

WIRRAL COUNCIL

CAPITAL STRATEGY

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CABINET SEPTEMBER 2011

1.0 EXECUTIVE SUMMARY

1.1 Introduction

- 1.1.1 The vision for Wirral is of a more prosperous and equal Wirral, enabling all communities and people to thrive and achieve their full potential. This vision is clearly set out in Wirral's Sustainable Community Strategy and reflected in the Corporate Plan.
- 1.1.2 The Corporate Plan is structured around four key themes (Your Family, Your Neighbourhood, Your Economy and Your Council) each supported by a series of goals for each theme. In turn, each of the goals has actions and targets by which they will be delivered and measured. This helps prioritise the use of resources as the Council continues to operate in an increasingly complex and challenging environment and informs the way in which the Council works with its partners who share many of these aims.
- 1.1.3 The national priorities of the Government are aligned with local priorities as part of the Council's corporate and business planning process in order to prioritise available resources. Wirral remains committed to maximising the use of scarce resources and directing these towards priority areas whilst keeping Council Tax at an affordable level as evidenced by recent Council Tax rises.

1.2 Statement of aims

- 1.2.1 This Strategy aims to support the delivery of the Council Vision and the Wirral Investment Strategy. The latter seeks to create an internationally competitive economy where local employers succeed and businesses choose to invest; an economy with high levels of private sector employment, which retains and attracts young people and provides the job opportunities for all Wirral residents to realise their full potential.
- 1.2.2 With insufficient resources to meet all aspirations the Capital Strategy guides and shapes spending to maximise achievement of the Council's priorities by :-
 - Providing the policy framework for the operational work of asset management.
 - Demonstrating how capital resources will be prioritised to meet Council objectives.
 - Informing on the process for bidding for capital funding.
 - Providing a framework for managing and monitoring the capital programme.

1.3 Review

1.3.1 Whilst this Strategy will be valid at least until 2015 it will be annually reviewed to ensure it remains relevant. For this update there have been only minor changes to reflect the updated Corporate Plan. The annual Capital Programme detail what is being delivered to implement this Strategy.

2.0 REGIONAL ISSUES

2.1 Liverpool City Region

- 2.1.1 In 2010 the Government asked council's and businesses across 'natural economic areas' to bid to become Local Enterprise Partnerships (LEPs). These Local Enterprise Partnerships, it was hoped, would then take over the role of the regional development agencies in empowering locally driven growth, encouraging business investment and promoting economic development in their area.
- 2.1.2 A bid was submitted and approved for the formation of a Liverpool City Region LEP which covers the areas of Halton, Sefton, Knowsley, Liverpool, St Helen's and Wirral Councils. The proposed remit of the Liverpool City Region LEP is to establish a top international and national investment location based upon global trade, science based innovation, manufacturing and tourism.
- 2.1.3 In March 2011 the Government also confirmed that the Mersey Waters area of the Liverpool City Region had been chosen as an Enterprise Zone. Mersey Waters covers the area of two major regeneration projects, Wirral Waters and Liverpool Waters. Both projects are being developed by The Peel Group and are focused on redeveloping dock areas to attract investment and jobs into the region. Obtaining Enterprise Zone status will assist businesses in the area through tax incentives, superfast broadband, improved infrastructure and simplified planning rules. It also provides an opportunity for the councils to maximise investment in business support by aligning the business grant programme with the businesses rate relief scheme, to encourage businesses to develop and invest in growth related projects where appropriate.
- 2.1.4 The Economic Strategy and Action Plan for the City Region identifies the investment programmes and priorities that will contribute to the continued economic renaissance of Merseyside within a sustainable development framework. It represents the investment identified and agreed with all Merseyside partners that is to be implemented to accelerate this promising growth.

2.2 Wirral Plans

2.2.1 Wirral Investment Strategy

This sets out a strategic to grow Wirral's economy against the context of changing economic conditions and a rapidly shifting national policy landscape. Wirral Council has a clear vision which recognises that, although past policies have delivered against their objectives, the scale and pace of regeneration activity must be sharply increased to meet present and future challenges. Wirral can boast a range of unique latent and untapped assets which now underpin a new dynamic vision for Wirral's future. There is clear Council support for developments that focus on the significant regeneration opportunities offered by Wirral's waterfront and docklands. The Council will take a key and proactive role in realising these objectives.

