



Council Supplement

Town Hall
Wallasey

13 April 2012

Dear Councillor

This supplement for the Council meeting to be held at **6.15 pm on Monday, 16 April 2012** in the Council Chamber, within the Town Hall, Wallasey, should be read in conjunction with the Council Summons dated 4 April 2012.

Contact Officer: Mark Delap
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AGENDA

6. **MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 1 - 14)**

To consider matters referred to the Council for determination. The relevant minutes are attached; copies of the related reports can be provided for Council members on request.

In accordance with Standing Order 7(1), these matters will be taken as approved except in respect of any to which objections or amendments are submitted in accordance with Standing Order 7(2).

A. Corporate Governance Committee – 18 January 2012

Minute 26
Review of Code of Corporate Governance

B. Cabinet – 15 March 2012

Minute 351
*Nomination of Mayor and Deputy Mayor for Municipal Year 2012/2012
**Note: this minute requires approval by the Annual Meeting of the Council.*

C. Cabinet – 29 March 2012

Minute 359
Draft Corporate Plan 2012/2013

NOTE: An objection has been received in respect of C above (Cabinet 29 March 2012 – Minute 359) and in accordance with Standing Order 7 (2) is listed within item 11 ‘Matters for Debate’.

(The minutes in respect of A,B and C above were attached to the original Council Summons dated 4 April 2012)

D. Cabinet – 12 April 2012

Minute 394
Armed Forces Community Covenant

Minute 409
Parks and Countryside Services Modernisation Project
– Plant and Equipment Capital Investment Programme

Minute 411
Libraries Champion

Minute 416
Environmental Streetscene Services Contract Financial Review

Minute 425
Committee Calendar for 2012/2013

E. Employment and Appointments Committee – 22 March 2012

Minute 78
Proposed Change to Senior Management Arrangements

F. Report back from Democracy Working Party

Governance Arrangements

G. Report of the Director of Law, HR and Asset Management

NB The ‘New Standards Regime’ report will be presented to the Annual Meeting of the Council

H. Acting Chief Executive and Acting Head of Paid Service

At the date of publication of this Summons, the Chief Executive was absent due to illness. During his absence, the roles of Acting Chief Executive and Acting Head of Paid Service have been undertaken by the Director of Finance, in his capacity of Interim Deputy Chief Executive. The term of appointment of the Director of Finance as Interim Deputy Chief Executive expires on 30 April

2012. If appropriate, Council is invited to consider whether to make further arrangements for the performance of the roles of Acting Chief Executive and Acting Head of Paid Service.

11. MATTERS FOR DEBATE (Pages 15 - 36)

Pursuant to Standing Order 5(2) (n), and in accordance with Standing Order 5(4), to consider written comments, objections or amendments to minutes submitted under Standing Order 7(2), together with those motions, submitted under item 10 above, that the Council agrees to debate at this meeting and any minority reports submitted in accordance with Standing Order 35(4).

The order for debates will be as follows:

1. Motion: The Tory/Lib Dem Coalition Is Out of Touch
2. Motion: An Open and Honest Council
3. Motion: Delivering Services with Empathy, Compassion and Common Sense
4. Motion: NHS Privatisation
5. Motion: Council Improvement
6. Motion: Delivering the Right Conditions for Safer Cycling
7. Motion: Conflicts of Interest in the NHS
8. Motion: Welcome to Wirral
9. Motion: Getting Wirral Trade Centre Ready
10. Motion: Police Cuts
11. Motion: Cruelty Free Council
12. Motion: Income Tax Threshold
13. Motion: Adult Social Care – The Future
14. Motion: Local Authority Mortgage Scheme
15. Motion: Transferring Money from Pensioners to the Rich
16. Motion: New Brighton
17. Motion: Digital Inclusion
18. Objection: Minute 359 (Cabinet – 29 March 2012)
Draft Corporate Plan 2012/2013

12. VACANCIES (Pages 37 - 38)

To receive nominations, in accordance with Standing Order 25(6), in respect of any proposed changes in the membership of the Cabinet and committees, and to approve nominations for appointments to outside organisations.



Director of Law, HR and Asset Management

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REFERRALS TO COUNCIL – 16 APRIL 2012

D. Cabinet – 12 April 2012

394 Armed Forces Community Covenant

A report by the Chief Executive outlined how Wirral Council recognised the enormous contribution which the Armed Forces had made and continue to make to the safety and security of the Nation. The purpose of the report was to further demonstrate that recognition by seeking the Cabinet's approval to 'sign up' to a Wirral Armed Forces Community Covenant.

The report also sought the Cabinet's approval for the nominations of Armed Forces Champions at both Member and Officer levels.

RESOLVED: That

- (1) the contents of the report be noted;**
- (2) the intention to sign up to the Draft Armed Forces Community Covenant on Armed Forces Day, 30 June 2012 be endorsed**
- (3) subject to the Council's approval, each Mayor elected be also nominated as Elected Members' Armed Forces Champion;**
- (4) the recommendation that the Health, Safety and Resilience Manager continue as the Armed Forces Champion be endorsed and he be thanked for his hard work;**
- (5) the Armed Forces Champion be requested to establish a Wirral Armed Forces and Veterans Forum; and**
- (6) agreement be given to progress being reported, via an annual report by the Chief Executive and the Brigade Commander.**

409 Parks and Countryside Services Modernisation Project - Plant and Equipment Capital Investment Programme

A report by the Director of Technical Services sought approval for the proposed plant and equipment capital investment programme to modernise the Parks and Countryside Service.

The Parks and Countryside Service Modernisation Project was a complex multi-disciplinary project with the purpose of establishing a modern, cost effective and efficient service comparable to that offered by the private sector by Spring 2013.

An Outline Delivery Plan was endorsed by Cabinet at its meeting on 24 November 2011 (Minute No. 205 refers) and has been set out under four key workstreams all reporting to a Project Board:

- Policy, Processes and Performance
- Human Resources
- Assets
- Communication and Engagement

A progress report on the modernisation of the service and achievement of the Delivery Plan has also been considered at this Cabinet meeting. (Minute No. 404 refers)

At the Cabinet meeting on 12 January 2012 approval was given to use £500,000 of the existing Capital Programme allocation for Cultural Services assets to purchase plant and equipment necessary to deliver the Highways Grounds Maintenance aspect of the Parks and Countryside Service from 1 February 2012 (Minute No. 261 refers).

This report now sought approval for a comprehensive programme of investment in plant and equipment to enable the modernisation and continuous improvement of the Parks and Countryside Service.

RESOLVED: That

(1) subject to the agreement of the Council:

(a) the proposed Plant and Equipment Capital Investment Programme outlined in the report be approved;

(b) the corresponding amendment of the Council's Capital Programme be approved;

(2) the report be referred to Council for ratification;

(3) officers be thanked for their hard work on this project; and

(4) the Deputy Director of Technical Services be instructed to prepare a note on the project costs for Councillor J Green.

411 Libraries Champion

A report by the Director of Finance sought the approval of Members to appoint a Libraries Champion in response to the proposal made in the 2012/13 Budget.

RESOLVED:

That Council be recommended to appoint Councillor D McCubbin as Libraries Champion.

416 Environmental Streetscene Services Contract Financial Review

A report by the Director of Technical Services referred to recent amendments to the Council's Contract Procedure Rules to include a requirement that all financial variations (of over £50K for the life of the contract) be reported to the Cabinet. The report summarised all relevant financial variations to the Environmental Streetscene Services Contract that had been authorised by the Cabinet, from the inception of the contract in August 2006. The Contract had been awarded to Biffa on 8 May 2006 (Minute No. 598 refers).

The report also highlighted an adjustment required to the 2011 – 2012 waste collection and disposal budget in order to fully fund the waste disposal and treatment costs of all waste collected from Council run premises. The Cabinet approved an initial estimate of £70,000 on 22 February 2010. The additional growth of £53,000, now required in the Technical Services Waste budget, would be offset by a corresponding reduced waste levy requirement.

The Cabinet was requested to approve the Property Count Uplift applicable from 2011/2012.

RESOLVED: That subject to the agreement of the Council:

- (1) the budget growth for 2012/13 onwards totalling £14,100 associated with the Property Count Uplift adjustment as described in section 3.2 of this report be approved;**
- (2) the budget growth for 2012/13 of £53,000 to fully fund the disposal and treatment costs of the Council's own waste arisings as detailed in section 4 of the report be approved; and**
- (3) all financial variations to the Environmental Streetscene Contract over the value of £50,000, in accordance with Contract Procedure Rules 16A.2 and 16A.3, as detailed in section 6 of the report, be noted.**

425 Committee Calendar for 2012/2013

A report by the Director of Law, HR and Asset Management recommended dates for Council, Cabinet and Committee meetings for the Municipal Year 2012/2013. The draft Calendar of Meetings was attached as Appendix A to the report. The report also described various issues that had been taken into account in compiling this draft Calendar of Meetings.

