

POLICY AND RESOURCES COMMITTEE

Wednesday, 12 July 2023

Present: Councillor P Stuart (Chair)

Councillors J Robinson JE Green
J Williamson H Cameron
P Gilchrist S Mountney
EA Grey L Rennie
A Davies P Cleary
S Powell-Wilde H Gorman
T Jones J Bird

13 WELCOME AND INTRODUCTION

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

14 APOLOGIES

There were no apologies for absence.

15 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

The following interests were declared:

Councillor Angie Davies	Personal Interest in item 10 'Edsential Draft Annual Business Plan Review and Options' as a school governor.
Councillor Jean Robinson	Disclosable Pecuniary Interest in Item 9 'Wirral Growth Company Accounts' as a Director of Wirral Growth Company.
Councillor Jeff Green	Disclosable Pecuniary Interest in Item 9 'Wirral Growth Company Accounts' as a Director of Wirral Growth Company.
Councillor Pat Cleary	Personal Interest in item 10 'Edsential Draft Annual Business Plan Review and Options' as a school governor.
Councillor Paul Stuart	Personal Interest in Item 6 'Strategic Asset Disposals' as his place of employment, 6 Manor Road, Wallasey was proposed for disposal.
Councillor Phil Gilchrist	Personal Interest in item 10 'Edsential Draft Annual Business Plan Review and Options' as a

	school governor which used Edsential services.
Daniel Sharples	Personal Interest in Item 6 'Strategic Asset Disposals' as a Trustee of Wirral Foodbank which occupied units within Wirral Business Centre which was proposed for disposal.

16 MINUTES

Councillor Helen Cameron outlined that her comment regarding benchmarking the Council's risk appetite was not specific to Treasury Management and made under item 9 '2023/24 Budget and Budget Monitoring Processes' instead of item 10 'Treasury Management Annual Report 2022-23'.

Resolved – That the minutes of the meeting held on 14 June 2023 be approved as a correct record, subject to the comment made regarding benchmarking the Council's risk appetite being included under minute item 10.

17 PUBLIC QUESTIONS

The Chair reported that two public questions had been submitted.

The first question was from Philip Barton to the Chair which set out the desire for Tranmere Tunnels to become a tourist attraction as part of Phase 2 of the Birkenhead Dock Branch initiative, of which Holborn Square was a key site for. The questioner sought the deferment of the disposal of Holborn Square until options for disposal by Community Asset Transfer or purchase following a community share issue had been fully explored.

In response, Councillor Paul Stuart outlined that Holborn Square would be offered as an investment opportunity and sold subject to any leases existing at the time of disposal, therefore there was still an opportunity for Tranmere Tunnels Volunteer Ltd and the Birkenhead & Tranmere Community Benefit Society Ltd to set out their proposal.

A supplementary question was asked on whether there was support to continue working with the two companies to deliver Tranmere Tunnels as a community led project. Councillor Stuart responded the project would be considered as part of the asset disposal process.

The second question was read out on behalf of Sarah Hewitson which sought the payment of the Real Living Wage for staff employed by Edsential as a company partly owned by Wirral Council.

In response Councillor Paul Stuart advised that the Council encourages Edsential to pay the Real Living Wage as a shareholder, but that it does not

procure services directly from the company and the schools that commission services have the ability to influence their providers in this respect. He further outlined that the shareholders had provided significant financial support to the company in the form of loans but could not subsidise the company on a day-to-day basis due to subsidy control regulations.

18 **STATEMENTS AND PETITIONS**

The Chair reported three members of the public had registered to make statements.

Percy Hogg spoke in relation to Item 6 'Strategic Asset Disposals' encouraging the Committee to ensure that the Community Asset Transfer for Bromborough Civic Centre and Library could continue to completion.

Phil Simpson spoke in relation to Item 6 'Strategic Asset Disposals' and outlined concerns regarding some of the site for disposal due to the open space implications but urged the Committee to support the disposal of most assets to protect the Local Plan process.

Jim Cadwallader spoke in relation to Item 6 'Strategic Asset Disposals' and outlined the importance of Holborn Square to the Tranmere Tunnels community project and sought support from the Committee to explore a Community Asset Transfer of the site to Tranmere Tunnels Volunteers Ltd.

The Chair reported that there were no petitions submitted.

19 **QUESTIONS BY MEMBERS**

The Chair reported that no questions by members had been submitted.