Wirral's excellent quality of life, tourism and residential offer represent a strong existing opportunity to be built on and enhanced. Whilst recognising the strategic significance and importance of Wirral's Green Belt, it is also recognised that a redevelopment opportunity of exceptional economic and employment significance would receive consideration in the light of the Council's strategic objectives.

2.2.2 Enterprise Strategy – Embracing Change

This sets the direction for Enterprise policy in Wirral over the next decade. It identifies the key priorities that must be pursued in order to bring about the step change in economic and enterprise performance required to close the enterprise gap with better performing locations.

The Strategy aims to consolidate and spread success in the west and tackle entrenched low rates of enterprise among communities in the east, identifying those broad types of actions and approaches that will grow enterprise in Wirral.

2.2.3 Wirral Full Employment Strategy – Employment for All:

The Strategy provides a framework for planning our local labour market to ensure that Wirral has a suitably skilled workforce that meets the demands of employers within the city region, whilst helping residents to maximise their potential and improve their quality of life.

3.0 LOCAL ISSUES

3.1 Facts and Figures

- 3.1.1 Wirral's Sustainable Community Strategy and Corporate Plan set out a clear understanding of the local issues facing the borough which is a place of enormous opportunity also of sharp contrasts.
- 3.1.2 The overall picture masks inequalities for local people as Wirral residents experience some of the country's most notable variations in economic and social well being. A substantial percentage of Wirral's population live within some of the country's most deprived areas, whilst there are also a large number that live in some of the country's most affluent areas.
- 3.1.3 Wirral's population has declined from over 355,000 during the 1970s to 308,800 in mid-2010. The population is skewed towards older age groups, with a lower proportion of younger adults and a higher proportion of older people than the averages for the rest of England and the North West. The fastest falling population categories are the 24 years and under age group. With the availability of employment in the borough being lower than the national average a significant number are travelling outside for jobs. The outcome of the 2011 Census will be known during the next 12 months and any reduction in population is likely to have a detrimental impact upon Government grant allocations for Wirral.

3.2 The Wirral priorities

- 3.2.1 The approach to corporate planning integrates national and local priorities and was influenced by the outcomes of the Wirral's future be a part of it consultation. The Council Corporate Plan objectives have been grouped around four themes:-
 - Your Family (including a focus on Children and Young People and Adults).
 - Your Economy.
 - Your Neighbourhood.
 - Your Council.
- 3.2.3 The Corporate Plan is supported by a series of annual priorities and targets which are refreshed on an annual basis with the emphasis being to make the most of available resources, take advantage of opportunities open to the council and tackle the significant challenges facing the borough.
- 3.2.4 The shaping of future priorities and the delivery of services will also be influenced by future consultation. This consultation will involve residents, staff, stakeholders, businesses and community groups. It is intended that this will also inform the developing Localism Agenda.

3.3 Allocation of resources to priority themes

3.3.1 Your Family: Adults

Additional resources have been made available for Adult Services to provide quality, affordable services and to cope with increased demands. In terms of capital investment this includes facilities in partnership with others such as the extra care housing scheme in Bromborough.

3.3.2 Your Family: Children and Young People

The programme of Sure Start and Children's Centres has been completed whilst major capital investment into schools includes the Primary Schools, schools modernisation and Academy programmes. Within these are the Pensby Primary School and the Birkenhead High Girls Academy schemes.

3.3.3 Your Economy

The Council has allocated revenue and capital resources to support the development of Wirral's competitiveness and to encourage investment and employment opportunities. This includes the substantial developments within the Wirral Waters/Docklands area and New Brighton and continued support for housing initiatives. This is complemented by the revenue funding to support the Wirral Apprentice Programme, small businesses and social enterprise growth, and the planned investment in super-fast fibre optic broadband to support the development of businesses.

3.3.4 Your Neighbourhood

Environmental improvements and community engagement and safety are priorities. Actions in responding to climate change and sustainability have resulted in significant planned capital investment in solar energy in council buildings and further investment has been set aside to continue the programme of domestic insulation. The programme of investment into the heritage and cultural assets continues.

