



Council

Town Hall
Wallasey

16 December, 2016

Dear Councillor

This supplement for the Council meeting to be held at **6.00 pm on Monday, 19 December 2016** in the Council Chamber, within the Town Hall, Wallasey, should be read in conjunction with the Council Summons dated 9 December, 2016.

Contact Officer: Andrew Mossop
Tel: 0151 691 8501
e-mail: andrewmossop@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA SUPPLEMENT

6. LEADER'S, EXECUTIVE MEMBERS' AND CHAIRS' REPORTS (Pages 1 - 8)

To receive the written reports of the Executive and Overview and Scrutiny Committee Chairs, and to receive questions and answers on any of those reports in accordance with Standing Orders 10(2)(a) and 11.

The Overview and Scrutiny Committee Chairs' report is attached.

Advance notice has been given of a question from Councillor Gilchrist in respect of Councillor Stuart Whittingham's Cabinet Portfolio report, and which he has asked to be circulated with this supplement.

8. MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES OR OTHER COUNCIL COMMITTEES (Pages 9 - 22)

To consider and determine any references from the Overview and Scrutiny Committees and any other Council Committees.

- A. Notice of Motion “Motor Neurone Disease (MND) Charter” - minute 27 of the People Overview and Scrutiny Committee on 28 November, 2016 is attached. (**Pages 9 – 11**)
- B. Notice of Motion “Performance Management – Reporting Arrangements” (**Pages 13 – 18**)
 - Minute 28 of the People Overview and Scrutiny Committee on 28 November, 2016 is attached;
 - Minute 34 of the Business Overview and Scrutiny Committee on 29 November, 2016 is attached;
 - Minute 29 of the Environment Overview and Scrutiny Committee on 30 November, 2016 is attached.
- C. Notice of Motion “Treating all Residents Fairly and Equitably” – minute 36 of the Business Overview and Scrutiny Committee on 29 November, 2016 is attached. (**Pages 19 – 20**)
- D. Notice of Motion “Recognising the Contribution of our Friends Groups” – minute 31 of the Environment Overview and Scrutiny Committee on 30 November, 2016 is attached. (**Page 21**)

9. VACANCIES

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

Outside Bodies

Magenta Living – Community Fund Joint Working Group

Lisa Newman, Head of Operational Housing Services to replace former Council officer, Ian Platt.

10. MATTERS REQUIRING APPROVAL OR CONSIDERATION BY THE COUNCIL (Pages 23 - 60**)**

APPROVAL: To consider any recommendations of the Cabinet, Cabinet Members or Council Committees which require the approval or consideration of the Council which include:

CABINET – 8 DECEMBER, 2016.

- A. Revenue Monitoring 2016/17 (Quarter 2) (**Pages 23 – 24**)**
The Council is recommended to approve the realignment of budgets to reflect the New Operating Budget. (Minute 68 attached).
- B. Capital Monitoring 2016/17 (Quarter 2) (**Pages 25 – 26**)**
The Council is recommended to agree the revised Capital Programme of £38.1m. (Minute 69 attached).

**C. Treasury Management Mid-Year Report 2016/17
(Pages 27 – 28)**

The Council is recommended to agree the amendment to the Treasury Management Strategy as referred to in part (2) of the resolution. (Minute 70 attached).

D. Council Tax 2017/18 (Tax base, Discounts and Exemptions and Council Tax Support Scheme) (Pages 29 -30)

The Council is recommended to agree the Council Tax base for 2017/18 and related matters as set out in the resolution. (Minute 72 attached).

**E. Budget Council Agenda and Procedure – 6 March 2017
(Page 31)**

The Council is recommended to agree the Budget Council Agenda and Procedure for 6 March, 2017 as referred to in the resolution. (Minute 73 attached).

An amendment has been submitted by the Liberal Democrat Group in respect of this minute (**Page 33**)

F. Changes to the Governance Arrangements for Leasowe Community Homes (Pages 35 – 36)

The Council is recommended to agree the changes to the Governance arrangements for Leasowe Community Homes as set out in the resolution. (Minute 76 attached).

DELEGATED DECISIONS

N. Draft Protocols in Determining Whether Freedom of the Borough Should be Conferred (Pages 37 – 48)

The Council is recommended to adopt the Freedom of the Borough Protocol and agree the use of the nomination form. (Executive Member Decision form, report and appendices attached).

O. Amendments to Terms of Reference of Members' Development Steering Group (Pages 49 – 59)

The Council is recommended to adopt the revised Terms of Reference for the Member Development Steering Group. (Executive Member Decision form, report and Terms of Reference attached)

11. NOTICES OF MOTION (Pages 61 - 70)

Notices of motion submitted in accordance with Standing Order 7(1), will be considered in the following order and the Council is also asked to consider an amendment (**Page 61**) to Notice of Motion No. 4, submitted in accordance with Standing Order 12(1) and (9):

(i). Sustainable Transformation Plans
To be debated.

- (ii). **Support for Selective Education Across Wirral**
To be debated.
- (iii). **Our Health Service – Available for the Future of All**
To be debated.
- (iv). **Crisis in Social Care**
To be debated
- (v). **Information Deficit Continues**
To be debated.

In connection with this item correspondence with Marcus Jones, MP, Minister for Local Government and the Leader of the Council is attached to the supplement, as follows:

- Letter of 5 December, 2016 from Marcus Jones, MP
- Letter of 28 July, 2016 from the Leader of the Council
- Letter (undated) from Marcus Jones, MP.
(Pages 63 – 69)

- (vi). **Tackling Racism, Xenophobia and Hate Crimes**
To be debated.

A handwritten signature in black ink, appearing to read "S J".

Assistant Director: Law and Governance



COUNCIL

19 DECEMBER 2016

REPORT TITLE	OVERVIEW AND SCRUTINY COMMITTEE CHAIRS' REPORTS
REPORT OF	THE OVERVIEW AND SCRUTINY COMMITTEE CHAIRS

REPORT SUMMARY

This report provides Members of the Council with an update on the work carried out by each of the Council's Overview and Scrutiny Committees. The report includes contributions from each of the Committee Chairs. Members of Council are requested to note the contents of the report set out in section 3 below.

