

# POLICY AND RESOURCES COMMITTEE

Wednesday, 22 March 2023

Present:

Councillor J Williamson (Chair)

|             |            |  |
|-------------|------------|--|
| Councillors | T Anderson | L Rennie                               |
|             | P Cleary   | B Kenny (In place<br>of P Stuart)      |
|             | EA Grey    | C Carubia (In place<br>of P Gilchrist) |
|             | T Jones    | J Bird                                 |
|             | Y Nolan    | M Booth                                |
|             | J Robinson | K Hodson                               |
|             | H Cameron  | J Johnson                              |

## 107 WELCOME AND INTRODUCTION

The Chair welcomed everyone to the meeting as well as those watching the webcast.

## 108 APOLOGIES

Apologies for absence were received by Councillor Paul Stuart and Councillor Phil Gilchrist.

## 109 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.

Councillor Jean Robinson declared a personal interest as a Director on Wirral Growth Company.

## 110 MINUTES

**Resolved – That the minutes of the meeting held on 15 February 2023 be approved as a correct record.**

## 111 PUBLIC AND MEMBER QUESTIONS

The Chair confirmed that no public questions, statements, petitions or questions by members had been received.

**With the consent of the Committee, the Chair altered the order of business.**

## 112 STRATEGIC PLANNING AND IMPROVEMENT UPDATE

The Head of Corporate Office introduced the report of the Chief Executive which provided an update on the Council's continuing improvement programme. It included the outcome of the Local Government Association's (LGA) Corporate Peer Challenge re-visit conducted in November 2022, as well as an in-year review of progress delivering against the Wirral Plan and the Council's Improvement Plan which were both agreed at Council on 11 July 2022.

The refreshed Wirral Plan also included a number of key priorities for 2022/23 in line with current and emerging issues and challenges. An interim progress report, highlighting the achievement against these priorities was included as Appendix 3. It was reported that a year-end report would be compiled and reported in Summer/Autumn as a new Wirral Plan was refreshed to align with the new Council administration following the local elections in May.

The Committee noted the planned withdrawal of the Independent Assurance Panel and welcomed the progress the Council had demonstrated via its Improvement Plan.

**Resolved – That the Council's progress made to date be endorsed and further collaborative working in support of the Council's on-going improvement be supported.**

## 113 WORK PROGRAMME

The Director of Law and Governance introduced the report which provided the Committee with an opportunity to plan and regularly review its work across the municipal year.

It was requested that a list of the Council's assets including their existing value following revaluation and a comparison to their previous value, be circulated to all members.

**Resolved – That the work programme be noted.**

## 114 COMMUNITY ASSET TRANSFER

The Chief Executive introduced the report of the Director of Law and Governance which set out a referral from Tourism, Communities, Culture and Leisure Committee relating to the Community Asset Transfer process.

The Tourism, Communities, Culture & Leisure Committee authorised the Director of Resources to enter into negotiations on the basis of the re-submitted business plans contained in the exempt Appendix 2 of this report to agree Heads of Terms for the transfer of the former library asset at Higher

Bebington Library to the Co-op Academy Bebington. It also authorised the Director of Resources to market the site of the former Hoylake Library for sale or commercial leasing on the basis that it is surplus to the requirements of the Committee and agreed to the removal of the former Woodchurch Library asset from the CAT process.

It therefore subsequently recommended that Policy & Resources Committee agree that Higher Bebington and Woodchurch Libraries be appropriated by the Council for educational purposes, and that the site of the former Hoylake Library be marketed for sale or commercial leasing.

**Resolved – That**

**(1) Higher Bebington Library be appropriated by the Council for educational purposes.**

**(2) The former Woodchurch library asset be appropriated by the Council for educational purposes.**

**(3) The site of the former Hoylake Library be marketed for sale or commercial leasing.**

**115 DISPOSAL OF THE FORMER MINISTRY OF DEFENCE (MOD) LAND ON OLD HALL ROAD, BROMBOROUGH**

The Regeneration and Place Portfolio Lead introduced the report of the Director of Law and Governance, which set out a referral from Economy, Regeneration and Housing Committee. The report detailed a proposed disposal of the former Ministry Of Defence (MOD) land on Old Hall Road Bromborough. The land previously formed part of a portfolio of sites that were bound by an option to purchase in favour of the Wirral Growth Company but under revised arrangements the Council had full unfettered control over the site. The matter had been referred to Policy and Resources Committee as the disposal of land was likely to be sold for more than £500,000.

**Resolved – That the former Ministry of Defence, Old Hall Road Bromborough site be declared surplus to the Council’s requirements and that authority be given to the Director of Regeneration and Place to secure its disposal on the best terms achievable.**

**116 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

The Chair outlined that the remaining three items included exempt information within their appendices. Committee indicated that the detail within those appendices was material to the debate.

Therefore, on a motion by the Chair, seconded by Councillor Jean Robinson, it was –

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

## 117 **EDSENTIAL**

The Director of Finance introduced the report which provided an update on Edsential and the proposed Annual Business Plan for 2023-2024. The report detailed that Edsential was a jointly owned Community Interest Company with Cheshire West and Chester Council providing a range of services to the education sector. The Council, Cheshire West and Chester Council and the Company were parties to a Shareholders Agreement dated 1 December 2015 which provided that the Company shall provide each shareholder a Business Plan for each financial year for approval.