Members considered that neither Council nor Committee meetings should be held in April, during purdah (the pre election period), when election campaigns were underway. Council elections were held in three out of every four years. Although, there were no Council elections in May 2013 it was considered that Council and Cabinet meetings should not be scheduled in April so that this new discipline could be brought into force and so that the Calendar of meetings could

then be rolled forward each year and follow a similar pattern to that of the previous year.

Members also noted that there were very few meetings scheduled between June and September and considered that this was too big of a gap.

RESOLVED: That the Council be recommended to:

- (1) consider the comments made by the Cabinet; and**
- (2) ask Officers, in the light of the Cabinet's comments, to amend the draft Calendar of Meetings for the Municipal Year 2012/2013 accordingly, for consideration and adoption at its Annual Meeting.**

E. Employment Appointments Committee – 22 March 2012

78 Proposed Change to Senior Management Arrangements

Further to minutes 33 and 36 (29 September 2011), the Acting Chief Executive reported upon proposed changes to the Council's senior management arrangements in relation to the roles of Chief Executive, Head of Paid Service and Monitoring Officer that were considered necessary and prudent in view of the absence of the Chief Executive due to ill health.

Under the Council's current senior management arrangements, where the Chief Executive was absent or otherwise unavailable for work, the Council's Director of Finance/Section 151 Officer assumed the role of 'Acting Chief Executive/Head of Paid Service'. However, recent absences at a senior level had highlighted the need for the Council to increase its senior management capacity in relation to the roles of Chief Executive/Head of Paid Service and Monitoring Officer. It was therefore proposed that, subject to the approval of the Council, the Acting Director of Children's Services be appointed the Acting Deputy Chief Executive/Head of Paid Services to act in the absence or unavailability of the Acting Chief Executive/Head of Paid Service or where the Acting Chief Executive/Head of Paid Service was unable to act due to a conflict of interest.

It was also proposed that the Head of Legal and Member Services be appointed Deputy Monitoring Officer in the absence or unavailability of the Monitoring Officer. However, the Head of Legal and Member Services was currently the Council's Scrutiny Officer, which was a statutory role and a Council Officer could not be both Deputy Monitoring Officer and Scrutiny Officer simultaneously. Accordingly the Head of Legal and Member Services would formally relinquish the role of Scrutiny Officer and it was therefore proposed, subject also to the approval of the Council, that the Democratic Services Manager be appointed to the role of Scrutiny Officer.

Resolved – That Committee recommends to the Council –

- (1) That the Acting Director of Children’s Services be appointed the Acting Deputy Chief Executive/Head of Paid Service to act in the absence or unavailability of the Acting Chief Executive/Head of Paid Service or where the Acting Chief Executive/Head of Paid Service is unable to act due to a conflict of interest.**
- (2) That the proposed appointment of the Deputy Monitoring Officer be noted.**
- (3) That the Democratic Services Manager be appointed as the Council’s Scrutiny Officer.**

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WIRRAL COUNCIL

16 APRIL 2012

SUBJECT:	REPORT OF THE DEMOCRACY WORKING PARTY - CHANGING GOVERNANCE ARRANGEMENTS
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 A letter dated 9 March 2012 from the Department of Communities and Local Government to the Chief Executive has highlighted the flexibility provided by the Localism Act on the way in which the Council can conduct its business. It also informs that the Government intends to bring the further provisions of the 2011 Act, and associated secondary legislation, needed for councils to operate the committee system into force from 4 May 2012.
- 1.2 The letter goes on to say that if the Council wishes to put proposals for some novel form of governance arrangements to the Secretary of State, it should submit the proposal setting out how it considers the following statutory conditions would be met -
- that the operation of the proposed arrangements would be an improvement on the council's current arrangements;
 - that the operation of the proposed arrangements would be likely to ensure that decisions are taken in an efficient, transparent and accountable way; and
 - that the proposed arrangements would be appropriate for all councils or any particular description of council.
- 1.3 Any submission will need to describe how and by whom the functions of the Council are to be discharged under the proposal and the arrangements for delegation.
- 1.4 The Council can keep the Strong Leader and Cabinet Executive model it has at present, or opt for a Committee system, or for some kind of a hybrid arrangement. However, councils preferring to adopt a hybrid model may have to seek the approval of the Secretary of State.
- 1.5 This report details the work required and the progress made by the Democracy Working Party to put the Council in a position where it can change its governance arrangements from the 2013/14 Municipal Year.

2.0 THE LOCALISM ACT 2011

2.1 The Localism Act specifies that, in order to change from a Cabinet System to a Committee System, local authorities must:

- pass a resolution to change their governance arrangements;
- as soon as practicable after passing the resolution, make the provisions of the new arrangements available for inspection; and
- publish in one or more newspapers circulating in the area, a notice which describes the features of the new system and timescales for implementation.

2.2 Having passed a resolution and complied with the publicity requirements above, authorities are required to cease operating their old form of governance arrangements and start operating their new arrangements. This must take place “at the relevant change time” which, in the case of a move from a cabinet system to a committee system, is defined as:

- (a) the first annual meeting of the local authority to be held after the resolution to make the change in governance arrangements is passed; or
- (b) a later annual meeting of the local authority specified in that resolution.

2.3 Once a council passes a resolution to change its governance arrangements, it may not pass another resolution to change from one form of governance to another (e.g. from a Committee System back to a Strong Leader and Cabinet model of governance) for five years, unless a referendum is held on the issue and a majority of those electors voting support the proposed change.

3.0 BACKGROUND

3.1 On 14 February 2011 the Council welcomed the anticipated flexibility being provided to local authorities through new measures set out in the Localism and Decentralisation Bill which was published on 13 December 2010 and particularly the proposal for the delegation of significant amounts of executive authority to Members.

3.2 The Council was of the view that steps should be taken to enhance the role of all Members by preparing to move towards a modernised committee structure, creating a more democratic Council with the opportunity for all Members to be involved in making real decisions on matters that affect their residents and being held accountable for them. Consequently, the Director of Law HR and Asset Management was instructed to immediately begin holding and facilitating discussions between the three Party Leaders to develop a new governance model for Wirral, within existing resources, to be ready to come into operation at the earliest opportunity within the 2011/12 Municipal Year once the relevant legislation was in place.’

3.3 The Council established an all Party Democracy Working Party on a 2:2:2 basis at its meeting on 17 October 2011 with the following terms of reference:

'To seek to achieve consensus on the most appropriate form of democracy within the Council, taking into account the strengths and weaknesses both of the old Committee System and the current Cabinet System, and of any legislation and subsequent regulations as these become known.' (Minute No. 51 refers.)

- 3.4 The Council also asked that any new system, that had all Party approval, be prepared ready for adoption at its Annual Meeting, in May 2012 or as soon thereafter that the enactment of the Localism Bill and any subsequent regulations allowed.
- 3.5 The Democracy Working Party began to meet regularly and made good progress. The Council considered a report by the Director of Law, HR and Asset Management on this at its last meeting. (See paragraph 3.7 below.)
- 3.6 At the Budget Cabinet meeting held on 20 February 2012, when proposing the Council's 2012/13 Budget, the Leader of the Council stated that:

"We will ensure our business is conducted in the most transparent manner possible involving as many Council Members as possible. We today instruct the Director of Law, HR and Asset Management to bring forward at the earliest possible opportunity a report detailing how this Council will return to the Committee System to ensure that decision making rests in the hands of the many not the few." (Minute No. 137 refers.)

- 3.7 At the Council meeting on 1 March 2012 the Director of Law, HR and Asset Management presented a report about changing governance arrangements and, in particular about a proposed reintroduction of a Committee System, which would involve all Member decisions being made by committees made up of Members from all political groups to reflect the political balance of the authority. However, because of the lateness of the hour and the need for the matter to be fully debated, consideration of the report was deferred to 7 March 2012 when the Council reconvened (Minute No. 134 refers).
- 3.8 At the reconvened meeting of the Council on 7 March 2012 consideration was given to the following motion, moved by Councillor T Harney and jointly seconded by Councillors J Green and S Foulkes, and it was resolved:

'That

Council notes the Report of the Director of Law, HR and Asset Management and welcomes the progress made following the Council decision of 14 February, 2011.

Council thanks all those who have contributed to the work to date including members of the Democracy Working Party.

Council recognises that it does not at this time have sufficient information to make any substantive decisions concerning a possible change to its governance arrangements.

