Development Committee- Revised Local Development Scheme	26 th January 2022
Economy Regeneration and Development Committee- Revised Statement of Community Involvement	4 th March 2021
Leaders Decision -Revised Local Development Scheme	27 th September 2020
Full Council- Wirral Local Plan - 2020-2035: Approval of Issues and Options Document for Public Consultation	13 th January 2020
Special Cabinet Meeting – Wirral Local Plan - 2020-2035: Approval of Issues and Options Document for Public Consultation	13 th January 2020(minute 78)



POLICY AND RESOURCES COMMITTEE

WEDNESDAY 16 MARCH 2022

REPORT TITLE:	COMMUNITY ASSET TRANSFER POLICY
REPORTS OF:	DIRECTOR OF RESOURCES

REPORT SUMMARY

This report recommends the adoption of an updated Community Asset Transfer Policy to be applied if the Council decides to discontinue its use of certain buildings and land.

This policy directly supports Wirral's Community Wealth Building Strategy by encouraging the setup of community-based organisations and cooperatives in our local communities, and underpins our ambition to enable communities to become more independent, financially self-sufficient and take ownership of public assets to run them in ways that are beneficial to them

It supports the Wirral Plan 2021-2026 which seeks to bring about safe, vibrant communities where people want to live and raise their families.

It has implications for those wards which contain assets that may be declared surplus as a result of 2022/23 budget setting

It is a key decision.

RECOMMENDATIONS

The Policy and Resources Committee is recommended to approve the updated Community Asset Transfer Policy in the Appendix1 to this report

REASONS FOR RECOMMENDATION

- 1.1 The current Policy was agreed by the Council in 2009.
- 1.2 It is a sound document which builds on the previous policy and the successfully implemented of the asset transfer of community halls.
- 1.3 The policy requires updating to ensure it covers assets that will cease to be operated by the Council following budget setting decisions.
- 1.4 The proposed updated policy sets out criteria for determining:
 - (a) which assets are suitable for transfer to community groups;
 - (b) how expressions of interest to manage those assets should be dealt with;
 - (c) how applications should be evaluated;
 - (d) how and on what terms community transfers should be effected.

2.0 OTHER OPTIONS CONSIDERED

2.1 Retaining the existing Policy was rejected as the policy is out of date and current guidance is required following budget setting decisions

3.0 BACKGROUND INFORMATION

3.1 If the recent budget savings proposed by this Committee are adopted by the Council, certain libraries, golf courses and a Leisure Centre may be closed. No final decision will be made before the relevant Service Committees meet in the new Municipal Year when they will consider the responses received as a result of the public consultation.

3.2 Those premises that are regarded as surplus to the delivery of Council services following budget setting decisions, with the potential for community operation, would be selected for possible transfer to community groups

3.3. Following CAT policy approval by P&R Committee on 16th March. Expressions of interest can be invited for community asset transfers in respect of those assets which may be closed by the relevant Service committees depending upon the outcome of the public consultation.

3.4 Community groups will be invited to express an interest in taking over assets of that are regarded as surplus to the delivery of Council services, which may provide value for the community.

3.5 Those applications would be considered by reference to criteria which would include the proposed use, extent of community involvement, good governance, ability to manage the asset, financial resources and any request to the Council for financial or other assistance.

3.6 If the application were accepted by the appropriate Service Committee, the transfer would normally take the form of a lease at a concessionary rate with liability for repairs and insurance on the tenant and provisions for early termination, if the use of the asset should not prove to be financially viable or outside of the terms of the asset transfer

3.7 There would also be an asset transfer agreement or grant funding agreement (if appropriate) in order to ensure that the agreed aims and objectives of the asset transfer were being delivered

3.8 An agreement to community asset transfer does not provide a guarantee of success. Some assets may not be realistic in economic terms to sustain. Whilst buildings and the services operated are often symbolically important to a community, they may have significant costs associated that cannot be managed in a sustainable manner

3.9 Further details can be found in the Policy itself.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The market value of assets would need to be a factor when considering whether it is appropriate to offer them to the community or to dispose of them on commercial terms to alleviate the Council's financial position. It would also need to be considered whether any rents would need to be market or concessionary rents. This is likely to depend on the specific abilities of the group, its business planning, the Council's duties to achieve Best Value and to fulfil its fiduciary duty to local taxpayers (including contributions to secure a balanced sustainable budget)
- 4.2 The extent of any financial assistance to the community group would be considered on a case by case basis depending on its proven needs and the factors mentioned in paragraph 4.1 above.

5.0 LEGAL IMPLICATIONS

- 5.1 The Policy must be consistent with the Council's Best Value and fiduciary duties to the Council Taxpayer at a time when the Council is attempting to eliminate a structural budget deficit.
- 5.2 Section 123 of the Local Government Act 1972 does, however, allow a local authority to grant a lease not exceeding 7 years at a rent which is not the best rent reasonably obtainable and that would be lawful if it promoted the social well-being of the Borough and was consistent with the legal duties set out in 5.1 above. The same Section allows leases of 7 years or more duration to be granted at less than market value rents or premiums provided they promoted the social well being of the Borough and the undervalue does not exceed £2million

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 This would depend upon the terms of any asset transfer.

7.0 RELEVANT RISKS

- 7.1 The principal risk is that the Council could be drawn into subsidising the continued use of assets for which it has no longer a need in order to carry out efficiently and economically its statutory functions.
- 7.2 The other risk is that the community body will lack the skills and resources to manage the transferred asset effectively for the benefit of the community. If a long lease were granted it might be difficult for the Council to recover possession since the Court might grant relief to the tenant faced with legal proceedings by the Council for forfeiture of the lease by reason of the tenant's breaches of covenants. Possession would depend upon the discretion of the Court
- 7.3 These risks can be mitigated by applying the updated Community Asset Transfer Policy objectively and dispassionately to each application so that unrealistic proposals are refused.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 No public consultation on the revised policy has been undertaken because the proposed policy draws on the current policy to a substantial extent and therefore does not represent any significant change to the way in which the Council manages asset transfers to the community.

9.0 EQUALITY IMPLICATIONS

- 9.1 The terms of any asset transfer would normally prohibit unlawful discrimination by the community body in its use of the asset.
- 9.2 An asset transfer, if well managed, can serve the needs of persons with “protected characteristics” as defined by the Equality Act 2010 and this should be taken into account when evaluating applications.
- 9.3 Sections will be included within the expressions of interest template and the business planning template relating to equalities, including requests for policies and or statements. All EOI and business plans will be assessed by Council officers, the mechanism for assessing and scoring an EOI will include the equalities dimension

Equalities Impact Assessment: <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

10.0 ENVIRONMENT AND CLIMATE CHANGE IMPLICATIONS

- 10.1 These would depend on the terms of the transfer.

11.0 COMMUNITY WEALTH BUILDING.

- 11.1 . This policy supports Community Wealth Building commitments to enable and increase a more plural economy – including local and community businesses. It enables communities to become more independent, financially self-sufficient and take ownership of public assets to run them in ways that are beneficial to them

REPORT AUTHOR:

Shaer Halewood
Director of Resources

APPENDIX 1

Updated Community Asset Transfer Policy

BACKGROUND PAPERS:

Wirral Plan 2021-2026

Community Wealth Building Strategy 2020-2025

SUBJECT HISTORY (last 3 years):

None

TRANSFER OF COMMUNITY ASSETS POLICY

Introduction

Wirral has some challenging economic, social and health inequalities, and the Wirral Plan 2026 puts tackling these at its heart. Wirral's Community Wealth Building Strategy is a key part of how we will do this by building an economy that benefits all of our residents and one which keeps money within Wirral; a prosperous, inclusive economy where local people can get good jobs and achieve their aspirations.

This policy directly supports Wirral's Community Wealth Building Strategy by encouraging the setup of community-based organisations and cooperatives in our local communities and underpins our ambition to enable communities to become more independent, financially self-sufficient and take ownership of public assets to run them in ways that are beneficial to them.

Community asset transfer can help secure community use of buildings and provide a development opportunity for community and voluntary organisations. The concept of plural ownership, which seeks to promote locally owned and socially minded enterprises, encourages more diverse models of engagement and is not limited to the transfer of assets. It promotes wider opportunities for communities to deliver council services either in full or in part, should they wish to have more influence and control over the functions that are provided to communities.

The Localism Act 2011 (c. 20) is the legislation that changes the powers of local government in England. The aim of the act is to facilitate the devolution of decision-making powers from central government control to individuals and communities.

This policy sets out the circumstances and conditions under which the Council will consider the transfer of interests (partial or full) in property, i.e., land and/or building or infrastructure, to third parties.

This policy establishes the nature of the organisations to which the Council will consider an asset transfer, the basis of the transfer and how requests will be processed. It establishes a transparent process for this to occur.

Section 1 - What is a Community Asset Transfer (CAT)

It is where the Council owns an asset, usually a building but could be land, that may or may not be currently in use. The asset could be being used by the Council to deliver its functions or the Council may have leased or rented the asset to a third party and that agreement may have been terminated or have come to an end.

The Council will usually seek to transfer an asset over to a third party when it no longer requires the asset for its own purpose, it is not viable to be sold, the functions being delivered are no longer required or there is a beneficial outcome for the community in doing so.

Not all of the Council's assets will be available to be transferred as they will need to be kept for a specific purpose, they will be available for sale to generate funding, or they may be of importance to other wider impacts.

When deciding upon whether to transfer an asset, there will be many factors to consider, and these are covered in the Principles section. The purpose for transferring assets under this policy will be retention for the benefit of the community and not for commercial use and that will usually mean that they will only be considered for transfer to a community or charitable organisation who will retain their community purpose and not use them to generate a profit. If any profits are generated, they will be re-invested back into the asset or the community.

Where an asset is agreed for transfer that requires some essential maintenance, the Council will consider making the asset fit for purpose before it is transferred, but not in all cases. And whilst there maybe occasions when some transitional funding by way of a small one-off grant to help organisations could be available, this will also not always be the case. Both scenarios are dependent on the Council's ability to release funding which may not always be possible. Once transferred, there will not be any recurrent funding available for future repairs and maintenance or running costs of the asset.

In considering whether to transfer an asset, we will ask organisations to submit an initial expression of interest to determine their suitability to take on the asset and these may not proceed to the next stage. If they do, we will then ask for them to complete a more detailed business plan so that we can be sure that the organisation intending to take on the asset has suitable skills and expertise to operate it, to be able to keep it up to a satisfactory standard, to keep it safe and secure and is financially viable and sustainable in the long term.

Once transferred, where the asset is not being run to the Council's satisfaction against the agreed terms of transfer, which will be included within the lease, we will be able to take the asset back and terminate the contract between the organisation which it was transferred to.

All these items are significant factors for community organisations to consider before submitting an expression of interest to take over an asset; and we will signpost organisations to support available to be able to confirm these items have been considered and to conclude that a feasible business plan can be submitted.

Benefits of Community Asset Transfer

For the community it:

- ✓ Strengthens community organisations by helping them develop their asset base
- ✓ Devolves decision-making to a local level
- ✓ Acts as a catalyst for community regeneration
- ✓ Provides new opportunities to develop and improve land and buildings
- ✓ Encourages community participation and volunteering
- ✓ Builds confidence and the capacity people have to further improve their community
- ✓ Provides new opportunities for capacity building through the use of new skills and knowledge within the community
- ✓ Enables greater co-location of functions
- ✓ Provides a legacy for the community

For the Council it:

- ✓ Forges new partnerships with the community
- ✓ Delivers on shared outcomes and objectives for residents
- ✓ Provides more financial resource to be targeted to council priorities
- ✓ Helps the drive towards a more efficient use of council assets
- ✓ Opens doors to new sources of funding that the council could not access

Section 2 - Principles for transferring an asset

1. Profit will not be generated from the operation of the asset to benefit any individual(s). Any profit must be re-invested into the asset or into community activity.
2. The applying organisation must:
 - (i) Be community-led, with strong links with the local community. Local people must be able to control the organisation's decision-making processes
 - (ii) Have a primary purpose to benefit the local community and be not for profit and they must understand the activities they wish to deliver
 - (iii) Demonstrate good governance by operating through open and accountable processes, with clear management and financial systems
 - (iv) Be open to and demonstrate an inclusive approach to members of the wider community
 - (v) Have the skills and capacity to safely and effectively deliver services and manage the asset to be transferred and/or have access to the necessary skills and capacity or
 - (vi) Be aware of any need to build capacity within their organisation and demonstrate how they intend to do this, e.g. by working with the Council or other partners
3. The asset must meet the circumstances of being available for a community transfer as stated in Section 3
4. The asset must not align to any circumstances when it would not be available for transfer as stated in Section 4
5. Organisations wanting to take on the asset must compete the Council's expression of interest application and if approved to progress to the next level must complete the Council's business plan application within the relevant process timeline (Appendix 1). Both forms are available on the Councils website.
6. The transfer must be agreed by the relevant Policy and Service Committee responsible for the asset
7. The transfer must be ratified by the Policy and Resources Committee
8. The transfer must take place within 6 months of the date the business plan was approved in (7)

Any application and decision made to utilise Council resources may be subject to a separate chargeable agreement

Section 3 - What circumstances would an asset be transferred under this policy

- a) The legal power exists to allow the Council to transfer assets which is the 'general power of disposal' (Appendix 2)
- b) The community use will generate beneficial outcomes for the community
- c) Retaining the freehold of the asset will result in a perceived future appreciation in value
- d) The transfer of the asset will remove recurrent expenditure from the council that it would ordinarily have to incur
- e) The transfer would remove non-financial liabilities from the council that it does not have to provide
- f) The council would not have any other interest in the asset for its own use
- g) The council no longer needs to provide a function from the asset
- h) A function that was previously provided at the asset is being relocated elsewhere
- i) The council would not generate a rental income from the asset, in line with its objectives in the Wirral plan*, that would outweigh a community benefit (may only be demonstrable from a qualitative and not quantitative view)
- j) The transfer of the asset aligns with the Council's Community Wealth Building Strategy
- k) The Business Plan satisfies the considerations included in Section 8

*The speculative rental and sale value of an asset must be assessed with Wirral Plan objectives i.e., a CAT cannot be rejected on the basis that the Council would be able to generate a high rental income from the asset if it was to lease it to a bookmakers, as this would not be in line with the Wirral Plan objectives and would not be an appropriate generation of income

Section 4 - When would an asset not be transferred under this policy

- a) If the organisation applying to take on the asset cannot demonstrate an additional community benefit
- b) If there is an ongoing financial detriment to the Council arising from the purpose of use by the organisation applying to take on the asset
- c) If the organisation applying to take on the asset was operating a function that does not accord with the objectives in the Wirral Plan
- d) When community assets have been acquired by compulsory purchase on behalf of a third party
- e) When the asset has already been included on the Council's list for disposal
- f) Where an organisation is intending to operate the asset to generate a commercial gain*
- g) Where the Business Plan for operating the asset does not satisfy the principles of this policy
- h) When the expiry date for transfer highlighted in the process timeline in Appendix 1 has passed
- i) When there is more than one organisation requesting to take on the asset, a scoring process will be applied to determine which organisation is the most appropriate for the asset transfer. The unsuccessful organisations will be notified that the asset will not be transferred

*There will be circumstances whereby the Council wishes to dispose of assets to organisations who would generate a commercial gain for good reason, however these would not fall under the remit of this policy and will be the subject of a separate report and decision by the relevant committee

Section 5 - Under what terms would the requirement for the asset be operated

- a) The asset will be transferred with a lease term between 3 and 25 years. The term of the lease will be determined by the type of asset being transferred and the robustness and sustainability of the business plan e.g., an organisation may be eligible for an external grant on the premise that the lease will be for a minimum of 20 or 25 years
- b) In exceptional circumstances, the Council would consider a longer lease arrangement on the merits of the proposed business plan
- c) The lease will be a full repairing lease, meaning that the organisation taking on the asset will be responsible for all the repairs and maintenance of the asset from the date of transfer
- d) The asset will be transferred for a rental value which could vary depending on the asset. The rental value will be communicated to applying organisations in advance of the submission of the expression of interest
- e) The asset must be maintained to at least the same standard as is currently provided by the Council for other similar property, and in a way that is compliant with all planning, licensing and other relevant regulations. Throughout the duration of the lease, the Council reserves the right to monitor the running of the asset in line with the asset transfer agreement
- f) The asset will generally only transfer a leasehold interest. Leases will be contracted out of the security of tenure provisions of the Landlord and Tenant Act 1954 to give the Council the flexibility to determine the future use and disposal of its property
- g) The lease will contain a provision to enable the Council to terminate it should the property not be used for the purpose for which it is transferred, unless such changes have been formally agreed in writing (Section 6)
- h) The organisation taking on the asset will be expected to bear all costs of managing and maintaining the property and the transfer of a property interest does not imply any ongoing financial assistance from the Council (Appendix 2). Adequate insurance must be maintained for the duration of the transfer and, in cases where there is existing Insurance provision in place, the Council may continue to insure any buildings transferred and, in such cases, will recover the cost of this from the party to whom the building is transferred until the period of Insurance ends
- i) The organisation taking on the asset must evidence that appropriate insurance arrangements are in place for fire, wet peril, inclement weather, theft, public liability etc
- j) The asset must be available and operated for the purpose stated in the business plan and agreed to be transferred for that purpose, unless any revisions are subsequently agreed with the Council at a later date.
- k) Any proposed major investment works would require the Council's prior approval, the purpose being to ensure that the property remains suitable for the use for which it was released or any subsequently agreed variation
- l) At the end of any lease the Council will expect the property to be returned in the condition that it was made available

Section 6 - Under what circumstances would the asset be transferred back to the Council

- a) If the organisation to which the asset is transferred is wound up or liquidated the lease will enable the Council to regain possession of the asset either for use by itself or by others
- b) If the asset is not being maintained, as agreed, with consideration to the Asset Management Plan
- c) If the criteria for the benefit of the community as set out in the lease is not complied with
- d) If the purposes for the use of the asset, as agreed within the original business plan are not being adhered to
- e) If the use of the asset has been changed without the prior written permission of the Council
- f) If any element of the asset has been sub-let to a third party without prior written permission of the Council
- g) If it found that any illegal activity is being undertaken from the asset
- h) If it found that the organisation that the asset has been transferred to are generating a commercial gain for personal use
- i) If specific terms of the lease have been breached e.g. insufficient Insurance or Indemnity cover

Section 7 – Support available for organisations considering an Expression of Interest

Whilst community based groups are expected to take their own advice the Council will try to help and support them as appropriate through the application process. Once a community group has decided to submit an expression of interest, Council Officer will be available to answer any questions or queries associated with the process and to provide guidance as to the completion of the expression of interest, or later the business plan. The Council has subject matter experts in Law, Finance, Assets, Communication, Governance and Strategy that could be available to provide such support

The Council may also make other appropriate resources available to provide support and to appraise applications within the target timescales. Any such assistance will depend upon the circumstances and the availability of appropriate resources within the Council

In return it expects applications for transfer to contain, at each stage, sufficient information to enable appraisals to be completed and decisions made as to the suitability of the applicant and its capacity to deliver the community centred services with the human and financial resources available to it

As well as any internal resource and support that the Council can provide, it will also signpost community groups to a suite of other external help and support that can be called upon to support with the completion of applications and the running of an asset once transferred

The type of external support provided will depend on the asset being transferred and the extent of the help required

Mentoring, lessons learnt, and helpful hints and tips could also be available to community groups from other groups that have completed asset transfers in the past, including successful and unsuccessful ones. The latter will be especially helpful in guiding community groups to understand any pitfalls that might be encountered

Once contact has been made by a community group, the council will discuss with that group the appropriate level of support to be provided and by whom

When making the initial contact for an expression of interest, the Council will provide a factsheet with basic information about the asset that will include a property description and the usual running costs. This will enable community groups to have sufficient information in advance of the submission of an expression of interest to determine whether their proposal is the right course of action to follow. More detailed asset information will be provided during the business planning stage.

Section 8 - What do I need to consider before submitting an Expression of Interest?

