

COUNCIL – 2 NOVEMBER 2009

MATTERS REQUIRING APPROVAL BY THE COUNCIL

(i) Min 63 LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – REVIEW OF LOCAL DEVELOPMENT SCHEME

The Deputy Chief Executive/Director of Corporate Services reported that the preparation of a Local Development Scheme was a statutory requirement under the Planning and Compulsory Purchase Act 2004. It listed the type and number of statutory planning documents that the Council intended to produce, together with a timetable for their preparation and it was required to be submitted for approval to the Secretary of State before it could be brought into effect by Council resolution. Delivery against the Scheme was a criterion for the annual award of Housing Planning Delivery Grant and the development and delivery of strategic policy frameworks to achieve sustainable economic development formed part of the Delivery Plan for the Corporate Plan.

He presented an update to the Local Development Scheme last approved by the Council (Minute 30 (Council – 16 July 2007) refers) and recommended that the revised Scheme be approved for submission to the Secretary of State.

On a motion by Councillor Stapleton and seconded by Councillor Foulkes, it was –

Resolved –

- (1) That the draft Local Development Scheme, attached to the report now submitted, be approved for submission to Secretary of State, subject to the deletion of the Birkenhead Docklands Area Action Plan from the schedule of documents to be prepared.**
- (2) That Cabinet recognises that work is already underway to complete an integrated regeneration study for Birkenhead and Wirral Waters and would expect the findings of this study to be reflected and integrated into the Local Development Framework and Core Strategy in the most appropriate manner.**
- (3) That the Director of Corporate Services be given delegated authority to agree any amendments to the draft Scheme, required by the Secretary of State as a condition of his approval.**
- (4) That any amendments to the draft Scheme that will have financial implications be reported back to the Cabinet as soon as practicable.**

(ii) Min 73 STREET LIGHTING (ELECTRICITY) CONTRACT RENEWAL 2009

The Director of Technical Services reported upon the Council's Street Lighting contract renewal, undertaken by Solutions (BS), following the end of the current one year contract on 31 March 2009. The new contract had reduced operating costs from £1,624,149 in 2008/09 to £1,486,734 in 2009/10, producing full year saving of £137,000. However due to the re-alignment of the street lighting contract from April to October £137,000 would be available for re-investment subject to there being no increases in October. He reported also that as part of the 2009-10 estimates exercise, the Council agreed a Policy Option of £180,000 towards any tariff increases in 2009-10. This sum was no longer required and may now be returned to balances.

To enable further street lighting efficiencies to be implemented, he had requested Cabinet approval to reinvest the £137,000 saving into new Invest to Save Energy Efficiency Initiatives during 2009/10 (see minute 71 ante).

Resolved –

- (1) That it be noted that the offer made by Buying Solutions was competitively tendered and the tender accepted using Delegated Authority.**
- (2) That to enable the Department to reinvest the savings into Invest to Save street lighting energy efficiency initiatives, the reinvestment of the financial savings be approved.**
- (3) That the 2009-10 Policy Option of £180,000 be accepted as a saving to the Council.**

(iii) Minute 80 PROPOSED EXTENSION TO LANDICAN CREMATORIUM WITH NEW CREMATORS AND MERCURY ABATEMENT EQUIPMENT - SCHEME AND ESTIMATE REPORT

The Director of Regeneration reported upon guidance issued by the Department of the Environment, Food and Rural Affairs (DEFRA) in relation to a required 50% reduction in mercury emissions from crematoria in the UK by 31 December 2012. He commented that the local authority regulator had been informed that Landican Crematorium would meet the requirement by December 2012 and an allocation of £3m had been set aside in the Council's Capital Programme for 2009 – 2011 for the replacement of the existing cremators, the installation of mercury abatement equipment, and associated building works.

However, he reported that an increase in capital funding was required for the installation of new equipment to meet the statutory requirements, together with ancillary improvement works for a reduction in gas consumption and CO2 emissions. The total estimated costs, including fees, were £3,483,000 and he commented that without the proposed increased investment, there would necessarily be a reduction in income arising from penalty payment for non-compliance.