Council resolves:

- (1) To refer the report to the Democracy Working Party (DWP) to progress this matter.
- (2) To ask the Democracy Working Party to continue its work and report to Council in April.
- (3) The report of the Democracy Working Party will contain a risk assessment of any proposals or options outlined in the report, an analysis of the benefits of piloting a new system prior to its introduction, and an assessment of the financial and staffing implications.
- (4) To authorise the Director of Law, HR and Asset Management to discharge the costs of any external advice from balances.
- (5) The Director of Law, HR and Asset Management is also requested to explore whether organisations such as the Local Government Association could provide advice and assistance.
- (6) The Democracy Working Party be asked to include consultation with the public as part of further work on the new governance arrangements.'

4.0 THE DEMOCRACY WORKING PARTY

- 4.1 The Council established the Democracy Working Party with a view to it reaching a consensus on a recommendation to be put forward on the most appropriate governance arrangements for the Council to adopt. The Working Party has met, so far, on nine separate occasions and has made good progress. It has examined the draft schemes of delegation for Brighton and Hove City Council and the London Borough of Sutton. It has also met with the Head of Democratic Services at Brighton and Hove City Council to discuss its proposed new Committee System and related issues, looked at best practice and how to avoid any pitfalls. A draft Constitution has been prepared and work in a number of areas is well in hand but Members have not yet studied the detail of that work. Consequently, the Working Party is not yet in a position to recommend any governance model to the Council for adoption.
- 4.2 It had been hoped that the Democracy Working Party may be able to conclude its work in sufficient time for the Council to introduce a new governance model at its Annual Meeting on 14 May 2012. Unfortunately, this is not the case, as the timetable to bring this about is too tight and there is still a considerable amount of work to do. Although there is clearly an appetite for change, the Working Party has agreed that the risks associated with it need to be thought through and mitigated. To do this a risk register (which is currently in the first draft stage) must be completed and agreed. The Working Party has yet to come to an agreement on a new structure and meeting cycle. Following on from this, it will also need to propose a Calendar of Meetings. Therefore, it wants to spend some time on these matters to ensure that what it proposes is fit for purpose. It also wants to facilitate the drawing up a robust Constitution to take the Council forward.

- 4.3 Public consultation on any proposed governance changes must be undertaken, in accordance with the Council's Constitution, and there is not sufficient time available to do this and report the results to the Council in the current Municipal Year.
- 4.4 With effect from 4 May 2012, the obligation to have an Overview and Scrutiny Committee has been removed. However, some Members are interested in retaining some elements of the scrutiny function and the Democracy Working Party has work still to do on this. Any return to a Committee based system or a more hybrid model involving decision making committees to replace the current Executive arrangements will have to have regard to expected secondary legislation which will provide detail about the delegation of powers.
- 4.5 The Council has recognised that it has improvement needs and is working with the Local Government Association on this. It has put in place an Improvement Board to provide support and help continue to improve performance. The Improvement Board is providing advice and informing of best practice and what works well in other local authorities. The Democracy Working Party is keen to work with the Improvement Board and to receive its endorsement to any recommendations it puts forward regarding the future governance arrangements of the Council.
- 4.6 Under these circumstances, the Democracy Working Party has concluded that it is not practical to make any changes to the Council's governance arrangements to come into force in May 2012.
- 4.7 The three Party Leaders attended the last meeting of the Democracy Working Party and gave a joint commitment to the work of the Democracy Working Party continuing.
- 4.8 Since the Democracy Working Party's last meeting Officers have become aware of some research being undertaken by the Centre for Public Scrutiny (CfPS). CfPS intends to publish a report, later this month entitled 'Musical Chairs' which will examine the opportunities and pitfalls presented by the Localism Act 2011 to move away from Strong Leader and Cabinet models. The Working Party may wish to consider this report.

5.0 RELEVANT RISKS

- 5.1 Risks and opportunities relating to any change to decision making arrangements will be considered and planned for using the council's approved risk management methodology. Further work will be undertaken on risk assessments and the draft risk register.

6.0 OTHER OPTIONS CONSIDERED

- 6.1 The Council could decide that there is insufficient benefit in continuing the work necessary to introduce a different system of governance.

7.0 CONSULTATION

- 7.1 A Member/Chief Officer survey has already been carried out with a 79% return rate. The findings were that 70% of those who responded to the survey said they would prefer the Council to have a Committee System.

7.2 As proposals for new decision-making arrangements are developed, the relationship of the Committees with the Local Strategic Partnership and other partnerships will need to be considered and addressed.

7.3 The Localism Act does not require the Council to consult with local people on a proposal to move to a different form of governance. However, the Council's Constitution states that a public consultation must be carried out over any proposal to change the Council's governance arrangements.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 None

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There is limited officer capacity available to carry out the work required. Therefore, a Legal Advisor from Weightmans has already been appointed on a fee of £16,600 to provide advice and assistance to the Democracy Working Party to undertake work relating to a potential change in the Council's governance arrangements. He is redrafting parts of the Constitution.

9.2 If the Council agrees to adopt alternative governance arrangements there will be costs associated with the work that must be carried out by the Independent Remuneration Panel to produce a new Scheme of Members' Allowances. The Chair of the Panel is the only Panel Member who will receive payment for the work, but all Panel Members will receive payment for out-of-pocket expenses. The total cost of convening the Panel is expected to be in the region of £3000.

9.3 If the Council agrees change its governance arrangements and more meetings result from this, then, there may be a requirement for an increase in democratic support. This may be offset by changes to overview and scrutiny arrangements but that will depend on whether scrutiny will be part of the new model of governance. In addition printing costs may increase.

10.0 LEGAL IMPLICATIONS

10.1 The Localism Act describes the process that needs to be followed to change governance arrangements. This is set out above. A change in governance arrangements will require the Council's Constitution to be redrafted.

11.0 EQUALITIES IMPLICATIONS

11.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are implications associated with a possible increase in meetings as a result of new governance arrangements e.g. heating, lighting, extra journeys made by

Members' attending more meetings at the Town Hall. There may be an increase in the number of agendas printed, paper, ink and electricity used.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 None.

14.0 RECOMMENDATIONS:

14.1 The Democracy Working Party recommended unanimously that the Council be recommended to agree that:

- (a) it is not practical to introduce new governance arrangements from the beginning of the 2012/13 Municipal Year;
- (b) the Democracy Working Party be asked to continue with its work, with a view to making recommendations and ensuring everything is in place to enable a possible change to the Council's governance arrangements, from the 2013/14 Municipal year and in so doing:
 - (i) draw up a time specific work programme to be rigidly adhered to;
 - (ii) investigate and review all possible governance arrangements, looking particularly at the scrutiny function, and consider the possibility of adopting a hybrid model as an alternative to a committee system, having regard to the pros and cons of each;
 - (iii) agree the constitutional changes required;
 - (iv) continue with its work on risk assessments and draw up an agreed risk register; and
 - (vi) agree the timing of and carry out a two stage public consultation exercise, firstly on key principles and secondly on its preferred model of governance.
- (c) the Democracy Working Party, in fulfilling its remit, is to work very closely with the Improvement Board with a view to receiving its endorsement, to the recommendations that it puts forward, regarding the future governance arrangements of the Council.

18.0 REASON/S FOR RECOMMENDATION/S

18.1 To ensure that it has the agreement of the Improvement Board and that all necessary work has been completed so that the Council has arrangements in place and a new Constitution if it resolves to change its model of governance from the beginning of the 2013/14 Municipal Year.

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APPENDICES

None

REFERENCE MATERIAL

Letter from the Department of Communities and Local Government to the Chief Executive dated 9 March 2012.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	14 February 2011
Council	17 October 2011
Budget Cabinet	20 February 2012
Council	1 and 7 March 2012
Democracy Working Group	15 November and 1 December 2011, 10 and 18 January, 9 February, 14, 23 and 29 March and 3 April 2012

Council – 16 April 2012

MATTERS FOR DEBATE

The Council is asked to consider the following motions, submitted in accordance with the notice required by Standing Order 8(1) and objections and amendments submitted in accordance with Standing Order 7(2).

The order of business is as determined by the party groups in accordance with Standing Order 5(4) and the times for speeches by Standing Order 12(8). All other speakers have 3 minutes.

1. MOTION: THE TORY/LIB DEM COALITION IS OUT OF TOUCH

Proposed by Councillor Phil Davies (7 minutes)

Seconded by Councillor Steve Foulkes (3 minutes)

This Council believes that the Tory/Lib Dem coalition currently in power nationally and locally is out of touch with the views of ordinary people.

Out of Touch on the Economy

In the recent Budget David Cameron prioritised a tax cut for the richest 1% over help for struggling families.

The Budget also included a hidden raid on pensioners. David Cameron's 'granny tax' means nearly 4.5 million pensioners lose an average of £83 a year next April. And people turning 65 next year will lose up to £323.

Council supports Labour's call for a change of course in favour of adopting a 5-point plan for jobs and growth, which includes a tax on bank bonuses to fund a real jobs guarantee for all young people out of work for a year.