RECOMMENDATION/S

Members are requested to consider the contents of the report and whether they have any questions for the Chairs of the Overview and Scrutiny Committees.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To update Council Members on the work of the Overview and Scrutiny Committees and provide an opportunity to ask the questions.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 N/A

3.0 BACKGROUND INFORMATION

PEOPLE OVERVIEW AND SCRUTINY CHAIR'S REPORT

- 3.1 At the November committee, a report was provided by Phil Meakin (Head of Collaborative Commissioning for Cheshire, Wirral and Warrington Clinical Commissioning Groups) on the NHS Sustainability and Transformation Plan for Cheshire and Merseyside. The recently published plan has given rise to some concern and speculation about the impact on future local health services. Members raised a number of concerns including the lack of Local Authority involvement in developing the plan, the absence of any consultation prior to publication and a lack of detail, which has given rise to a significant amount of anxiety.
- 3.2 Reports were also presented on the following:
 - Wirral Clinical Commissioning Group set out their proposals for all day Health Centre Services and GP Seven day working. A further report will be provided to the committee setting out progress in relation to the new GP service.
 - The Director for Public Health presented a review of the local drug and alcohol treatment services provided by Change Grow Live (CGL) following concerns raised by an elected Member about the number of deaths in service. The report highlighted that every death relating to drug or alcohol misuse is a tragedy but concluded that it was not felt CGL were operating an unsafe service.
- 3.3 In addition to these reports, there were 2 notices of motion discussed at committee. The first related to the proposal that the Council adopts the Motor Neurone Disease (MND) charter and this was fully supported by committee. The second focussed on how Wirral Plan performance data is presented. It was noted the Chairs and spokespersons of all committees had met with officers to discuss this and the quarter 2 report had reflected feedback provided at that meeting. Further discussion with officers will be scheduled in the New Year to keep this under review.
- 3.4 The Health and Care Performance Panel (7 December) received a report on the current difficulties in providing Home Care Services and plans to address them. A progress report will be brought to the next meeting on 1 Feb on how obligations to provide care are being met. The panel also received a report on the application process for Continuing Health Care funding and this will form the basis of a task and finish Group after Christmas. The Panel also approved a proposal for the Council Members to receive training from Healthwatch Wirral which will enable them to join monitoring visits to Care Homes. At the time of writing, the Children Sub Committee had not met with the next meeting scheduled for 14 December.

- 3.5 A piece of task and finish work has been initiated to review the Governments' proposals in relation to Community Pharmacies. An evidence day was held on 16 November at which a number of different stakeholders provided their comments on the proposals which seek to create a greater role for pharmacies as part of a more integrated NHS whilst also making efficiency savings. A report on the outcome of the review will be brought to the 1 February committee.

Councillor Moira McLaughlin

BUSINESS OVERVIEW AND SCRUTINY CHAIR'S REPORT

- 3.6 Following a previous Notice of Motion about Wirral Waters, it was agreed that Peel Holdings be requested to provide a presentation to all Members on the latest developments with the scheme. A presentation was delivered on 18 October which was well attended by Members and considered very informative. Further updates will be scheduled with Peel Holdings to provide Members with regular progress reports.
- 3.7 The November Committee meeting considered a number of notices of Motion. The first: 'Performance Management – Reporting Arrangements', raised a number of points in relation to the performance data provided to Members for scrutiny. The Committee acknowledged the points raised, noted that Chairs and Spokespersons had met with officers to address these and that a further meeting with officers was being scheduled in the New Year to review progress.
- 3.8 The second notice of motion: 'Treating all Residents Fairly and Equitably', related to the proposal for a Fire Station in Saughall Massie having more objections than the earlier proposal for a site in Greasby which was later withdrawn. Committee resolved that the matter be left to the Planning Committee to see what decision was made there. A further Notice of Motion on 'Inward Investment' was deferred to the next committee meeting (24 January) when more information would be available.
- 3.9 Task & Finish work is progressing in relation to a number of scrutiny reviews. The report from the Tourism Scrutiny Review is being finalised and will be presented to the next January committee meeting. A scrutiny review on the Council's Resident Parking Policy is ongoing with the objective of informing the development of a new policy that will reflect both Council and residents' needs. Finally, a Review Panel has now been agreed for a piece of work on supporting the creative sector in Wirral. This will be an ideal opportunity to learn from other local authorities who are considered leaders in this area and should support delivery of Wirral's Growth Plan. The review will commence in January 2017.
- 3.10 The Committee continues to receive updates on both the work of the LCR Combined Authority and the LCR Combined Authority Scrutiny Panel. A review on apprenticeships across the City Region is being carried out by the Scrutiny Panel and the findings and recommendations will be reported to this Committee once this work is concluded.

Councillor Mike Sullivan

ENVIRONMENT OVERVIEW AND SCRUTINY CHAIR'S REPORT

- 3.11 The Environment Overview and Scrutiny Committee has met twice since the last report to Council. A Special Meeting of the Committee was convened on 9 November to consider a report on the role and responsibilities of the Community Patrol Service and issues surrounding alleged security checks at private premises. After some discussion, Committee commended the work of the Community Patrol Service across the borough and welcomed any initiatives that would raise income from the private sector to support the service. Committee noted that the Community patrol service would receive further scrutiny as a matter of course, when the strategy covering the service comes to Committee in the New Year.
- 3.12 At its third regular meeting in November, Committee received presentations from the Strategic Commissioner for Environment on the Culture and Leisure Strategies. Members particularly welcomed updates on the leisure and libraries reviews and look forward to Committee playing a full and active part in the development and scrutiny of more detailed plans as they emerge.
- 3.13 Committee considered the Notice of Motion: Performance Management Reporting Arrangements, which raised concerns over the range of performance indicators presented to Overview & Scrutiny Committees to measure Council performance. Committee resolved that performance reporting review meetings between Scrutiny Committee Chairs and Spokespersons should continue to further enhance the performance reporting arrangements.
- 3.14 Committee also considered the Notice of Motion: Recognising the Contribution of our Friends Groups. Whilst the initial proposal was to recognise a number of groups in Wallasey, Members agreed to extend this to include all Friends Groups across the borough.
- 3.15 In October and November, a Task & Finish group met to consider issues relating to the number of councillors at Wirral Council. The scope of the scrutiny review focussed on determining if the number of councillors in Wirral was appropriate and consistent with comparable local and national authorities. The piece of work made strong use of data gathered by the Local Government Boundary Commission for England and others. The piece of scrutiny work reported its findings back to Committee in November.
- 3.16 Further progress has been made over the creation of a Flood Risk Standing Panel. An initial meeting between the Chair and the Head of Community Safety has taken place and a further scoping meeting will be scheduled with the Chair and Party Spokespersons. It is intended that the Flood Risk Standing Panel will meet for the first time early in 2017.
- 3.17 A cross-party review panel has been agreed for the Modern Slavery scrutiny review and a scoping meeting will take place in January 2017. Evidence sessions will take place in January and February with the intention to report findings back to Committee in March 2017.