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

20 **2023/24 CAPITAL PROGRAMME MONITORING FOR QUARTER ONE (THE PERIOD TO 30 JUN 2023)**

The Director of Finance introduced the report which provided an update on the progress of the Capital Programme 2023/24 at the end of June 2023. It recommended that the Committee agree the revised 2023/24 Capital Programme of £87 million which took account of re-profiling, virements, additional funding requirements and grant variations identified since the Capital Programme was formally agreed on 27th February 2023 and revised via the Capital Outturn 2022-23 report.

Members discussed the additional capital resources for the litter bin programme and sought further information on the overall cost required to fund

the whole programme. An update was sought on the delivery of the Regeneration programme, where it was confirmed that a report was due to be considered by the Economy, Regeneration and Housing Committee in September.

Resolved – That

- (1) Council be recommended to approve the revised Capital Programme of £87 million for 2023/24, including the virements of budget referred to in Appendix C of this report.**
- (2) Council be recommended to approve the additional funding for the schemes referred to in section 3.7, with proposed extra funding from a variety of sources, new borrowing required from the Council, revenue contributions and the repurposing of previously agreed Council borrowing.**

21 **2023/24 BUDGET MONITORING FOR QUARTER ONE (THE PERIOD TO 30 JUN 2023)**

The Director of Finance introduced the report which set out the financial monitoring information for the Council as at Quarter 1 (30 June) of 2023/24 and sought approval of an increase to the revenue budget by £2.000m due to increased Council funding and the allocation to the budget areas detailed in the report. It was reported that there was increased funding of £2m due to Business Rates Section 31 grant and that this funding had been proposed to be allocated to budgets where the budget pressure was permanently recurring and would therefore prevent the requirement for future mitigations.

Following concerns raised regarding the estimation of receipt of government grant funding, the Director of Finance advised members that the forecasting was being reviewed to assist in achieving a more accurate income prediction. It was agreed that a meeting of the Finance Sub-Committee would be arranged for September 2023 to consider the budget position in further detail.

Resolved – That

- (1) the Directorate forecast adverse position of £3.618m presented at Quarter 1 be noted alongside the proposed mitigation to reduce the shortfall.**
- (2) Council be recommended to approve that the Revenue budget be increased by £2.000m due to increased Council funding, detailed in paragraph 3.25 and allocate to the budget areas detailed in Table 2.**

(3) the progress on delivery of the 2023/24 savings programme at Quarter 1 be noted.

(4) the forecast level of reserves and balances at Quarter 1 be noted.

22 **WIRRAL GROWTH COMPANY ACCOUNTS**

Councillors Jean Robinson and Jeff Green left the room and took no part in the debate due to a Disclosable Pecuniary Interest in the item.

The Director of Finance introduced the report which sought the approval of the 2021 (retrospectively) and the 2022 accounts for Wirral Growth Company Limited Liability Partnership (WGC) following the approval of the accounts by the WGC LLP board.

The Committee discussed the role of Policy & Resources Committee in approving the accounts and the use of the profit from the company. Concerns were raised regarding the oversight of the governance of the company, where officers advised that the Internal Audit team were reviewing the governance of Council-owned-companies. This would be reported to the Audit and Risk Management Committee, but members were advised that Policy and Resources Committee could be provided with further information to consider the role of the company and that this would be added to the work programme.

Resolved – That

(1) the Wirral Growth Company LLP accounts for year ending 31st December 2022 be approved.

(2) the Wirral Growth Company LLP accounts for year ending 31st December 2021 be approved retrospectively.

23 **WORK PROGRAMME**

The Chair introduced the report which provided the Committee with an opportunity to plan and review its work across the municipal year. The Chair brought members' attention to items for future consideration and matters outside of the Committee where it was noted that a number of the requests for information had been circulated.

Following a discussion on the contents of the work programme, it was proposed that a workshop be held to consider the Council's risk appetite alongside oversight of the risk register. It was further proposed that the Committee review the response from Link following Council's resolution to write to the organisation to progress the development of Banking Hubs.

The Committee discussed the request for an extraordinary meeting of Policy & Resources to consider the Community Asset Transfer of Brackenwood Golf Club sooner than September. It was moved by Councillor Helen Cameron, seconded by Councillor Paul Stuart that an extraordinary meeting of Policy & Resources be arranged to consider the Community Asset Transfer of Brackenwood Golf Club. The motion was voted upon and agreed by assent. It was therefore –

Resolved – That

(1) the work programme be noted, subject to the inclusion of the additional items discussed under this and previous items.