Out of Touch on Police and Fire Services

As a result of Tory/LibDem cuts, in Merseyside 624 police officer posts have been slashed and by 2015 five fire stations could have to close and 150 fire-fighter posts deleted.

Council calls on the Tory/LibDem coalition government to reverse these damaging cuts so that people in Merseyside can feel safe.

Out of Touch on the NHS

The Tory/LibDem coalition is also wasting billions on a damaging NHS reorganisation – opposed by patients, nurses and doctors – that will do nothing for patient care and which David Cameron promised wouldn't happen.

Instead of wasting billions on a damaging and unnecessary reorganisation, Labour would save the money and protect 6,000 nurses jobs. Labour would put patients first, protect the frontline and support the right kind of reforms needed to address the long-term challenges of the NHS.

Out of Touch on Wirral Council

The Tory/LibDem coalition running Wirral Council has slashed 1200 local authority jobs – more than one-fifth of the workforce. Their budget for 2012/13 will put 135 jobs at risk; offer a one-off election bribe; lead to an automatic rise in the Council Tax next year; and provide less money for Council services.

Labour's budget proposed a 0% increase in Council Tax; extra jobs for young people; £5 million to invest in savings next year; more appropriate care for the elderly; improving anti-social behaviour services; tackling fly-tipping and improving road safety.

Council believes that on all of these key issues the Tory/LibDem coalition is out of touch and, as a result of these failures, they should be out of office.

AMENDMENT

Proposed by Councillor Tom Harney (7 minutes)

Seconded by Councillor Dave Mitchell (3 minutes)

Delete title and replace with: "Wirral Labour is Out of Touch"

Delete all text after "This Council believes that the" and replace with:

Labour Party in Wirral is out of touch with the views of ordinary people.

Council notes that, since last May, when Labour took over the running of the Council, their performance was poor, as evidenced by;

- Their inadequate response to the AKA report
- Their lack of progress on delivering 20mph zones
- Their rejection of the PACSPE process and significant additional costs incurred
- Their incoherent approach to developing the Corporate Plan
- Their approach to budget setting, including the production of budget proposals as an item of 'AOB'
- Their failure to listen to the response to their own budget consultation, where a clear preference for a council tax reduction was expressed
- Their failure to support a £4m boost to the local economy through a Council Tax discount

Council also notes that, when the other Parties realised how bad things had become, Labour were removed from leading the Council, in favour of new working arrangements that allowed all the political Parties to work together in an All-Party Cabinet to help the Council improve.

Council is dismayed that Labour have chosen to react to the worst crisis in the Council's history by running away from their responsibilities and refusing to take up their seats in the All-Party Cabinet now running the Council.

Council believes that most people want politicians to work together in the best interests of the Borough – and that Labour are out of touch by refusing to work with others, choosing instead to make opportunistic political attacks, denying any

responsibility for the mess they created and failing to come up with any positive alternatives of their own.

Council also believes that Labour is out of touch with their Party nationally, especially now that Ed Miliband and Ed Balls have admitted that cuts are necessary and have finally admitted that Labour would not restore the cuts that have been made to clear up their mess in government.

Right of Reply: Councillor Phil Davies (7 minutes)

2. MOTION: AN OPEN AND HONEST COUNCIL

Proposed by Councillor Jeff Green (7 minutes)

Seconded by Councillor Lesley Rennie (3 minutes)

Council notes that its reputation among staff and taxpayers has been hit by a failure to be open and honest with the people we serve about the problems within the organisation, including two PIDA reports; a Red Flag from the Audit Commission; intervention using the Libraries Act; a damning CQC Report and ongoing weaknesses in corporate governance.

Council believes that all parties must work together to tackle these serious failings and welcomes the work so far that has also:

- Returned £4 million to the local economy through a cut in Council Tax
- Helped the over 70s with an additional Council tax reduction
- Supported services for families including Sure Start
- Given greater opportunity for local communities to tackle issues in their neighbourhoods
- Supported our returning veterans
- Doubled the size of the Dog Fouling Enforcement Team

Council believes that, even in these tough times as the country tackles Labour's legacy of debt, the needs of the people in the Borough can be met and only by being honest about our past failings can those weaknesses be addressed.

AMENDMENT

Proposed by Councillor Phil Davies (7 minutes)

Seconded by Councillor Pat Hackett (3 minutes)

Delete all and replace with the following:-

An open and honest Council, working together, recognises and acknowledges its joint responsibility for the actions of its elected Members and Senior Officers. In so doing it should not resort to trying to con the Wirral public with illusory financial gains which bear no relation to the impact of the national led Tory-Lib Dem coalition cuts which will hit Wirral families severely.

Council recognises that:

- A one-off £30 per household cut in Council Tax is totally negated by families in Wirral losing their Working Families Tax Credit of an average of £580 per year

- Council Tax will increase next year by 0.48%
- The over 70's are being hit by tax hikes, fuel and VAT rises whilst millionaires receive tax cuts of £40,000
- £100 million has been slashed over three years from funds for vital Council services
- Local residents' safety is being put at risk through cuts to police and fire services
- £4m has been cut from the Council's budget to bribe voters with a one-off Council Tax rebate, using money which was earmarked for protecting services in the future
- 1200 jobs have been axed from the Council, funded by a loan of £4.4m from government to fund redundancy payments and damaging local services
- £19m has been slashed from services for vulnerable adults
- The NHS is being carved up and privatised.

Council believes that the climate of austerity, leading the Country into double dip recession and record unemployment is a national disgrace on which the Wirral public will rule at the ballot box shortly.

Right of Reply: Councillor Jeff Green (7 minutes)

3. MOTION: DELIVERING SERVICES WITH EMPATHY, COMPASSION AND COMMON SENSE

Proposed by Councillor Stuart Kelly (7 minutes)

Seconded by Councillor Tom Harney (3 minutes)

1. Council notes the reported catastrophic break down of services designed to support vulnerable people and the ongoing improvement work with the LGA to restore some resemblance of normality back into Wirral Council's management processes in these areas.
2. Council also notes how some departments assess the impact of their outward facing services by using techniques such as mystery shopping and believes this to be a useful tool in understanding our service delivery from the point of view of the customer.
3. Council believes that the problems our customers and clients have suffered at the hands of poor council management is often due to a culture that is unable to empathise, show compassion or apply common sense to service decisions affecting the lives of service users.
4. Council further notes the recent study by consumer association 'Which' into home care services for the elderly and how, as an independent organisation, this study has been able to highlight poor quality and practice in service delivery.
5. Council welcomes organisations such as 'Which' looking at public services in the same way as other goods and services and subjecting them to the same sorts of tests and believes this is especially important where there is no, or limited, consumer choice - such as with services provided by the Council.

6. Council, therefore, resolves that the following actions should be undertaken and requests the Leader to instruct the Chief Executive to prepare an action plan to:
- (a) Ensure service managers and staff in direct contact with service users are sufficiently trained and equipped to provide empathy, compassion and common sense to customers in the delivery of services.
 - (b) Take immediate steps to monitor services from the point of view of the customer and to report the findings to future appropriate meetings of the Council and its Committees
 - (c) Draw on the experience and expertise of organisations such as 'Which' and to approach 'Which' to investigate whether they would be interested in undertaking a piece of work to independently assess customer experiences of Wirral Council services.
 - (d) Review existing Council policy documents, criteria, and procedures, in consultation with service users and customers, to test their flexibility and 'customer friendliness' making improvements, as appropriate.