Councillor Phillip Brightmore

4.0 FINANCIAL IMPLICATIONS

4.1 There are none arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 There are none arising from this report.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are none arising from this report.

7.0 RELEVANT RISKS

7.1 There are none arising from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 N/A

9.0 EQUALITY IMPLICATIONS

9.1 None - the report is for information only.

REPORT AUTHOR: **Report compiled by:**

Mike Callon

Team Leader – Performance and Scrutiny

telephone: (0151) 691 8379

email: michaelcallon@wirral.gov.uk

APPENDICES – N/A

REFERENCE MATERIAL – N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Overview and Scrutiny Committee Chair's Report to Council	17 October 2016
Scrutiny Annual Report to Council	11 July 2016

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QUESTION TO COUNCILLOR STUART WHITTINGHAM – CABINET MEMBER FOR TRANSPORT AND INFRASTRUCTURE ON HIS PORTFOLIO REPORT FROM COUNCILLOR PHIL GILCHRIST

The Cabinet Portfolio Summary Report states that:

‘Wirral has the best quality roads compared to all other Councils in England’

The Quarter 2 Monitoring Report stated that:

‘The measured condition of the Borough’s A, B and C roads has returned to an excellent position and means that Wirral still has some of the best roads when compared to all other councils in England.’

As the condition of local roads and footways is one of the main issues that I get asked about should not the reports be more careful or more accurate in their use of such descriptions?

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Agenda Item 8

ITEM 8A

MINUTE EXTRACT

PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

28 NOVEMBER 2016

27 **NOTICE OF MOTION: MOTOR NEURONE DISEASE (MND) CHARTER**

The Chair of the People Overview and Scrutiny Committee reported that at the meeting of the Council held on 17 October 2016 (minute 67(1) refers), the following Notice of Motion proposed by Councillor Steve Williams and seconded by Councillor Chris Blakeley was referred by the Mayor to this Committee for consideration –

“That this Council adopts the Motor Neurone Disease (MND) Charter and thereby supports achieving quality of life, dignity and respect for people with MND and their Carers.

The Charter:

1. People with MND have the right to an early diagnosis and information.

This means:

- a) An Early referral to a Neurologist
- b) An accurate and early diagnosis, given sensitively
- c) Timely and appropriate access to information at all stages of their condition

2. People with MND have the right to access quality care and treatments.

This means:

- a) Access to co-ordinated multidisciplinary care managed by a specialist key worker with experience of MND.
- b) Early access to specialist palliative care in a setting of their choice, including equitable access to hospices.
- c) Access to appropriate respiratory and nutritional management and support, as close to home as possible.
- d) Access to the drug riluzole.
- e) Timely access to NHS continuing healthcare when needed.
- f) Early referral to social care services.
- g) Referral for cognitive assessment, where appropriate.

3. People with MND have the right to be treated as individuals and with dignity and respect.

This means:

- a) Being offered a personal care plan to specify what care and support they need.
- b) Being offered the opportunity to develop an Advance Care Plan to ensure their wishes are met, and appropriate end-of-life care is provided in their chosen setting.

- c) Getting support to help them make the right choices to meet their needs when using personalised care options.
- d) Prompt access to appropriate communication support and aids.
- e) Opportunities to be involved in research if they so wish.

4. People with MND have the right to maximise their quality of life.

This means:

- a) Timely and appropriate access to equipment, home adaptations, environmental controls, wheelchairs, orthotics and suitable housing.
- b) Timely and appropriate access to disability benefits.

5. Carers of people with MND have the right to be valued, respected, listened to and well supported

This means:

- a) Timely and appropriate access to respite care, information, counselling and bereavement services.
- b) Advising carers that they have a legal right to a Carer's Assessment of their needs, ensuring their health and emotional well-being is recognised and appropriate support is provided.
- c) Timely and appropriate access to benefits and entitlements for carers."

Councillor Steve Williams tabled the Motion, and introduced Ms Debbie Williams of the Wirral MND Association who then addressed the People Overview and Scrutiny Committee.

Ms Williams expressed her thanks to all those who had responded to their recent petition, requesting adoption of the Motor Neurone Disease (MND) Charter.

Ms Williams provided Members with an explanation of the disease, which has no cure, informing that the Charter aspiration focused primarily on care and the right kind of care. She further informed that early diagnosis and the treating of those with the disease with dignity and respect went a long way to maximise the quality of life for MND sufferers and their Carers. She stated that the role of Carer was particularly difficult and should be valued and respected.

Members were apprised that the Council played a vital piece in the jigsaw in helping people to adapt and live with the disease. Ms Williams explained that by adopting the Charter, the Council would also be assisting in raising awareness of MND and helping develop to wider partnerships. Members were informed that the adoption of the Charter would also help in ensuring that the right care and support could be provided within appropriate timescales. In summary Ms Williams explained that the Wirral MND Association was structured as a small charity in Wirral, supporting people on an individual basis.

The Chair thanked the speakers and opened discussion on the subject.

A short debate took place, with the majority of Members expressing wholehearted support for the adoption of the Charter, having first-hand knowledge of the disease

either through family members, friends or relatives. There was consensus regarding the positive impact on people with MNDs dignity through home adaptations, and broader understanding of the disease and its effects on an individual's health.

A Member stated that by supporting the Charter, this could be a tremendous opportunity to work with organisations to assist those who have MND.

The Director for Health and Care informed that those eligible for Social Care will qualify, and that access to care was not disease specific. He added that MND is one of a number of long term conditions that is covered under existing protocols.

On a motion by the Chair, duly seconded it was –

Resolved - That

- 1) the Notice of Motion be supported; and**
- 2) the People Overview and Scrutiny Committee thank Mrs Debbie Williams of the Wirral Motor Neurone Disease (MND) Association for her presentation.**

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ITEM 8B

MINUTE EXTRACT

PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

28 NOVEMBER 2016

28 NOTICE OF MOTION: PERFORMANCE MANAGEMENT - REPORTING ARRANGEMENTS

The Chair of the People Overview and Scrutiny Committee reported that at the meeting of the Council held on 17 October 2016 (minute 67(5) refers), the following Notice of Motion proposed by Councillor Phil Gilchrist and seconded by Councillor Stuart Kelly was referred by the Mayor to this Committee for consideration –

"PERFORMANCE MANAGEMENT – REPORTING ARRANGMENTS

Council notes:

1. the training session on the arrangements for Performance Management held on 7 September 2016, attended by a wide range of Members across all parties, at which Members were informed regarding the range of indicators chosen for future reports based on the progress with the Wirral Plan;
2. the concern expressed at that meeting that these reports and proposed indicators do not cover the range of established indicators that Council Members have always followed and expected to see, such as progress with staff appraisals, the level of staff sickness and absence and other issues;
3. that many Members at the training session made the case for a wider range of indicators to show how Council services are performing;
4. that the former Families and Wellbeing Policy & Performance Committee received performance monitoring data on a range of indicators that are and remain sensitive and significant in the light of OFSTED's recent findings.