Staffing and Governance

- Is there enough people to be available and in control of the operation of the asset when it is open
- What happens when someone becomes ill, are there other people who can be available
- Are there enough people to enable appropriate breaks to be taken
- How will decisions be taken on how the asset will be operated – will there be a committee or board
- What happens if there is a dispute between two or more parties
- What reports or performance data will be required to be produced
- What information will you have to know whether the objectives are being met
- Will there be any authorisations required for expenditure, hiring staff etc
- Will any expenses be allowable and on what terms

Skills

- Is someone available who can manage the operations of an asset for community use
- Is there access to financial skills to enable accounts to be kept and if necessary, submitted, for VAT to be accounted for correctly and for any wages and pensions and associated tax implications to be made
- Is there a qualified first aider available on the premises at all times
- Is there an availability of or access to immediate skills for repairs and maintenance
- Will there be any requirement for technical IT and Digital skills
- If there is a membership scheme in place, how will it be operated and updated

Security

- Is there a safe place to keep cash securely
- Who will the keyholders be including back up if someone is ill
- Will someone be available to check on the asset out of hours if there is a problem. Will it be safe for this person to come alone or are two people required
- How will the asset be protected from items such as fire, flood etc is there adequate insurance
- What arrangements will be made for an inventory to be kept
- If there is IT equipment, what arrangements will be in place to protect against viruses, cyber security attacks etc
- What arrangements will be in place to protect against fraud

Safety

- Are there policies in place so that the users know to how use the asset and any equipment safely
- What is someone becomes unwell when using the asset, is there a place where they can be looked after until help arrives

- Will users belongings be secure when they are using the asset
- Is any monitoring or recording equipment required to protect the asset
- What arrangements will be in place for cleaning the asset
- What arrangements will be made for the maintenance of an accident book

Equipment

- What equipment will be required to run the asset, will there be any training required
- Will there be a requirement to continue using council owned equipment on a chargeable basis
- What arrangements will be made for repair or replacement of equipment
- Can the asset still operate when the equipment is temporarily out of action
- Is there a policy or instructions needed for using or booking out equipment
- How will the equipment be kept secure

Funding

- How will the day to day running costs of the asset be met
- What arrangements will be made for increases in expenditure e.g. due to inflation
- What plans are there in place to generate income
- What happens when there is a drop in income or a large item of expenditure is required
- What arrangements will be made for a contingency or working capital

Storage

- Will any storage be required for equipment or stock and is there available space
- Will any cold storage be required for perishable goods
- Are there any specific disposal requirements needed
- What storage access arrangements will be in place if someone becomes unwell or is unable to attend

Inclusivity

- What assurance will be provided that the asset will be inclusive to all
- What evidence will be provided to demonstrate this
- Is training required on items such as Equality, Diversity and Inclusion, if so who will be responsible for and monitor this
- How will contact be made with users of the asset and in what way
- What procedures will be in place for complaints to be heard independently
- If there is a membership scheme, what arrangements will be in place for concessions

APPENDIX 1 – GENERAL PROCESS TIMELINE*

Stage	Who is responsible	Timescale for completion
Formal expression of interest opened and communicated. Previously recorded enquiries will be informed the EOI process is open for STAGE 1 expressions of interest	Interested community or voluntary body (APPLICANT – STAGE 1)	Stage 1 - EOI completed within 6 weeks from EOI opening. 2-week period for officers to determine whether feasible or declined; Or that a CAT option may be taken forward for P&R & Service Committee approval and weighed against alternative asset options, Sell, Repurpose, proceed with CAT
Political Approval through Officer discussion with Committee Chair and Spokespersons; Ward Councillor engagement Monthly service committee cycle. Decision on Asset Options presented	P&R Committee & the relevant service committee	4 weeks
STAGE 2 – Detailed Business Plan development period	Community or voluntary body where Stage 1 has been approved (APPLICANT – STAGE 2)	9 weeks for completion of business plan (STAGE 2) - 3 weeks for officers to determine whether to approve for consideration of the relevant service committee
Political Approval through Officer discussion with Committee Chair and Spokespersons; Ward Councillor engagement Monthly service committee cycle. Decision to proceed with CAT.	P&R Committee & the relevant service committee	4 weeks
Detailed terms of asset transfer agreed and transfer completed	Wirral Council – APPLICANT	12 weeks

These timescales run consecutively. They will be monitored and where insufficient progress is made the Council may withdraw from the transfer process and dispose of the asset in accordance with its Disposal Policy. The Council will be prepared to consider reasonable requests for extensions of time to facilitate proposals.

* The general timeline will be followed unless due to unforeseen circumstances it must be varied e.g. A forthcoming Election: the advertisement of the proposed disposition of the transfer of open space (as required by statute) and objections considered. The variation in the timeline may also include the receipt of more than one application for CAT which an existing application is in place, in which case the existing application will be delayed until the timelines can be aligned so that both or all the applications can be considered at the same Committee.

APPENDIX 2 – GLOSSARY AND LEGAL DEFINITIONS

The general power of disposal

Section 123 of the Local Government Act 1972 gives a local authority the power to dispose of land held by it in any manner it wishes provided that the local authority achieves the best consideration that can reasonably be obtained except where the disposal is for a short tenancy not exceeding 7 years or the local authority has the consent of the Secretary of State. The Secretary of State has issued a general consent for disposals of land under section 123 for less than best consideration. This allows a local authority to dispose of land for less than best consideration if it considers that the disposal will contribute to the promotion or improvement of the economic, social or environmental well-being of its area and the extent of the undervalue is no more than £2 million

The Localism Act 2011

The Localism Act 2011 (c. 20) is an Act of Parliament that changes the powers of local government in England. The aim of the act is to facilitate the devolution of decision-making powers from central government control to individuals and communities. The measures affected by the Act include an increase in the number of elected mayors, referendums and the "Local authority's general power of competence" (Part 1, chapter 1) which states "A local authority has power to do anything that individuals generally may do"

The Landlord and Tenant Act 1954

The Landlord and Tenant Act 1954 (2 & 3 Eliz 2 c 56) is an act of the United Kingdom Parliament extending to England and Wales. Part II of the act is a statutory code governing business tenancies. Part I of the act, which deals with the protection of residential tenancies, is now largely superseded.

Part II of the act gives business tenants a degree of security of tenure. A business tenant protected by the act may not be evicted simply by the giving of notice to quit or by the ending of a fixed term of the tenancy. The landlord must serve a notice on the tenant, stating which of the seven grounds of opposition they wish to rely upon to oppose a new tenancy.

What is classed as an asset

An asset shall include, in the case of the transfer of open space, any play areas, structures, trees, bedding, footpaths, lighting, drains, gullies, culverts, fencing, driveways, flag poles etc situated upon or forming part of the transferred open space

Business Plan

Written up version of the case outlining justification for a proposed transfer

Financially viable

Whether or not an organisation can provide sufficient evidence that it can cover the costs of running and maintaining the asset with enough in reserve for any unforeseen events

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POLICY AND RESOURCES COMMITTEE

Wednesday, 16 March 2022

REPORT TITLE:	PAY POLICY STATEMENT 2022-2023
REPORT OF:	DIRECTOR OF RESOURCES

REPORT SUMMARY

In line with the Localism Act 2011 (the Act), the purpose of the Council's Pay Policy Statement is to provide transparency with regard to the Council's approach to setting pay by identifying:

- The methods by which salaries of all employees are determined;
- The detail and level of the salary package of its most senior staff;
- The Head of Paid Service responsibility for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to Full Council.

The approval of the annual Pay Policy Statement is a key decision of the Council.

The Pay Policy Statement 2022-2023 supports the effective delivery of the Wirral Plan 2021-2026 by ensuring a fair and equitable approach to pay for all Council employees: Council's employees are here to help make the Council's ambitions a reality, to achieve the goals and priorities set out in the Wirral Plan.

RECOMMENDATION/S

The Policy & Resources Committee is requested to recommend:

That Council approve the Pay Policy Statement for the financial year 2022/23.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Council is required by Section 38 of The Localism Act 2011 to prepare a Pay Policy Statement for each financial year. The Act requires that the Pay Policy Statement:
- Includes details in relation to all aspects of Chief Officer's remuneration, increases and additions to remuneration, bonuses, termination payments and remuneration upon recruitment.
 - Includes information about the relationship between the remuneration of its highest paid officers ('chief officers') and lowest paid employees.
 - Is published as soon as is reasonably practicable, after approval and/or amendment (which must include publication on the authority's website).
- 1.2 It is essential that the Council's approach to pay, as set out in this pay policy statement, is accessible for citizens and enables local taxpayers to take an informed view of whether local decisions on all aspects of remuneration are fair and make best use of public funds.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 No other options were considered as the Pay Policy Statement is a requirement of the Localism Act 2011. There are a range of policies and discretions contained within the Pay Policy statement itself relating to pay and terms and conditions which are the most appropriate.

3.0 BACKGROUND INFORMATION

- 3.1 The draft Pay Policy Statement details the Council's current arrangements, using the definitions contained in the Localism Act and associated guidance.
- 3.2 The Localism Act also requires the Council to have regard to statutory guidance entitled 'Openness and accountability in local pay' under the Transparency Agenda.
- 3.3 **Key Changes**

The 2022/23 statement reflects key changes and updates that have occurred within the last financial year as follows:

The Living Wage

The Council is committed to paying the Foundation Living Wage. The current Foundation Living Wage rate is £9.50, implemented in the Council's pay scales effective 1 April 2021. A new Foundation Living Wage rate was announced by The Living Wage Foundation in November 2021. The new Living Wage rate is £9.90 per hour, an increase of 40p. This increased rate will be implemented on 1 April 2022.

Variations to pay grade

On occasion the Council may need to take account of the external pay levels in the employment market in order to attract and retain employees with particular experience, skills and knowledge. Where necessary the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence. The Pay Policy Statement has been updated to ensure that a robust business case is produced and effective approval and governance arrangements are in place to agree any variations to pay grade.

Progression through pay grade

An employee's progression through the increments of a particular pay grade is linked to length of service. The Pay Policy Statement has been updated to clarify the Council's policy for seasonal employees and application of pay increments.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The Council is committed to the Living Wage with implementation taking place on 1 April each year. The budget for salary, and associated oncosts are distributed across the directorates and informed by the Pay Policy.
- 4.2 An annual growth item is included within the Medium Term Financial Plan for increases in pay, the total value will vary depending on the establishment and the value of pay award agreed. For 2022/23 a total of £6.44m was included. This included a compound increase for 2021/22 pay increases as, following the Chancellors autumn statement in 2020 where he announced that all public sector pay increases, below a salary of £24,000 will be frozen. However, since this statement was made, the National Employers Association has been negotiating with trade unions to pay an increase in 2021/22. As this was not included in the budget for that year, there is a cumulative impact for 2022/23.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 38 of the Localism Act 2011 requires the Council to prepare a Pay Policy Statement for each financial year by 31 March.
- 5.2 The Council remains bound by relevant employment (and other) legislation as the employer and any changes which may be proposed by the policy must bear in mind the requirements of such legislation.
- 5.3 The Council can amend the pay policy on an annual basis as required by the Act but may also amend the policy as needed to take into account changing legislative requirements.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no resource implications.

7.0 RELEVANT RISKS

- 7.1 The Council is required to prepare and approve its Pay Policy Statement by 31 March each year. The Council will be at risk of not meeting the requirements of The Localism Act 2011 if this is not achieved.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 The Trade Unions have been consulted on the key updates and changes for the 2022/2023 Pay Policy. The Pay Policy Statement for 2022-2023 has been noted by the Trade Unions.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 The Council operates all pay arrangements within the requirements of the Equality Act 2010. All pay arrangements are regularly reviewed to identify any equality issues applicable to the workforce (see separate reports on this agenda).

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The content and recommendations contained within this report are expected to have no impact on emissions of greenhouse gases.

11.0 COMMUNITY WEALTH BUILDING IMPLICATIONS

- 11.1 The Pay Policy Statement and the Council's commitment to the Foundation Living Wage will increase spend in the local economy: 76% of Council staff reside in Wirral.

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APPENDICES

Appendix 1 Pay Policy Statement 2022-2023

BACKGROUND PAPERS

The Localism Act 2011 and Guidance

Pay Policy Statement 2021-2022

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	22 March 2021
Policy & Resources Committee	17 March 2021
Council	16 March 2020
Employment & Appointments Committee	3 March 2020
Council	18 March 2019
Employment & Appointments Committee	5 March 2019

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WIRRAL COUNCIL

PAY POLICY STATEMENT

2022 – 2023

1. Introduction and Purpose

- 1.1. The Council is required to comply with the guidance issued or approved by the Secretary of State.
- 1.2. In line with the Localism Act 2011 (the Act) and associated guidance, the purpose of this statement is to provide transparency with regard to the Council's approach to setting pay by identifying:
 - The methods by which salaries of all employees are determined;
 - The detail and level of the salary package of its most senior staff i.e. 'Chief Officers', as defined by the relevant legislation;
 - The Chief Executive and Head of Paid Service responsibility for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to Full Council.
 - Details in relation to all aspects of Chief Officer's remuneration, increases and additions to remuneration, bonuses, termination payments and remuneration upon recruitment.
 - The relationship between the remuneration of its highest paid officers ('chief officers') and lowest paid employees.
- 1.3. The Council will consult with the relevant Trade Unions in relation to changes and updates to the Pay Policy Statement, before the Policy Statement is considered by Full Council.
- 1.4. Once approved by Full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis; the Policy Statement being approved by 31 March each year.
- 1.5. The Council may, by resolution, amend this Pay Policy Statement, including after the beginning of the financial year to which it relates.
- 1.6. The Council will, as soon as is reasonably practicable, after approving or amending the pay Policy Statement, publish the statement or the amended statement. This will be published on the Council's website.

2. The Scope of this Policy

- 2.1. This Pay Policy Statement relates to staff employed by Wirral Council whose salary package including rate of pay and terms and conditions are determined by and are within the control of the Council.

3. Other Legislation Relevant to Pay and Salary Package

- 3.1. In determining the pay and salary packages of all of its employees, the Council will comply with all relevant employment legislation.
- 3.2. It is Council policy to ensure that there is no pay discrimination within its terms and conditions of employment, including pay structures. Any pay differentials can be objectively justified through the use of job evaluation, which directly establishes the relative levels of posts by grades according to the requirements, demands and responsibilities of the role.

- 3.3. Under the Equality Act 2010 (Specific Duties and Public Authorities Regulations 2017), the Council is required to publish an annual gender pay gap report, reporting a snapshot of the workforce in scope as at 31 March (previous year).
- 3.4. The Council will ensure that it meets the requirements of the Local Government Transparency Code 2015. The Transparency Code requires that all local authorities publish certain information related to the organisation, salaries and fraud including:
- Organisation chart
 - Senior salaries
 - The pay multiple
 - Trade union facility time
 - Fraud
 - Constitution

4. Pay Structure

- 4.1. The Council uses the National Joint Council (NJC) nationally negotiated pay spine (i.e. a defined list of salary points) as the basis for its pay structure.
- 4.2. The Council employs staff on other pay and terms and conditions including Craft, Youth and Community, Soulbury, Teachers, NHS, and pay is in accordance with national pay spines.
- 4.3. The Council adopts the national pay bargaining arrangements in respect of the establishment and revision of national pay spines, for example through any agreed annual pay increases negotiated with joint Trade Unions, subject to any local agreements in place.
- 4.4. Where a nationally negotiated pay spine does not apply, the Council will determine the salary rate through local negotiation and agreement.
- 4.5. All other pay related issues are the subject of either nationally or locally negotiated rates, in accordance with collective bargaining, or in accordance with the terms set out in this Policy Statement.
- 4.6. In determining its grading structure and setting salary packages for any posts which fall outside the scope of the national pay bargaining arrangements, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community.
- 4.7. There are circumstances where the terms of Transfer of Undertakings (Protection of Employment: Regulations: TUPE) may determine the eligibility of pay awards for employees who transfer into the Council on protected terms and conditions.

4.8. Variations to Pay Grade

- 4.8.1. On occasion it may be necessary to take account of the external pay levels in the employment market in order to attract and retain employees with particular experience, skills and knowledge. Where necessary the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence. This will include relevant market comparators and benchmarking information, recruitment and retention challenges, skilled nature of the work and other relevant data from local government, sector or service sources as appropriate.
- 4.8.2. Proposals should be made by the recruiting manager, supported by a business case providing objective justification for the proposed variation. Proposed variations must be with the agreement of the relevant Director, the Director of Resources and the Assistant Director of Human Resources and Organisational Development.
- 4.8.3. Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's Honoraria procedure, or any applicable market rate supplement arrangements.

4.9. Job Evaluation

- 4.9.1 Post grades are determined using Job Evaluation schemes and the Council's pay structures.

4.10. The Living Wage

- 4.10.1. Living Wage (also referred to as the Foundation Living Wage) rates are based on Minimum Income Standards methodology and seek to take account of real living costs for essential goods and services.
- 4.10.2. Through the Council's Pay Policy Statement, the Council is committed to and pays the Foundation Living Wage (FLW) for all employees.
- 4.10.3. The FLW rate is reviewed and announced by The Living Wage Foundation on 1 November each year. The Council will consider any increases to the FLW as part of the annual Pay Policy Statement. If agreed, increases to the FLW will take effect from 1 April the following year. The provision for the FLW will be kept under review.
- 4.13.4 The current FLW rate for outside London increased from November 2021 to £9.90 per hour.

4.11. New Appointments

- 4.11.1. New appointments will normally be made at the minimum Spinal Column Point (SCP) of the relevant pay scale for the grade. Where the candidate is already in receipt of remuneration above the minimum SCP of the relevant pay scale, the appointment will normally be made at the nearest equivalent SCP in the

grade. If the employee is already in receipt of acting up or honoraria this will also apply.

4.11.2. The appointment salary may be varied with the agreement of the Assistant Director of Human Resources and Organisational Development.

4.12. Progression through Pay Grades

4.12.1. An employee's progression through the increments of a particular pay grade is linked to length of service. Increments are awarded on 1 April each year, or for new appointments between 1 October and 31 March, six months from the start date.

4.12.2. Where a seasonal employee returns to the same job role and has worked for the Council in the previous year or season, it is Council policy to recognise that previous service, and apply the increment..

4.12.3. The arrangements and factors considered in determining an individual's progression through their pay grade may be determined by experience, skills and qualifications as set out in the relevant Job Description and progression criteria.

5. Senior Management Salary

5.1. For the purposes of this statement, senior management means 'Chief Officers' as defined under section 43(2) of the Localism Act 2011. This includes statutory chief officers, non-statutory Chief Officers and Deputy Chief Officers as listed within that Act.

5.2. The posts falling within the statutory definition are set out in '*The Code of Recommended Practice for Local Authorities on Data Transparency (the data transparency code)*'.

5.3. The Council's grading structure for its most senior officers reflects the size, scope and responsibilities of the role, including the range of services they are accountable for. The grades are as follows:

- Chief Executive
- Director 1
- Director 2
- Assistant Director 1
- Assistant Director 2

5.4. The terms and conditions, including the payment of any allowances for Chief Officers is set out within the Joint Negotiating Committee for Chief Officers of Local Authorities constitution conditions of service salaries. All details of Chief Officer salaries are published in accordance with the Transparency Code.

5.5. The Chief Executive handbook sets out the terms and conditions of employment for the Chief Executive and Head of Paid Service. Some provisions within this

also apply to Council's Statutory Officers (Section 151 Officer and Monitoring Officer).

6. Recruitment of Chief Officers

- 6.1. The requirements concerning recruitment are set out in the Officer Employment Procedure Rules at Part 4(7) of the Council's Constitution, which sets out the ability of the Senior Officer Appointments & Staffing Sub-Committee to lead on the appointment of Chief Officers and Deputy Chief Officers. Under its terms of reference, at Part 3B of the Constitution, the Sub-Committee will lead in making a recommendation to Council in respect of those Chief Officers listed at para. 6.4 below, but may make direct appointments in respect of other Chief Officer posts, or have delegated that function to the Head of Paid Service (or nominee). This is particularly the case in respect of Deputy Chief Officers and which are those posts identified as Assistant Director or Head of Services that report directly to a Chief Officer.
- 6.2. The determination of the salary to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. The Council's Chief Officer pay scales are published on the Council's website.
- 6.3. The Localism Act Guidance says that Council should have the opportunity to vote before salary packages of £100,000 or more are agreed. Through the Council's Constitution, this is delegated to the Senior Officer Appointments & Staffing Sub-Committee, other than for those roles where the full Council has reserved powers in respect of defined posts.
- 6.4. A meeting of full Council will approve the appointment to the following:
- Head of Paid Service;
 - Section 151 Officer (also known as Chief Finance Officer);
 - Monitoring Officer;
 - Returning Officer (for which expenses may be claimed); and
 - Electoral Registration Officer.