A. Resolved –

- (1) That the scheme and estimate be approved.**
- (2) That the Director of Technical Services be authorised to obtain all necessary statutory approvals for the proposed works.**
- (3) That the Director of Technical Services be authorised to seek tenders for the proposed works, in accordance with the Council's procurement rules, and report those tenders to a future meeting of the Cabinet for Members' consideration**

B. RECOMMENDED –

- (4) That, subject to the approval of the Council, the Capital Programme allocation for the scheme be increased from £3,000,000 to £3,483,000.**

(iv) Minute 114 ANNUAL REVIEW OF THE COUNCIL'S CORPORATE PLAN FOR 2010/11

The Deputy Chief Executive/ Director of Corporate Services reported upon progress in relation to reviewing and updating the Council's Corporate Plan and set out the aims and priorities for 2010-11 (Appendix 1 refers).

Resolved – That Cabinet approve the revised Corporate Plan framework for 2010/11, and the proposed approach for refreshing the main body of the Corporate Plan and associated delivery plan outlined in section 4 of the report.

(v) Minute 157 LOCAL DEVELOPMENT FRAMEWORK - EMPLOYMENT LAND AND PREMISES STUDY

The Deputy Chief Executive/Director of Corporate Services provided a detailed summary of the Wirral Employment Land and Premises Study (ELPS), which provided a detailed analysis of all sites currently identified for potential employment use and an assessment of all of the key employment areas within the Borough. He indicated that it was the key element of the evidence required to provide a strategic framework for determining the Borough's employment land requirements for the life of the Local Development Framework (LDF) to 2030.

On a motion by Councillor Holbrook and seconded by Councillor Foulkes, it was –

Resolved –

- (1) That Cabinet approves the Employment Land and Premises Study as a material consideration for use by the Planning Committee in the determination of planning applications with the proviso that flexibility in terms of green belt policy shall not go beyond that set out in the quote from the Council's Investment Strategy at paragraph 3.42 of the report now submitted.**

(2) That the findings of the Study be used to inform the content of the emerging Core Strategy Development Plan Document.

(3) That the findings of the Study be used to inform the delivery of Investment Strategy priorities.

(vi) Minute 163 SCRUTINY PROGRAMME BOARD - TERMS OF REFERENCE

The Director of Law, HR and Asset Management reported that at its meeting held on 14 September 2009 (minute 14 refers), the Scrutiny Programme Board referred the following proposed amendment to paragraph (iv) of its terms of reference (Call-in Notices) to the Cabinet for consideration –

“(iv) the chair and party spokespersons of the scrutiny programme board shall consider call-in notices in relation to executive functions which fall within the terms of reference of more than one overview and scrutiny committee and allocate such notices to those committees affected by the decision.”

On a motion by Councillor Holbrook and seconded by Councillor Foulkes, it was –

RECOMMENDED –

That Cabinet notes the request of the Scrutiny Programme Board to change its terms of reference and further notes that this is a constitutional change, which needs to be referred to the Council.

However, Cabinet recognises also that the original terms of reference were specifically agreed by the Council in order to reduce the need for multiple hearings on the same item and to allow the Scrutiny Programme Board itself to hear call-ins which affect more than one Committee.

As the original terms of reference do not preclude hearings by more than one Committee, where the Scrutiny Programme Board believes this is appropriate and the revised terms of reference specifically remove the right of the Scrutiny Programme to hear call-ins affecting more than one Committee, Cabinet believes this is contrary to the Council’s intent and so recommends that the terms of reference remain unchanged.

(vi) Minute 164 HEALTH AND WELL BEING OVERVIEW AND SCRUTINY COMMITTEE - TERMS OF REFERENCE

The Director of Law, HR and Asset Management reported that at its meeting on 8 September 2009 (minute 16 refers), the Health and Well Being Overview and Scrutiny Committee referred the following proposed amendments to its terms of reference to the Cabinet for consideration:

Social Inclusion – Paragraph 4:

Social inclusion and to promote the role of the local authority, working with the NHS community on Wirral, to improve Public Health and well-being and to address health inequalities. [*Sentence put into better English*]

All Portfolios – Paragraph 13:

To support the Council's equal opportunity policies by promoting and monitoring initiatives to encourage equality of opportunity amongst disadvantaged groups.

[Delete all wording at the end of this paragraph: 'including: the disabled, ethnic minorities, the long term unemployed, the poor and women']

RECOMMENDED – That the proposed amendments to the terms of reference be forwarded to the Council for determination.