Council, therefore, requests that:

- (i) as the data is still being collected and analysed by officers, a set of such wider indicators should be presented to Members on a regular basis;
- (ii) accompanying quarterly performance data, there should also be information as to the target expected in that quarter, in addition to the year end and Plan end (2020) target;
- (iii) the choice of indicators needs to be relevant to the 2020 pledge and undertakes to review those indicators chosen to measure pledge success prior to reporting for Quarter 2 performance;
- (iv) officers report to each Overview and Scrutiny committee the 'added value' expected for those indicators that have been included within the 2020 Vision

Plan and, in respect of indicators flagged as under or over performing, additional information and actions proposed in respect of those indicators.

In order to secure a transparent and open review, Members should be invited to submit details of the key areas that they wish to see reported upon by the end of October.

The Spokespersons of each of the newly created Overview and Scrutiny Committees should be requested to examine these suggestions and ensure a sufficient, timely and readily accessible mechanism for such data in future reports.”

Councillor Phil Gilchrist introduced the Motion and set out his views on the various elements of the Motion, suggesting a ‘back-to-basics’ approach and general methodology in relation to data gathering and reporting both past and present. He explained the difficulties that could be faced by the re-definition of data-sets and problems that this can cause with regard to performance measurement over time. He further requested that the need for Members’ access to data, to ensure essential monitoring of corporate performance. Councillor Gilchrist then also commented on other Local Authorities data that could be easily accessed via their websites e.g. Barnet and Stockport.

The Chair thanked Councillor Gilchrist for his contribution to the meeting, and expressed her own concern that not all data-sets that had been available in the past were easily accessible now. She informed that the meeting agenda contained a variety of performance focused reports, but was in agreement with the sentiments expressed by Councillor Gilchrist.

A Member stated that it was his opinion that there remained more work to do, and that the context of data monitoring and comparison over a period of time was most helpful in the role of Scrutiny Member.

The Chair informed that the People Overview and Scrutiny Committee would be looking at the data for Quarter 2 later on in the meeting agenda, on both how the data had been presented and performance.

On a motion by the Chair, duly seconded it was –

Resolved - That

- 1) the Notice of Motion be supported;**
- 2) the People Overview and Scrutiny Committee notes that this Notice of Motion is to be considered by the 2 other Overview and Scrutiny Committees (OSC), and that a meeting has already taken place between the OSC Chairs, Vice-Chairs and Spokespersons as requested; and**
- 3) a further meeting of the OSC Chairs, Vice-Chairs and Spokespersons is to be scheduled in the New Year to consider feedback from the OSC Committees on the presentation and content of performance data.**

MINUTE EXTRACT

BUSINESS OVERVIEW AND SCRUTINY COMMITTEE

29 NOVEMBER 2016

34 **NOTICE OF MOTION: PERFORMANCE MANAGEMENT - REPORTING ARRANGEMENTS**

The Assistant Director: Law and Governance reported that at the meeting of the Council held on 17 October, 2016 (minute 67 (5) refers), the following Notice of Motion proposed by Councillor Phil Gilchrist and seconded by Councillor Stuart Kelly was referred by the Mayor to this Committee for consideration –

PERFORMANCE MANAGEMENT – REPORTING ARRANGEMENTS

“Council notes:

1. the training session on the arrangements for Performance Management held on 7 September 2016, attended by a wide range of Members across all parties, at which Members were informed regarding the range of indicators chosen for future reports based on the progress with the Wirral Plan;
2. the concern expressed at that meeting that these reports and proposed indicators do not cover the range of established indicators that Council Members have always followed and expected to see, such as progress with staff appraisals, the level of staff sickness and absence and other issues;
3. that many Members at the training session made the case for a wider range of indicators to show how Council services are performing;
4. that the former Families and Wellbeing Policy & Performance Committee received performance monitoring data on a range of indicators that are and remain sensitive and significant in the light of OFSTED’s recent findings.

Council, therefore, requests that:

- (i). as the data is still being collected and analysed by officers, a set of such wider indicators should be presented to Members on a regular basis;
- (ii). accompanying quarterly performance data, there should also be information as to the target expected in that quarter, in addition to the year end and Plan end (2020) target;
- (iii). the choice of indicators needs to be relevant to the 2020 pledge and undertakes to review those indicators chosen to measure pledge success prior to reporting for Quarter 2 performance;
- (iv). officers report to each Overview and Scrutiny committee the ‘added value’ expected for those indicators that have been included within the 2020 Vision

Plan and, in respect of indicators flagged as under or over performing, additional information and actions proposed in respect of those indicators.

In order to secure a transparent and open review, Members should be invited to submit details of the key areas that they wish to see reported upon by the end of October.

The Spokespersons of each of the newly created Overview and Scrutiny Committees should be requested to examine these suggestions and ensure a sufficient, timely and readily accessible mechanism for such data in future reports.”

In accordance with Standing Order 7 (6), Councillor Gilchrist had been invited to attend the meeting in order for him to be given an opportunity to explain the Motion.

Councillor Gilchrist elaborated on the motion which had also been referred to the People Overview and Scrutiny Committee, which had met the previous evening and was going to the Environment Overview and Scrutiny Committee the following evening. He was aware that the Chairs and spokespersons had met to discuss the matter. He suggested the need to find indicators which remained relevant, were accurate and could be easily assessed.