AMENDMENT

Proposed by Councillor Anne McArdle (7 minutes)

Seconded by Councillor Pat Glasman (3 minutes)

Delete all and replace with the following:-

1. Council accepts that some of our outward service delivery falls below the standards we should be willing to accept and in line with the ongoing work on improving corporate governance we should urgently consider ways to improve our delivery of services so that it is consistently good across all departments.
2. Council notes that some departments already assess the impact of their customer services by using tried and tested techniques such as mystery shopping and surveys.
3. Council therefore believes that we should look at these and other models with a view to disseminating and establishing systems where good practice is the norm and not the exception.
4. Council therefore resolves that the Acting Chief Executive should take the following actions:-
 - (a) Ensure that all staff in direct contact with service users receive appropriate customer care training.
 - (b) That good practice is disseminated across the Council; and
 - (c) Review existing Council policy documents, criteria and procedures in consultation with service users and customers to test their flexibility and customer friendliness making improvements as appropriate

Right of Reply: Councillor Stuart Kelly (7 minutes)

4. MOTION: NHS PRIVATISATION

Proposed by Councillor Adrian Jones (7 minutes)

Seconded by Councillor Pat Glasman (3 minutes)

This Council:-

- (i) Expresses its grave concern at the impact on Wirral residents of the Health and Social Care Bill passed recently by Parliament.
- (ii) Notes the extensive opposition from professional bodies representing doctors, nurses and allied health care staff. Their support in delivering any future health care reforms will be crucial and the current absence of that support is a matter of regret and anxiety amongst the public.
- (iii) Recognises that the introduction of a top down structural re-organisation of the NHS at a time that both NHS and the Dept of Adult Social services are working hard to implement integrated patient/carer user services is a distraction and waste of public money which could be put to better use. This undermines both the need for greater clinical cooperation and to find common solutions across health and social care to the enormous financial and demographic challenges we face. In Wirral this is especially crucial given the grave differences in health outcomes and life expectancy across the Borough and the cuts in funding it is currently experiencing.
- (iv) Agrees that the NHS was, and remains, the backbone of dramatically improved health care for millions of UK citizens "from the cradle to the grave". Recognising, until lately, that it would mean political suicide to dismantle, in pursuance of private health care businesses, what belongs to the whole of the UK people, Tory leaders have paid lip-service to the NHS.
- (v) Notes that in his pre-election promise to the UK people David Cameron publicly declared: "*There will be no more top-down reorganisation of the NHS*"- shortly before initiating the biggest "top down" reorganisation it has ever faced. The LibDem/Tory collaboration government now seeks to "modernise" the National Health Service backwards by replacing an integrated national "not for profit" service with a chaotic patchwork of localised competitive hospitals and GP consortia motivated by "market forces" dogma.
- (vi) Further notes that the LibDem/Tory government's decision to dismantle the NHS is fundamentally at odds with the Beveridge principles to which the former Liberal Party contributed so much.
- (vii) Welcomes the LibDem Party's Spring Conference decision to reject its Parliamentary Party's collaboration with Tory privatisation plans for the NHS. It is however extremely regrettable that LibDem MPs ignored this and voted with their Tory allies to pass this Bill. Furthermore, the changes to the legislation in its passage through Parliament have resulted in chaotic, inconsistent and incoherent arrangements which are forcing GPs to spend more of their time on management and administration, leading to a less effective Primary Care service.

In the light of the absence of any mandate from the public for these changes and given that the NHS had the highest approval ratings in its history at the time of the last General Election, Council agrees to lobby Wirral MPs to repeal this legislation at the earliest opportunity.

AMENDMENT

Proposed by Councillor Phil Gilchrist (7 minutes)

Seconded by Councillor Ann Bridson (3 minutes)

Delete all text and replace with:

1. This council notes the record of the last Labour Government in supporting private sector involvement in the NHS:
 - (a) Labour paid private providers on average 11% more than the NHS for the same service and allowed patients to be treated by private providers in Independent Sector Treatment Centres;
 - (b) Out of hours work was handed over to the private sector;
 - (c) Labour wasted £12 billion on a computer system that never even worked. With this money they could have paid the salaries of 60,000 nurses for a decade;
 - (d) Under Labour £250 million of patients' money went to private providers to pay for operations they didn't even perform;
 - (e) Under Labour private providers were given fixed payments for care completed, they could pick easy to treat cases, undercut the NHS and pocket the profit;
 - (f) Private consultancy costs reached £314 million under Labour, an increase of 78% since 2007;
 - (g) Under Labour children living in the poorest areas of the country could expect to live seven years less than a child in the richest;
 - (h) Labour left the present Government a £60 billion bill for the NHS from PFI (Private Finance Initiative) contracts.
2. This council notes that Labour's 2006 NHS Act allowed private providers to compete with the NHS on price, and notes that Liberal Democrats have stopped this, ensuring that any competition will now be based on quality of care, not price.
3. Council further notes that the Health Bill comes after more than a decade of Labour mismanagement of the NHS during which time, billions were wasted on failed ICT systems, budgets spiraled out of control and parts of the NHS were taken out of public control.
4. Council also notes the other work carried out by Liberal Democrats in supporting our NHS including:
 - (a) Amending the Bill so that private providers can't cherry-pick easy, profitable cases;
 - (b) Ensuring that there are no favours for the private sector – outlawing Labour's record of paying private providers above and beyond the NHS price;
 - (c) A new duty for every part of the NHS to tackle health inequalities;

- (d) Securing changes to the new health regulator, Monitor, so that its primary purpose will be protecting patient's interests, not promoting competition;
 - (e) Making sure that the Secretary of State keeps a responsibility to maintain a universal, comprehensive health service
5. Council also recognises Lib Dem achievements in ensuring local democracy has a greater influence in the health service, including:
- (a) The return of much of the public health system to its rightful place in local government;
 - (b) Greater democratic accountability over the Health service through Health and Well Being Boards;
 - (c) For the first time ever, Overview and Scrutiny Committees will be able to scrutinise all health service providers - including any private providers.
 - (d) Securing changes to the Bill so that Foundation Trusts cannot focus on private income at the expense of NHS patients.

Right of Reply: Councillor Adrian Jones (7 minutes)

5. MOTION: COUNCIL IMPROVEMENT

Proposed by Councillor Jeff Green (7 minutes)

Seconded by Councillor Lesley Rennie (3 minutes)

Council welcomes the support of the Local Government Association (LGA) and the creation of the LGA Wirral Improvement Board.

Council notes the Improvement Board is a partnership between Wirral Metropolitan Borough Council and the Local Government Association which will provide oversight, support and challenge to Wirral's improvement.

Council welcomes the Board's aims in supporting the Council to:

- Demonstrate its ambitions for its local communities
- Drive forward its plans for improvement in corporate governance and services in a timely way
- Prioritise what is most important
- Create the capacity and plans to embed lasting improvements and culture change
- Deliver improved services within realistic spending constraints

Council welcomes the Improvement Board's role to:

- Provide support and guidance
- Identify and signpost appropriate good practice
- Provide challenge and act as a critical friend
- Ensure the contributions from different external agencies/bodies to Wirral's improvement journey are coordinated
- Ensure there is a single, integrated and holistic improvement plan that can be clearly understood and communicated internally and externally
- Endorse decisions which impact on political and managerial leadership arrangements, corporate governance and improvement in advance of them going through Wirral's own decision-making structures, eg. Cabinet or Council.

Council further notes that attendees of the LGA Wirral Improvement Board will include the Council Leader and Leaders of the other two main political parties.

AMENDMENT

Proposed by Councillor Phil Davies (7 minutes)

Seconded by Councillor Ann McLachlan (3 minutes)

Add the following at end of motion:-

'Council is disappointed that the Leader of the Council called an additional Cabinet meeting on the 29th March during purdah and failed to publish the papers until a few hours before the meeting commenced. In addition, the Cabinet meeting of the 12th April had an agenda of 53 items, many of which were blatant electioneering by the Tory/LibDem coalition during purdah. A number of items included contentious restructuring proposals which had not been endorsed by the LGA/Wirral Improvement Board.

Council believes that these actions represent extremely poor corporate governance and calls on the Leader of the Council to start taking the improvement agenda seriously and spend less time playing party politics and undermining the standing of the Council.

Council also believes that the Improvement Board will be best served by including the Deputy Leader of the Council in its membership, as per the original terms of reference as agreed with the LGA, as a vital component in driving forward improvements at the decision making level.'

Right of Reply: Councillor Jeff Green (7 minutes)

6. MOTION: DELIVERING THE RIGHT CONDITIONS FOR SAFER CYCLING

Proposed by Councillor Phil Gilchrist (7 minutes)

Seconded by Councillor Alan Brighouse (3 minutes)

1. This Council recognises the commitment of successive Governments to encourage the use of bicycles and that cycling is an extremely efficient form of transport which is good for health and the environment.
2. Council is concerned, however, that the number of cyclists killed on Britain's road this year had risen to eighteen by the third week in March, and is grateful that these individual tragedies have been highlighted by The Times and other newspapers, taking important and welcome steps to raise awareness of the dangers facing cyclists as road users and the steps that can be taken to improve safety and cycling conditions.
3. Council welcomes:
 - (a) the Cycling Strategy adopted by Cabinet, drawing together various funding streams, to improve safety at key locations throughout Wirral

- (b) the close working relationship with the Merseyside Integrated Transport Authority to secure cycle training for all age groups and the funding of Bikeability training by the Government
 - (c) the longstanding contribution that the work of the members of Wirral's Cycle Forum in progressing local schemes that benefit cyclists in Wirral.
4. Council recognises that the highways maintenance budgets include a programme of road repairs and funding to react to potholes and hazards as they are identified.
 5. Council also welcomes the additional funding made available to Area Forums to respond to and target local problems and priorities.
 6. Notwithstanding these provisions and the guidance on tackling 'actionable defects' Council recognises that:
 - (i). potholes represent an especial hazard to cyclists who have to avoid them
 - (ii). the area of highway used by cyclists adjacent to road edges and kerbs always needs to be examined with the needs of cyclists in mind.
 7. Accordingly, Council requests that Wirral's engineers and highway inspectors routinely bear these factors in mind when carrying out their inspections and develop guidelines which fully recognise these issues.
 8. Further, Council urges the Cycle Forum to examine the measures proposed in the 'Times' cyclist manifesto, alongside local evidence about what improvements could be made to improve safety, and to make recommendations to Cabinet (or other such committee as appropriate) about further appropriate measures or actions that could be taken in Wirral to improve safety and cycling conditions.