3.3.5 Your Council

Council Tax for 2011/12 was frozen at the 2010/11 level to benefit from the receipt of a grant made available from Government and this accorded with the commitment to providing quality services whilst keeping Council Tax affordable through the securing of value for money. Increased community involvement is being promoted through consultation and the formulation of a Neighbourhood Plan for each Area Forum. One Stop Shop services continue to be developed and where appropriate their co-location with libraries will provide a wider range of services.

4.0 CAPITAL STRATEGY

4.1 Strategy and investment

- 4.1.1 The purpose of the Capital Strategy is to enable the Council to work together with partners and stakeholders to prioritise and effectively deliver capital investment that contributes to the achievement of Wirral's objectives.
- 4.1.2 The Strategy is key to drawing together the capital requirements emerging from the Investment Strategy and service strategies to prioritise the capital needs of services and to maximise opportunities for joined-up investment with local partners. Bids for inclusion in the capital programme are prioritised against criteria taking account of the priorities identified in the Corporate Plan.
- 4.1.3 Grant funding has always been key to supporting our capital investment needs. Wirral has been proactive and has an excellent history of attracting external grants particularly for the improvement of schools and housing. While the Council continues to be proactive in attracting external grant, the amount of grant funding available has been reducing and consequently the need to support capital investment with Council resources has increased.
- 4.1.4 Borrowing is the main source of Council resources but borrowing can only be undertaken where it can be shown to be sustainable, affordable and prudent. Invest to save schemes are also encouraged whereby projects can effectively self-funded by raising sufficient revenue income or by reducing revenue costs so as to be able to fund the attributable finance charges. The other significant source of council resources include receipts from the sale of surplus assets identified from the implementation of the Asset Management Plan and school sites identified from the programmed review of school places.

4.2 Partnership and cross-cutting working

- 4.2.1 Strong and effective partnership working underpins the Council's commitment to providing high quality and efficient services. The delivery of the Investment Strategy requires further concerted, joint action with a range of partners and agencies. In addition to the strategic relationships that extend beyond Wirral, the Council is working with partners within the borough across the private, public, voluntary and community sectors to realign service delivery and to identify gaps in provision.
- 4.2.3 Wirral's Local Strategic Partnership Assembly involves the Council and other public sector organisations and includes representatives of major thematic partnerships including Health and Social Care, Crime and Disorder Reduction, and Wirral Learning Partnership.
- 4.2.4 Partnership working also underpins Wirral's Climate Change Strategy in working with residents, communities and local businesses to reduce Wirral's carbon emissions. Wirral's Carbon Reduction Programme coordinates all Council activities with the aim of achieving a 60% reduction in carbon emissions by 2025.
- 4.2.5 The Local Transport Plan (LTP3) was developed with the other Merseyside Local Authorities and Merseytravel and the Green Transport initiative discourages the use of cars for journeys to and from work and promotes alternative forms of transport.
- 4.2.6 Wirral works closely with its local health partners. Initiatives include; developing multi-service centres for respite and social care which expand the number of Council beds available for older people, developing GP and pharmacy facilities in specific areas of the borough.
- 4.2.7 Wirral is working closely with Wirral Partnership Homes, the landlord of its former Housing Stock. Initiatives include a joint Community Fund for supporting housing and regeneration projects across the borough. This Fund is being used to support the transfer of Council assets into community ownership.
- 4.2.8 Cross cutting initiatives include investment in IT to replace core IT systems and to improve customer access to services and the commitment to reducing dependency upon land and buildings through the Asset Review and working with local agencies.
- 4.2.9 The opportunities offered by the New Brighton, Wirral Docklands and Woodside developments seek to achieve the vision of the Investment Strategy. This incorporates regeneration, employment, innovation and enterprise, infrastructure and the maximising of the use of sites on Wirral and involves the Council and a range of external private sector partners working together.