The Chair commented that the Committee would all echo the sentiments being expressed and on a motion by the Chair, duly seconded, it was –

Resolved –

- (1) That the Notice of Motion be supported.**
- (2) That a further meeting of the OSC Chairs, Vice-Chairs and Spokespersons would be welcomed to consider feedback from the OSC Committees on the presentation and content of performance data.**

MINUTE EXTRACT

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

30 NOVEMBER 2016

29 **NOTICE OF MOTION: PERFORMANCE MANAGEMENT REPORTING ARRANGEMENTS**

The Chair of the Environment Overview and Scrutiny Committee reported that at the meeting of the Council held on 17 October 2016 (minute 67(5) refers), the following Notice of Motion proposed by Councillor Phil Gilchrist and seconded by Councillor Stuart Kelly was referred by the Mayor to this Committee for consideration –

"PERFORMANCE MANAGEMENT – REPORTING ARRANGMENTS

Council notes:

1. the training session on the arrangements for Performance Management held on 7 September 2016, attended by a wide range of Members across all parties, at which Members were informed regarding the range of indicators chosen for future reports based on the progress with the Wirral Plan;
2. the concern expressed at that meeting that these reports and proposed indicators do not cover the range of established indicators that Council Members have always followed and expected to see, such as progress with staff appraisals, the level of staff sickness and absence and other issues;
3. that many Members at the training session made the case for a wider range of indicators to show how Council services are performing;
4. that the former Families and Wellbeing Policy & Performance Committee received performance monitoring data on a range of indicators that are and remain sensitive and significant in the light of OFSTED's recent findings.

Council, therefore, requests that:

- (i) as the data is still being collected and analysed by officers, a set of such wider indicators should be presented to Members on a regular basis;
- (ii) accompanying quarterly performance data, there should also be information as to the target expected in that quarter, in addition to the year end and Plan end (2020) target;
- (iii) the choice of indicators needs to be relevant to the 2020 pledge and undertakes to review those indicators chosen to measure pledge success prior to reporting for Quarter 2 performance;
- (iv) officers report to each Overview and Scrutiny committee the 'added value' expected for those indicators that have been included within the 2020 Vision

Plan and, in respect of indicators flagged as under or over performing, additional information and actions proposed in respect of those indicators.

In order to secure a transparent and open review, Members should be invited to submit details of the key areas that they wish to see reported upon by the end of October.

The Spokespersons of each of the newly created Overview and Scrutiny Committees should be requested to examine these suggestions and ensure a sufficient, timely and readily accessible mechanism for such data in future reports.”

As neither Proposer nor Seconder of the motion was in attendance, the Chair informed that, in accordance with Overview and Scrutiny Procedures Rule 16(e), the matter would be considered ‘in absentia’.

A Member commented that it was his belief that the majority of the requirements as embedded in the Notice of Motion were being achieved. Another Member stated that there had been good reports regarding the initial meeting of the OSC Chairs, Vice Chairs and Spokespersons and that further meetings should be organised.

Similar comment was made regarding the Performance Management Member training session held in September 2016, although concern was expressed in so far as time delays in reporting could mean that information may be quickly dated.

A Member expressed a view that the referral of this particular Notice of Motion to all Overview and Scrutiny Committees had resulted in a lot of Member time having been spent on the matter, compared to it having been debated at Council as originally hoped. Another Member countered this argument stating that as a result of its referral the matter had probably received more detailed consideration than may have occurred in the course of a busy Council meeting.

On a motion by the Chair, duly seconded it was –

Resolved - That

- (1) the Notice of Motion be supported; and**
- (2) a further meeting of the OSC Chairs, Vice-Chairs and Spokespersons would be welcomed to consider feedback from the OSC Committees on the presentation and content of performance data.**

ITEM 8C

MINUTE EXTRACT

BUSINESS OVERVIEW AND SCRUTINY COMMITTEE

29 NOVEMBER 2016

36 NOTICE OF MOTION: TREATING ALL RESIDENTS FAIRLY AND EQUITABLY

Prior to consideration of this item Councillor Jean Stapleton withdrew from the meeting whilst the matter was considered having declared a personal and prejudicial interest (see minute 32 ante).

The Assistant Director: Law and Governance reported that at the meeting of the Council held on 17 October, 2016 (minute 67 (4) refers), the following Notice of Motion proposed by Councillor Chris Blakeley and seconded by Councillor Steve Williams was referred by the Mayor to this Committee for consideration –

TREATING ALL RESIDENTS FAIRLY AND EQUITABLY

"Council notes the overwhelming opposition by local residents to the proposal by Merseyside Fire and Rescue Service to build a fire station on green belt land in Saughall Massie. To date, 2,561 people have signed a petition, 542 people have objected online and a further 524 letters and emails have been received by the Planning Department. Council also thanks the Saughall Massie Village Area Conservation Society and the Wirral Society for their opposition views.

Council further notes that when a proposal for a fire station in Greasby was proposed, the Leader of the Council instructed Council Officers to withdraw the land from consideration, saying 'Having listened to the views of local residents in Greasby and representations made by Labour's Parliamentary candidate in Wirral West, Margaret Greenwood, I believe the council-owned land in the centre of Greasby would be inappropriate for a fire station and would remove a much-loved local green space.'

Council believes that all residents and communities of the Borough should be treated fairly and equitably and therefore, recognising the massive opposition and the value of this much-loved green belt land, requests Officers to withdraw this piece of land with immediate effect and further requests that officers continue to work with the fire service to find an acceptable alternative."

The Chair invited Councillor Blakeley to explain his motion.

Councillor Blakeley stated that if the Council was going to be fair it must be seen to be fair. More people had objected to the proposal for a Fire Station in Saughall Massie, currently 3,721, than had objected to a proposal for one in Greasby, which was subsequently withdrawn for consideration as a possible site by the Leader of the Council. People should be treated fairly; the people of Greasby were listened to and now the people of Saughall Massie should be listened to also.

The Chair responded that the matter was currently going through the Planning process with a site visit planned and planning should be allowed its due process.

It was moved by the Chair and seconded by Councillor Abbey, that –

“The matter be left to the Planning Committee to see what decision was made there.”

It was moved as an amendment by Councillor Blakeley and seconded by Councillor Steve Williams, that –

“The Notice of Motion be fully supported.”

The amendment was put and lost (5:7) (Two abstentions).

(The following Councillors asked that their votes be recorded - Councillors C Blakeley, G Ellis, J Hale, T Pilgrim and S Williams voting in favour; Councillor C Muspratt abstaining).

The motion was then put and carried (8:5) (One abstention).

Resolved (8:5) (One abstention) (The following Councillors asked that their votes be recorded - Councillors C Blakeley, G Ellis, J Hale, T Pilgrim and S Williams voting against; Councillor C Muspratt voting in favour) – That the matter be left to the Planning Committee to see what decision was made there.