AMENDMENT

Proposed by Councillor Wendy Clements (7 minutes)

Seconded by Councillor Paul Hayes (3 minutes)

Add in after paragraph 8

9. Council further welcomes the report considered by Cabinet at its meeting of 12th April 2012 '20MPH speed limits in residential areas' and believes adoption of the recommendations contained within that report will further assist in delivering the right conditions for safer cycling.
10. In order to facilitate the implementation of 20MPH speed limits in Wirral's residential areas Council requests:
 - (a) that the Deputy Director of Technical Services ensures a relevant Council Officer attends the 3rd '20's Plenty For Us Annual Conference' on 1st May 2012 and that Rod King, Director of the 20s Plenty Campaign Group be invited to Wirral to give an overview of 20MPH speed limits.

- (b) that the Leader of the Council writes to Chris Boardman MBE asking him to assist the Council in promoting cycling in Wirral and 20MPH speed limits in residential areas.

AMENDMENT

Proposed by Councillor Harry Smith (7 minutes)

Seconded by Councillor Jerry Williams (3 minutes)

At end of paragraph 3 (b) add 'and previous governments'.

Add the following paragraphs:-

9. Council recognises that in the current economic climate many people rely on bicycles as their main mode of transport.
10. Council recognises that cyclists also have a responsibility to keep themselves safe, for example, through the use of high visibility clothing and appropriate equipment.

Right of Reply: Councillor Phil Gilchrist (7 minutes)

7. MOTION: CONFLICTS OF INTEREST IN THE NHS

Proposed by Councillor Darren Dodd (7 minutes)

Seconded by Councillor Anne McArdle (3 minutes)

That Council condemns the Government's decision to force through the Health and Social Care Bill despite not having the support of Doctors and Nurses on the front line and ignoring the 170,000 people who signed a petition urging the Government to 'Drop the Bill'.

Council further notes that the Bill has no safeguards against conflicts of interests despite GP leaders calling for them. This refusal will erode the trust between Doctors and Patients as GPs are forced to decide between the best interest of their patients and the interests of the Commissioning Groups purse. This refusal also allows GPs to set up their own services and commission themselves.

Council therefore calls on the Chief Executive to urgently seek assurances from the three Clinical Commissioning Groups in Wirral that no Commissioning Group Members sit on the Board of, or have a financial interest in, a Health Care Provider from whom they are commissioning services.

Council believes that this is necessary to assure patients in Wirral that they are getting medical advice based on medical need and not financial interest.

AMENDMENT

Proposed by Councillor Phil Gilchrist (7 minutes)

Seconded by Councillor Ann Bridson (3 minutes)

Delete first three paragraphs and replace with:

Council believes that implementation of the Health and Social Care Act will require robust safeguards against conflicts of interest. Council notes that the General Practice Committee of the BMA and the Royal College of General Practice is drawing up guidelines on conflict of interest to guard against damage to GP reputations.

Council notes the governance arrangements for consortia will require all consortia to have a constitution that sets out how the consortium makes decisions, how it deals with conflicts of interest and how it ensures effective participation of all its members.

Council also notes that the Lib Dem Spring Conference called for the continued separation of the commissioning and provision of services to prevent conflicts of interests between GPs as providers and purchasers.

Recent press coverage has also highlighted concerns over GPs shares in private healthcare firms and warned that this could diminish patient trust and lead to more NHS services being run by private operators.

Council agrees that it is really important that GP consortia operate above reproach and suspicion, by ensuring tough mechanisms - consistent with the Nolan principles used elsewhere in public life - are put in place to avoid problems. This should include a requirement for clinicians to declare and publish potential conflicts of interest and for Clinical Commissioning Groups to ensure transparency and integrity of their decision making.

Therefore, Council urges the Shadow Health and Wellbeing Board to give consideration to the issues of governance, transparency, conflict of interest and non-executive oversight.

Right of Reply: Councillor Darren Dodd (7 minutes)

8. MOTION: WELCOME TO WIRRAL

Proposed by Councillor Sue Taylor (7 minutes)

Seconded by Councillor John Hale (3 minutes)

Council believes that Wirral's natural heritage and close proximity to other tourist destinations offers great opportunities to attract additional visitors to the Borough, from the North West and further beyond.

Council also welcomes the commitment to invest £2.4 million in two of our main tourist destinations at New Brighton and Hoylake. Both have a long history of proving to be attractive to tourists in the past and Council believes they can become so again.

Council instructs officers to invest the £2.4 million to improve the public realm and main access routes to these destinations. Council further believes that the significant private sector investment in New Brighton, led by Neptune, and the attraction of the 'Open' returning to Hoylake will be enhanced by improvements to the public realm and will be welcomed by visitors and residents alike.

Right of Reply: Councillor Sue Taylor (7 minutes)

9. MOTION: GETTING WIRRAL TRADE CENTRE READY

Proposed by Councillor Mark Johnston (7 minutes)

Seconded by Councillor Pat Williams (3 minutes)

1. Council recognises that all political parties have consistently worked in true political partnership to support the Wirral Waters project. This unified approach has assisted Peel in the development of this project and helped to attract significant and further potential Chinese and other investors.
2. Council also recognises the outstanding input from key Officers to ensure that Wirral is presenting itself as a highly attractive investment partner and destination.
3. Council is encouraged to see that Peel have secured and match funded £1.3 million of Government funds to start preparing the ITC site, with land remediation works already underway, and that recent visits by delegations from China were highly successful in presenting the Trade Centre site as an attractive location for potential tenants, with a further delegation expected in April.
4. Council now calls for work to “prepare the ground” for Wirral to be Trade Centre Ready, so that Wirral and its residents and businesses are in the best possible position to embrace all the potential business opportunities that will come and that we can offer the best possible support to businesses and investors that come here, to ensure the ITC is a long term success.
5. Work needs to be undertaken to ensure Wirral is ready, particularly in the following areas:
 - (i). Trade, export, marketing and inward investment
 - (ii). Employment and skills
 - (iii). Education, including languages and training
 - (iv). Culture and development of longer terms links with China, Korea, India and other countries likely to develop significant future business links with Wirral.
6. Council therefore calls on the three Parties to agree membership for a 1:1:1 Member Working Party, reporting to the Economy and Regeneration OSC. This Working Party will scope a project leading to recommendations to ensure this Council and its partners are Trade Centre Ready and able to embrace all opportunities for development through its growing links with China and other countries and that potential barriers to businesses and investors are identified and recommendations made as to how these can be overcome.
7. Council requests that the Working Party completes this work in time to enable any recommendations to be implemented before the ITC is built and opens for business and so that recommendations have enough time to be considered for the setting of 2013/14 budget, as appropriate.
8. Council also requests that the first meeting of the Working Party receive a report updating on progress in relation to paragraph 3 of the previous Notice of Motion on this topic (*Minute 53, 17 October 2012 Council refers*).

Right of Reply: Councillor Mark Johnston (7 minutes)

10. MOTION: POLICE CUTS

Proposed by Councillor Tony Smith (7 minutes)

Seconded by Councillor George Davies (3 minutes)

This Council deplores the fact that more than 16,000 police officers in England and Wales are to be cut over the next four years. These job losses would be a consequence of cutting the police budget by a fifth by 2014-15. Far from protecting frontline policing as David Cameron promised at the last election there will be 16,000 fewer police officers fighting crime, solving serious cases, or keeping our country safe. Cutting so fast and so deep into police budgets is crazy. It is completely out of touch with communities across the country, who want to keep bobbies on the beat.

On Merseyside, the Comprehensive Spending Review announced in 2010 presented Merseyside Police Authority with two very significant financial challenges, the estimated requirement of £61.4m of revenue savings over the review period 2011/12 to 2014/15 and the front loading of the savings requiring £38.5m to be saved over the initial two year period. By the end of 2012/13 it is anticipated that the Force will have lost 624 Police Officers posts, and 178 Police Staff posts.

On Merseyside the police performance, between 2006-2011, showed 50% reduction in anti-social behaviour, vehicle crime down by 55%, household burglary down by 28%, robbery by 39% and all crime by 30%. In January, figures from the British Crime Survey showed that personal crime, including theft, robbery and violence, had gone up by 11% over the last year, the steepest increase for more than a decade.

