

POLICY AND RESOURCES COMMITTEE

Wednesday, 30 June 2021

Present: Councillor J Williamson (Chair)

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

Deputies: Councillors K Greaney (In place of P Stuart)
M McLaughlin (In place of S Hayes)

16 WELCOME AND INTRODUCTION

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

17 APOLOGIES

The Chair confirmed that Councillor Paul Stuart had sent his apologies and that Councillor Karl Greaney was deputising for him.

Councillor Moira McLaughlin confirmed the apologies of Councillor Steve Hayes and that she was deputising for him.

18 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 Moira McLaughlin declared a prejudicial interest in agenda item 6, 'Homeworking Allowance', due to two close family members working for the Council, and confirmed that she would leave the meeting whilst the item was under discussion.

19 MINUTES

Resolved – That the minutes of the meeting held on 9 June, 2021, be approved and adopted as a correct record.

20 **PUBLIC AND MEMBER QUESTIONS**

The Chair reported that no questions from either members of the public or Members had been submitted. Nor were there any statements or petitions to receive.

21 **HOMEWORKING ALLOWANCE**

Having previously declared a prejudicial interest, Councillor Moira McLaughlin vacated the room during consideration of this item (minute 18 refers).

Tony Williams, Assistant Director: HR and Organisational Development, introduced a report which set out the issues and implications relating to the implementation of a homeworking allowance and which also set out the detail and eligibility criteria should the Policy and Resources Committee agree to implement an allowance.

The Council had moved to a hybrid working model where significant numbers of staff would have the option to work at home regularly combined with some attendance at offices and site visits as required.

The Trade Unions had requested that the Council formally consider the implementation of a homeworking allowance for staff. It was appropriate that this request was considered by the Policy and Resources Committee.

There was no obligation for the Council as an employer to pay a homeworking allowance or meet any costs of homeworking that might be incurred by employees. As such, senior officers' position had been to maintain the position currently adopted, which was to signpost employees to apply to claim tax relief from HMRC. There was no cost to the Council for this and all employees could apply. Additionally, any staff who had concerns about the cost of homeworking could choose to work from a Council building.

An appendix to the report set out a proposed homeworking allowance policy, addressing the varying complexities in introducing such an allowance, including eligibility criteria.

The cost to the Council was difficult to predict precisely but for modelling purposes, a calculation based on 50% of employees at Band H or below who could work at home, claiming 3 days a week homeworking allowance for 46 weeks a year, would cost £80k per annum. This equated to around £165 per annum per employee.

Responding to comments from Members, Tony Williams stated that staff had not been surveyed as to the take up of the HMRC allowance and negotiations were still ongoing between employers and Trades Unions with regard to the current pay claim. The Council was able to reach local agreements which

might differ from what was agreed nationally and this wouldn't fall foul of any NJC national bargaining arrangements. There were a mix of local and national terms and conditions currently in place.

Members expressed opposing views as to whether an allowance should be paid or not. Some Members suggesting that the proposed allowance not be paid but that this could be reviewed after national pay negotiations had been resolved.

On a motion by Councillor Yvonne Nolan, seconded by Councillor Julie McManus, it was –

Resolved (8:6) – That a homeworking allowance be paid on the basis of the draft policy and eligibility criteria detailed in the report and appendix, subject to a review at a later date after national pay negotiations had been resolved.

22 **APPOINTMENT TO MERSEY FOREST STEERING GROUP 2021/22**

Philip McCourt, Director of Law and Governance introduced a report which requested the Committee to appoint a representative of the Council to serve on the Mersey Forest Steering Group in 2021/2022.

Membership of the Mersey Forest would support the Council to deliver the requirements of the Tree, Woodland and Hedgerow Strategy. An expectation of the Council's Mersey Forest membership was to be represented and contribute to the Steering Group's work.

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

Resolved – That Councillor Elizabeth Grey be appointed as the elected member to represent the Council on the Mersey Forest Steering Group.

23 **REVENUE OUTTURN FOR FINANCIAL YEAR 2020-21**

Shaer Halewood, Director of Resources introduced a report which provided a summary of the year-end revenue position for the 2020/21 financial year as at the end of March 2021. As part of the budget monitoring cycle, the financial position of the Council had been reported to Members quarterly, the first from April to June 2020 was reported to the former Cabinet. The following three reports, from July to September 2020; October to December 2020 and this report, to the Policy and Resources Committee.