ITEM 8D

MINUTE EXTRACT

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

30 NOVEMBER 2016

31 NOTICE OF MOTION: RECOGNISING THE CONTRIBUTION OF OUR FRIENDS GROUPS

The Chair of the Environment Overview and Scrutiny Committee reported that at the meeting of the Council held on 17 October 2016 (minute 67 (6) refers), the attached Notice of Motion, ‘Recognising the contribution of our Friends Groups’ proposed by Councillor Lesley Rennie and seconded by Councillor Paul Hayes was referred by the Mayor to this Committee for consideration –

“Council recognises the value and importance of Wirral’s parks and open spaces and welcomes the valuable contribution made by Council staff and volunteers and Friends Groups.

Council celebrates the recent achievement of ‘Green Flag Awards’ for parks and open spaces in Wallasey, including:

- Harrison Park
- North Wirral Coastal Park
- Wallasey Cemetery

Council therefore instructs the Chief Executive to write to all successful Friends Groups in Wirral to reaffirm our commitment and support for the valuable work they undertake.”

As neither Proposer nor Seconder of the motion was in attendance, the Chair informed that, in accordance with Overview and Scrutiny Procedures Rule 16(e), the matter would be considered ‘in absentia’.

The Chair led a short debate, and expressed his view that the Council was grateful for the work undertaken by all Friends Groups across the borough and felt that it would be appropriate, with Committee’s agreement, to recommend that the Motion be amended slightly to cover encompass all Wirral Friends Groups.

Resolved -

Subject to the substitution of the word ‘Wirral’ in place of ‘Wallasey’ after the words ‘parks and open spaces’.

That the Notice of Motion be supported.

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Agenda Item 10

ITEM 10A

MINUTE EXTRACT

CABINET

8 DECEMBER 2016

68 REVENUE MONITORING 2016/17 (QUARTER 2)

Councillor Phil Davies introduced a report which set out the projected revenue position for 2016/17 as at the end of quarter 2 (30 September 2016). The latest forecast was an under spend of £0.2 million for 2016/17, being an improvement of £1.3 million on the quarter 1 forecast. (£1.1 million over spent).

The over spend in the Families and Wellbeing Directorate had increased during the second quarter. The Treasury Management report on the agenda recommended to Council the adoption of the annuity method for calculating Minimum Revenue Provision (MRP) in respect of capital financing. This change would contribute a significant one-off saving in 2016/17 and compensate for the over spends elsewhere in the 2016/17 budget.

The report also provided details of the re-allocation of existing budgets to reflect the New Operating Model which had been implemented on 1 November 2016.

Councillor Davies highlighted a forecasted over spend of £3.6 million which related predominantly to Community Care, where a number of ongoing pressures existed around demographics and demand. The actions to deal with these at the start of the year were now experiencing slippage.

A number of savings were rated red or amber and were mainly prior year savings. Progress of these was being closely monitored, however delivery of them was challenging as they related to changes in care. Resources were identified within – and had been allocated from – the Revenue Budget Contingency to offset the pressures in 2016/17.

Adult Social Care Budgets across the country are under pressure with local authorities, public sector agencies and private providers all highlighting concerns to the Government. Councillor Davies informed that there was a real crisis in social care and the Chancellor of the Exchequer had not taken the opportunity to announce some help for local authorities on this in his Autumn Statement.

Councillor Ann McLachlan made reference to the Government's decision to let local authorities increase council tax by 2% to fund social care and informed that it had not taken account of changing demographics and that people are now living longer. The Council tax base in Wirral was mostly in the A, B and C bands so the situation was dismal for Wirral and the situation regarding social care was disgraceful.

Councillor Bernie Mooney agreed with Councillor McLachlan and informed that

more needed to be done to highlight the issues and that the Government must find ways to invest more into care services for the elderly and the disabled.

RESOLVED: That

- (1) the quarter 2 forecast year end underspend of £0.2 million, which contains a number of significant variances, be noted;
- (2) Officers identify actions and take measures to assist to reduce the impact of the projected overspends;
- (3) the significant in-year contribution offered by the change in Treasury Management assumed in the projections be noted;
- (4) the realignment of budgets to reflect the New Operating Budget are referred to Council for approval; and
- (5) Cabinet believes that the failure by the Chancellor of the Exchequer to announce any additional funding to tackle the crisis in social care in his recent Autumn Statement was a huge missed opportunity. Cabinet requests that all parties on the Council make strong representations to the Government to make extra resources available for social care, as a matter of urgency, to ensure that Councils like Wirral can continue to provide good quality care to the most vulnerable members of the community.

ITEM 10B

MINUTE EXTRACT

CABINET

8 DECEMBER 2016

69 CAPITAL MONITORING 2016/17 (QUARTER 2)

Councillor Phil Davies provided the Cabinet with an update on progress towards delivering the Capital Programme 2016/17 as at the end of September 2016.

The report recommended the Cabinet to approve the 2016/17 Capital Programme of £38.1 million which had taken into account re-profiling identified during both the 2015/16 final accounts process, latest reviews of the current year and additional grant funding notified to the Council. The Cabinet noted that the expenditure to date was £10.6 million.

Councillor Tony Smith highlighted the new classroom that had been constructed at Elleray Park School to meet capacity needs. This project had included improved external accessibility and play areas. He also drew attention to the two classrooms that had been extended at Mersey Park School to provide additional space and improved IT. The Cabinet was informed that a resource/group room had been constructed to provide additional space for small group work and break out space.

Councillor Smith also highlighted the development at Stanley School that included two additional classrooms with the latest and most up to date learning facilities, providing excellent teaching environments which were comfortable and provide safe spaces. These classrooms would have assisted lifting and hygiene facilities and the latest IT equipment. He also reported that The Hive, Wirral's soon to be opened Youth Zone, was progressing according to schedule with the completion date expected mid-February 2017. Councillor Smith informed that Officers had done an excellent job and he thanked them.

Councillor S Whittingham informed that expenditure had been incurred on various highway maintenance schemes such as hot road asphalting where 20 schemes were either complete or underway with spend totalling £0.75 million, Micro asphalting with 7 schemes complete or underway totalling £0.67 million and Surface dressing with 12 schemes complete or underway totalling £0.43 million. He also informed that the scheme to replace the docks bridges, which had attracted significant Government grant funding over the next two years, had commenced.

Councillor B Mooney reported that the West Kirby Flood alleviation works also involved grant funding and a re-profiled business case had been submitted to the environment Agency. Approval was awaited so the funding had been re-profiled to 2017/18.

Councillor George Davies informed that £0.7 million of grant aid had been provided for the provision of essential aids and adaptations giving disabled people better freedom of movement in and around their homes. He also informed that the home improvement scheme had provided £0.3 million of financial assistance and intervention to remedy poor housing conditions in the private sector.