Council condemns the depth of these cuts, and believes that without the officers to carry out foot patrols, the coalition's aims on policing cannot be realised.

Right of Reply: Councillor Tony Smith (7 minutes)

11. MOTION: CRUELTY FREE COUNCIL

Proposed by Councillor Lesley Rennie (7 minutes)

Seconded by Councillor Ian Lewis (3 minutes)

Council welcomes the commitment by the Coalition to ban the use of animals to test household products.

Council supports the British Union for the Abolition of Vivisection in their campaigning to end animal experiments by purchasing, for use in all buildings for which Wirral Metropolitan Borough Council is directly responsible for cleaning, only cleaning products which have been certified as not tested on animals under the Humane Standards.

Where cleaning is conducted on behalf of Wirral Metropolitan Borough Council by an outside contractor, this condition will be added to the next tender specification when it is published.

AMENDMENT

Proposed by Councillor Adrian Jones (7 minutes)

Seconded by Councillor Harry Smith (3 minutes)

Add the following paragraph:

Council further calls on the Coalition Government to introduce legislation to once and for all make illegal the pursuit of wild animals "... the unspeakable in full pursuit of the uneatable..." with dog packs, including the thinly veiled practice of chasing a "scent" such that foxes in particular just "happen" to be torn apart by being in the wrong place at the wrong time.'

Right of Reply: Councillor Lesley Rennie (7 minutes)

12. MOTION: INCOME TAX THRESHOLD

Proposed by Councillor Tom Harney (7 minutes)

Seconded by Councillor Dave Mitchell (3 minutes)

1. This Council notes:
 - (a) The Government plan to raise the income tax threshold to £10,000, so that the first £10,000 people earn will be tax-free.
 - (b) That a recent opinion poll conducted by ComRes in February 2012 shows that a majority of people clearly support this policy, promoted by the Liberal Democrats in Government.
 - (c) That, last April, the raising of the income tax threshold meant 800,000 people on low incomes now do not have to pay any income tax at all and that working people were also given a £200 tax cut; and that this year a further cut is planned so a further 1.1 million people on low incomes will not pay any income tax at all.
 - (d) The recent open letter to the Chancellor signed by Liberal Democrat Group Leaders around the country, including Wirral, urging George Osborne to make helping those on low and middle incomes a priority in the Government's Budget by speeding up the raising of the income tax threshold.
 - (e) The announcement in the Budget 2012 that from next year, the Income Tax threshold will be raised further, ensuring that no one pays any income tax on the first £9,200 they earn.
2. Council believes that raising the income tax threshold will have a clear impact on improving the lives of lower paid people in Wirral and those on benefits seeking work.
3. Therefore, Council welcomes this measure to speed up the raising of the tax threshold and notes that, in Wirral, 9,880 people will have been lifted out of paying income tax altogether by 2013 and 103,400 will receive an income tax cut.

AMENDMENT

Proposed by Councillor Adrian Jones (7 minutes)

Seconded by Councillor Anne McArdle (3 minutes)

Delete all and replace with:

1. This Council notes:
 - (a) The 2012 Budget was an ordinary budget for extraordinary times. Since his first 'emergency' budget in June 2010 George Osborne has consistently promised steady and sustained economic recovery with low inflation and falling unemployment. He has failed on both counts. This country needed a budget that would make jobs a priority, particularly for young people. Instead the Collaboration of LibDems and Tories has delivered a 'Sheriff of Nottingham' budget for the rich by the rich. Despite publicly declaring that he found tax avoidance "morally repugnant" the Chancellor has rewarded legal tax avoidance by cutting income tax for the richest one per cent, with precious little relief for hard pressed families on low and middle incomes. Treasury figures show that those on low and middle incomes will do worse than those on higher incomes in tax measures that seem more designed to keep the ConDem Collaboration together than for the good of the UK People.
 - (b) Whilst referring misleadingly to apparent tax reductions for those on low incomes, the net effect of the Collaboration Government's measures will be that families are likely, through the loss of other benefits, to lose up to twenty times more than they gain. Under the Chancellor's measures, families will have gained up to £381 by April 2013 as a result of the personal allowance threshold rising faster than inflation – but could by then have lost up to £4000 from changes to working tax credits over the same period.
 - (c) The accelerated increase in the personal allowance which will rise from £8105 to £9205 in April 2013 was neither as reforming nor as progressive as the 'coalition' would have us believe.
 - (d) 4.41 million pensioners will, under new tax calculation formulae, have taken from them an average of £83 each to be transferred to the pockets of the rich.
 - (e) New pensioners will lose out the most with a £259 cut for those reaching 65 from next year and a £291 cut for older pensioners – or £5.61 a week in chaotic new rules so arbitrary that some pensioners will lose substantially more than others born just a day before them.
2. Council therefore views with incredulity the collaboration government's propaganda claim to have improved living standards for low and middle income families. This propaganda claim is being peddled despite knowing that the potentially beneficial effect of raising the income tax threshold has for countless families on low and middle incomes been swept away by the simultaneous withdrawal of other benefits. This occurs when millionaires in the collaboration cabinet are likely to gain many thousands of pounds in their own reduced taxes.

3. Council notes that the biggest tax cut of all was reserved for the top one per cent of earners. This very action signals definitively that we are not “all in this together”. The effect on the low and middle income families of Wirral will be especially hard at a time when food bills are rising, unemployment is endemic, the EMA for their children has been withdrawn, the winter fuel allowance for pensioners has been reduced, fuel costs are rising, the notorious ‘Granny Tax’ will hit retired Wirral Citizens, and the government gives tax cuts to millionaires who take meals in Downing Street for fat cheques to Tory funds.
4. Council notes that the LibDems nationally are “empowering” a Tory-led assault through taxation on the UK people against all that their Liberal traditions ever stood for. The Wirral LibDems are sucked into a toxic alliance that they have not the courage to condemn. The ‘Daily Mail’ of 23rd March reported “The full extent of George Osborne’s stealth tax on pensioners was laid bare yesterday.” The Daily Express reported a “Terrible betrayal of every pensioner in the country” and “This is a wicked and iniquitous move”. Council notes that when newspapers which traditionally support Conservative policies publicly berate the government’s attacks on hard working families and pensioners there is nowhere left for the ConDem collaboration to hide.

Right of Reply: Councillor Tom Harney (7 minutes)

13. MOTION: ADULT SOCIAL CARE – THE FUTURE

Proposed by Councillor Anne McArdle (7 minutes)

Seconded by Councillor Pat Glasman (3 minutes)

1. That this Council accepts that the changing demographic pattern of the Wirral will mean a high percentage increase in the older population and that this factor will place even greater demands on health and social care services over the next decade.
2. It is therefore of paramount importance that this Council begins a mature and considered debate as to how these services can be best provided in a climate of ever decreasing funding from central government. This debate should be cross party and include all stakeholder organisations so that future policy decisions are made on evidenced based strategic need – not political expediency.
3. The passing of the Health and Social Care Bill and the inevitable march towards private provision for health and social care will mean that multi-national businesses such as Virgin Care will be reluctant to provide for those with long-term chronic conditions that are often a characteristic of the older population. In Wirral we must fight against this threat.
4. It is with these priorities in mind that the need for an effective and efficient Adult Social Services Department becomes paramount. Council acknowledges the big improvements that have been made in Adult Social Services and congratulates all staff on a very positive Self-Evaluation exercise which was completed in December 2012. This report has provided an excellent milestone in the work towards the peer review due to be undertaken later this year.

5. It is time to move forward so that constructive energies and scarce resources are channelled appropriately and not over –focussed on the errors of the past.

AMENDMENT

Proposed by Councillor Simon Mountney (7 minutes)

Seconded by Councillor Cherry Povall (3 minutes)

Delete all after paragraph 1 and insert:

2. This Council recognises the dedication and determination shown by the staff working within the Department of Adult Social Services. Their efforts, professionalism and flexibility are the cornerstone of the provision of service as we move forward.
3. This Council has now had the opportunity to investigate the “Martin Morton” affair and the 4 week delay policy along with other ongoing issues within DASS. The findings thus far indicate that issues exist within the management teams at all senior levels and that the standard of leadership expected and required by this Council has been lacking in certain areas.
4. There of course should always be a culture of moving provision on and upwards but this must be managed against the background of learning all the lessons from our mistakes. It appears that some management have yet to embrace this culture of learning and inclusion. Council would find it useful and interesting to see the raw returns from the recent self evaluation exercise so council could assess these findings against the subsequent report.
5. This Council does not wish to dwell or focus on the past to the detriment of service provision as we all move forward together. However, Council does wish to learn all the lessons of the past so we might learn to the maximum in developing our social services moving forward. It is therefore important that we get the correct balance between moving forward and recognising, correcting and learning from our mistakes as any good Investor in People organisation should do.