7. Additions to Salary

- 7.1. In addition to basic salary, the following posts receive additional pay as set out below:

Post / Tier of post	Payment details
Chief Executive and Head of Paid Service	Returning Officer duties: <ul style="list-style-type: none"> • National statutory amount for Parliamentary/National Elections. • Locally determined amount in accordance with national guidance for Local Government Elections.
All eligible employees	Allowances in accordance with the Council's Terms and Conditions.

8. Salary Sacrifice Schemes

- 8.1 Wirral Council currently provides a range of employee benefits to its workforce including discounted shopping, childcare vouchers, cycle scheme, and a car lease scheme. The cycle scheme and car lease scheme operate through a salary sacrifice arrangement. Salary sacrifice is where an employee chooses to give up part of their salary for a given period of time in return for a benefit provided by the employer, the value of which is exempt from tax and national insurance contributions. We offer a cycle scheme which runs for 12 months and a car lease scheme which runs for 36 months.
- 8.2 The Employee Benefits Schemes are part of the Council's commitment to workforce reward and recognition and support the Council's attraction and retention strategy. The schemes do not form part of the Council's contractual terms and conditions of employment.
- 8.3 Employees who cancel the salary sacrifice arrangement or leave the organisation within the agreement period, will be liable to a charge. Charges may be taken from final net pay as appropriate.

9. Pension Contributions

- 9.1. The employer's pension contribution is required to be published under S7 of the Accounts and Audit Regulations 2011.
- 9.2. The Council will automatically enroll all eligible employees into the Local Government Pension scheme and the Council is required to make a contribution to the scheme representing a percentage of the pensionable salary due under the contract of employment of that employee.
- 9.3. The rate of contribution is set by Actuaries advising Merseyside Pension Fund and reviewed every three years in order to ensure the scheme is appropriately funded.

10. Payments on Termination

- 10.1. The Council's approach to statutory and discretionary payments on termination of employment for all employees, including Chief Officers, prior to reaching normal retirement age, is set out within the Council's Enhanced Discretionary Severance Scheme.
- 10.2. The Council will keep its Enhanced Discretionary Severance Scheme under review. Any changes, as approved by full Council are published in accordance with the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.
- 10.3. Any payments upon termination in respect of a Chief Officer exceeding £100,000, (apart from contractual payments, where the Council has no discretion) shall be subject to a vote at Council or relevant Committee or Panel of Members with delegated authority to approve such payments. Payments upon termination are subject to any legislative requirements or caps.

11. Lowest Paid Employees

- 11.1. The lowest paid persons employed by the Council are employed on full time equivalent rates in accordance with the council's grading structures. The grading structures take account of the FLW hourly rate (see section 4).
- 11.2. The relationship between the rate of pay for the lowest paid employee and Chief Officers is determined by the council's job evaluation schemes.

As required by the Localism Act, the following table provides the Council's salary ratios.

Definition	Ratio
The average full time equivalent (fte) earnings and the Chief Executive	1: 5.46
The average full time equivalent (fte) earnings and average Chief Officer earning	1: 3.30
The lowest paid employee full time equivalent (fte) earnings and average Chief Officer earnings	1: 5.94

12. Accountability and Decision Making

- 12.1. In accordance with the Constitution of the Council, the Senior Officer Appointments & Staffing Sub-Committee of the Policy and Resources Committee is responsible for decision making in relation to Chief Officer recruitment. This may be delegated to the Head of Paid Service.
- 12.2. The Chief Executive and Head of Paid Service has delegated responsibility for decision-making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council below Chief Officer level.

13. Re-employment / Re-engagement of Employees

- 13.1. The Council will not re-employ any former employees that have left the Council through early retirement or under the Voluntary Severance Scheme where there has been a cost to the Council, except in exceptional circumstances and with the approval of the Assistant Director of Human Resources and Organisational Development.
- 13.2. The Council will not consider applications from former Wirral employees who were dismissed from employment.

14. Publication

- 14.1. Upon approval by full Council, this statement will be published on the Council's Website and Intranet.

14.2. In line with the requirement of the Local Government Transparency Code 2015, the Council will publish an organisation chart covering staff in the top three levels of the organisation, which will include the following information:

- Department
- Team
- Job Title
- Permanent or temporary status
- Grade
- Salary in £5,000 brackets
- Salary ceiling (the maximum salary for the grade)
- Contact details

14.3. Actual salary will be published for senior salaries (employees whose salary in that year was at least £50,000).

14.4 Employees whose salaries are more than £150,000 will be identified by name.

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POLICY AND RESOURCES COMMITTEE

Wednesday 16th March 2022

REPORT TITLE:	USE OF COUNCIL BUILDINGS FOR CIVIC, COUNCIL AND COMMITTEE MEETINGS - UPDATE
REPORT OF:	ASSISTANT CHIEF EXECUTIVE – DAVID ARMSTRONG

REPORT SUMMARY

This report provides the Committee with an update and recommendation in respect of proposed arrangements for the safe operation of Council and Committee meetings for the Municipal year 2022/23 giving due consideration to guidance and regulations arising from Covid-19.

This is not a key decision.

RECOMMENDATION/S

The Policy and Resources Committee is recommended to: -

1. Agree the arrangements for the safe operation of Council and Committee meetings for 2022/23 Municipal Year.
2. Request that the Asst Chief Executive provide an options paper as to the future and use of the Boroughs Town Halls to a future meeting of the Committee.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The flexibility for meetings of the Council and Committees to be held remotely came to an end as of 7th May 2021. From that point onwards the Council requires a safe and compliant environment in which to operate in-person meetings.
- 1.2 The Council must comply with its duties to its employees, members and visitors when operating Council buildings and sites. Whilst this has been enshrined in law for many years the new demands in the safe operation of buildings following Covid have implications for the Council estate including those buildings which operate Civic arrangements. Updated guidance from HM Government states that employers must carry out health and safety risk assessments, including the risk of COVID-19, and to take reasonable steps to mitigate the risks identified. The working safely guidance sets out a range of mitigations employers should consider including cleaning surfaces that people touch regularly, identifying poorly ventilated areas in the venue and taking steps to improve air flow, ensuring that staff and customers who are unwell do not attend the workplace or venue, communicating to staff and customers the measures put in place.
- 1.3 Weighing the various matters in early May 2021, an assessment of buildings available, including cost but primarily current and potential Covid related requirements and advice, led to booking meeting space at the Floral Pavilion (auditorium briefly but then conference rooms) for Council and Committee meetings for a six-month period. Following a further report in October 2021, it was agreed that Council and Committee meetings would continue to meet at the Floral Pavilion, for the remainder of the Municipal Year. The Floral Pavilion with its modern heating, ventilation, and air-conditioning systems provides a venue for Council and Committee meetings which meet the guidance relating to airflow and ventilation. The Floral Pavilion also provides a resilient offer, which can flex to changes in infection prevention control guidance such as social distancing.
- 1.4 It is now proposed that following work to implement solutions to enable the safe operation of Council and Committee meetings that Wallasey Town Hall Council Chamber re-opens for Council Meetings for the Municipal Year 2022/23 adopting the proposed approach.
- 1.5 Should HM Government implement new restrictions during the Municipal Year 2022/23, that meant the Council Chamber could not support the safe operation of meetings, the Council would initially seek to move meetings to the Floral Pavilion as it provides a resilient offer, which can flex to changes in infection prevention control guidance such as social distancing.
- 1.6 As part of the regeneration programme and activity being progressed to ensure the Council's operational functions meet the needs of our communities and support the delivery of the outcomes identified in the Wirral Plan, a review of Council assets is underway. Given the nature of the Boroughs civic arrangements and the operation of

two Town Halls, it is proposed that a report is brought to the P&R Committee to debate the future use of the Town Halls.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 An update was provided on the future of remote Committee meetings to the Constitution and Standards Committee in February 2021, where it was explained that the legislative changes required to allow remote Committee meetings to continue once the regulations set out in the Coronavirus Act 2020 expire on 7 May 2021, had not yet been confirmed. Councils have since been advised that in-person meetings are required from 7 May 2021. The Council therefore cannot consider the continuation of hybrid or virtual meetings at this time for decision making meetings.
- 2.2 Alternative accommodation options to host Council and Committee meetings are discussed within the body of this report.

3.0 BACKGROUND INFORMATION

- 3.1 In spite of the additional demands and challenges placed on Members and Officers by virtue of the Covid-19 pandemic, a full programme of Committee meetings was embarked upon following the adoption of the new Constitution in September 2020 as the Council enabled the safe operation of Council and Committee meetings through virtual means. Prior to that the Council had operated emergency decision making arrangements but Regulatory Committees and selected other Committees continued to meet remotely between April and September 2020 predominantly to consider planning and licensing matters.
- 3.2 Regulations which allowed local authorities to meet remotely during the Covid-19 pandemic did not apply to meetings from 7th May 2021. HM Government advised that it concluded it was not possible to secure primary legislation to extend the regulations to meetings beyond that date. This meant that councils needed to return to face-to-face meetings.
- 3.3 Following the application by Hertfordshire County Council, the Association of Democratic Service Officers, Lawyers in Local Government and the Local Government Association, the High Court issued a judgment that the Local Government Act 1972 does not allow local authorities to hold meetings virtually. The High Court concluded that existing legislation specifies that council meetings must take place in person at a single, specified, geographical location and being “present” at such a meeting involves physical presence at that location.
- 3.4 The Secretary of State recognised there may continue to be concerns about holding face-to-face meetings and advised it is for local authorities to apply the Covid-19 guidance to ensure meetings take place safely. HM Government advised that they recognised that there had been a considerable investment of time, training and technology to enable meetings to take place during 2020/21 and have a review in progress on the future of remote meetings.

- 3.5 The Government has published updated guidance to highlight ways in which councils can, if necessary, minimise the need for, or risks of, face-to-face meetings. The Council is currently operating meetings from the Floral Pavilion for a period to enable in-person meetings to operate within the guidance and Regulations. The Floral Pavilion is a modern theatre with a large auditorium and conference facilities which operates high-tech heating, ventilation, and air conditioning (HVAC) systems. The Floral Pavilion can therefore operate such meetings safely and compliantly.
- 3.6 **Covid remains a Workplace Hazard**
- 3.6.1 On 22nd February 2022 HM Government set out a high-level plan for “COVID-19 Response: Living with COVID- 19” detailing the cessation of legal restrictions, the continuing importance of protecting the most vulnerable, maintaining resilience against future variants and building on innovation and opportunities from the COVID-19 response. Detailed policy and updated guidance on several aspects of the Plan are currently in development at the time of writing.
- 3.6.2 Acknowledging that the pandemic is ongoing the Plan emphasises the increasing importance of encouraging safer behaviours through public health advice and guidance as it moves away from deploying regulations and requirements. Although there is uncertainty about how the pandemic will evolve the emergence of other variants is considered a probability rather than a possibility, with recurrent resurgence of infections, and that a stable position will not be reached for several years. COVID-19 therefore remains a workplace hazard and these risks will need to be managed. The Council will also need to maintain flexibility and agility to achieve ongoing business resilience from further resurgences and new variants and any restrictions that may follow.
- 3.6.3 The ‘Living with COVID’ plan removes the health and safety requirement for every employer to explicitly consider COVID-19 in their risk assessments from 1st April 2022. This will be replaced by ‘How to Work Safely’ guidance which is due to be published later this month. The Council currently undertakes a regular assessment of the risks of COVID-19 in the workplace and identifying recommended infection prevention and control measures to manage that risk. All buildings operating across the Council’s estate are subject to risk assessments which include COVID-19 considerations.
- 3.6.4 Whilst the legal requirement will be replaced with guidance, the need to ensure that services can continue to be delivered safely, protecting both staff and service users, remains within the context of the ongoing pandemic and its impacts on health. At the time of writing, rates of COVID-19 remain high and whilst the COVID-19 vaccination programme has reduced the number of deaths and hospitalisation associated with COVID-19 infection it has not eradicated the risk of adverse health outcomes. Therefore, the advice to staff, visitors, and Members, at the time of writing, is to continue to assess COVID-19 risks and maintain mitigation measures in the workplace and across the estate in line with Public Health guidance. This reflects the advice of the Health & Safety Executive to continue to reduce the risk of COVID-19 transmission through workplace risk assessment and controls. This will be reviewed following the publication of the ‘How to Work Safely’ guidance in April 2022.

3.7 **Assessment of Venues and Ventilation**

3.8 The law says employers must make sure there is an adequate supply of fresh air (ventilation) in enclosed areas of the workplace. This has not changed during the pandemic and does not change as a result of the HM Government high level plan to live with Covid. Operators can achieve adequate ventilation by using

- natural ventilation - fresh air comes through open windows, doors or air vents. This is also known as 'passive airflow', or-
- mechanical ventilation - fans and ducts bring in fresh air from outside

3.9 Ventilation is important because it reduces how much virus is in the air. It helps reduce the risk from aerosol transmission. Aerosol transmission can happen when someone breathes in small particles in the air (aerosols) after a person with the virus has been in the same enclosed area. The risk from aerosols is greater in areas that are poorly ventilated.

3.10 Council engineers initially completed an assessment of the Town Halls identifying poorly ventilated areas and the risks associated with aerosol transmission. Controls have been put in place at both Town Halls to minimise the risk of COVID-19 aerosol transmission by increasing natural ventilation and limiting occupancy within rooms and spaces to a level where sufficient fresh air supply can be achieved in line with capacity. Surveys have now been completed to estimate the requirements and costs of additional mechanical control systems which would increase capacity and reduce risk. Given the nature of both buildings, any works are subject to listed building consent.

3.11 **Wallasey Town Hall**

3.12 Prior to the Covid-19 pandemic, Council and Committee meetings took place in the Chamber and Committee rooms available within the Civic spaces at Wallasey Town Hall. The Town Hall also provided asset-based services including Taxi Licencing and One Stop Shop services as well as office and meeting space for Council Officers and Elected Members. Wallasey Town Hall was completed in 1920 and is Grade II listed.

3.13 Wallasey Town Hall was closed to service users, Members and staff from March 2020 except for pre-arranged visits to collect items. Access to the Town Hall during this period was managed by arrangement with facilities management staff, supporting business continuity.

3.14 Limited access and activity is currently undertaken at the Town Hall. A risk assessment has been completed for Group Leaders and their Office Managers in line with controls on capacity in place.

3.15 Assessments of airflow and ventilation highlighted that the Chamber and Committee Rooms do not support the occupancy levels required to conduct the relevant Council meetings. Similar issues apply to break out spaces and party meeting rooms. Wallasey Town Hall does not benefit from modern Heating, ventilation, and air conditioning (HVAC) systems and does not meet current legislation in relation to ventilation, a position which is not uncommon for buildings of the Town Hall's age and design.

- 3.16 At the request of the P&R Committee, a further assessment has been completed to determine the work and processes required to enable access and operation of Wallasey Town Hall beyond the limited capacity arrangements currently in place.
- 3.18 Asset management commissioned independent qualified technical service providers to review the Town Hall and deliver the assessment of works. Given the request of P&R Committee to focus on the resumption of Council meetings a phased appraisal and implementation has been conducted. Phase 1 to enable the Council Chamber to be used for the purpose of Council meetings following works.
- 3.19 Phase 1 will include improved ventilation for the Council Chamber and Gallery only, for an optimum number of 100 persons and can remain as a permanent installation that is measurable and calculated to meet improved ventilation requirements. Phase 1 will also work in harmony with a full house solution should this be adopted. This will be achieved by the fitting of passive supply mechanical air ducts bringing fresh air supply to the bottom of the existing Council Chamber. At high level over the Gallery, a mechanical extract will be installed to ensure transfer and air change takes place. To meet our environmental policy and support our Climate Emergency programme the then warmed extract air will have heat recovery applied.
- 3.20 The anticipated costs have been assessed at circa £45k for phase 1 installation including controls linked to the Building Management System. Currently the use of the Council Chamber is prohibited for Council meetings due to a lack of ventilation, but a programme has been identified that would see the Council Chamber and Gallery offered back for use by the end of August 22.
- 3.21 Due to the listed status of the building Planning approval wrapping up conservation submission (and relevant approvals here) will be necessary, and eight weeks has been built into the programme to obtain this.
- 3.22 It is therefore apparent that Phase 1 works will not be completed early enough to enable Council meetings in the first months of the new Municipal year. A temporary solution has therefore been sought to enable meetings to commence at Wallasey Town Hall Council Chamber in line with the Council calendar. This solution will also enable Policy & Resources and Service Committee meetings to be conducted in the Council Chamber.
- 3.23 Additional temporary units and natural ventilation in other areas of the building will enable break out space for Members during Council and Committee meetings. This can include the Civic Hall.
- 3.20 Additionally, Asset management have reviewed the required works following the completion of updated condition surveys at both Town Halls. The survey of Wallasey Town Hall identified that whilst the building has conformed to relevant legislation, there is a backlog of maintenance to building fabric, mechanical and electrical services which need to be addressed in the short to medium term to maintain the building in a satisfactory state of repair. The estimated summary of costs identified of £8m of building, electrical and mechanical works (exc. VAT) over the next ten years. Council Asset Management Teams have reviewed this figure and confirmed the summary of works and costs but advise this would be a minimum before including

Planning Fees, Asbestos Surveys and Building Control fees. Mechanical ventilation installation will be additional costs. It is proposed that an options paper as to the future and use of the Boroughs Town Halls is discussed at a future meeting.

- 3.21 At this time there are only two options for the safe operation of Full Council meetings within the Council estate. These are at the Floral Pavilion and the Council Chamber at Wallasey Town Hall. It is proposed that temporary works are completed at the Town Hall before Phase 1 works provide a more technical and long term solution. It is recommended that a report as to the future use of Wallasey Town Hall is brought forward once the full cost of works to bring the rest of the building in line with legislation are known.

Birkenhead Town Hall

- 3.22 Members should note that similar issues exist at Birkenhead Town Hall, built in 1887 and Grade II listed. At the request of the P&R Committee, a further assessment has been completed to determine the work and processes required to enable greater access and operation of Birkenhead Town Hall beyond the limited capacity arrangements currently in place. This included inspection by qualified technical service providers.
- 3.23 A conservation report detailing the ventilation issues has already been completed and works to correct ventilation defects in consort with conservation considerations has been in progress. A further technical mechanical engineers' assessment of Birkenhead Town is due imminently.
- 3.24 Birkenhead Town Hall has a good passive stack system, and this will be utilised in the ventilation assessment thus reducing any necessary mechanical proposals and supporting Council plans to mitigate climate change. The registration offices have already been assessed and partly retrofitted with appropriate and conservation approved mechanisms to enable safe use.
- 3.25 Following assessment and implementation of non-mechanical passive ventilation controls, the Council Chamber at Birkenhead Town Hall now has a capacity of between 30 to 42 persons dependent on the activity. This enables weddings to operate within this space and could support committee meetings within the stated attendance capacity and according to the risk assessment. The Chair of the Pensions Committee has cited attendance issues with temporary arrangements at the Floral, related to access and travel with the wider regional representation at this committee. It is therefore proposed that the Pensions Committee restart at Birkenhead Town Hall in the new municipal year and operate in line with the risk assessment for that venue including the observation of the maximum capacity.
- 3.26 Within the rest of the building CO2 monitors have been installed and assist some smaller rooms to operate where passive ventilation is available but further adaptations are still required. Work will continue to identify the required investment at this site.
- 3.27 Additionally, Asset management have reviewed the required works following the completion of updated condition surveys at both Town Halls. The survey of Birkenhead Town Hall identified that whilst the buildings have conformed to relevant

legislation there is a backlog of maintenance to building fabric, mechanical and electrical services which need to be addressed in the short to medium term to maintain the building in a satisfactory state of repair. The estimated summary of costs identified of £7.1m of building, electrical and mechanical works (exc. VAT) over the next ten years. Council Asset Management Teams have reviewed this figure and confirmed the summary of works and costs appear fair, but advise this would be a minimum before including Planning Fees, Asbestos Surveys and Building Control fees. Mechanical ventilation installation will be additional costs. It is proposed that an options paper as to the future and use of the Boroughs Town Halls is discussed at a future meeting.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The operation of meetings at the Floral Pavilion does not currently have income implications but from April 2022 recharges would apply.
- 4.2 Condition Surveys for both Town Halls have set out the works required over the medium term (0-10 years), the estimated costs set out in the report are a minimum before including Planning Fees, Asbestos Surveys and Building Control fees. Mechanical ventilation installation will be a further additional cost, with Phase1 costs estimated at c.£45K. Temporary arrangements are being costed at the time of report writing but are not forecast to exceed £8K. Full costs for full ventilation solutions at both town halls will be provided in a future report.
- 4.5 Given the age of both Town Halls it would be prudent to consider contingency for additional costs emerging through works as identified by the conservation architect.
- 4.6 A recovery budget for the safe remobilisation of services was put in place using Covid Tranche funding. This budget will meet the cost of commissioning drawings, temporary arrangements, and Phase 1 implementation. Further solutions for investment in the buildings will require relevant approvals, including capital works.