4.3 Consultation process and stakeholder involvement

- 4.3.1 Improving the level of community involvement in public services is a key for the public sector. The value of public participation enhances the role of local government in community leadership and Wirral is committed to extending community involvement.
- 4.3.2 The Council is presently consulting on Neighbourhood Plans and also a Budget Consultation process that will encourage residents to become involved in suggesting council priorities and actions to meet the budget gap.
- 4.3.3 Wirral will also continue to undertake consultation with a range of stakeholders and members of the public ranging from the Wirral Citizens' Panel, Area Forum meetings to focus groups of specific service users and Community and Residents groups. The Youth Forums, Young People Parliament and Older People Parliament enable views to be sought across the breadth of the community.
- 4.3.4 Wirral continues to develop its Climate Change Strategy in consultation with local environmental groups and partners, including the living and working environmental partnership and the Wirral Coastal Partnership.
- 4.3.5 Wirral continues to consult and engage with all its business and community stakeholders in the delivery of its capital programme. The engagement and consultation with community groups has seen the establishment, with plans for further expansion, of centres which deliver a range of high quality, local community services from the other public sector organisations, the Wirral Metropolitan College and voluntary sector providers.
- 4.3.6 Member involvement is key and the three year capital programme is subject to an annual review and assessment. The programme is approved by Cabinet each December. In terms of the strategic documents the Sustainable Community Strategy, Investment Strategy, Capital Strategy and Asset Management Plan are all approved by Cabinet. The Capital Investment Programme Guidance Document provides more detailed practical information and is reviewed periodically.

4.4 **Prioritising investment**

- 4.4.1 The Capital Strategy is based on addressing the needs identified through corporate objectives and local priorities, issues of public concern and need; Asset Management Plans and national regulations and statutory obligations.
- 4.4.2 As demand for investment exceeds the resources available a process for the prioritisation and approval of capital bid submissions ensures the effective working of the strategy and results in the three year Capital Programme.

4.4.3 All bids require Business Case submissions that are scored and prioritised against criteria based upon the corporate objectives. Bids must include any impact upon revenue costs and, if approved, the implications are accommodated within the financial plans. The Business Cases are reviewed to produce a priority list for Cabinet with Members concluding the decision making process when approving a Capital Programme that meets the key priorities and targets of the Council.

4.5 Procurement

- 4.5.1 The Council Procurement Strategy is aligned with the National Procurement Strategy for Local Government in England and aims to support Council policy and seek continuous improvement in procurement to achieve best value.
- 4.5.2 Wirral recognises the need to be flexible and innovative in its procurement options. This can be shown by the range of alternative procurement initiatives developed or being implemented to improve delivery of investment projects.
- 4.5.3 These initiatives include the Wirral Schools Private Finance Initiative scheme; the appointment of private developer partners to support NewHeartlands; the transfer of the housing stock to provide the resources to meet the requirements of the Decent Homes standard; the involvement of stakeholders in plans and the use of Constructionline to provide a database of suitable contractors selected on technical, financial, and more health and safety criteria.
- 4.5.4 Whilst these initiatives continue Wirral is looking to further progress the work undertaken on sustainability and energy management. This includes working with contractors to develop sustainable construction initiatives.

4.6 Monitoring

- 4.6.1 The Investment Strategy Group, comprising Chief Officers, is responsible for overseeing the overall delivery of service outcomes. The Capital Strategy is kept up to date and formally agreed by Council each year.
- 4.6.2 The Capital Investment Programme Guidance Document consolidates the guidance and procedures, including for Business Case submissions, into one document to support those involved with the capital programme.
- 4.6.3 Chief Officers have processes in place to regularly review the performance of projects. Monthly meetings review progress against the approved capital programme and the financial position / projections.
- 4.6.4 Monitoring and performance reports are submitted on a quarterly basis to Cabinet and there are also end of financial year reports to Cabinet reviewing the capital programme.

4.6.5 Responsibility for financial management within the Council, including the capital programme, is with the Director of Finance. All officers involved on capital projects have a responsibility to ensure that monitoring reports are comprehensive and reflect all current spend and commitments including any exceptional cases of schemes not explicitly in the agreed programmes.

4.7 Asset Management Plan

- 4.7.1 Wirral has been committed to proactively transferring assets into community ownership and disposing of underused, surplus and investment assets. This approach producing capital receipts, levering external funding or bridging the gap between the resources and requirements.
- 4.7.2 The key aims and objectives of the Asset Management Plan are:-
 - To manage assets according to best environmental practices compatible with effective service delivery;
 - To identify the Council's current and future building and land needs;
 - To rationalise under-utilised or poorly performing assets;
 - To increase the energy efficiency and sustainability of our buildings;
 - To work more closely and share use of assets with other organisations and agencies to provide better front-line services to customers;
 - To evaluate and explore new ways of flexible working to reduce the need for administrative accommodation.