It was reported to the Committee that following the financial impact of the closure of schools during the Pandemic on Edsential, Policy and Resources on 10th November 2021 authorised a Covid related funding support grant of £643,000 and an interest bearing loan of £857,000, with the 2022/23 business plan devised to allow the company to reset its activities post Covid and make agreed repayments against the loan. The Committee was further advised that the autumn's inflationary spike in respect of food ingredient prices, energy and wage costs had impacted levels of return, and therefore the proposed 2023/24 Annual Business Plan set out a number of measures which the company believed would enable it to trade at a level to recover its position.

Officers and members had reviewed the business plan and felt that further analysis was required to gain a better understanding of the assumptions and therefore the outcome of the further work should be reported back to Policy and Resources or Shareholder Board before the agreement of the 2023/24 Annual Business Plan.

The Committee debated the contents of the report and the proposed Annual Business Plan in detail.

Councillor Pat Cleary suggested an addition to the officer recommendations, so that the second recommendation included an additional sentence: 'This report to include a list of and details around the options available to the council regarding the future provision of services provided by Edsential.'

Councillor Jenny Johnson suggested an alteration to the officer recommendation, to delete reference to Shareholder Board as she felt the matter warranted further consideration by Policy and Resources Committee.

The Chair confirmed that she had no objection to either suggestion. Therefore, on a motion by the Chair, seconded by Councillor Jean Robinson, it was –

**Resolved – That**

**(1) the draft annual business plan for 2023-2024 submitted by Edsential CIC in accordance with the requirements of the Shareholders Agreement be noted.**

**(2) the Director of Finance, in consultation with the Director of Law and Governance, be requested to engage with the company to establish a deeper understanding of the company's functioning with a view to suggesting revisions to the Annual Business Plan for 2023 – 2024 and to report back to a future meeting of this committee with recommendations relating to such a revised annual business plan. This report to include a list of and details around the options available to the council regarding the future provision of services provided by Edsential.**

118 **FUTURE HIGH STREET FUND PROGRAMME - EUROPA RESIDENTIAL PHASE 1**

The Regeneration and Place Portfolio Lead introduced the report of the Director of Law and Governance, which set out a referral from Economy, Regeneration and Housing Committee. The report of the Director of Regeneration and Place set out the activities undertaken to develop one element of the Birkenhead Future High Street programme, namely the Europa Residential scheme.

Committee was asked to delegate the decision to appoint a delivery partner to the Director of Regeneration and Place. The matter had been referred to Policy & Resources Committee as the value of the land was considered to be in excess of £500,000 and the appointment of a development partner would involve the development and onward transfer of the land in accordance with the objectives set out in paragraph 3.8 of the report.

**Resolved – That**

**(1) the Director of Regeneration and Place be authorised to progress the appointment of a delivery partner for the Europa Residential Phase 1 project further to the on-going mini-tendering process via the Homes England Housing Delivery Partner Dynamic**

**Purchasing System in consultation with the Director of Law and Governance.**

- (2) the Director of Regeneration and Place be authorised to pursue and accept other avenues of funding and proceed to award of contract in the event that a suitably appraised and acceptable bid exceeds the Future High Street Fund allocation for this project.**

## 119 **FREEPORTS AND MARITIME INNOVATION AND GROWTH PROJECTS**

The Regeneration and Place Portfolio Lead introduced the report of the Director of Law and Governance, which set out a referral from Economy, Regeneration and Housing Committee. The report of the Director of Regeneration and Place sought approval to establish a Wirral Freeport Investment Fund. Government arrangements for Freeports allowed for any growth in business rates above an agreed baseline within the designated Freeport Tax Site area to be retained by the Council as Billing Authority over a guaranteed 25-year period and re-invested to stimulate further development. The Council would be able to use this growth to fund borrowing to increase investment within the Tax Site and bring forward regeneration more quickly and promote further growth.

A Business Case had been endorsed by Economy Regeneration and Housing Committee which set out the strategic, economic, financial and commercial case for establishing the Fund, as well as the proposed governance and management arrangements required to enable operation and oversight of the Fund. Proposals for funding would be subject to a full and robust appraisal process and considered and decided on a case-by-case basis as they came forward.

The Committee debated the merits of the project in detail.

### **Resolved (13:2) – That**

- (1) the Wirral Freeport Investment Fund be established from 1 April 2023 (or as soon as regulations designate the Wirral Waters Tax Site for business rates retention purposes) and be managed and operated according to the arrangements detailed within this report and accompanying Business Case and the principles set out in the draft Retained Business Rates Strategy which formed a component of the Memorandum of Understanding.**
- (2) agreement be given to the growth in business rates above the baseline within the Wirral Freeport Tax Site is held to a ring-fenced reserve which would fund:**
- **Investment in approved projects and the future repayment of capital borrowing for investments made by the Wirral Freeport**

**Investment Fund;**

- **The annual costs required to resource the administration and management of the Wirral Freeport Investment Fund from financial year 2023/24; and**
- **Wirral Council's pro-rata annual contribution to the Liverpool City Region Freeport Management Team costs from financial year 2024/25.**

**120 COMMUNITY ASSET TRANSFER - EXEMPT APPENDICES**

**Resolved – That the exempt appendices be noted.**