5.0 LEGAL IMPLICATIONS

- 5.1 The operation of in-person meetings to make a lawful decision can be achieved only through the requirements of Local Government Act 1972. Other forms of meeting, for briefing, discursive or other purposes, can continue to do so through remote means.
- 5.2 The Health and Safety at Work etc Act 1974 is the primary piece of legislation covering occupational health and safety in Great Britain. It sets out the general duties which employers have towards employees and members of the public, employees have to themselves and to each other and certain self-employed have towards themselves and others. This covers employers ensuring there is an adequate supply of fresh air (ventilation) in enclosed areas of the workplace.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Staff continue to work from locations across the estate. There is no current requirement for further office space at Wallasey Town Hall. The effectiveness of the new ways of working are being reviewed in line with the development of the Hybrid Working Policy.
- 6.2 Internal staff from Assets Management will be required to support the delivery of works, this will be significant and additional to the current workload.
- 6.3 Democratic & Member Services have been engaged throughout the development of arrangements and will support the return to Wallasey Town Hall.
- 6.4 Implications relating to assets are addressed in the body of the report.
- 6.5 There are no ICT implications associated with this report. Web casting facilities exist at Wallasey Town Hall Chamber and there is a flexible solution employed at Birkenhead Town Hall for Committee Meetings.

7.0 RELEVANT RISKS

- 7.1 Risk assessments for the use of the Floral Pavilion for Council and Committee Meetings are completed and regularly reviewed. Risk assessments will be developed for the operation of meetings at both Town Halls and relevant risk mitigations should be actioned.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Plans and preparations have been developed to recommence face to face meetings in a way that intends to reduce covid related risks. This work has been overseen by a team of officers, including representatives from Public Health and Health & Safety. A report was submitted to the Constitution and Standards Committee in February 2021, a further update was submitted to the Member Steering Group in March 2021. Regular updates were provided to Group Leaders at their meetings in March/April 2021.
- 8.2 At P&R Committee of 7th October 2021, Members discussed the pros and cons of Council and Committee meetings at the Floral and requested Officers set out the solutions and approach to restart meetings at the Council Chamber once conditions allowed.

9.0 EQUALITY IMPLICATIONS

- 9.1 An equality impact assessment for the use of the Floral Pavilion for Council and Committee Meetings has been completed.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Members advised that travel to the Floral Pavilion extended journey times and mileage. A return to Wallasey Town Hall would therefore reduce mileage and CO2.

10.2 Wallasey Town Hall will see increased energy use and cost through any return to meetings at this venue along with the related increase in CO2 emissions.

11.0 COMMUNITY WEALTH BUILDING

11.1 There are currently no community wealth building considerations.

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APPENDICES

N/A

BACKGROUND PAPERS

The Council Constitution

Remote Meetings Update, Constitution and Standards Committee 24/2/21

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

The Local Government Act 1972

Equality Impact Assessment – Floral Pavilion

Floral Pavilion Council Meetings Risk Assessment

Wallasey Town Hall Risk Assessment

Birkenhead Town Hall Risk Assessments

[Health and Safety at Work etc. Act 1974 \(legislation.gov.uk\)](http://legislation.gov.uk)

[Ventilation and air conditioning during the coronavirus \(COVID-19\) pandemic \(hse.gov.uk\)](http://hse.gov.uk)

Chartered Institute of Building Services Engineers Guidance - [CIBSE - Emerging from Lockdown](#)

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Constitution and Standards Committee	24/2/21
Policy & Resources Committee	9/6/21
Policy & Resources Committee	7/10/21



POLICY AND RESOURCES COMMITTEE

Wednesday, 16 March 2022

REPORT TITLE:	2022/23 BUDGET MONITORING AND 2023/24 BUDGET SETTING PROCESSES
REPORT OF:	DIRECTOR OF RESOURCES

REPORT SUMMARY

This report sets out how the 2022/23 budget will be monitored through the Committee system, which will facilitate the Policy and Services Committees (the Committees) to take ownership of their specific budgets and present appropriate challenge and scrutiny of Officers on the management and performance of those budgets.

The concurrent activity of budget setting for 2023/24, and how this will be approached, is also set out in this report; incorporated in which are:

- revisions to the approved Medium Term Financial Plan (MTFP) – the formulation of savings proposals and presentation of pressure/growth items
- the application of the Medium Term Financial Strategy (MTFS) principles that underpin the budget process and decision-making, with links to the Wirral Plan
- how savings plans are to be configured
- considerations of requisite consultation exercises
- the role of the Finance Sub-Committee

This matter relates to all Wards within the Borough and is not a key decision.

RECOMMENDATIONS

It is recommended that the Policy & Resources Committee:

1. Approve the process for in-year monitoring of the 2022/23 budget
2. Approve the 2023/24 budget setting process

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATIONS

- 1.1 The 2022/23 Council budget was agreed at Full Council on 28 February 2022. This budget was made up of savings proposals, pressures/growth items and funding that were based on actual known figures or best estimates available at the time. At any point during the year, these estimated figures could change and need to be monitored closely to ensure, if adverse, mitigating actions can be taken immediately to ensure a balanced budget can be reported to the end of the year.
- 1.2 The Council has a legal responsibility to set an annual balanced budget, which sets out how financial resources are to be allocated and utilised. In order to successfully do so, engagement with members, staff and residents is undertaken. The recommendations in this report inform that approach. In addition, the proposed budget setting process and timeline is detailed in this report, which will facilitate a robust approach in order to meet organisational requirements,
- 1.3 Failure to set a lawful budget in time may lead to a loss of revenue, significant additional administrative costs, as well as reputational damage. Failure to set a legal budget may lead to intervention from the Secretary of State under section 15 the Local Government Act 1999.
- 1.4 Managing and setting a budget will require difficult decisions to ensure that a balanced position can be presented. Regular Member engagement, which this report forms part of, is considered essential in delivering effective governance and financial oversight.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The proposals set out in this report are presented to allow for efficient and effective budget monitoring activity that can be conducted in a timely manner. Similarly, the approach to budget setting is considered to allow the maximum time for presentation, scrutiny and consultation on budget proposals, within an agreed framework. As such, it is considered that to meet the business needs and address the challenges that the Council faces that no alternative options are viable or appropriate at this time.
- 2.2 Not engaging with the Committee at this time, on the matters set out, was an option that was available, however it is considered that involvement of Committees as soon as practical after the agreement of the 2022/23 budget will best assist in delivering the benefits detailed in paragraph 2.1, whilst minimising the risk of an unbalanced budget being presented.
- 2.3 In the event of the Section 151 Officer determining that a balanced financial position could not be presented, the Section 151 Officer would be required to issue a section 114 notice and report this to all Members of Full Council. The outcome of which could result in intervention by the Government.

3.0 BACKGROUND INFORMATION

Budget Monitoring Process

- 3.1 On 28 February 2022 Full Council approved the 2022/23 budget, which included significant budget savings/efficiencies (details provided at Appendix B) in order to present a balanced position for the year.
- 3.2 The calculation of the 2022/23 budget was prepared using known figures or best estimates available at the time. At any point during the year, internal or external factors may influence a change in these estimates which could either have a favourable or adverse impact on the ability to deliver a balanced position at financial year-end.
- 3.3 In order to ensure that a balanced position can be achieved, it is imperative that a robust process for monitoring and managing the budget is in place.
- 3.4 An internal officer governance process is in place, in line with past activity, to scrutinise and challenge budget performance in advance of financial forecasts being presented to the Committees. This process includes:
 - Budget holders routinely reviewing budget reports and transactions for accuracy and completeness
 - Regular meetings between budget holders and finance business partners (FBP) to review income and expenditure positions to date and to determine future commitments in order to present reliable forecasts
 - Directorate Management Team (DMT) review of the outcomes of the budget holder/FBP meetings
 - Scrutiny and challenge by DMTs as to the robustness of the figures and forecast presented in the context of Directorate-wide activity
 - DMT agreement on appropriate remedial action where necessary
 - Corporate Management Team review and challenge of the forecast position via the Operational Performance Group (OPG)
 - Referral and/or escalation to Investment and Change Board for organisational oversight in conjunction with other corporate initiatives (Strategic Leadership and Corporate Management Team members)
 - Progress on savings items monitored through ICB
 - Referral to quarterly Strategic Leadership Team performance meeting for Senior Officer scrutiny and agreement
 - Presentation to Committees
- 3.5 For the first meetings in the new municipal year, the Committees will receive confirmation of their budget position, detailed by function, to facilitate an understanding of income and expenditure monitoring against activity.
- 3.6 The Committees will be responsible for ensuring that the budget is utilised effectively and responsibly and remains within the relevant budget envelope, identifying savings where appropriate to mitigate any adverse positions that may transpire in-year.
- 3.7 Policy and Resources Committee will be responsible for ensuring that the entire budget will be in balance, including providing mitigating actions to bring the budget back in line from any adverse variance position that may be forecast, which may take

the form of providing direction to other Service Committees. Policy and Resources Committee will be responsible for advising Full Council on organisation-wide financial activity.

- 3.8 To enable the Committees to manage and monitor budgets effectively in-year, a suite of detailed information will be provided on a quarterly basis, comprising:
- A revenue budget monitoring report for the preceding quarter that will include a full-year forecast
 - Full list of budget savings proposals and the progress for their achievement
 - Full list of reserves allocated to the Committee for future one-off commitments
 - A capital budget monitoring report for the preceding quarter that will include a full-year forecast
 - Other specific financial information relevant to the individual committee's decision-making process
- 3.9 The Committees have the autonomy (subject to delegation levels) to enact budget virements (transfers) from one function to another within their overall committee budget envelope. Virements will also need to be agreed by the Section 151 Officer as there are certain conditions where budgets are not allowed to be transferred for the purposes of gaining a specific benefit e.g. where budgets from supplies budget headings are transferred to employee budget headings to take advantage of an uplift for pay inflation.
- 3.10 The Committees will be responsible for containing net expenditure within their overall budget envelope and not overspending. Where an adverse variance is forecast, each committee will be required to take remedial action, with detailed plans and timeframes, to bring the budget back in line and ensure that overspends are mitigated.
- 3.11 Where a committee has taken all possible steps for remedial action and is unable to fully mitigate an overspend, this must be reported to the Policy and Resources Committee who will then take an organisational-wide view of how this adverse variance will be managed. There must be immediate action agreed to ensure a deliverable, balanced forecast position can be reported, and this will be monitored on a monthly basis by the Policy and Resources Committee.
- 3.12 Whilst each committee is required to remain within its annual budget envelope, situations may transpire that demonstrate an in-year favourable forecast variance being reported to a Committee. Committees wishing to use any forecast underspend, must have approval from the P&R Committee.
- 3.13 The Council must not be in a situation where one Committee is forecasting an overspend, unable to mitigate it, and another Committee is forecasting an underspend and takes a decision to utilise this for unplanned growth purposes. The Policy and Resources Committee will be responsible for ensuring that operating in silos does not occur and that resources are aligned to Council objectives at all times.
- 3.14 The Policy and Resources Committee has ultimate responsibility for taking any necessary steps required to ensure a whole Council budget can report a balanced

position throughout the year. The Section 151 Officer will be responsible for ensuring that any budget actions, proposals and mitigations are achievable and legal.

- 3.15 In addition to the standard budget monitoring process, as outlined above (see Appendix A for a flow chart of the process for monitoring the 2022/23 budget), which will include reviews of savings related activity, in 2022/23 additional scrutiny will be provided to ensure that agreed savings are delivered in a timely manner, in line with the original proposal. Three specific review routes will exist to support financial oversight and the delivery of savings:
- Finance Sub-Committee,
 - Chief Executive led savings delivery board and
 - the Independent Panel.
- 3.16 The Finance Sub-Committee will meet to support the Policy and Resources Committee in its aims of providing strategic direction to the operation of the Council, to maintain a strategic overview of budgets and to provide a coordinating role across all other service committees through a 'whole council view' of budget monitoring.
- 3.17 A savings delivery board will be convened with the aim of facilitating regular, in-depth senior officer and member engagement on savings progress in order to review and challenge activity to date, as well as plans to be subsequently actioned, in order to deliver on the savings proposals agreed by Full Council.
- 3.18 The Independent Panel, established in response to the external assurance review conducted by the Department for Levelling Up, Housing and Communities (DLUHC) in 2021, meets monthly and has an independent scrutiny and advisory role to support the Council's improvement journey and the stabilisation of its financial position. Panel Members have considerable experience and expertise and will have a key role in providing assurance to the Council and DLUHC that improvements are being made in line with the recommendations that were set out in the external assurance review reports.

Budget Setting Process

- 3.19 The process for setting the budget for 2023/24 will commence immediately, building on the MTFP that was approved by Full Council on 28 February, as recommended by Policy and Resources Committee.
- 3.20 The most recent version of the MTFP contains a number of financial pressures and savings for 2023/24 (and beyond) that illustrate a budget gap of £8.2m. The budget setting process will need to close the budget gap, which will fluctuate during 2022/23 subject to further information and analysis of potential financial pressures as well as obtaining clarity on government and other funding available to the Council.
- 3.21 Included within the MTFP for 2023/24 is a suite of proposals for consideration in the proposed budget setting process. Officers will develop business cases for these proposals which will be shared with the Committees at budget workshops.
- 3.22 The budget workshops, a number of which will be convened between now and August in line with individual committee requirements, will allow current budget

intelligence to be reviewed, challenged and modified. In order to close the budget gap, it will be necessary to consider a number of approaches, which will include:

- reviewing budget pressures with the aim of reducing them
- reviewing income streams to ensure that maximum benefits are being obtained
- reviewing opportunities for budget efficiencies and savings

3.23 It is considered vital that clear direction is given by Policy & Resources Committee to each Committee in respect of their budget setting objectives. To facilitate this, it is recommended that budget envelopes are constructed for each Committee to work to in order to provide a framework and clear goals to the approaches noted in paragraph 3.22. The Finance Sub-Committee will play a key role in this process.

3.24 The methodology for constructing budget envelopes will follow the convention adopted for 2022/23, whereby MTFS principles were aligned to Directorate activity through targets that:

- Produce a balanced budget and MTFP
- Prioritise statutory services and objectives in line with the Wirral Plan
- Ensure that non-statutory services that are not supporting statutory services will be delivered only where there is no net cost to the Council
- Facilitate a strengthening of our reserves to ensure we have funds for the future to support the Wirral Plan
- Demonstrate an appropriate approach to corporate risk.

3.25 Each Committee, via the budget workshops, will be accountable for identifying, developing and agreeing reductions in pressures and deliverable savings proposals to close the 2023/24 budget gap and ensure a draft balanced budget can be considered by the Policy & Resources Committee in September 2022, to enable budget consultation to start in a timely manner in October 2022. See Appendix C for a flow chart of the process for the 2023/24 budget and timeline.

3.26 In developing budget proposals, and reviewing budget activity, each Committee must adhere to the MTFS guiding principles, in order to ensure that the Council will:

- a. Set fees and charges commensurate with a going market rate for the services we provide and make concessions available for vulnerable groups.
- b. Set spending levels for services not higher than the Metropolitan average to ensure we can demonstrate value for money for resident funding, unless there are exceptional circumstances.
- c. Ensure a digital first approach and review all services to ensure we are making full and immediate use of digital capacity and automation.
- d. Ensure that our non-statutory services are not subsidised at the detriment of statutory services, unless an evidenced return on investment is demonstrated.
- e. Ensure our establishment is at the required level for the services we need to provide and where it needs to be reduced, we will attempt to redeploy staff or provide opportunities for staff to exit the organisation voluntarily before making any compulsory redundancies.
- f. Only allocate resources to the themes in the Wirral Plan and where beneficial outcomes can be evidenced.

- g. Provide opportunities for communities to engage in where we allocate our resources whilst being clear and realistic about affordability.
- h. Consider a range of delivery mechanisms for providing services appropriate to the most beneficial outcomes for communities.
- i. Aim to promote and stimulate strong and sustainable growth to generate future income flows.
- j. Support trusted partners by leveraging external funding and, within risk-based controls, use the Council's covenant strength to enable regeneration.
- k. Within 2 years build up and maintain its general fund balances at 5% of its net revenue budget and will maintain a suite of earmarked reserves that will be used for specific projects to support the key priorities and safeguard against financial risk.
- l. Not use any one-off Council funding to underpin the revenue budget.
- m. Recognise the impact of council tax increases on the public and consider this alongside the annual budget setting process.
- n. Ensure that expenditure is contained within the budget envelope and where unforeseen circumstances result in a risk that expenditure will exceed the budget envelope, produce immediate plans to bring it back in line.

3.27 At Policy & Resources Committee 1 December 2021, it was approved that the Chief Executive progress and implement the Change Programme and required service reviews to deliver a new Council operating model. The programme of activity takes account of the DLUHC external assurance review recommendations and has been positioned as part of the Council's evidence that it has the capability to implement a programme of change to deliver the required savings to achieve financial sustainability – the related undertakings will lend support to the Committees' aims of closing the budget gap for 2023/24.

3.28 The service review framework provides a consistent tool for the application of operating model principles enabling services to re-imagine how best to configure their service offer, in order to maximise desired outcomes. The framework will also apply zero based budgeting principles to ensure resources are aligned to required activity. Financial goals for service reviews will be formed during an assessment stage using benchmarking and other relevant information. Local context and previous decisions will also be considered. All service reviews will present opportunities and recommendations through costed business cases and will embed operating model design principles.

3.29 Service reviews will be business-led and carried out in line with the MTFS, DLUHC recommendations, operating model design principles and key strategies. Service reviews are currently mobilised to support previously agreed high value budget saving proposals in Revenues and Benefits, Leisure Services and Library Services. Further information will be provided to the Finance sub-Committee in respect of further prioritisation and service recommendations to support budget setting activity. The outcome of the service reviews will be reported to and approved by, where relevant, the Policy and Services Committees in forming the financial recovery plan and 2023/24 budget and may be implemented in advance of the 2023/24 budget being set.

4.0 FINANCIAL IMPLICATIONS

- 4.1 This report sets out the 2022/23 budget monitoring process and the 2023/24 budget setting process and has no direct financial implications. The outcome of each process will, if not adhered to or a suitable alternative process agreed, have significant financial implications however as the proposals set out control environments and a timeline of activity deemed necessary as part of sound financial management regime.
- 4.2 If either the 2022/23 budget or 2023/24 budget cannot be balanced, this may result in a Section 114 report being issued by the Section 151 Officer - once issued there are immediate constraints on spending whereby no new expenditure is permitted, with the exception of that funding statutory services, including safeguarding vulnerable people, however existing commitments and contracts can continue to be honoured.
- 4.3 The Council delivers both statutory and non-statutory services at present – the requirement to eliminate subsidies provided to non-statutory services is considered to be a key requirement in delivering value for money and ensuring that finite resources are targeted on beneficial outcomes.
- 4.4 The FM Code requires the Council to demonstrate that the processes they have in place satisfy the principles of good financial management, based on the following six principles:
- Organisational Leadership – demonstrating a clear strategic direction based on a vision in which financial management is embedded into organisation culture.
 - Accountability – based on Medium-Term Financial Planning, that derives the annual budget process supported by effective risk management, quality supporting data and whole life costs.
 - Financial management - undertaken with transparency at its core using consistent, meaningful and understandable data, reported frequently with evidence of periodic officer actions and elected member decision making.
 - Professional standards - Adherence to professional standards is promoted by the leadership team and is evidenced.
 - Assurance - sources of assurance are recognised as an effective tool mainstreamed into financial management, including political scrutiny and the results of external audit, internal audit and inspection.
 - Sustainability - The long-term sustainability of local services is at the heart of all financial management processes and is evidenced by prudent use of public resources.