RESOLVED: That the Cabinet

- (1) **notes the spend to date at Month 6 of £10.6 million, with 50% of the financial year having elapsed; and**
- (2) **agrees and refers to Council the revised Capital Programme of £38.1 million (as shown in Table 1 of the report) which also includes a number of recommended virements as outlined in paragraph 3.5 of the report.**

ITEM 10C

MINUTE EXTRACT

CABINET

8 DECEMBER 2016

70 TREASURY MANAGEMENT MONITORING MID-YEAR 2016/17

Councillor Phil Davies introduced a report that informed that the Council's treasury management activity was underpinned by CIPFA's Code of Practice on Treasury Management ("the Code"), which required the production of annual Prudential Indicators and a Treasury Management Strategy Statement on likely financing and investment activity. The Code also recommended that Members were informed of treasury management activities at least twice a year.

The report fulfilled the Authority's legal obligation under the Local Government Act 2003 to have regard to both the CIPFA Code and the Department for Communities and Local Government (CLG) Investment Guidance.

The Cabinet noted that proactive Treasury Management activity resulted in previously identified one-off savings in 2016/17 of a minimum of £5 million:

- £2.5 million from a combination of reduced 2016/17 interest payments and revised Minimum Revenue Provision (MRP) charge in 2016/17.
- a further £2.5 million being generated in associated backdated adjustments as a result of revising the Council's MRP policy.

Councillor Davies reported that this 2016/17 one-off saving would increase to £8.7 million subject to the approval of the Council in relation to amending the Treasury Management Strategy in calculating the Minimum Revenue Provision (as detailed in the report):

- £3.2 million from a combination of reduced 2016/17 interest payments and revised Minimum Revenue Provision (MRP) charge in 2016/17.
- £5.5 million being generated in associated backdated adjustments as a result of revising the Council's MRP policy.

The Cabinet also noted that for 2017/18 the saving from the change to the MRP policy would increase from the previously agreed £0.45 million to £1.25 million as detailed in Appendix 1 to the report.

Councillor Davies highlighted the excellent work Treasury Management had carried out flagging up the savings. This was really helpful and had taken the pressure off the overall budget. He was pleased with the magnitude of the savings made during Year 1.

RESOLVED: That

- (1) the Treasury Management Mid-Year Report for 2016/17 be agreed;
- (2) the selection of the annuity method within ‘Option 3 Asset Life’ for calculating the Minimum Revenue Provision (MRP) be endorsed and this amendment to the Treasury Management Strategy be referred to the Council for approval;
- (3) the current estimated saving of £5.0 million from Treasury Management activities in 2016/17 be noted;
- (4) subject to (2) above, it be noted the Treasury Management savings for 2016/17 will increase to £8.7 million; and
- (5) subject to (2) above, it be noted that the Treasury Management savings for 2017/18 will increase to £1.25 million and this will be reflected in Budget 2017/18.

ITEM 10D

MINUTE EXTRACT

CABINET

8 DECEMBER 2016

72 TAX BASE 2017/18

Councillor Phil Davies introduced a report that brought together related issues relating to the proposed Council Tax Tax-Base for 2017/18, upon which the annual billing and Council Tax levels would be set; the proposed Council Tax Discounts and exemptions for 2017/18 and the Council Tax Support Scheme to be used during 2017/18. All of which needed to be approved by Council by 31 January 2017.

Councillor Janette Williamson highlighted the increase in domestic abuse in Wirral and that the Council was honouring its pledge of zero tolerance to domestic violence. Councillor Davies replied that he was proud the Council was continuing to provide discounts to services that carried out fantastic work in the Borough.

RESOLVED: That it be recommended to Council that

- (1) **the figure of 91,309.5 be approved as the Council Tax-Base for 2017/18;**
- (2) **the level and award of each local discount for 2017/18 be:-**

Wirral Women's & Children's Aid

To award the Refuge discount of 50% and the Flat's Discount of 75%.

Empty Property Discounts

The discount and premium rate charges remain unchanged for 2017/18:-

Discount category D = 0% Full charge on properties undergoing renovations.

Discount category C = 0%. Full charge on empty properties from date they become unoccupied.

Empty Property Premium = 150%. Properties empty for more than two years

Council Tax Discretionary Relief Scheme

The Council Tax Discretionary Hardship Relief Scheme continues in its current format for 2017/18; and

- (3) the Council Tax Support Scheme approved for use in 2016/17 be also approved as the Scheme for 2017/18.

ITEM 10E

MINUTE EXTRACT

CABINET

8 DECEMBER 2016

73 BUDGET COUNCIL AGENDA AND PROCEDURE - 6 MARCH 2017

The Cabinet considered a report that proposed that the Cabinet recommended to Council that the Agenda and Procedure for Budget Council (6 March 2017) set out at Appendix 1 of the report be approved.

The Assistant Director: Law and Governance and Monitoring Officer proposed a minor amendment to the Speaker's time allocations in respect of the Group Leaders, that Green Party Member (if applicable) be deleted and informed a revised Budget Council Agenda and Procedure would be circulated with the Council agenda the next day.

RESOLVED That:

- (1) **with the inclusion of the Assistant Director: Law and Governance and Monitoring Officer's amendment, the Agenda and Procedure for the Budget Council to be held on 6 March 2017 be recommended to Council for approval; and**
- (2) **the Council be recommended to agree that the Assistant Director: Law and Governance be authorised to make any changes to the revised Agenda and/or Procedure for the Budget Council meeting, providing the consent of all three Political Group Leaders has been obtained.**

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Amendment – Matters Requiring Approval (Item 10E)

Cabinet – 8 December 2016

Minute 73 - Budget Council Procedure – 6 March 2017

Proposed by Councillor Phil Gilchrist

Seconded by Councillor Dave Mitchell

‘That the timings for the third alternative budget proposal or amendment and for the allocated time for speakers remain as those provided in the budget procedure for 2016.’

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ITEM 10F

MINUTE EXTRACT

CABINET

8 DECEMBER 2016

76 **CHANGES TO THE GOVERNANCE ARRANGEMENTS - LEASOWE COMMUNITY HOMES**

Councillor George Davies introduced a report that advised that the Council, as a Company Member of Leasowe Community Homes (LCH) would be required to vote on proposals for LCH to move to a Board that was selected on the basis of skills rather than by constituency nominations and for the company to leave Your Housing Group (YHG) of which it was currently a subsidiary and to become a subsidiary of Pierhead Housing Association (PHA).