(2) an additional meeting of Policy and Resources Committee be arranged to consider an item on the Community Asset Transfer of Brackenwood Golf Club.

24 **MINUTES OF SENIOR OFFICER AND APPOINTMENTS STAFFING SUB-COMMITTEE**

Resolved – That the minutes of the meeting of the Senior Officer and Appointments Staffing Sub-Committee held on 15 March 2023 be noted.

25 **STRATEGIC ASSET DISPOSALS**

The Director of Regeneration and Place introduced the report which provided a list of property assets which formed a programme of proposed disposals over the coming years. The report followed the approval of the Asset Strategy by the Committee on 9 November 2022 and the directive of the Department for Levelling Up, Housing and Communities to meet the capitalisation directive.

The Committee discussed the report and concerns were raised regarding the process and the role of Policy and Services Committees in declaring assets surplus to requirements. The Committee was reminded of the urgency in raising capital receipts to pay off the capitalisation directive to the Department for Levelling Up, Housing and Communities within the recommended timeframe, as well as the requirement to dispose of land to support the delivery of the Local Plan and the need to satisfy the Independent Panel of the Council's intent to make timely and strategic decisions.

Following a debate, the Committee agreed to consider the long list of assets and dispose of those where there was unanimity. After considering each asset, it was –

Resolved – That

(1) the following assets be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to consider and determine any responses or objections to the sale of any of these assets which is considered to be open space as defined by Section 123 of the Local Government Act 1972; and progress and conclude sales of the assets on the best terms reasonably possible:

**Oaklands Outdoor Centre, Llanwryst
29 Seaview Road, Liscard
129 – 131 Laird Street, Birkenhead
Land at Pearson Road, Tranmere
Seacombe Library, Liscard Road, Seacombe
Units 10/12/14 Kelvinside, Seacombe
Arrowe Hill Facilities Management Store, Woodchurch
Eastham Youth & Community Centre
Coronation Gardens (Café), West Kirby
Albion Street Lifeguard Station, New Brighton
Hamilton Building, Birkenhead
Dee Lane Kiosk, West Kirby
Marine Technology Park, Tranmere
Manor Road 6, Wallasey
Former Liscard Municipal Offices and adjacent Car Park
Fender Way Former Scout Hut, Beechwood
Price Street Car Park, Birkenhead**

The Committee then considered each asset where members had requested for information or discussion prior to a decision, beginning with those where the discussion could take place within the public session.

The Committee considered the disposal of Holborn Square given the representations made by Tranmere Tunnels Volunteers Ltd (TTVL) and the Birkenhead & Tranmere Community Benefit Society Ltd (BATCBS) and were of the view that the groups should be given time to make a bid for Community Asset Transfer. It was raised that a timeframe should be put on the process to ensure the delivery of the Community Asset Transfer process or otherwise in a timely manner.

On a motion by the Chair, seconded by Councillor Pat Cleary, it was –

Resolved – That

(2) Holborn Square be referred to the relevant Policy and Services Committee to consider the potential for a Community Asset Transfer.

The Committee then considered Bebington Town Hall, Annexe and car park (site of the former) where the case was made that it would be a preferable site

for extra care housing. On a motion by the Chair, seconded by Councillor Phil Gilchrist, it was –

Resolved – That

(3) the site of the former Bebington Town Hall, Annexe and car park be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to consider and determine any responses or objections to the sale of the assets which is considered to be open space as defined by Section 123 of the Local Government Act 1972; and progress and conclude the sale following exploration of the potential for extra care housing.

The Committee considered Bedford Place Cleared Site & Amenity Open Space where concerns were raised over its disposal. It was moved by Councillor Pat Cleary and seconded by Councillor Jo Bird that the matter be referred to the relevant Policy and Services Committee for further investigation. The motion as put to the vote and fell (3:12).

On a motion by Councillor Jeff Green, seconded by Councillor Angie Davies, it was –

Resolved (12:3) – That

(4) Bedford Place Cleared Site & Amenity Open Space be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to consider and determine any responses or objections to the sale of the assets which is considered to be open space as defined by Section 123 of the Local Government Act 1972; and progress and conclude the sale on the best terms reasonably possible.

The Committee considered The Carrs Agricultural Land, Meols and felt that its disposal was contrary to the Council's determination to protect greenspace.