5.0 LEGAL IMPLICATIONS

- 5.1 The Policy and Resources Committee, in consultation with the respective Policy and Service Committees, has been charged by Council to formulate a draft Medium Term Financial Plan (MTFP) and budget to recommend to the Council.
- 5.2 The Council must set the budget in accordance with the provisions of the Local Government Finance Act 1992 and approval of a balanced budget each year is a statutory responsibility of the Council. Sections 25 to 29 of the Local Government Act

2003 impose duties on the Council in relation to how it sets and monitors its budget. These provisions require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.

- 5.3 Section 30(6) of the Local Government Finance Act 1992 provides that the Council has to set its budget before 11th March in the financial year preceding the one in respect of which the budget is set.
- 5.4 The provisions of section 25, Local Government Act 2003 require that, when the Council is making the calculation of its budget requirement, it must have regard to the report of the chief finance (s.151) officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves.
- 5.5 Consultation must take place in accordance with the Council's duties under section 65 of the Local Government Finance Act 1992. The consultation process, including the Council's consideration of the responses, is required to comply with the following overarching obligations (unless detailed statutory rules supplant these):
 - (a) Consultation must be at a time when proposals are at a formative stage.
 - (b) The proposer must give sufficient reasons for its proposals to allow consultees to understand them and respond to them properly.
 - (c) Consulters must give sufficient time for responses to be made and considered.
 - (d) Responses must be conscientiously taken into account in finalising the decision. This is the same whether or not a public body was required to consult or chooses to do so. This is because all of those rules are aspects of an overriding requirement for 'fairness'. The process must be substantively fair and have the appearance of fairness. The setting of the budget and council tax by Members involves their consideration of choices.
- 5.6 When considering options, Members must bear in mind their fiduciary duty to the council taxpayers of Wirral. Members must have adequate evidence on which to base their decisions on the level of quality at which services should be provided.
- 5.7 Where a service is provided pursuant to a statutory duty, it would not be lawful to fail to discharge it properly or abandon it, and where there is discretion as to how it is to be discharged, that discretion should be exercised reasonably.
- 5.8 The report sets out the relevant considerations for Members to consider during their deliberations and Members are reminded of the need to ignore irrelevant considerations. Members have a duty to seek to ensure that the Council acts lawfully. Members must not come to a decision which no reasonable authority could come to; balancing the nature, quality and level of services which they consider should be provided, against the costs of providing such services.
- 5.9 There is a particular requirement to take into consideration the Council's fiduciary duty and the public sector equality duty in coming to its decision.

- 5.10 The public sector equality duty is that a public authority must, in the exercise of its functions, have due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.11 Any decision made in the exercise of any function is potentially open to challenge if the duty has been disregarded. The duty applies both to Full Council when setting the budget and to the Policy and Services Committees when considering decisions.
- 5.12 Once a budget is in place, Council has delegated responsibility to the Policy and Services Committees to implement it. The Committees **may not within, normal business operating conditions**, act contrary to the Budget without consent of Council other than in accordance with the Procedure Rules set out at Part 4(3) of the Constitution.
- 5.13 It is essential, as a matter of prudence that the financial position continues to be closely monitored. In particular, Members must satisfy themselves that sufficient mechanisms are in place to ensure both that agreed savings are delivered and that new expenditure is contained within the available resources. Accordingly, any proposals put forward must identify the realistic measures and mechanisms to produce those savings.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 At this time, there are no additional resource implications. There may be resource requirements of any action resulting in remedial or mitigating tasks if an adverse forecast is reported with regards the 2022/23 budget in year, however these will be reported at the appropriate time.

7.0 RELEVANT RISKS

- 7.1 The Council's ability to maintain a balanced budget is dependent on a proactive approach due to estimated figures being provided in the calculation for the budget, albeit the best estimates available at the time, plus any amount of internal and external factors that could impact on the budget position in year. Examples of which are new legislation, increased demand, loss of income, increased funding, decreased funding, inability to recruit to posts, ongoing impact of the pandemic, etc.
- 7.2 A robust monitoring and management process for the budget is in place. If at any time during the year an adverse position is forecast, remedial action must be agreed and implemented immediately to ensure the budget can be brought back to balanced position.
- 7.3 The risk of this not being able to be achieved could mean that the Council does not have enough funding to offset its expenditure commitments for the year and therefore not be able report a balanced budget at the end of the year. This could result in the Section 151 Officer issuing a Section 114 notice.

- 7.4 A key risk to the Council's financial plans is that funding and demand assumptions in particular can change as more information becomes available. As such, the MTFP is regularly reviewed and updated as part of routine financial management.
- 7.5 Under the system of retained Business Rates, Authorities benefit from a share of any increased revenues but are liable for at least a share of any falls in income (subject to safety net triggers) and any non-collection. This includes reductions arising from appeals relating to past years which partially fall on the Authority. These risks are mitigated through a combination of the operation of the Collection Fund, General Fund Balances and a Business Rates Equalisation Reserve.
- 7.6 A balanced MTFP is fundamental in demonstrating robust and secure financial management. Delivering a balanced position requires continual review and revision of plans to allow alternative financial proposals to be developed and embedded in plans as situations change. A delay in agreeing these may put the timetable for setting the 2023/24 budget at risk and may result in a balanced budget not being identified in time for the deadline of 11 March 2023.
- 7.7 Assumptions have been made in the current budget outlook for income and funding from business rates and council tax and social care grants as the main sources of funding. If there is an adverse change to these assumptions as a result of government announcements, additional savings proposals or reduced expenditure would need to be identified as soon as possible to ensure a balanced five-year MTFP can be achieved. Committees will be kept updated with any announcements regarding the local government finance settlement through the year.
- 7.8 Sections 25 to 29 of the Local Government Act 2003 impose duties on the Council in relation to how it sets and monitors its budget. These provisions require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Consultation has been carried out with the Senior Leadership Team in arriving at the governance process for the 2022/23 budget monitoring process and the 2023/24 budget setting process.
- 8.2 The report makes note of consultation that will follow the formulation of budget proposals which will take the form of engagement with local residents and businesses in respect of the budget setting process.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 There are no specific equality implications of this report regarding processes, however, it is recognised that some of the developing proposals for 2023/24 budget

and beyond could have equality implications. Any implications will be considered and any negative impacts will be mitigated where possible.

- 9.3 Equality implications will be assessed during planning, decision and implementation stages and will be recognised as an ongoing responsibility. Any equality implications will be reported to the Committees. Equality issues will be a conscious consideration and an integral part of the process.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 At this time, there are no additional environmental and climate implications as these have already been identified for the proposals agreed and submitted. However, where the budget is unbalanced and further proposals are required, then there may be environment and climate implications associated with these that will be addressed within the relevant business cases presented to the Committee. There are no direct environmental and climate implications of this report on process. However, where the budget is unbalanced and further proposals are required, then there may be environment and climate implications associated with these that will be addressed within the relevant Committee. In addition, it is recognised that some of the developing proposals for 2023/24 budget and beyond could have environmental and climate implications. Any implications will be considered, and any negative impacts will be mitigated where possible.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 This report has no direct community wealth implications however the budget proposals to be developed should take account of related matters across headings such as the following:
- **Progressive Procurement and Social Value**
How we commission and procure goods and services. Encouraging contractors to deliver more benefits for the local area, such as good jobs, apprenticeship, training & skills opportunities, real living wage, minimising their environmental impact, and greater wellbeing.
 - **More local & community ownership of the economy**
Supporting more cooperatives and community businesses.
Enabling greater opportunities for local businesses.
Building on the experience of partnership working with voluntary, community and faith groups during the pandemic to further develop this sector.
 - **Decent and Fair Employment**
Paying all employees a fair and reasonable wage.
 - **Making wealth work for local places**

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APPENDICES

Appendix A Flow chart of the process for monitoring the 2022/23 budget
 Appendix B Savings proposals agreed at full Council for 2022/23
 Appendix C Flow chart of the process for the 2023/24 budget and timeline

BACKGROUND PAPERS

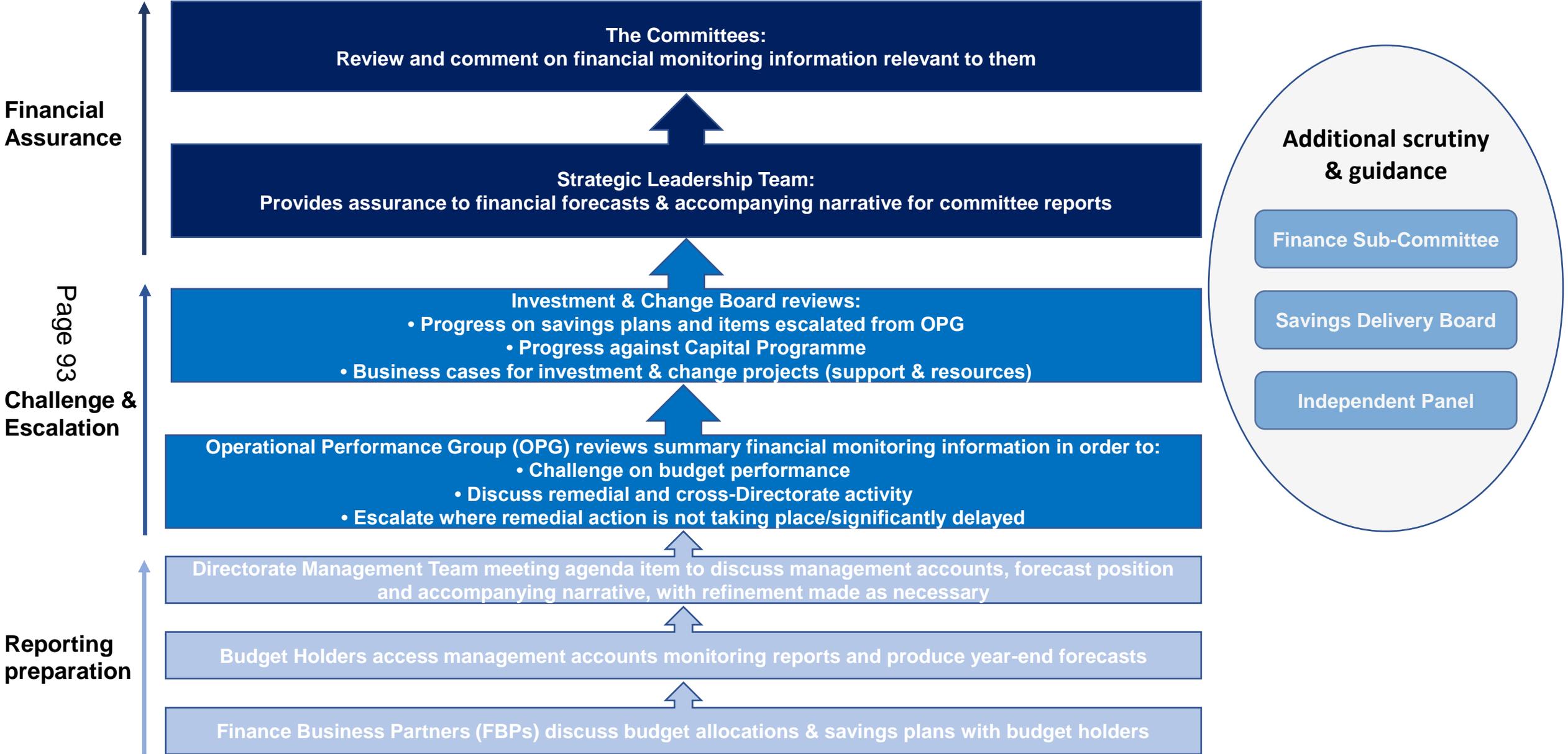
Pressure and Growth Proposals
 Savings and Income Proposals
 DLUHC External Assurance Reports
 CIPFA's Financial Management Code

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Full Council	28 February 2022
Policy and Resources Committee	15 February 2022
Children, Young People & Education Committee	31 January 2022
Housing Committee	27 January 2022
Economy Regeneration & Development Committee	26 January 2022
Adult Social Care and Public Health Committee	25 January 2022
Environment, Climate Emergency and Transport Committee	20 January 2022
Tourism, Communities, Culture & Leisure Committee	18 January 2022
Policy and Resources Committee	17 January 2022
Policy and Resources Committee	1 December 2021
Policy and Resources Committee	30 November 2021
Policy and Resources Committee	25 October 2021
Policy and Resources Committee	09 June 2021
Policy and Resources Committee	17 March 2021

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Appendix A Flow chart of the process for monitoring the 2022-23 budget



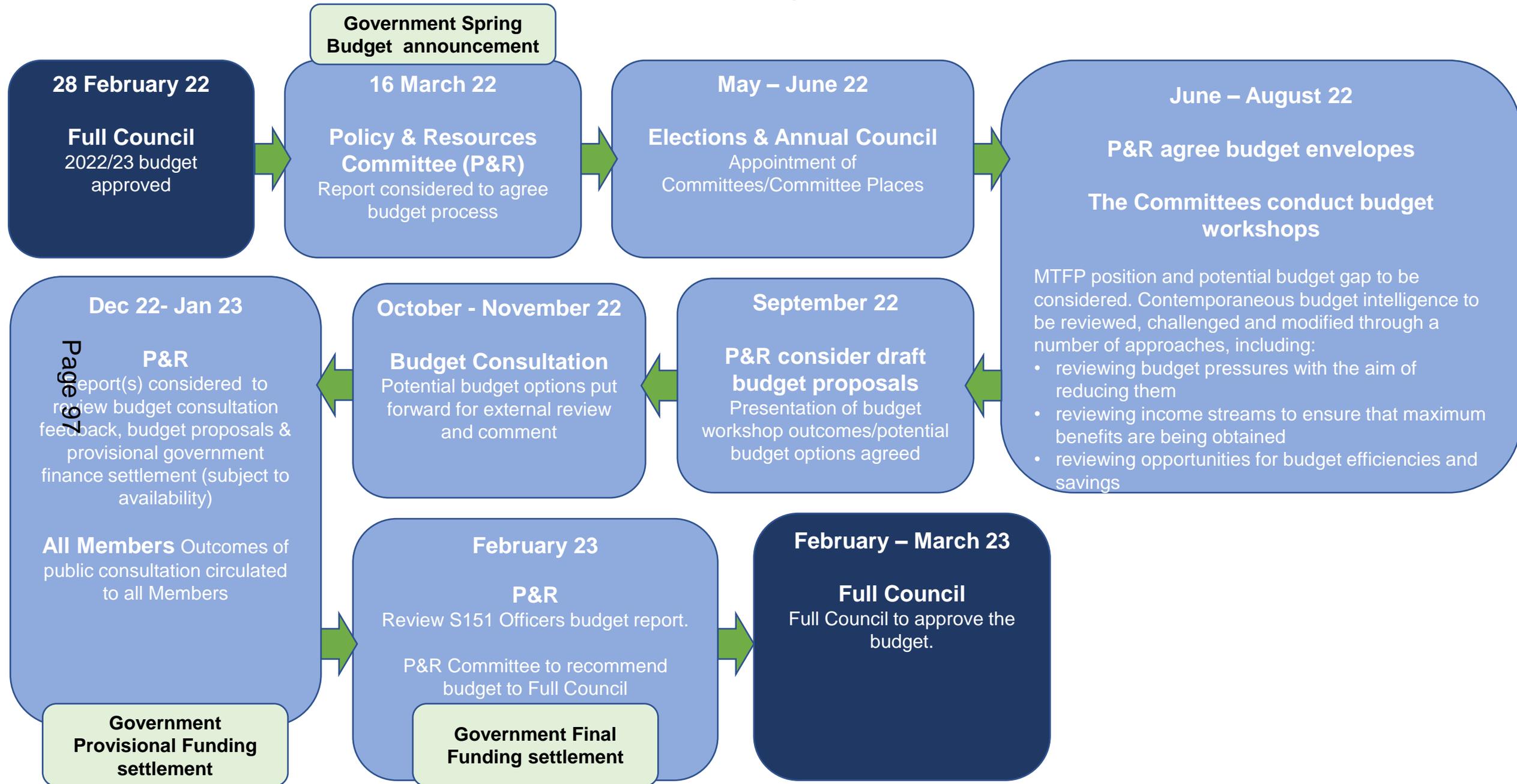
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Appendix B – Savings proposals agreed at full Council for 2022-23

Savings Proposals:	2022-23 (£m)
Adult Care & Health	
Adult Care & Health demand mitigations	-3.89
Children, Families & Education	
Reduction of Historic Teacher's Pensions Costs	-0.20
Alternative Accommodation Provision for Children Looked After	-1.00
Utilisation of demand reserve for COVID pressures	-0.47
Children's Services Redesign and posts deletion/closure	-0.29
Reduction in adoption orders	-0.05
Reduction in Looked After Children (LAC) numbers	-0.56
Review of Youth Offending Service (YOS)	-0.03
Special Educational Needs (SEND) Transport Review	-0.15
Increase funding for placements from CCG and SEND	-0.20
Redesign of Youth Offer	-0.20
Law & Governance	
Capitalisation of salaries	-0.20
Removal of individual ward member budgets	-0.18
Reduction in the number of Committees	-0.15
Whole Council Elections	-0.13
Neighbourhood Services	
Review of Leisure service	-0.18
Highways Operational Services - Income Exploration	-0.03
Closure of Europa Fun/Leisure Pool & Enhanced Gym Offer	-0.27
Increase catering across all Leisure Sites	-0.06
Outdoor Water Sports Offer at West Kirby Marine Lake	-0.02
Catering Pod at Leasowe Leisure Centre for Football Traffic	-0.02
Permanent Closure and Demolition of Woodchurch Leisure Centre	-0.40
Temporary Closure and Remodelling of Bidston Tennis Centre	-0.11
Review of Golf Offer	-0.33
Exercise referral programme	-0.10
Reprovision of the Library Service	-0.65
Floral pavilion - plans to reduce subsidy	-0.35
Fleet efficiencies in Transport - going green	-0.02
Capitalisation of Highways salaries	-0.02
Highways maintenance Contracts	-0.03
Street Lighting Service Savings	-0.05
Car park maintenance 1 year budget reduction	-0.05
Transport efficiencies	-0.07
Eco and Forest School Income	-0.02
Tree management Team Commercial Offer	-0.03
Rent of Café - Royden	-0.01
Income increase on allotments	-0.05
Increase in charges for Waste and Environmental services.	-0.46
Removal of Vacancies in Environmental and Waste team	-0.10

Savings Proposals (continued):	2022-23 (£m)
Neighbourhood Services (continued)	
Suspension of Climate Emergency Initiatives	-0.13
Remodelling of Street Cleansing: Plus special events	-0.21
Review of overtime budget in Parks	-0.02
Reduce grass cutting from 10 to 8 cuts	-0.10
Cease community firework displays	-0.03
Income Strategy - Cemeteries and crematorium service	-0.05
Fund ASB Post from PCC grant	-0.05
Review Engagement Officer secondment	-0.04
Reduction in Community Patrol Service	-0.15
Introduce Overnight Camper Van Parking Charge in New Brighton	-0.04
Cessation of Constituency Team and Remodelling of Section	-0.35
Deletion of Vacant Posts	-0.30
Review of Neighbourhoods Service Directorate	-0.36
Reduction in budget for office related expenditure	-0.02
Regeneration & Place	
Cease support for Community Alarms	-0.20
Reconfiguration of Commissioned Homelessness accommodation	-0.12
Capitalisation of Regeneration Staff Salaries	-1.42
The Closure Public Conveniences	-0.05
Corporate buildings - holding costs	-0.05
To reduce heating in occupied council buildings by 2 degrees	-0.11
Resources	
One Stop Shop establishment review	-0.10
Review of Treasury activity	-0.50
Revenues & Benefits Review and Restructure	-0.75
Strategic Change revenue budget reduction	-0.65
Restructure of Commercial Income Team	-0.23
Review of Finance Team Structure	-0.05
Cease Business Rates Contribution	-0.70
Modernisation of Information & Communications Technology Service	-0.05
Review of Business Support Unit	-0.02
Review of Internal Audit - Efficiencies and Income	-0.08
Reduction in Learning & Development Budget	-0.10
Chief Executive Office	
Service Redesign	-0.11
TOTAL SAVINGS PROPOSALS:	-18.24

Appendix C Flow chart of the process for the 2023/24 budget and timeline



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POLICY AND RESOURCES COMMITTEE
Wednesday, 16 March 2022

REPORT TITLE:	WORK PROGRAMME UPDATE
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The Policy and Resources Committee, in co-operation with the other Policy and Service Committees, is responsible for proposing and delivering an annual committee work programme. This work programme should align with the corporate priorities of the Council, in particular the delivery of the key decisions which are within the remit of the Committee.