AMENDMENT

Proposed by Councillor Phil Gilchrist (7 minutes)

Seconded by Councillor Ann Bridson (3 minutes)

Delete paragraph 3 and replace with:

Council welcomes the changes to the Health and Social Care Bill that mean that firms commissioned to provide NHS care can only compete on quality, not price. However, Council also agrees that there are legitimate concerns about changes to the provision of community health services and believes that close scrutiny should be given to the service level agreements contained in these contracts to ensure that services continue to be provided free at the point of use, to a high standard on the basis of people’s need.

Delete paragraph 5 and replace with;

It is important that constructive energies and scarce resources are channelled appropriately. Council believes that, in order to do this, the errors of the past must first be properly recognised and addressed – not swept under the carpet so that we are doomed to repeat them.

Right of Reply: Councillor Anne McArdle (7 minutes)

14. MOTION: LOCAL AUTHORITY MORTGAGE SCHEME

Proposed by Councillor Mark Johnston (7 minutes)

Seconded by Councillor Stuart Kelly (3 minutes)

1. Council notes recent announcements intended to help first time buyers onto the housing ladder through such schemes as:
 - (a) Increasing the Right to Buy discount
 - (b) The introduction of the NewBuy Scheme to enable first time buyers of new build properties to access 95% loan to value mortgages.
2. Council agrees that these schemes have the potential to support housing markets in areas at risk of housing market failure, stimulating the local housing market and benefiting the wider local economy
3. However, Council also notes that these schemes are aimed at social rented and new build properties only and that more needs to be done to support at risk housing markets in Wirral by supporting first time buyers to purchase from existing private stock in the Borough.
4. Council is reminded that the 'Lend a Hand' local authority mortgage scheme exists precisely for this purpose, is aimed at first time buyers finding it difficult to raise the 20-25% deposit needed to obtain an affordable mortgage interest rate and is now being run in 22 local authorities around the country, with a further 200 expressing an interest.
5. The NW authorities that piloted this scheme each pledged £5 million to 'underwrite' part of the mortgage for first time buyers, by loaning applicants up to 20% of a first time buyer's mortgage, by lodging the funds with the lender. Council notes that interest is paid on the money pledged at a rate of 4.2%. Council also notes that, based on current repossession rates (according to The Council of Mortgage Lenders), the risk to local authorities is around 0.3 per cent – or £3,000 for every £1 million invested.
6. Council is further reminded that the Director of Finance has previously been asked to prepare a report reviewing the impact of the 'Lend a Hand' local authority mortgage scheme (*Minute 118, 18 April 2011 Council*) and that the Director of Regeneration has already presented a report to Economy and Regeneration OSC, setting out the minimal risks of default associated with such a scheme (*Minute 50, 8 March 2012 Economy and Regeneration OSC*).
7. Therefore, in line with the recommendations of the Economy and Regeneration OSC, Council welcomes the April report to Cabinet and the ongoing discussions on the establishment of a Local Authority Mortgage Scheme to

assist first time buyers in Wirral, taking on board lessons learned from pilot areas. Council urges the development of options outlining how this and other schemes could be implemented in Wirral, identifying the funds that would need to be made available, both for investment and as a reasonable provision to mitigate against the risks of repossession.

Right of Reply: Councillor Mark Johnston (7 minutes)

15. MOTION: TRANSFERRING MONEY FROM PENSIONERS TO THE RICH

Proposed by Councillor Ann McLachlan (7 minutes)

Seconded by Councillor Jean Stapleton (3 minutes)

Council calls on the collaboration government of Tories and LibDems to apologise to the UK public for its “Sheriff of Nottingham” budget policy of transferring money from pensioners to the rich.

Council believes the best message it can give to the Government is that it has demonstrated its unfitness to remain in office and should resign.

AMENDMENT

Proposed by Councillor Bob Wilkins (7 minutes)

Seconded by Councillor Stuart Kelly (3 minutes)

Delete title and replace with: “Fairer Deal for Pensioners”

Delete all text after ‘Council’ and replace with:

welcomes the biggest ever cash rise in the basic state pension in history to support our pensioners whilst the country experiences difficult economic times, along with a guaranteed basic state pension of at least £140 a week for pensioners in the future.

Council recognises that the substantial rise in the basic state pension is thanks to the implementation of the Liberal Democrats ‘Triple Lock’ pension mechanism to ensure that each year; pensions will rise in line with prices, earnings or 2.5% - whichever is highest.

Council notes that this means that, over the last two years, the state pension has risen by around £10 per week (£4.50 per week last year and £5.30 per week from April this year).

This Council is pleased to note that never again will pensioners suffer the insult of a measly 75p a week rise, inflicted under the previous Labour Government by Gordon Brown, who failed in their 13 years in power to provide a fairer deal for pensioners.

Right of Reply: Councillor Ann McLachlan (7 minutes)

16. MOTION: NEW BRIGHTON

Proposed by Councillor Pat Glasman (7 minutes)

Seconded by Councillor Pat Hackett (3 minutes)

1. This Council recognises the support and assistance from our local Merseyside Police, Fire and Health services in Wirral's seaside towns during the busy summer period.
2. It is pleased to welcome the 'Operation Beachsafe' initiative back to Hoylake this year and as a new response to the New Brighton promenade and shore area. This is a much needed support to the Beach Patrol staff and the RNLI.
3. As the remaining units on the Marine Point development open, it is entirely likely that visitor numbers will increase in New Brighton. Marketing policy is intended to advertise the town as a year round day and night time resort, encouraging visitors to stay for long periods.
4. This Council would welcome further discussions and collaboration between Council Departmental staff and our Police, Fire and Health services to introduce year round town strategies to meet the needs of a town in transition with the potential to bring long term, sustainable business and prosperity to the area.

Right of Reply: Councillor Pat Glasman (7 minutes)

17. MOTION: DIGITAL INCLUSION

Proposed by Councillor Brian Kenny (7 minutes)

Seconded by Councillor Jim Crabtree (3 minutes)

This Council notes:

- That a high proportion of Wirral residents are 'digitally excluded' ie do not have access to the internet;
- That digital exclusion correlates closely to social and financial exclusion – those without IT skills find it harder to access education and employment opportunities, and miss out on opportunities to save money by accessing goods and services online;
- That 30million people in the UK use the internet daily – but nearly 10 million never do, and
- That Race Online 2012 is a national campaign to get everyone online by the end of the Olympic year (hence the 'race').

Council resolves to:

1. Ask elected members to sign up as 'Digital Champions' to commit to helping others get online, which is a major part of this campaign – this can be done quickly at www.raceonline2012.org/giveanhour

2. Ask the Acting Chief Executive to report to Cabinet at the earliest opportunity on developing a Digital Inclusion Plan for Wirral which would harness the resources of the Council and its partners; and
3. Consider holding an event during Adult Learners Week (commencing the 14th May) to highlight this issue and make practical suggestions as to how all Wirral residents can gain access to the internet with particular regard to finding out about education and employment opportunities.

AMENDMENT

Proposed by Councillor Don McCubbin (7 minutes)

Seconded by Councillor Mike Hornby (3 minutes)

Add the following additional bullet points in before "Council resolves to"

- Welcomes and supports the Coalition Governments initiative appointing Martha Lane Fox as the UK Government's Digital Champion in which capacity she founded the Race on Line 2012 campaign.
- Notes the progress being made in Wirral bringing together One Stop Shops and Libraries into one information service. Along with the provision of free Wi Fi at all sites, and the introduction of an E Book service on the Library Web Site all possible as a result of two consecutive Conservative led budgets bringing an additional £340,000 of new investment into our Library Service.

Right of Reply: Councillor Brian Kenny (7 minutes)

18. OBJECTION: MINUTE 359 (CABINET – 29 MARCH 2012)

DRAFT CORPORATE PLAN 2012/2013

Item 6 C – Matters Requiring Approval by the Council

Proposed by Councillor Phil Davies (7 minutes)

Seconded by Councillor Adrian Jones (3 minutes)

In the light of the fact that the Draft Corporate Plan 2012/2013 was not published until the afternoon of the Cabinet meeting of the 29th March, and given that it has not yet been endorsed by the Improvement Board, this item should be deferred until a future meeting of full Council.

Right of Reply: Councillor Jeff Green (7 minutes)

COUNCIL VACANCIES – 16 APRIL 2012

Outside Bodies

Social Care and Inclusion

1. Clatterbridge Centre for Oncology Foundation Trust

Councillor Mike Hornby to replace Councillor Cherry Povall with effect from 30 April 2012.

Regeneration and Planning Strategy

2. Liverpool City Region Local Enterprise Partnership – Director

Leader of the Council

3. Chrysalis (General Partner) Limited – Director

Leader of the Council

(NB A Briefing Note in relation to 2 and 3 above has been circulated to all Members of the Council)

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