At the end of the year, the position had improved since the last report to committee with an adverse variance of £6.525m reported as the final position and the value that the Council would borrow under the Exceptional Financial Support (EFS) (also known as the capitalisation directive) approval. As the

lockdown restrictions started to relax, there was an opportunity for the Council to take stock and review whether the assumptions made during the year for demand and expenditure commitments had come to fruition. As nothing like this had been experienced before, there was no real way to accurately predict the value of funding and support required so best estimates had been used and had been firmed up as more of the situation became known.

Although many of the savings agreed at Budget Council in March 2020 had still not been achieved, offsetting alternative savings had been available as a result of the way the Council had been working under lockdown restrictions. With the majority of Council buildings remaining closed and the majority of staff working at home, savings had been made from utilities costs, staff mileage and supplies and services costs such as printing, stationery and face to face training events.

She reported that in total, in 2020/21, £205m funding had been provided to Wirral by the Government to support the emergency pandemic. An additional £10m of Tranche 5 funding had been notified as being received in 2021/22 which had been fully committed to Covid-19 pressures already identified in 2021/22. The year-end position represented an adverse variance of £6.525m which would be the subject of borrowing under EFS approval from the Ministry of Housing, Communities and Local Government (MHCLG). It must be noted that this was a draft position as this was subject to External Audit sign-off of the accounts by the Council's auditor, Grant Thornton.

In response to comments from Members, Shaer Halewood explained the use of the term 'cross cutting initiatives' in the report, which were in respect of unachieved savings not able to be allocated across directorates due to the unprecedented Covid situation and the Council's response. She assured the Committee that there had been no double counting in respect of any of these savings. The term would not show again in the report on the 2021/22 financial year.

Members expressed their views about the various funding streams which the Government had provided to Wirral during the pandemic.

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

A. Resolved – That this Committee,

- (1) agrees that the draft, unaudited outturn variance for 2020/21 is £6.525m as compared to the end of December forecast outturn variance of £8.9m;**
- (2) agrees that following the approval of 'not exceeding £9m' Exceptional Financial Support from MHCLG that the outturn of £6.525m is capitalised in line with the relevant guidance;**

- (3) notes the impact of funding and expenditure as a direct consequence of Covid-19, including the additional funding sources that have been received for 2020/21;**
- (4) notes the impact of funding and expenditure as a direct consequence of Covid-19, including the additional funding sources which have been identified, but as yet, not received.**

B. RECOMMENDED - To Council,

- (5) the 2020/21 budget of £46.574m in relation to Covid-19 funding for Council use and note the additional £22.963m of funds that is to be made available to the Council for onward relay to other organisations as passported funding. This recommendation follows on from the recommendation made by Policy & Resources Committee on 17th February 2021, following the recent notification of additional funding;**
- (6) that the debts in excess of £10,000 included within Appendix 2 be approved for write off against the Provision for Bad Debts.**

24 CAPITAL OUTTURN FOR FINANCIAL YEAR 2020/21

Shaer Halewood, Director of Resources, introduced a report which detailed the Capital Out-turn for 2020/21, the resources used to fund the Programme and provided a review of the progress of the delivery of the agreed Capital Programme. The capital expenditure for the year amounted to £46.465m. This was funded from borrowing of £25.182m, Capital Grants of £20.311m, capital receipts of £0.784 m and other revenue/reserve contributions of £0.188m.

As a result of the £25.182m borrowed to finance the Capital Programme in 2020/21, the General Fund would be charged with its first repayment via the Minimum Revenue Provision (MRP) in 2021/22 of £0.815m. This would bring the total MRP charge for 2021/22 to £4.462m for borrowing associated with delivering the Capital Programme.

The re-profiling of schemes from 2020/21 to 2021/22 had seen the funding similarly re-profiled. This included the planned borrowing which had been deferred and had contributed towards the cost reductions in Treasury Management activities within the revenue budget. A permanent saving only occurred if schemes ceased, otherwise the full budget would be required in 2021/22 when the re-profiled expenditure was incurred. It must be noted too that this was a draft position as this was subject to External Audit sign-off of the accounts by the Council's auditor, Grant Thornton.

In response to Members' comments, Shaer Halewood stated that the appendices to the report listed all the capital programme schemes as approved at the start of the year, and that the quarter 1 financial monitoring report to come before committees in September would list where schemes were up to. She agreed that the way this was presented would be looked at as to how best the information could be shared with Members and to inform on the achievability of schemes. With regard to those schemes listed as proposed virements she agreed to provide a written response listing those which were still going ahead, where there had been slippage and those which were not, or which had been underspent. She also agreed to provide an update on proposed work at Riverside Primary School, Wallasey.