It is envisaged that the work programme will be formed from a combination of key decisions, standing items and requested officer reports. This report provides the Committee with an opportunity to plan and regularly review its work across the municipal year. The work programme for the Policy and Resources Committee is attached as Appendix 1 to this report.

RECOMMENDATION/S

The Policy & Resources Committee are invited to comment on and note the proposed Policy and Resources Committee work programme for the remainder of the 2021/22 municipal year.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To ensure Members of the Policy and Resources committee have the opportunity to contribute to the delivery of the annual work programme.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Various formats for the workplan were explored. The current format is open to amendment to match the requirements of the committee.

3.0 BACKGROUND INFORMATION

- 3.1 The work programme should align with the priorities of the Council and its partners. The programme will be informed by:

- (i) The Council Plan
- (ii) The Council's transformation programme
- (iii) The Council's Forward Plan
- (iv) Service performance information
- (v) Risk management information
- (vi) Public or service user feedback
- (vii) Referrals from Council

Terms of Reference

The Policy and Resources Committee has two main areas of responsibility, which is to provide strategic direction to the operation of the Council, including making decisions on policies and co-ordinating spend not reserved to full Council, and to maintain a strategic overview of outcomes, performance, risk management and budgets.

The Committee is charged by full Council to:-

- (a) formulate, co-ordinate and implement corporate policies and strategies and the medium-term financial plan (budget), which includes responsibility for any decision:
 - (i) that relates to such matters to the extent that they are not reserved to full Council;
 - (ii) on any cross-cutting policies that impact on other committee areas;
 - (iii) on policy matters not otherwise allocated to any other committee; and
 - (iv) to determine any dispute or difference between committees;
- (b) provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management, which includes responsibility for a decision:
 - (i) that has a major impact on a number of Council services or on the Council as a whole;

- (ii) on any virement between Budget funds (revenue) requested by a Committee or officer in excess of **£100,000**;
 - (iii) on any virement between Budget funds (capital) or any amendment to the Capital Programme requested by a Committee or officer in excess of **£100,000**;
 - (iv) regarding land and property including major acquisition and disposals, which includes reserved decision making concerning any purchase, sale or transfer of a value in excess of, or likely to exceed, **£100,000**;
 - (v) regarding companies or limited liability partnerships including acquisition and disposals; and
 - (vi) which is deemed significant in terms of impact on the Council's revenue or capital (to be determined by the Head of Paid Service and/or Section 151 Officer in consultation with the Leader);
- (c) without limiting the generality of responsibility for cross-cutting policies (at (a) above), lead on behalf of the Council:
- (i) in matters concerning relationships with HM Government, the Liverpool City Region Combined Authority and other major public and non-public bodies;
- (d) appoint Council representatives as required;
- (e) nominate councillors and other persons to outside bodies; and
- (f) undertake responsibility for developing and monitoring the enabling corporate services, including, finance and investment, project support and risk management, strategic procurement and commercial strategies, ICT, property and asset management, human resources and organisational development, law and governance, communications and public affairs, emergency planning and business continuity.

4.0 FINANCIAL IMPLICATIONS

4.1 This report is for information and planning purposes only, therefore there are no direct financial implication arising. However, there may be financial implications arising as a result of work programme items.

5.0 LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from this report. However, there may be legal implications arising as a result of work programme items.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are no direct implications to staffing, ICT or Assets.

7.0 RELEVANT RISKS

- 7.1** The Committee's ability to undertake its responsibility to provide strategic direction to the operation of the Council, make decisions on policies, co-ordinate spend, and maintain a strategic overview of outcomes, performance, risk management and budgets may be compromised if it does not have the opportunity to plan and regularly review its work across the municipal year.

8.0 ENGAGEMENT/CONSULTATION

- 8.1** Not applicable

9.0 EQUALITY IMPLICATIONS

- 9.1** Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision, or activity.

This report is for information to Members and there are no direct equality implications.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1** This report is for information to Members and there are no direct environment and climate implications.

11.0 COMMUNITY WEALTH BUILDING

- 11.1** This report is for information to Members and has no direct community wealth implications.

REPORT AUTHOR: **Steve Fox, Head of Democratic and Member Services**
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APPENDICES

Appendix 1: Policy and Resources Committee Work Plan

BACKGROUND PAPERS

The Council Plan
The Council's transformation programme
The Council's Forward Plan

Subject History (last three years)

Council Meeting	Date
Policy and Resources Committee	7 October 2020
Policy and Resources Committee	11 November 2020
Policy and Resources Committee	21 December 2020
Policy and Resources Committee	20 January 2021
Policy and Resources Committee	17 February 2021
Policy and Resources Committee	17 March 2021
Policy and Resources Committee	9 June 2021
Policy and Resources Committee	30 June 2021
Policy and Resources Committee	28 July 2021
Policy and Resources Committee	01 September 2021
Policy and Resources Committee	07 October 2021
Policy and Resources Committee (Special Meeting)	25 October 2021
Policy and Resources Committee	10 November 2021
Policy and Resources Committee (Special Meeting)	30 November 2021
Policy and Resources Committee	01 December 2021
Policy and Resources Committee	17 January 2022
Policy and Resources Committee (Budget)	15 February 2022

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POLICY AND RESOURCES COMMITTEE

WORK PROGRAMME 2020/21

16 March 2022

Contact Officer/s: Andrew Mossop / Bryn Griffiths

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Website: www.wirral.gov.uk

PROPOSED AGENDA FOR POLICY AND RESOURCES COMMITTEE – 16 MARCH 2022

Item	Key Decision Yes/No	Lead Departmental Officer	Wirral Plan Priority
Wirral Local Plan 2021 to 2037	Yes	Director of Regeneration and Place	
Community Asset Transfer	Yes	Director of Resources	
Pay Policy 2022-23	Yes	Director of Resources / AD HR and OD	
Civic Meetings	No	Director of Resources / AD Strategic Change	
Budget Monitoring 2022/23 and Budget Setting Process 2023/24	No	Director of Resources	
Property and Land Disposals, Wirral Growth Company – Variations to Options Agreement	Yes	Director of Regeneration and Place	

Referral for Economy, Regeneration and Development Committee: Disposal of Industrial Estate at Quarrybank Street, Birkenhead		Director of Regeneration and Place	
Referral for Economy, Regeneration and Development Committee: Acquisition of Former Co-Op Building, 100 Chester Road, New Ferry		Director of Regeneration and Place	
Referral for Economy, Regeneration and Development Committee; Sale of Freehold Interest in Dominick House, Liscard		Director of Regeneration and Place	

Deadline for SLT	Deadline for Cleared Reports	Agenda Published
18 February 2022	28 February 2020	8 March 2022

UPCOMING KEY DECISIONS

Item	Brief Description	Approximate timescale	Lead Departmental Officer
Liverpool City Region Enabling Powers and Associated Issues Key	Various matters which may require the consent of this Authority as one of the constituent authorities of the Liverpool City Region Combined Authority	Between April 2022 and July 2022	Director of Law and Governance

Wirral Local Plan 2021 to 2037: Publication of Submission Draft Plan (Regulation 19) and Submission to Secretary of State for Examination (Regulation 22) Key		Between April 2022 and July 2022	Director of Regeneration and Place
Strategic Asset Acquisitions Key	Approval to acquire key assets as part of the Council's growth strategy	Between April 2022 and July 2022	Director of Regeneration and Place
Property and Land Disposals Key	TBC	Between April 2022 and July 2022	Director of Regeneration and Place
Loan / Loan Facility Application Key	To agree a business loan application relating to a local business	Between April 2022 and July 2022	Director of Resources
Edsential Update and Finance Key	Update and decisions on Edsential	Between April 2022 and July 2022	Director of Resources
One Wirral Change Programme Key	This report provides an overview of the Council's emerging change programme.	Between April 2022 and July 2022	Director of Resources
Discretionary Rate Relief Policy Key	Proposed changes to Discretionary Rate Relief Policy (Section 47 LGFA 1988) to reflect changes made by Central Government to existing provisions and guidance.		
Enterprise Resource Planning (ERP) – SmartBusiness Key	To approve the full business case for delivery of phase 2 of the project (Human Resources & Payroll).	Between April 2022 and July 2022	Director of Resources
Community Asset Transfer Key	Agree expressions of interest for Community Asset Transfer to full Business Case.	Between April 2022 and July 2022	Director of Resources

Community Asset Transfer Capital Funding Key	Agree virements to enable an allocation of Capital Community Asset Transfer Funding.	Between April 2022 and July 2022	Director of Resources
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ADDITIONAL AGENDA ITEMS – WAITING TO BE SCHEDULED

Item	Brief Description	Approximate timescale	Lead Departmental Officer
Application for National Non Domestic Rate Relief	From time to time an organisation or body that may qualify for Discretionary Rates Relief to reduce their liability for paying Rates will apply to the Council for such support which requires a formal decision.	Between April 2022 and July 2022	Director of Resources
Income Generation	Added at request of P&R Committee	Between April 2022 and July 2022	Director of Resources
Refugees and Asylum Seekers	Referred from Council on 22 March 2021	Between April 2022 and July 2022	Director of Regeneration and Place
Wirral Growth Company Limited Liability Partnership Accounts	TBC	Between April 2022 and July 2022	Director of Resources
Community Bonds	TBC	Between April 2022 and July 2022	Director of Resources
Annual Audit Report	TBC	Between September 2022 and November 2022	Director of Resources

STANDING ITEMS AND MONITORING REPORTS

Item	Reporting Frequency	Lead Departmental Officer
Performance Monitoring	TBC	Carly Brown
Financial Monitoring	TBC	Shaer Halewood

Work Programme Update	Every Meeting	Phil McCourt

WORK PROGRAMME ACTIVITIES OUTSIDE COMMITTEE

Item	Format	Timescale	Lead Officer	Progress
Working Groups/ Sub Committees				
Task and Finish work				
Spotlight sessions / workshops				
Corporate scrutiny / Other				

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POLICY AND RESOURCES COMMITTEE

Wednesday 16 March 2022

REPORT TITLE:	DISPOSAL OF INDUSTRIAL ESTATE AT QUARRYBANK STREET, BIRKENHEAD
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report seeks approval for the disposal of Quarrybank Industrial Estate, Quarrybank Street, Birkenhead, a Council owned investment asset.

The Wirral Plan 2021-2026 has been developed and the focus covers the following five themes:

- Safe & Pleasant Communities
- Brighter Futures
- Active and Healthy Lives
- Sustainable Environment
- Inclusive Economy

The sale will support the Plan and its delivery through the generation of a capital receipt.

The associated Report of the Director of Regeneration and Place and the full Minutes of the Economy, Regeneration and Development Committee of 26 January 2022 are appended to this report.

RECOMMENDATION/S

The Policy and Resources Committee is asked to consider the request from the Economy, Regeneration and Development Committee to approve that:

- 1) Quarrybank Industrial Estate, Quarrybank Street, Birkenhead be declared surplus to requirements; and
- 2) Delegated authority be given to the Director of Law and Governance, in consultation with the Director of Regeneration and Place, to arrange for its disposal by auction and subsequent sale on the basis as set out in paragraph 3.3 of this report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To meet targets for the generation of capital receipts from the sale of non-operational property assets.
- 1.2 The Council's Policy and Resources Committee at its meeting of 30 November 2021, amongst other matters, endorsed the recommendations of CIPFA' s Local Government Finance Review in which included a recommendation to:

"Identify asset disposals to offset the risk of increased council borrowing which could fund the repair and maintenance of existing council assets or the cost of the capitalisation direction or future potential regeneration projects."
- 1.3 The proposals within this report are in furtherance of the implementation of the above recommendations.
- 1.4 The disposal will also remove any potential liabilities, including management obligations in respect of the property.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options have been considered and are included within the minutes of the Economy, Regeneration and Development Committee and the appended report.

3.0 BACKGROUND INFORMATION

- 3.1 Quarrybank Industrial Estate comprises a site area of 3025sq.m (0.75 acre) and is located off Quarrybank Street, between Oxton Road and Borough Road, Birkenhead, The site was developed in the early 1980s with 16 single storey terraced industrial units, set out in three blocks around a communal parking area. The units vary in size between 500 and 1000 sq ft and 100% of the units are currently let and managed by the Council's Asset Management Section. The tenants are responsible for the maintenance of their individual units.
- 3.2 The majority of tenants have 6-year lease agreements with a 6-month option to break which causes fluctuations in the income received as units become vacant and are re-let. The break clauses enable small businesses to expand their operations if required
- 3.3 In order to secure a sale in 2022 it is proposed that the property is sold by auction. This method of disposal has previously proved successful on two other similar disposals. The auctioneer has suggested a guide price for the disposal of this property in the range of £475,000- £525,000, although a reserve sale price will be set prior to the auction by the auctioneer, based on the level of interest generated.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The sale will generate a capital receipt as indicated in the report. The auctioneer has suggested a guide price for the disposal of this property in the range of £475,000-£525,000, although a reserve sale price will be set prior to the auction by the auctioneer, based on the level of interest generated. The actual sale price will only be established at the time of sale.
- 4.2 In disposing of the property the Council would forego the annual rent in lieu of the capital receipt which will be managed within the Regeneration and Place Budget Envelope. Over the previous three years the estate generated an average gross income of £56,892 per annum and an average net income of £53,291 per annum. Information obtained from the Council's Financial forecast budget figures indicates that the projected gross income for 2021-2022 is £63,750 and the projected net income for 2021-2022 is £58,477.
- 4.3 The auctioneer's costs will be paid by the purchaser. In addition, the purchaser will pay the Council 2% of the gavel price, with a minimum of £1,000 towards the Council's fees. If the property does not sell, no costs will be charged to the Council.
- 4.4 The receipt from the sale will contribute towards the capital receipts target contained within the current budget.
- 4.4 In accordance with the Council's Constitution any sale of land or property by a Committee or officer of a value of in excess of £100,000 is reserved to Policy & Resources Committee

5.0 LEGAL IMPLICATIONS

- 5.1 In accordance with Part 3B of Constitution (Committee Terms of Reference), the Policy and Resources Committee has two main areas of responsibility, which is to provide strategic direction to the operation of the Council, including making decisions on policies and co-ordinating spend not reserved to full Council, and to maintain a strategic overview of outcomes, performance, risk management and budgets.
- 5.2 The Policy and Resources Committee is charged by full Council to provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management. In particular, this includes specific responsibility for a decision on any sale of land or property by a Committee or officer of a value of in excess of £100,000.
- 5.3 As part of the matter of business that was the subject of the report to Economy, Regeneration and Development Committee falls under that responsibility reserved to the Policy and Resources Committee, the Economy, Regeneration and Development Committee's resolution is presented as a recommendation.
- 5.4 As the decision in this matter is the subject of a recommendation from another Committee, the Policy and Resources Committee must take into account the resolution of that Committee and give due regard to the guidance and comments made by its members. The Policy and Resources Committee must not, however, consider itself bound by that Committee's recommendations or otherwise fetter its

discretion; its Members must come to their own decision. In doing so, the Committee must satisfy itself that it has been provided with all relevant information or a suitable précis to enable it to comply with its duties and make a lawful decision.

5.5 Other legal considerations are as set out in the appended report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 This report is for information only and does not contain any direct resource implications.

7.0 RELEVANT RISKS

7.1 The relevant risks are covered in the original report submitted to the Committee.

8.0 ENGAGEMENT/CONSULTATION

8.1 Engagement and Consultation were covered in the original report submitted to the Committee.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2. Whilst there are no equality implications arising from this report, the associated actions arising from the delivery may need to assess any equality issues and mitigate any negative impact that may emerge.

7.0 RELEVANT RISKS

7.1 The risks were covered in the original report submitted to the Committee.

8.0 ENGAGEMENT/CONSULTATION

8.1 Engagement and Consultation were covered in the original report submitted to the Committee.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The sale of this property will not have any direct implications for the environment or climate.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The property is being sold as an investment asset and is likely to be operated as such by the purchaser, therefore the existing employers and employees should be unaffected. Future investment will allow more local development and hopefully the possibility of more local investment and job opportunities.

REPORT AUTHOR:

Anna Perrett

Senior Democratic Services Officer

APPENDICES

Appendix 1 Minute Extract

Appendix 2 Full Report

BACKGROUND PAPERS

Valuation advice from Lambert Smith Hampton

Negotiated head of terms

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Economy, Regeneration and Development Committee	26 January 2021

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MINUTE EXTRACT

ECONOMY REGENERATION & DEVELOPMENT COMMITTEE 26 JANUARY 2022

68 DISPOSAL OF INDUSTRIAL ESTATE AT QUARRYBANK STREET, BIRKENHEAD

The Assistant Chief Executive presented a report which sought approval for the disposal of Quarrybank Industrial Estate, Quarrybank Street, Birkenhead, a Council owned investment asset. This disposal will assist the Council in meeting targets for the generation of capital receipts from the sale of non-operational property assets.

Members discussed the report and queried the reserve price for the premises and the Assistant Chief Executive agreed to provide this information to members separately. Concerns were raised about disposing of the premises and loss of rental income. Also discussed was the spend required to bring the premises up to a 'C grade' Energy Performance Certificate. The Assistant Chief Executive responded to say that this had been considered and would be untenable due to age of the estate and investment required.

Resolved: that Policy and Resources Committee be asked to recommend that:

(1) Quarrybank Industrial Estate, Quarrybank Street, Birkenhead be declared surplus to requirements; and

(2) Delegated authority be given to the Director of Law and Governance, in consultation with the Director of Regeneration and Place, to arrange for its disposal by auction and subsequent sale on the basis as set out in paragraph 3.3 of this the report

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ECONOMY REGENERATION & DEVELOPMENT COMMITTEE**Wednesday, 26 January 2022**

REPORT TITLE:	DISPOSAL OF INDUSTRIAL ESTATE AT QUARRYBANK STREET, BIRKENHEAD
REPORT OF:	DIRECTOR OF REGENERATION AND PLACE

REPORT SUMMARY

This report seeks approval for the disposal of Quarrybank Industrial Estate, Quarrybank Street, Birkenhead, a Council owned investment asset.

The Wirral Plan 2021 - 2026 sets out the Council's vision to secure the best possible future for our residents. The Plan has the following key themes:

- A thriving and inclusive economy, creating jobs and opportunities for all;
- A clean-energy, sustainable borough, leading the way in tackling the environment crisis;
- Brighter futures for all regardless of their background;
- Safe and pleasant communities that our residents are proud of; and
- Healthy and active lives for all, with the right care, at the right time.

The sale will support the Plan and its delivery through the generation of a capital receipt.

The matter affects the Birkenhead and Tranmere Ward.

This is a key decision as the likely receipt has the potential to exceed £500,000.

RECOMMENDATION

The Economy, Regeneration and Development Committee is requested to recommend to Policy and Resources Committee that:

- a) Quarrybank Industrial Estate, Quarrybank Street, Birkenhead be declared surplus to requirements; and
- b) Delegated authority be given to the Director of Law and Governance, in consultation with the Director of Regeneration and Place, to arrange for its disposal by auction and subsequent sale on the basis as set out in paragraph 3.3 of this this report.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

1.1 To meet targets for the generation of capital receipts from the sale of non-operational property assets.

1.2 The Council's Policy and Resources Committee at its meeting of 30 November 2021, amongst other matters, endorsed the recommendations of CIPFA's Local Government Finance Review in which included a recommendation to

“Identify asset disposals to offset the risk of increased council borrowing which could fund the repair and maintenance of existing council assets or the cost of the capitalisation direction or future potential regeneration projects.”

1.3 The proposals within this report are in furtherance of the implementation of the above recommendations.

1.4 The disposal will also remove any potential liabilities, including management obligations in respect of the property.

2.0 OTHER OPTIONS CONSIDERED

2.1 The other option is for the Council to retain ownership of this property in order to continue to receive a rental income.

2.2 The property has been considered by the Council's Capital and Assets Group taking into account the Council's targets for the generation of capital receipts. The need to generate capital receipts is considered to be a priority, consequently disposal is the preferred option.

3.0 BACKGROUND INFORMATION

3.1 Quarrybank Industrial Estate comprises a site area of 3025sq.m (0.75 acre) and is located off Quarrybank Street, between Oxton Road and Borough Road, Birkenhead, shown in Appendix 1. The site was developed in the early 1980' with 16 single storey terraced industrial units, set out in three blocks around a communal parking area. The units vary in size between 500 and 1000 sq ft and 100% of the units are currently let and managed by the Council's Asset Management Section. The tenants are responsible for the maintenance of their individual units.