5.0 CAPITAL PLAN

5.1 Introduction

- 5.1.1 Over the past year the level of capital funding available to Local Authorities has reduced significantly. The Government no longer offers new supported borrowing allocations and major grant funding streams have been significantly reduced, including, the Housing Market Renewal and Transport programmes. Many other, previously specific, grant funding streams are no longer ringfenced in a move which has seen Local Authorities obtain greater autonomy over the funding of capital projects but at a much reduced level. Local Authorities continue to have the ability to augment capital funding under the Prudential Code whereby additional expenditure on capital investment can be incurred as long as the plans are affordable, prudent and sustainable. This is measured by a series of indicators integral to the Treasury Management policy of which the key is the revenue cost.
- 5.1.2 The Wirral Investment Strategy sees the Council and partners committed to the ambitious vision for Wirral of securing its economic future by attracting investment and creating sustainable employment opportunities for the people of the Borough. The Strategy aims to create an internationally competitive economy where local employers succeed and businesses choose to invest; an economy with high levels of private sector employment, which retains and attracts young people and provides the job opportunities for all Wirral residents to realise their full potential.

5.1.3 The Council increasingly works with the private sector to maximise resources in the continued regeneration of Wirral. The Capital Strategy identifies the links with the Corporate Plan and informs the programme of investment. With resources insufficient to meet all of the aspirations the programme is prioritised based upon criteria that take account of the priorities.

5.2 Capital Programme

- 5.2.1 The Capital Programme is agreed each December and any schemes considered for approval are subject to a Business Case submission and evaluated against the agreed priorities of the Council.
- 5.2.2 The largest area relates to the Children and Young Peoples Department. Major projects include the £12 million rebuild/refurbishment of Birkenhead High School for Girls Academy, which is due for completion in October 2012. Following the Primary Places Review, the primary schools projects include the co-location of Pensby Primary and Stanley Special School costing £12.5 million, due for completion in 2013 and the £1.8m redevelopment of Cathcart Street Primary School. Much of this work is support by Government grants.
- 5.2.3 The Local Transport Plan, managed by the Technical Services Department, details the programme in respect of maintaining local transport routes and improving community safety. The major scheme is the M53 Bidston Viaduct scheme which is funded primarily by Central Government with the Council making a contribution towards the costs.
- 5.2.4 The major projects within Corporate Services are adaptations and Disability Facilities Grants which help support individuals' independent living and help make longer term savings in the Council's Community Care budget. Housing regeneration projects have been greatly curtailed due to the significant reduction in grant funding.
- 5.2.5 Adult Social Services have received specific capital grant allocations from the Department of Health for adults' personal social services. This will be invested in line with the outcomes of Council's Day Care Services consultation exercise and the recent Government report on the future direction of service provision for adult social care. The exact detail of these plans has to be finalised.
- 5.2.6 Work on the Council's non-school buildings is driven by the Law, HR and Asset Management. Improvements to Cultural Service Assets continue in line with the recommendations of the Cultural Services review carried out in 2009 and is focussed upon heritage assets, the Williamson Art Gallery and the redevelopment of Libraries, Leisure Centres and Parks. Investment will also be made to the administrative buildings identified through the Asset Review.
- 5.2.7 There are also ongoing IT enhancements, led by the Finance Department, which are linked to the accommodation and asset reviews which seek to provide facilities that meet the aspirations of the people of Wirral.

PROGRAMME AT 30 JUNE 2011	2011/12	2012/13	2013/14*
SPEND	£ million	£ million	£ million
Adult Social Services	2.9	0	0
Children & Young People	39.2	12.8	0
Corporate Services	10.8	9.6	1.3
Finance	3.7	1.0	1.0
Law, HR & Asset Management	8.8	4.8	3.0
Technical Services	11.5	5.3	0
Total Programme	76.9	33.5	5.3

Capital funding for 2013/14 onwards has yet to be agreed therefore a full capital programme has not yet been established.