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

RECOMMENDED – To Council,

- (1) that the additional year end re-profiling of £27.4m from 2020/21 to 2021/22 be noted;**
- (2) that the financing of the Programme for 2020/21 be noted;**
- (3) the approval of the virements referred to in Appendix 3 of the report;**
- (4) that the Programme for 2021/22 and beyond be kept under review to ensure it is realistic, deliverable and affordable.**

25 **WORK PROGRAMME UPDATE**

Philip McCourt, Director of Law and Governance, introduced a report which advised how this Committee, in co-operation with the other Policy and Service Committees, was responsible for proposing and delivering an annual committee work programme.

The work programme would be formed from a combination of key decisions, standing items and requested officer reports. The report provided the Committee with an opportunity to plan and regularly review its work across the municipal year and was attached as an appendix to the report.

On a motion by the Chair, seconded by Councillor Tony Jones, it was -

Resolved – That the Policy & Resources Committee work programme for the 2021/22 municipal year, be agreed.

26 **PROPOSED REMOVAL OF DELEGATION**

Prior to consideration of the next item, Councillor Tom Anderson raised a matter for proposed removal of delegation, in accordance with Article 7.3 of the Constitution, in respect of the decision taken on agenda item 6, 'Homeworking Allowance' (minute 21 refers).

Philip McCourt, Director of Law and Governance, confirmed that removal from delegation would require 40% of those Members present and voting to vote in favour of such removal, in this case being 6 Members. The matter would then be referred to a meeting of the full Council for consideration, if successful.

A vote was then taken, with 5 Members voting in favour of removing the Committee's delegated authority on the Homeworking Allowance decision. As there were insufficient votes to remove the committee's delegation, the matter was not referred to the Council.

27 **ACTIVE TRAVEL FUNDING - TRANCHE 1, TRANCHE 2 AND LOCAL AUTHORITY CAPABILITY FUNDING**

Alan Evans, Director of Regeneration and Place, introduced a report on the Economy Regeneration and Development Committee's recommendations, from its meeting on 4 March, in respect to the Active Travel Funding – Tranche 1, Tranche 2 and Local Authority Capability Funding.

A supplement to the agenda had been circulated with a correction to the recommendations made by the Committee, which numbered four and not three.

On 9 May 2020 the Secretary of State, Grant Shapps, had announced a £250 million Emergency Active Travel Fund. For Tranche 1 of the funding, and in line with DfT guidance, the Liverpool City Region Combined Authority had identified the need to develop a programme of measures to reduce the dependency on car-based journeys and through segregation provide increased confidence to people wishing to cycle.

The matter was being referred to Policy & Resources Committee because in accordance with the Council's Constitution any amendment to the Capital Programme requested by a Committee or officer in excess of £100,000 was reserved to Policy and Resources Committee.

The Economy Regeneration and Development Committee was recommending authorisation of the Director of Regeneration and Place, in consultation with the Director of Resources, to approve the grant funding allocated to Wirral Council by Liverpool City Region Combined Authority for the Active Travel Fund Tranche 1 and 2 Programmes and the Local Authority Active Travel Capability Fund Programme.

In response to a Member's comment, Philip McCourt, Director of Law and Governance, confirmed that in taking account of the Economy Regeneration and Development Committee's recommendations, the Policy and Resources Committee should not consider itself bound by that Committee's recommendations or otherwise fetter its discretion and could come to its own decision.

Concern was expressed by a number of Members on the lack of clarity over the responsibilities and terms of reference of both the Economy Regeneration and Development and Environment, Climate Emergency and Transport Committees with regard to Active Travel schemes. Members also suggested other areas where cross cutting responsibilities across committees could be looked at by the Constitution and Standards Committee, which could also be causing some confusion.

It was moved by Councillor Tom Anderson and seconded by Councillor Jeff Green, that –

“The recommendations be referred back to the Economy Regeneration and Development Committee with a view to adding walking schemes in to Active Travel programmes for the benefit of the Borough.”