3.2 The majority of tenants have 6-year lease agreements with a 6-month option to break which causes fluctuations in the income received as units become vacant and are re-let. The break clauses enable small businesses to expand their operations if required.

3.3 In order to secure a sale in 2022 it is proposed that the property is sold by auction. This method of disposal has previously proved successful on two other similar disposals. The auctioneer has suggested a guide price for the disposal of this property in the range of £475,000- £525,000, although a reserve sale price will be set prior to the auction by the auctioneer, based on the level of interest generated.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The sale will generate a capital receipt as indicated in the report. The auctioneer has suggested a guide price for the disposal of this property in the range of £475,000-£525,000, although a reserve sale price will be set prior to the auction by the auctioneer, based on the level of interest generated. The actual sale price will only be established at the time of sale.
- 4.2 In disposing of the property the Council would forego the annual rent in lieu of the capital receipt which will be managed within the Regeneration and Place Budget Envelope. Over the previous three years the estate generated an average gross income of £56,892 per annum and an average net income of £53,291 per annum. Information obtained from the Council's Financial forecast budget figures indicates that the projected gross income for 2021-2022 is £63,750 and the projected net income for 2021-2022 is £58,477.
- 4.3 The auctioneer's costs will be paid by the purchaser. In addition, the purchaser will pay the Council 2% of the gavel price, with a minimum of £1,000 towards the Council's fees. If the property does not sell, no costs will be charged to the Council.
- 4.4 The receipt from the sale will contribute towards the capital receipts target contained within the current budget.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council has a duty under of s123 of the LGA 1972 to ensure that the property is sold for a consideration not less than the best that can reasonably be obtained. Quarrybank Industrial Estate will be sold at auction after an extended marketing period to demonstrate market value.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Should the property sell at auction, it will remove any potential liabilities, including management obligations.
- 6.2 There are no IT or staffing implications arising from the disposal of this property. The asset implications are the subject of this report.

7.0 RELEVANT RISKS

- 7.1 Failure to conclude the sale will impact on the anticipated capital receipts programme.
- 7.2 When selling by auction a reserve sale price will be set based on the recommendation of the auctioneer. Should bidding not meet or better the reserve, the sale will not proceed. The Council will only be charged a fee if the sale is successful.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 There are no consultation implications arising from the proposals set out within this report.
- 8.2 The auctioneer will undertake a promotional exercise to advertise the availability of the property at its auction, which will include promotion through its website and auction catalogue.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone.
- 9.2 There are no direct equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The sale of this property will not have any direct implications for the environment or climate.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 The property is being sold as an investment asset and is likely to be operated as such by the purchaser, therefore the existing employers and employees should be unaffected. Future investment will allow more local development and hopefully the possibility of more local investment and job opportunities.

REPORT AUTHOR: Sarah Duncan, Estates Management - Senior Asset Surveyor
telephone: (0151 666 3889)
email: sarahduncan@wirral.gov.uk

APPENDICES

The PDF file below may not be suitable to view for people with disabilities, users of assistive technology or mobile phone devices. Please contact sarahduncan@wirral.gov.uk if you would like this document in an accessible format.

Appendix 1- Quarrybank Industrial Estate, Quarrybank Street, Birkenhead site plan

BACKGROUND PAPERS

Lease documents in respect of the various tenancies (exempt).

SUBJECT HISTORY (last 3 years)

Policy and Resources Committee	30 November 2021
Council	6 December 2021



Production Date: 30th November 2021

Scale 1250

when printed at A4

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POLICY AND RESOURCES COMMITTEE

Wednesday 16 March 2022

REPORT TITLE:	ACQUISITION OF FORMER CO-OP BUILDING - 100 NEW CHESTER ROAD, NEW FERRY
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report seeks approval for the purchase of the former Co-op building (“The Property”) in New Ferry as a strategic acquisition to support the delivery of the master plan for the area. The regeneration of the town centre is a priority for the Council following the explosion in March 2017.

The Wirral Plan 2021-2026 has been developed and the focus covers the following five themes:

- Safe & Pleasant Communities
- Brighter Futures
- Active and Healthy Lives
- Sustainable Environment
- Inclusive Economy

This proposal, and the wider regeneration New Ferry Regeneration programme, delivers against all of the above themes. Most specifically, it will contribute significantly towards the ambitions for a thriving and inclusive economy, creating jobs and opportunities for all.

The associated Report of the Director of Regeneration and Place and the full Minutes of the Economy, Regeneration and Development Committee of 26 January 2022 are appended to this report.

RECOMMENDATION/S

The Policy and Resources Committee is asked to consider the request from the Economy, Regeneration and Development Committee to approve that the Director of Law and Governance in consultation with the Director of Regeneration and Place, be authorised to acquire the Co-op building in New Ferry at a price of £700,000.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Co-op building (“the Property”) is situated at the heart of New Ferry district centre and therefore forms a key site in respect of enabling any future redevelopment of the area to take place. The Property fronts New Chester Road close to the junction with Bebington Road. The property also has a frontage on to Bebington Road with the Woodhead Street carpark to the rear. This purchase is recommended as this Property is key to enabling the comprehensive regeneration of New Ferry which is a strategic priority for the Council.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options have been considered and are included within the minutes of the Economy, Regeneration and Development Committee and the appended report.

3.0 BACKGROUND INFORMATION

- 3.1 Background information is set out within the appended report.

4.0 FINANCIAL IMPLICATIONS

- 4.1 In February 2018 Cabinet agreed a budget for the Capital Programme and Financing for 2018 - 2021. Within the programme there was £30 million allocated to deliver the Strategic Acquisition Programme. This Strategic Acquisition Programme supports the achievement of the key economic goals as set out in the Wirral Growth Plan This acquisition of the Property aligns with the Strategic Acquisition Programme criteria.
- 4.2 Costs related to items such as acquisition, demolition, insurances, security, loss of business rate income, Stamp Duty Land Tax have been included in the Full Business Case and it is proposed that these costs are met from the Strategic Acquisitions Programme. The proposed purchase price is £700,000, Stamp Duty Land Tax is estimated at £24,500, the rates payable are projected at £90,000 per year but subject to deductions in 21/22 dependent upon vacant rates liabilities and demolition of the building (demolition costs are estimated to be £125,700). It is proposed that the property would be demolished as soon after purchase as possible and is estimated to take four months. The property is currently occupied by the Phabulous Community Charity Trading Hub (Phab) to defray business rates and security costs, with a modest, unstaffed unit retained by the Co-op Funeral Services to provide appropriate advertising space for its services. As vacant possession will be provided upon completion of the acquisition, the vacant rates liability will pass to the Council. However, the proposal is to demolish the building as soon as possible after the acquisition.
- 4.3 The redevelopment of this site for mixed/residential use would provide the Council with future Council tax income from any new residential units that are built. The sale of the site to a developer could also generate a capital receipt for the Council.

4.4 In accordance with the Council's Constitution any acquisition of land or property of a value in excess of £100,000 is reserved to Policy and Resources Committee.

5.0 LEGAL IMPLICATIONS

5.1 In accordance with Part 3B of Constitution (Committee Terms of Reference), the Policy and Resources Committee has two main areas of responsibility, which is to provide strategic direction to the operation of the Council, including making decisions on policies and co-ordinating spend not reserved to full Council, and to maintain a strategic overview of outcomes, performance, risk management and budgets.

5.2 The Policy and Resources Committee is charged by full Council to provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management. In particular, this includes specific responsibility for any acquisition of land or property of a value in excess of £100,000 is reserved to Policy and Resources Committee.

5.3 As part of the matter of business that was the subject of the report to Economy, Regeneration and Development Committee falls under that responsibility reserved to the Policy and Resources Committee, the Economy, Regeneration and Development Committee's resolution is presented as a recommendation.

5.4 As the decision in this matter is the subject of a recommendation from another Committee, the Policy and Resources Committee must take into account the resolution of that Committee and give due regard to the guidance and comments made by its members. The Policy and Resources Committee must not, however, consider itself bound by that Committee's recommendations or otherwise fetter its discretion; its Members must come to their own decision. In doing so, the Committee must satisfy itself that it has been provided with all relevant information or a suitable précis to enable it to comply with its duties and make a lawful decision.

5.5 Other legal considerations are as set out in the appended report(s).

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 This report is for information only and does not contain any direct resource implications.

7.0 RELEVANT RISKS

7.1 The relevant risks are covered in the original report submitted to the Committee.

8.0 ENGAGEMENT/CONSULTATION

8.1 Engagement and Consultation were covered in the original report submitted to the Committee.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact

Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

- 9.2. Whilst there are no equality implications arising from this report, the associated actions arising from the delivery may need to assess any equality issues and mitigate any negative impact that may emerge.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The recommendations contained within this report will remove a vacant building and replace it with a mix of retail and residential units which will be designed and built to modern standards with a focus on carbon reduction and energy efficiency in line with the Council's policies.
- 10.2 The regeneration proposals for New Ferry are being taken forward in line with the Council's priorities on the environment and climate change. The report on the preferred developer, coming later in the year, will set these out in detail.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 The acquisition and development of this property will enable the replacement of a property of low visual and commercial merit to be replaced with a new, wider development improving the area, creating new homes and jobs.

REPORT AUTHOR:

Anna Perrett
Senior Democratic Services Officer

APPENDICES

Appendix 1 Minute Extract
Appendix 2 Full Report

BACKGROUND PAPERS

Valuation advice from Lambert Smith Hampton
Negotiated head of terms

BACKGROUND PAPERS

Marketing advice from the agent and auctioneer.

Independent valuation appraisal

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Economy, Regeneration and Development Committee	22 November 2021
Economy, Regeneration and Development Committee	26 January 2022

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MINUTE EXTRACT

ECONOMY REGENERATION & DEVELOPMENT COMMITTEE 26 JANUARY 2022

70 ACQUISITION OF FORMER CO-OP BUILDING - 100 NEW CHESTER ROAD, NEW FERRY

The Assistant Director for Special Projects introduced the report which sought approval for a recommendation to be made to Policy and Resources Committee for the purchase of the former Co-op building in New Ferry as a strategic acquisition to support the delivery of the master plan for the area. The regeneration of the town centre was a priority for the Council following the explosion in March 2017. The Co-op building was situated at the heart of New Ferry district centre and therefore forms a key site in respect of enabling any future redevelopment of the area to take place.

Members were reminded that a previous version of this report had been presented to the Economy, Regeneration and Development Committee in November 2021 but a review of the valuation was requested by members. This review was undertaken by the Council's independent property consultant who advised that the acquisition of this site would provide the opportunity to provide more residential units and the original proposed acquisition price was correct.

Members confirmed that they were content with the acquisition of the property and the recommendations within the report.

Resolved: that

Policy and Resources Committee be asked to recommend that the Director of Law and Governance, in consultation with the Director of Regeneration and Place, be authorised to acquire the Co-Op building in New Ferry, as shown on the plan referred to within the report, at a price of £700,000.

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ECONOMY REGENERATION AND DEVELOPMENT COMMITTEE**Wednesday, 26 January 2022**

REPORT TITLE:	ACQUISITION OF FORMER CO-OP BUILDING - 100 NEW CHESTER ROAD, NEW FERRY
REPORT OF:	DIRECTOR OF REGENERATION AND PLACE

REPORT SUMMARY

This report seeks approval for a recommendation to be made to Policy and Resources Committee for the purchase of the former Co-op building (“The Property”) in New Ferry as a strategic acquisition to support the delivery of the master plan for the area. The regeneration of the town centre is a priority for the Council following the explosion in March 2017.

The Wirral Plan 2021 - 2026 has been developed and the focus covers the following five themes:

- Safe & Pleasant Communities
- Brighter Futures
- Active and Healthy Lives
- Sustainable Environment
- Inclusive Economy

This proposal, and the wider regeneration New Ferry Regeneration programme, delivers against all of the above themes. Most specifically, it will contribute significantly towards the ambitions for a thriving and inclusive economy, creating jobs and opportunities for all.

This matter affects the Bromborough ward and is key decision being a proposal for expenditure in excess of £500,000.

RECOMMENDATION/S

That the Economy, Regeneration and Development Committee recommends to the Policy and Resources Committee that that the Director of Law and Governance in consultation with the Director of Regeneration and Place, be authorised to acquire the Co-op building in New Ferry, as shown on the plan, at a price of £700,000.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Co-op building (“the Property”) is situated at the heart of New Ferry district centre and therefore forms a key site in respect of enabling any future redevelopment of the area to take place. The Property is shown edged red on the plan at appendix 1. The plan identifies the property as fronting New Chester Road close to the junction with Bebington Road. The property also has a frontage on to Bebington Road with the Woodhead Street car park to the rear. This purchase is recommended as this Property is key to enabling the comprehensive regeneration of New Ferry which is a strategic priority for the Council.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Committee could decide not to acquire the Property. However, having regard to the lack of demand for retail property of that nature, the retraction of that market, the re-positioning of retail from physical stores to on-line shopping, it seems unlikely that the Property will return to retail use.
- 2.2 A search of other funding options has been undertaken but the Strategic Acquisitions Programme, is the only available source which has been identified.

3.0 BACKGROUND INFORMATION

- 3.1 The Council has consulted on the regeneration of New Ferry and has a masterplan in place and a preferred development option for the area. These propose a mix of small retail units and residential development across a range of sites in the area. These will be complimented by improvements to highway and public realm infrastructure in the area.
- 3.2 To achieve this ambition, the Council is currently acquiring (by agreement or using Compulsory Purchase Orders) a range of sites for future redevelopment. This is progressing well with a large number of properties now in council ownership.
- 3.3 The former Co-op building is at the centre of the retail area and ceased trading as a food retailer in 2016. It comprises of 1,881.29 sq metres of retail floorspace in a single storey unit on a site of 0.636 acres which dominates the retail centre. However, it separates rather than integrates the area, presenting blank gables to New Chester Road and the pedestrianized Bebington Road. The absence of active frontages creates a poor environment and is a detractor to the centre.
- 3.4 The Co-op have marketed the Property at an initial asking price of £1.25m but not attracted a buyer at that level. The vendor has recently reviewed the Property and determined that it has no future use for it. The vendor is now keen to dispose of its interest and reduced the asking price considerably. There are two tenants using a small part of the building. These are the Co-op funeral services and a local charity, but these operators remain in situ to defray security and business rates costs. It is envisaged that the site will be acquired with vacant possession. The owner has therefore approached the Council to see if there is interest in acquiring it to support the regeneration of the area. The vendor has accepted a provisional offer of

£700,000, subject to Board approval. They would like to complete within the next 8 weeks, so the acquisition will need to be completed in the financial year 2021/22 or else this regeneration opportunity may be lost. Lambert Smith Hampton, the Council's asset advisors have confirmed that the proposed acquisition price represents market value.

- 3.5 The acquisition and redevelopment of the Co-op building was originally included within the Council's bid to the Future High Street Fund (FHSF) in 2020. However, the funding that was awarded was subsequently reduced by the Ministry of Housing Communities and Local Government to approximately 70% of the original bid amount. This has meant that the intended projects have had to be scaled back and the acquisition of the Coop building could no longer be pursued using this funding.
- 3.6 The original proposal for redeveloping the Co-op building in the FHSF application involved the redevelopment of the site with 27 residential units and a small retail element.
- 3.7 The acquisition of the Property would enable the Council to remove a building of poor architectural merit that is predominately vacant with no likely future retail demand, from the retail centre. The acquisition will also enable the assembly of a larger redevelopment site (with the properties to the south and part of the Woodhead Street car park) and improve the "place" with better connectivity and higher quality of design. This would be beneficial for existing businesses and the local community. It will also provide an attractive opportunity for redevelopment, promoting future investment and residential use on this key site within the town centre.
- 3.8 There is another report on the Economy Regeneration and Development Committee for 26th January recommending a preferred developer for New Ferry. Acquisition of the Property would give the Council and appointed developer significant additional opportunities to redevelop the area for sustainable development.
- 3.9 Following consideration of this matter at the ERD Committee on 22 November 2021, the Council's independent property consultant has reviewed the Lambert Smith Hampton Valuation and advises that the acquisition of the COOP site will unlock the redevelopment potential of not only this site, but the adjacent car park land which is in Council ownership. The "marriage" of these two adjacent sites will enable a total of between 95 and 100 residential units to be provided, and this outcome fully justifies the acquisition price of the COOP in valuation terms.

4.0 FINANCIAL IMPLICATIONS

- 4.1 In February 2018 Cabinet agreed a budget for the Capital Programme and Financing for 2018 - 2021. Within the programme there was £30 million allocated to deliver the Strategic Acquisition Programme. This Strategic Acquisition Programme supports the achievement of the key economic goals as set out in the Wirral Growth Plan This acquisition of the Property aligns with the Strategic Acquisition Programme criteria.
- 4.2 Costs related to items such as acquisition, demolition, insurances, security, loss of business rate income, Stamp Duty Land Tax have been included in the Full Business Case and it is proposed that these costs are met from the Strategic Acquisitions

Programme. The proposed purchase price is £700,000, Stamp Duty Land Tax is estimated at £24,500, the rates payable are projected at £90,000 per year but subject to deductions in 21/22 dependent upon vacant rates liabilities and demolition of the building (demolition costs are estimated to be £125,700). It is proposed that the property would be demolished as soon after purchase as possible, and is estimated to take four months. The property is currently occupied by The Phabulous Community Charity Trading Hub (Phab) to defray business rates and security costs, with a modest, unstaffed unit retained by the Co-op Funeral Services to provide appropriate advertising space for its services. As vacant possession will be provided upon completion of the acquisition, the vacant rates liability will pass to the Council. However, the proposal is to demolish the building as soon as possible after the acquisition.

- 4.3 The redevelopment of this site for mixed/residential use would provide the Council with future Council tax income from any new residential units that are built. The sale of the site to a developer could also generate a capital receipt for the Council.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council has the power to buy land and assets to support regeneration.
- 5.2 Further legal due diligence and input is ongoing to inform the purchase of the Property including title investigation and conveyancing.
- 5.3 Lambert Smith Hampton has carried out a valuation of the Property and confirms that the proposed purchase price represents market value.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Internal officers to coordinate and manage all project related activities, undertake title investigation, conveyancing, financial modelling and monitoring, supplemented by an external surveying resource where necessary. These costs will be met from existing budgets.

7.0 RELEVANT RISKS

- 7.1 If the Property, given its strategic location, cannot be acquired on the terms reported it would significantly limit the Councils ability to redevelop and regenerate this part of New Ferry.
- 7.2 Redeveloping this site for residential purposes will use a brownfield site thereby helping to reduce the pressures for new housing to be built on Wirral's Greenbelt land.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 New Ferry ward members and the Member of Parliament for Wirral South support the acquisition of the Property as it will further the regeneration of the area for the local community and businesses.

8.2 The regeneration of New Ferry has a communications plan which keeps people advised of the progress through a variety of media. As the detailed site proposals emerge, public consultation will be undertaken.

9.0 EQUALITY IMPLICATIONS

9.1 There are no equality implications arising from this report.

9.2 An Equality Impact Assessment will be submitted as part of the preferred developer report later in the year demonstrating the positive impacts on equality.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The recommendations contained within this report will remove a vacant building and replace it with a mix of retail and residential units which will be designed and built to modern standards with a focus on carbon reduction and energy efficiency in line with the Council's policies.

10.2 The regeneration proposals for New Ferry are being taken forward in line with the Council's priorities on the environment and climate change. The report on the preferred developer, coming later in the year, will set these out in detail.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The acquisition and development of this property will enable the replacement of a property of low visual and commercial merit to be replaced with a new, wider development improving the area, creating new homes and jobs.