On a motion by Councillor Jean Robinson, seconded by Councillor Jeff Green, it was –

Resolved – That

(5) The Carrs Agricultural Land, Meols be removed from the asset disposal list.

The Committee considered the proposed disposal of Clare Mount Specialist Sports College, Moreton, where it was felt that site contributed to the Playing Pitch Strategy. It was moved by Councillor Pat Cleary, seconded by Councillor Harry Gorman, that Clare Mount Specialist Sports College,

Moreton be referred to the relevant Policy and Services Committee for further consideration. The motion was put to the vote and fell (4:11).

On a motion by the Chair, seconded by Councillor Jeff Green, it was –

Resolved (11:4) –That

(6) Clare Mount Specialist Sports College, Moreton be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to progress and conclude the sale on the best terms reasonably possible.

It was felt by the Committee that the outstanding sites could not be determined within the public session. On a motion by the Chair, seconded by Councillor Angie Davies, 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 item of business on the grounds 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.

The Committee considered the remaining sites and discussed their potential disposal in detail. During the exempt session, it was –

Resolved – That

(7) (12:3) the land at Ditton Lane, Moreton be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to progress and conclude the sale on the best terms reasonably possible.

(8) the Land at Old Clatterbridge Road, Bebington be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to consider and determine any responses or objections to the sale of the assets which is considered to be open space as defined by Section 123 of the Local Government Act 1972; and progress and conclude the sale on the conditions set out by the Committee.

(9) Wirral Business Centre, Dock Road, Wallasey be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to progress and conclude the sale on the conditions

set out by the Committee.

- (10) (11:4) Bromborough Civic Centre be declared surplus to requirements and the Director of Regeneration and Place, in consultation with the Director of Law and Governance, be authorised to consider and determine any responses or objections to the sale of the assets which is considered to be open space as defined by Section 123 of the Local Government Act 1972; and progress and conclude the sale on the best terms reasonably possible.**

Having arrived at three and a half hours since the commencement of the meeting, on a motion by the Chair, seconded by Councillor Jeff Green, it was

–

Resolved (9:6) – That the meeting continues beyond 3.5 hours in duration.

26 **EDSENTIAL DRAFT ANNUAL BUSINESS PLAN REVIEW AND OPTIONS**

The Director of Finance introduced the report which invited the Committee to consider and review the Draft Annual Business Plan submitted by Edsential CIC setting out the current position of the company, its view of the immediate future and steps that it proposes to take to continue trading successfully and compliantly. The report sought approval for the Director of Finance to negotiate any detailed changes to the draft Annual Business Plan and present an agreed version for approval by Policy and Resources Committee.

Following a discussion, it was moved by Councillor Jo Bird, seconded by Councillor Pat Cleary, that the officer recommendations in the report be agreed, with the inclusion of an addition resolution ‘that the Council, in consultation with the other shareholder, request Edsential to prioritise the payment of the Real Living Wage within the overall benefits package for employees, and to present options to the shareholders to this effect in the future.’

The Chair sought the input of the Director of Finance on the implications of the motion, where he advised if both shareholders insisted that the Real Living Wage was paid, Edsential would likely have to change their pricing structure accordingly. To ensure the business remained in a solvent position, the costs would need to be passed onto schools who could potentially look elsewhere for those services, potentially leading to the decline of the business.

The motion was then put to the vote and fell (4:11).

On a motion moved by Councillor Jeff Green, seconded by the Chair, it was –

Resolved (11:4) – That

(1) option 5 as detailed within the report be endorsed to allow Edsential CIC to continue to trade in the manner proposed in the Draft Annual Business Plan.

(2) the Director of Finance be authorised in consultation with the Director of Law and Governance and, so far as is practicable, with appropriate representatives of Cheshire West and Chester Council to agree and approve the content of the Annual Business Plan.

27 COMMUNITY ASSET TRANSFER - WOODCHURCH LEISURE CENTRE

Resolved – That the matter be deferred to a meeting of the Policy & Resources Committee to be arranged as soon as possible after the meeting.

28 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

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 item of business on the grounds 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.

29 HIND STREET DELIVERY

The Director of Regeneration and Place introduced the report.

Resolved – That the recommendations as detailed in the report be approved.

30 EDSENTIAL DRAFT ANNUAL BUSINESS PLAN REVIEW AND OPTIONS - EXEMPT APPENDICES

Resolved – That the exempt appendices be noted.