The motion was put and lost (5:10)

On a motion by Councillor Elizabeth Grey, seconded by Councillor Tony Jones, it was -

Resolved (unanimously) – That,

- (1) the Director of Regeneration and Place be authorised to accept the grant funding of £1,153,380 allocated to Wirral Council by Liverpool City Region Combined Authority for the Active Travel Fund Tranche 1 and 2 Programmes and accept the Local Authority Active Travel Capability Fund Programme indicative allocation of £286,000;**
- (2) the proposed Active Travel Fund Tranche 1 and 2 Programmes and the Active Travel Capability Fund Programme (“the Programmes”) as set out in Appendices 1, 2 and 3 of the report, be approved;**
- (3) the Director of Regeneration and Place, in consultation with the Liverpool City Region Combined Authority and the Chairs and Spokespersons of the Economy, Regeneration and Development and the Environment, Climate Emergency and Transport Committees, be authorised to amend the Programmes if required having due regard to any issues that may arise during design or consultation stages of projects;**

- (4) Committee notes that the above authority and approvals are subject to the schemes at the Crescent, and proposed cycle way through Wallasey and New Brighton, being deferred until a consultation process has taken place;**
- (5) Committee notes the significant overlap between the terms of reference of the Economy Regeneration and Development Committee and the Environment, Climate Emergency and Transport Committee and requests that these committees work jointly with Economy Regeneration and Development Committee leading on active travel issues which affect major regeneration master plan projects and the Environment, Climate Emergency and Transport Committee to lead on all other transport, active travel and road safety strategy and schemes. Officers are asked to liaise with the Chairs of both committees on all transport planning to ensure that the work programmes are always agreed;**
- (6) Committee asks that the Constitution and Standards Committee consider whether existing provision within the Council's Constitution with respect to the planning for and implementation of active travel schemes are sufficiently clear and appropriate and if necessary to make recommendations to Council on any necessary changes to the Constitution.**

28 COVID SAFE OPERATIONS AND FACILITIES

The Chair had agreed to consideration of this item as a matter of urgent business by reason of the special circumstances of the changing picture of public health advice concerning the spread of the Delta variant of Covid-19.

Philip McCourt, Director of Law and Governance, introduced a report in respect of the expected lifting of coronavirus restrictions in line with the Government's roadmap and that the legal requirements on non-opening of venues to the public would come to an end. This was in the context of a rapidly changing and worsening of case numbers as the Delta variant of Covid-19 spread.

In addition to compliance with likely changing Government and public health guidance, additional requirements were likely to be placed upon the Council in terms of deployment of resources to respond to public health events, business continuity and commerciality that would have a direct and immediate effect on the operation of Council venues and facilities.

Support was therefore sought in relation to continued communication of public health advice and to speedy decision making in response to any such requirements.

With regard to the proposals in the report, Philip McCourt highlighted the following generic criteria which would support officers taking individual decisions in relation to venues, as follows:

- A. Covid-19 Guidance Compliance (health and safety);
- B. Ability to function and resource availability (business continuity); and/or
- C. Financial considerations (investment and commerciality).

Julie Webster, Director of Public Health gave an update to the committee on the current numbers of cases of COVID-19 in the Borough, with 229 cases recorded in one day on 28 June, a substantial increase since 17 May. At the beginning of May cases were 5 or 6 per day. The rise in case numbers was, however, fortunately not this time translating into a significant rise in hospitalisations. She also gave an update with regard to the number of school pupils self-isolating, 3,300, currently, approximately 6% of the schools population and 250 schools staff, approximately 5% of all school staff.

In response to comments from Members, Julie Webster confirmed the breakdown in respect of schools numbers for primary and secondary pupils and that with regard to free school meals, this should be notified to those families with children self-isolating through the COVID support hub and she would follow this up.

Responding to further comment, Philip McCourt stated that with revised guidance expected shortly, decisions would then be taken with regard to any expenditure required on facilities to reopen. If social distancing meant that a venue wouldn't be economic to open then discussions could be held with the Director of Resources and colleagues at the Ministry of Housing, Communities and Local Government about how funding could be used and reprioritised.

The Chair commented upon the need not to allow commercial considerations to override any public health advice.

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

Resolved – That,

- (1) Committee endorse authority for the Chief Executive or a Director to suspend, vary or cease operation of a Council venue or facilities as a response to Coronavirus related events, including compliance with Government and public health advice, prioritisation of resource availability and economic impact.**

- (2) Where there is to be a variation proposed as a result of prioritisation or economic considerations then any decision shall be in consultation with the Chair and Group Leaders.**
- (3) That this decision be subject to review and an update report be submitted to the Committee's meeting of 1st December, 2021 at the latest, failing which the decision shall cease to be of effect.**