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APPENDICES

Appendix 1- Plan of the property

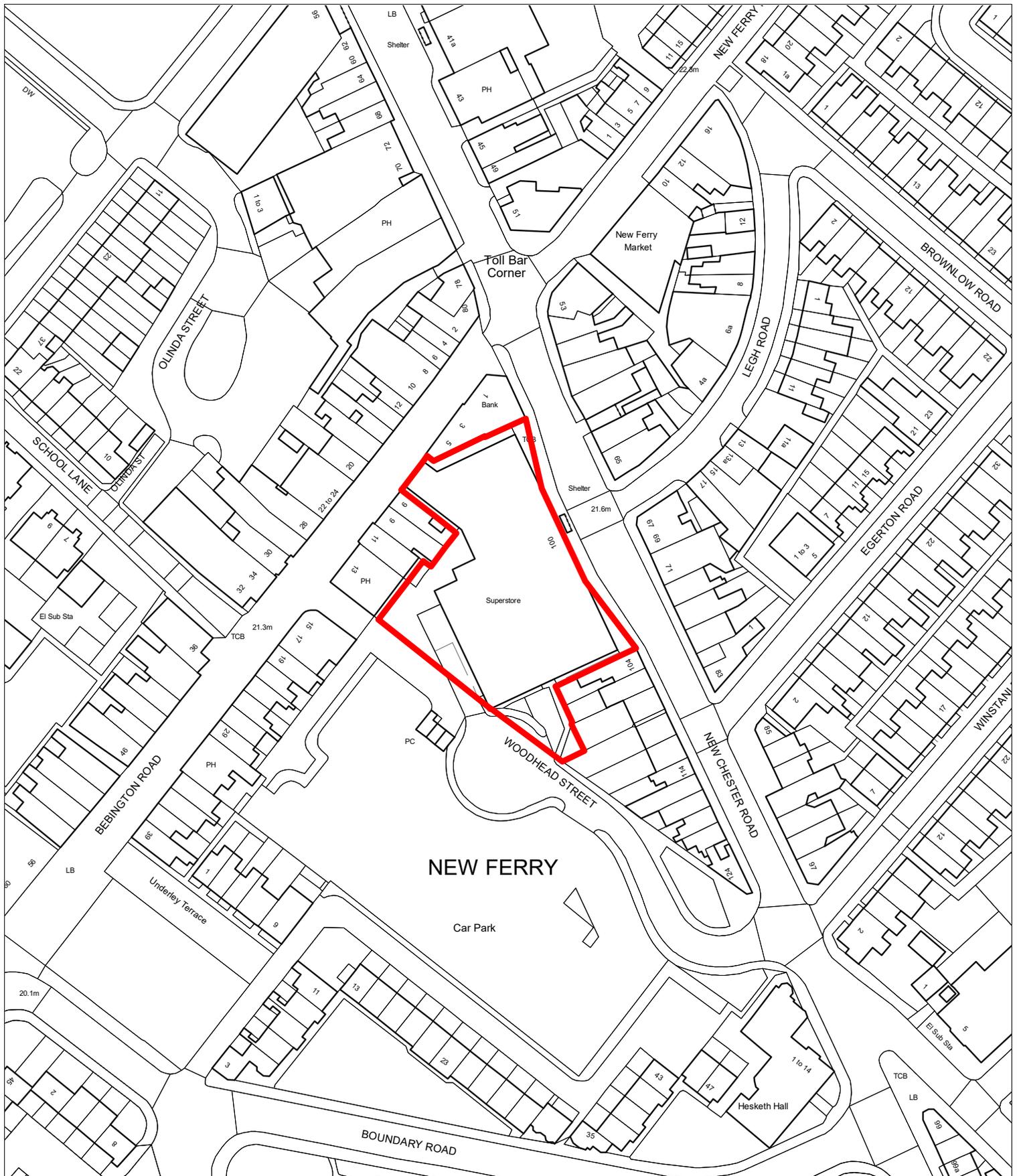
BACKGROUND PAPERS

Valuation advice from Lambert Smith Hampton
Negotiated heads of terms

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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100 New Chester Road
 New Ferry
 Wirral
 CH62 5AG

Scale: 1:1250

Date: 22.09.2021



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POLICY AND RESOURCES COMMITTEE

Wednesday 16 March 2022

REPORT TITLE:	DOMINICK HOUSE, LISCARD
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report seeks approval for the Council's freehold interest in the property, Dominick House, be sold.

The Wirral Plan 2021-2026 has been developed and the focus covers the following five themes:

- Safe & Pleasant Communities
- Brighter Futures
- Active and Healthy Lives
- Sustainable Environment
- Inclusive Economy

This proposal delivers in some form against most of the above themes.

The associated Report of the Director of Regeneration and Place to the Economy Regeneration and Development Committee of 9 March 2022 is appended to this report and the draft minutes of that meeting will be circulated in advance to Members of this Committee meeting.

As this report has been prepared in advance of the meeting of Economy Regeneration and Development Committee the recommendation to Policy and Resources Committee is based on an assumption of the recommendation to Economy Regeneration and Development Committee being approved.

RECOMMENDATION/S

The Policy and Resources Committee is asked to consider the request from the Economy, Regeneration and Development Committee to approve that the Council's freehold interest in Dominick House be sold to the lessee, Prospect Estates Limited, for the sum of £230,000.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To generate a capital receipt from the sale of the Council's interest and to enable the lessee to have sufficient legal interest in the property to justify its refurbishment.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options have been considered and are to be included within the draft minutes of the Economy, Regeneration and Development Committee and the appended report.

3.0 BACKGROUND INFORMATION

- 3.1 Background information is set out within the appended report.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The current lease generates an annual income of £16,727.
- 4.2 A sale would generate a capital receipt of £230,000, although this would be in lieu of the rent.

5.0 LEGAL IMPLICATIONS

- 5.1 In accordance with Part 3B of Constitution (Committee Terms of Reference), the Policy and Resources Committee has two main areas of responsibility, which is to provide strategic direction to the operation of the Council, including making decisions on policies and co-ordinating spend not reserved to full Council, and to maintain a strategic overview of outcomes, performance, risk management and budgets.
- 5.2 The Policy and Resources Committee is charged by full Council to provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management. In particular, this includes specific responsibility for a decision on the sale of land or property of a value in excess of £100,000 is reserved to Policy and Resources Committee.
- 5.3 As part of the matter of business that was the subject of the report to Economy, Regeneration and Development Committee falls under that responsibility reserved to the Policy and Resources Committee, the Economy, Regeneration and Development Committee's resolution is presented as a recommendation.
- 5.4 As the decision in this matter is the subject of a recommendation from another Committee, the Policy and Resources Committee must take into account the resolution of that Committee and give due regard to the guidance and comments made by its members. The Policy and Resources Committee must not, however, consider itself bound by that Committee's recommendations or otherwise fetter its discretion; its Members must come to their own decision. In doing so, the Committee must satisfy itself that it has been provided with all relevant information or a suitable précis to enable it to comply with its duties and make a lawful decision.

5.5 Other legal considerations are as set out in the appended report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 This report is for information only and does not contain any direct resource implications.

7.0 RELEVANT RISKS

7.1 The relevant risks are covered in the original report submitted to the Committee.

8.0 ENGAGEMENT/CONSULTATION

8.1 Engagement and Consultation were covered in the original report submitted to the Committee.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2. Whilst there are no equality implications arising from this report, the associated actions arising from the delivery may need to assess any equality issues and mitigate any negative impact that may emerge.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 At this stage there are no direct implications for the environment or climate.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The aim of this report is to secure the best possible outcome for the future of this building.

REPORT AUTHOR:

Anna Perrett
Senior Democratic Services Officer

APPENDICES

Appendix 1 Minute Extract
Appendix 2 Full Report

BACKGROUND PAPERS

Correspondence relating to previous discussions with the lessee (commercially confidential).

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
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ECONOMY REGENERATION & DEVELOPMENT COMMITTEE**Wednesday, 9 March 2022**

REPORT TITLE:	DOMINICK HOUSE, LISCARD
REPORT OF:	DIRECTOR OF REGENERATION AND PLACE

REPORT SUMMARY

This report seeks approval for a recommendation to be made to Policy and Resources Committee that the Council's freehold interest in the property, Dominick House, be sold.

The Wirral Plan 2021-2026 has been developed and the focus covers the following five themes:

- Safe & Pleasant Communities
- Brighter Futures
- Active and Healthy Lives
- Sustainable Environment
- Inclusive Economy

This proposal delivers in some form against most of the above themes.

The proposals within this report have an implication on Liscard ward.

The matter is not a key decision.

RECOMMENDATION/S

The Economy, Regeneration and Development Committee is requested to recommend to Policy and Resources Committee that the Council's freehold interest in Dominick House be sold to the lessee, Prospect Estates Limited, for the sum of £230,000.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To generate a capital receipt from the sale of the Council's interest and to enable the lessee to have sufficient legal interest in the property to justify its refurbishment.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Council could seek to acquire the lessee's interest, although earlier discussions with the lessee along these lines has not proved successful.
- 2.2 The Council could seek to compulsorily purchase the lessee's interest. This could be a protracted and costly process and is not recommended.
- 2.3 Doing nothing no longer appears to be a viable option due to the anti-social behaviour which the building attracts and its continued physical deterioration.

3.0 BACKGROUND INFORMATION

- 3.1 Economy, Regeneration and Development Committee at its meeting of 29th September 2021 considered a report which set out the background and current position in terms of the negotiations with the current lessee of Dominick House to sell the Council's freehold interest.
- 3.2 Dominick House is a five-storey office building which was constructed around 1970 and is centrally located in Liscard adjacent to the Cherry Tree shopping centre. The Council owns the freehold interest of the property, but the building is held on a long lease which is now owned by Prospect Estates. The lease was granted on 1st July 1970 for a term of 99 years and currently attracts a rent of £16,727 p.a.
- 3.3 The building, which comprises approximately 22,580 sq ft of offices, was built by the original lessee. From construction until 2018 the building was occupied by way of a sub-lease by the Secretary of State for Communities and Local Government but following its vacation, has remained vacant since. The nature of the building has meant that it is now not readily lettable as offices to a single occupier and marketing efforts by the previous lessee have demonstrated that there would be no demand for this use. The current lessee advises that it has stripped out the building in anticipation of a conversion to residential use.
- 3.4 The Council's freehold interest in this property has previously been identified for a possible sale to generate a capital receipt. At that time, the lessee, Espalier Property Project 008 Ltd, expressed an interest in acquiring the Council's freehold which would enable them to combine the interests to give them an unencumbered ownership which would enable more flexibility in any future plans. Consequently, a sale price in the sum of £230,000 was agreed and Cabinet Member approval to the sale was granted in January 2019.
- 3.5 The sale did not proceed and Espalier's interests were later acquired by Prospect Estates who now currently own the long leasehold interest. Last year Prospect

Estates resurrected discussions around buying the Council's interest and had initially agreed to match the figure accepted by Espalier. Its proposal was to convert the property to residential accommodation and during these discussions they submitted three separate planning applications for prior approval on the site, for conversion to residential units. The applications being for 45, 50 and 70 units respectively.

3.6 The report considered by the Committee on 29th September 2021 advised that if the Council sold its freehold interest to the lessee it would not have any real control over the final scheme. Since that meeting the property has attracted significant anti-social behaviour and it is clear that the situation needs to progress. If the Council sells its interest, its only control over the form of the development of the site would be through the usual Planning and Building Regulation requirements, The lessee has continued dialogue with Council officers and has provided some more assurances over its proposals for the building. These are set out as follows:

- a. Prospect Estates is proposing a 75% to 25% split between one and two bed units (75% one bed and 25% two bed). This will be on the top four floors of the building leaving the ground floor as an open-ended commercial use to maximise the potential for take up. They will not exceed 50 residential units. An indicative layout plan is attached as Appendix 1 to this report.
- b. The flats will be constructed to nationally prescribed minimum space standards and also to current building regulation standards.
- c. The expectation is that the flats will be made available for sale, although this will depend on the prevailing market demand at the time. Once completed Prospect Estates will identify a management company to look after the property.

3.7 Examples of previous similar schemes that have been developed by Prospect Estates are:

- Melbourne House, Eastgate, Accrington – Change of use of former offices to 31 residential apartments;
- Douro House, Willington Road South, Stockport – Change of use of former offices to 24 residential apartments;
- Camrex House, Tatham Street, Sunderland – Change of use of vacant building to 50 residential units;
- Regent House, Regent Street, Barnsley – Change of use of offices to 54 residential units;
- Raines House, Denby Dale Road, Wakefield – Change of use of offices to 46 residential units.

3.8 Prospect Estates is still willing to purchase the property at the agreed price of £230,000 based on the potential to deliver the scheme as described above. This seems to be the only realistic way of enabling this property to be brought back into use which will also stop or significantly reduce the current level of anti-social behaviour. It will also bring economic and social benefits to the area. The proposed sale price is still considered to reflect market value for the Council's interest.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The current lease generates an annual income of £16,727.
- 4.2 A sale would generate a capital receipt of £230,000, although this would be in lieu of the rent.

5.0 LEGAL IMPLICATIONS

- 5.1 Prospect Estates has the benefit of the 99 year lease as described which gives them security for the term of the lease and possibly beyond.
- 5.2 The Council is required to obtain best price reasonably obtainable under s 123 of the Local Government Act 1972. The proposed sale price of £230,000 is believed to achieve this.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no IT or staffing implications arising from this report. The asset implications are as described in the report.

7.0 RELEVANT RISKS

- 7.1 There is a risk that the quality of the finished product will be outside of the control of the Council, other than through the usual building regulations and planning process. The Council would however endeavour to include provisions in the sale as to the final number of units in the scheme.
- 7.2 As mentioned in paragraph 3.6 of this report, the property is currently the subject of anti-social behaviour which is likely to continue if an agreement is not reached and result in the property further deteriorating.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Ward Councillors have been made aware of some of the discussions with the previous lessees. The lessees were also asked to engage with the Council's consultants in the delivery of the Liscard masterplan.

9.0 EQUALITY IMPLICATIONS

- 9.1 This report has no direct equality implications.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 At this stage there are no implications for the environment and climate.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The aim of this report is to secure the best possible outcome for the future of this building.

REPORT AUTHOR: Steve McMorran
Manager Assets and Surveying
email: stevemcmorran@wirral.gov.uk

APPENDICES

Appendix 1 -Site plan Plan

BACKGROUND PAPERS

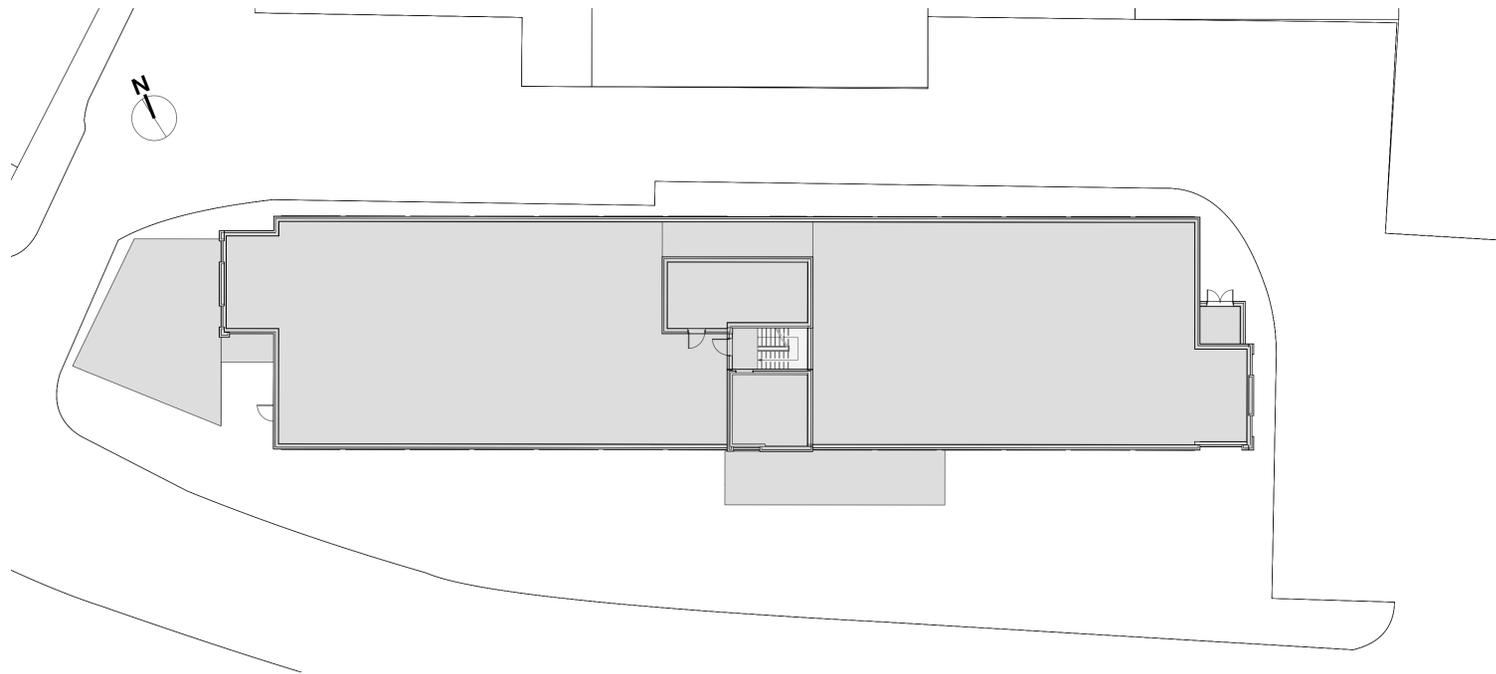
Correspondence relating to previous discussions with the lessee (commercially confidential).

SUBJECT HISTORY (last 3 years)

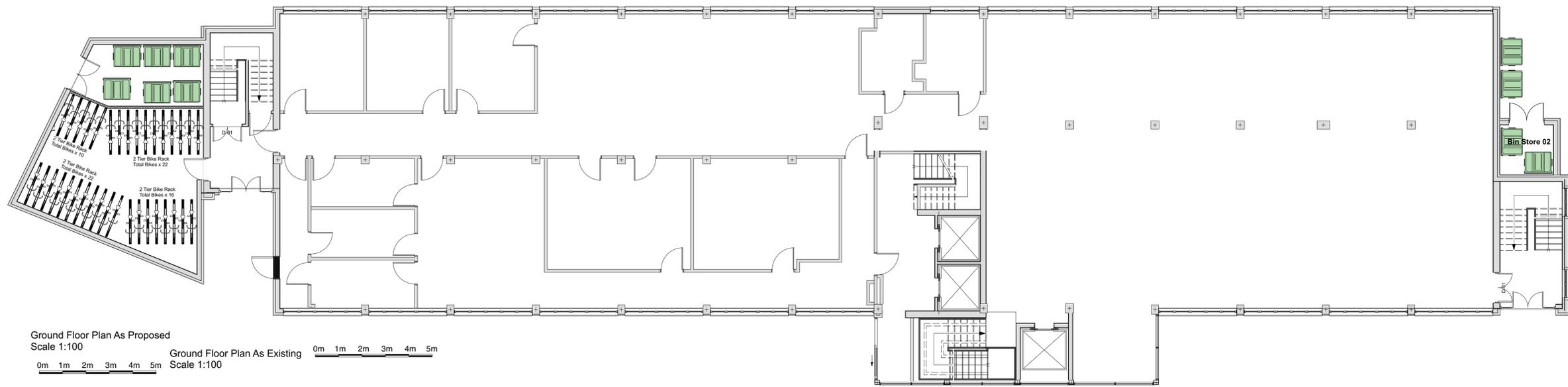
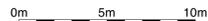
Council Meeting	Date
Disposal of freehold reversionary interest – Dominick House, St Albans Road, Liscard. Delegated Member Decision	5/1/2019
Dominick House, Liscard – Economy, Regeneration and Development Committee.	29/11/2021

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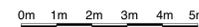
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Site/Roof Plan As Proposed
 Scale 1:200



Ground Floor Plan As Proposed
 Scale 1:100



Ground Floor Plan As Existing
 Scale 1:100



rev | details | date

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Project:
 Dominick House,
 St Alban's Rd,
 CH44 5XH

Client: Carroll Build and
 Prospect Estates Ltd

Drawing:
 Ground Floor and Site Plans
 As Proposed

Date: 10/02/20 Scale: 1:100/ 200 Size: A1

Drawing Number:
19-136-20A

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2nd - 4th Floor Plan As Proposed
 Scale 1:100
 0m 1m 2m 3m 4m 5m



First Floor Plan As Proposed
 Scale 1:100
 0m 1m 2m 3m 4m 5m

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Project:
 Dominick House,
 St Alban's Rd,
 CH44 5XH

Client: Carroll Build and
 Prospect Estates Ltd

Drawing:
 Upper-Floor Plans as
 Proposed
 Date: 10/02/20 Scale: 1:100 Size: A1

Drawing Number:
 19-136-11

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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