5.3 Resources

- 5.3.1 Under the Prudential Code the authority can borrow to fund capital expenditure up to the level that can be afforded. The Government had previously provided support for a certain level of new borrowing each year but this is no longer available. The Council sets Prudential Indicators within the Treasury Management Strategy which act as a gauge to ensure the Council's capital investment funded by borrowing is affordable, prudent and sustainable. Assumptions on the level of borrowing have been reflected in the Medium Term Financial Strategy and Plan.
- 5.3.2 The level of Government Grants has reduced from past years and many of the remaining grants are no longer ring fenced allowing the Council greater flexible over their use. The major grant funding streams which remain include, Department of Education grants for Maintained Schools and Academy building works, Department of Transport grants for the Local Transport Plan and the integrated transport block and the Department for Communities and Local Government grant for Disability Facilities Grants.
- 5.3.3 The unpredictable nature of the timing of capital receipts means that they are used to provide flexibility in funding the programme. The receipts are projected from the likely sale of assets resulting from the Asset Management Plan and include former school sites and the agreement with Wirral Partnership Homes for the sharing of receipts from sales of former Council houses.

PROGRAMME AT 30 JUNE 2011	2011/12	2012/13	2013/14*
RESOURCES	£ million	£ million	£ million
Borrowing	28.6	11.4	4.0
Capital receipts	3.0	3.0	0
Revenue, Reserves & Contributions	4.2	0.3	0
Grants	41.1	18.8	1.3
Total Resources	76.9	33.5	5.3

Capital funding for 2013/14 onwards has yet to be agreed therefore a full capital programme has not yet been established.

5.4 Management

5.4.1 A summary of the governance arrangements for the Capital Strategy and Capital Programme with the key tasks, responsibilities and target dates.

Task	Responsibility	Time / Date
Identify departmental priority schemes	Chief Officers	On-going
Ensure that approved projects are procured and delivered	Chief Officers	On-going
Oversee the financial management of the capital programme	Director of Finance	On-going
Report variations to schemes within the approved programme	Chief Officers	As required
Authorise increases in the budgeted levels of expenditure for schemes	Cabinet / Council	As required
Produce monitoring reports for Director of Finance		Quarterly
Produce monitoring reports to Cabinet		Quarterly
Review Capital Strategy and report to Cabinet		September
Consider the annual review of the Capital Strategy (and other Strategies)	Cabinet	September
Prepare Business Case submissions for schemes to be included in the programme	Chief Officers	October
Consider and prioritise Business Case submissions	Capital Group	November
Produce the annual Capital Programme report to Cabinet / Council	Director of Finance	December
Approve the Capital Programme – including the new schemes	Cabinet / Council	December
Produce year-end reports to Cabinet	Director of Finance	June

CAPITAL INVESTMENT PROGRAMME PRIORITISATION EVALUATION CRITERIA AND WEIGHTINGS

PRIORITISATION CRITERIA	%	CORPORATE OBJECTIVE
1 Will the scheme create employment opportunities or assist in attracting private sector investment?	15	To create more jobs, achieve a prosperous economy and regenerate Wirral.
2 Will the scheme have environmental or streetscene benefits or impact on crime or health and safety?	15	To create a clean, pleasant, safe and sustainable environment.
3 Will the scheme cater for vulnerable people or address health inequality or contribute towards healthy lifestyle?	15	To improve health and well-being for all, ensuring people who require support are full participants in mainstream society.
4 Will the scheme have any educational attainment or learning opportunities or training benefits?	15	To raise the aspirations of young people.
5 Will it impact on revenue or attract significant external funding and build upon partnership working?	15	To create an excellent Council.
*6 Does the scheme contribute towards more than one Corporate Strategy or the achievement of cross-cutting aims?	10	Partnership working is seen as integral to the future of the Council
*7 Does the scheme provide value for money for the Council in terms of the use of its resources?	10	Value for money is desired in the delivery of all services
*8 Are the outcomes clear and result in improvements in performance?	5	Performance, and improved performance recognised as a priority
6 Will the scheme support the outcomes from the Council's consultation?	15	To deliver the corporate objectives and reflect the views of the people of Wirral.
7 Will the scheme contribute towards the achievement of the Strategic Change Programme?	10	To deliver the corporate objectives and ensure it is linked to the main programme.

NOTES

- 1 Schemes, as per the Business Cases are scored against the criteria on the basis of not meeting to fully meeting the objectives on a 0-2 scoring. (0 not meeting the criteria; 1 partly meets criteria; 2 meets all criteria).
- 2 The % shown is the weighting that applies to each of the criteria. Schemes scoring in excess of 50% will be recommended for inclusion in the Capital Programme.
- 4 * Cabinet on 4 November 2010 agreed to replace these items with a revised 6 and 7.