Leasowe Community Homes Board (LCH Board) had agreed to move to a Board recruited for the skills and experience necessary to enable the organisation to move into more diverse and commercial areas of business and demonstrate it met the standard required by the Regulator, the Homes and Communities Agency (HCA) for the current business in the new operating environment.

YHG and the LCH Board were satisfied that the substitution of PHA for YHG was in the interests of LCH's tenants and of all three organisations.

RESOLVED: That the Cabinet and full Council

- (1) **agrees that Leasowe Community Homes becomes a subsidiary of Pierhead Housing Association and enters into an Intragroup Agreement with Pierhead Housing Association in the terms set out in Appendix 4 of the report;**
- (2) **agrees that Leasowe Community Homes move to a Board of Directors that is selected on the basis of skills rather than by constituency nominations;**
- (3) **agrees to the removal of Your Housing Group from the constitution of Leasowe Community Homes;**
- (4) **agrees that Leasowe Community Homes Memorandum and Articles of Association be revised to reflect the changes and the Minority Protection Agreement be replaced by the Intragroup Agreement.**
- (5) **authorises the Council's nominees as Company Members of Leasowe Community Homes to agree the necessary changes to Leasowe Community Homes Memorandum and Articles of Association as set out in Appendix 3 of the report;**

- (6) authorises the Council's nominees as Company Members to vote on the changes (and associated matters) proposed and referred to in the report at the forthcoming Leasowe Community Homes Meeting;
- (7) refers these agreed decisions to the full Council meeting on 19 December 2016 for confirmatory approval to the extent that they relate to non-Executive functions such as the Council's housing policies but subject to the condition that the Board of Leasowe Community Homes is satisfied after carrying out due diligence enquiries that the proposed arrangements are viable and in the interests of the company and its tenants.
- (8) the Council nominated Members on the Board of Leasowe Community Homes undertake and be provided with all requisite training necessary to be an effective Director on the Board of Leasowe Community Homes; and
- (9) the Call-In procedure shall not apply to these (Executive) decisions, the Chief Executive having agreed it was in the public interest that they be taken as a matter of urgency on or before 19 December 2016 which is the deadline Your Housing Group has set for the Council's approval of the changes referred to above.

[Note: Councillors Bernie Mooney and Stuart Whittingham were absent from the meeting room whilst this item of business was under consideration having previously declared personal and prejudicial interests - by virtue of being a Board Member of Magenta Living and being a Member of Leasowe Community Homes Management Board respectively.]

EXECUTIVE MEMBER DECISION FORM

DECISION TO BE TAKEN BY: Councillor Ann McLachlan

KEY DECISION NO.

PORTFOLIO AREA: Transformation, Leisure and Culture

PORTFOLIOS AFFECTED: Transformation, Leisure and Culture

WARDS AFFECTED: All

SUBJECT: Draft Protocol for Determining whether the Freedom of the Borough should be conferred

1. RECOMMENDATION:

That the Council be requested to

- (1) adopt the **attached** Protocol (**Appendix A**) to be used when determining whether the Freedom of the Borough of Wirral should be conferred; and
- (2) agree that the **attached** nomination form (**Appendix B**) be used by Members to make such nominations.

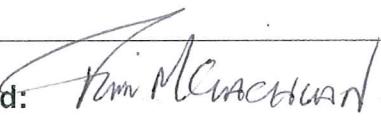
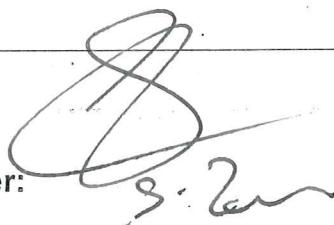
2. REASONS FOR THE DECISION

- 2.1. This report seeks the Cabinet Member's approval for the adoption of a Protocol to be used in respect of the granting of the Freedom of the Borough to citizens or groups for eminent services to the Borough of Wirral.
- 2.2. Adoption of this Protocol will provide a formalised, fair and consistent approach for dealing with nominations for the Freedom of the Borough of Wirral.

3. STATEMENT OF COMPLIANCE

The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

4. DECLARATION OF INTEREST

Signed:  Executive Member: Transformation Date: 14.12.16. Also present:	Signed:  Chief Officer: S. Z. Date: 14/12/2016.
Date of Senior Policy Team Meeting(s):	

A list of background papers on this issue is held with:

Contact Officer:

Date:

Date of Publication:

Date of Expiry of Call-In Period:



COUNCILLOR ANN MCLACHLAN

**CABINET MEMBER REPORT FOR
DELEGATED DECISION**

DRAFT PROTOCOL FOR
DETERMINING WHETHER THE
FREEDOM OF THE BOROUGH SHOULD
BE CONFERRED

REPORT SUMMARY

This report seeks the Cabinet Member's approval for the adoption of a Protocol to be used in respect of the granting of the Freedom of the Borough to citizens or groups for eminent services to the Borough of Wirral.

RECOMMENDATIONS

That the Council be requested to

- (1) adopt the **attached** Protocol (**Appendix A**) to be used when determining whether the Freedom of the Borough of Wirral should be conferred; and
- (2) agree that the **attached** nomination form (**Appendix B**) be used by Members to make such nominations.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATIONS

- 1.1 To provide a formalised, fair and consistent approach for dealing with nominations for the Freedom of the Borough of Wirral.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 No other options have been considered.

3.0 BACKGROUND INFORMATION

- 3.1 Under section 249 of the Local Government Act 1972, the Council may by resolution passed by not less than two-thirds of the voting Members, admit to be an honorary freeman of the County Borough “persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the Borough”.
- 3.2 An Extraordinary Council meeting must be convened solely for the purpose of awarding the Freedom of the Borough and a two-thirds majority of those present and voting is required.
- 3.3 The Freedom of the Borough is the highest honour that the Council can grant. It should only be used sparingly and awarded on merit to exceptional persons. It should not be awarded too often.

4.0 DRAFT PROTOCOL

- 4.1 As the Council does not currently have agreed criteria for awarding this honour, it is recommended that, in the interest of good practice, a Protocol be agreed and used in future to ensure a consistent approach.
- 4.2 Consequently, a draft Protocol has been drawn up and is attached, along with a nomination form for Members' use.

5.0 FINANCIAL IMPLICATIONS

- 5.1 Those who are awarded the Freedom of the Borough are presented with a scroll in a frame which costs in the region of £800 and are invited, with their guests, to a civic reception.
- 5.2 As this award is very seldomly conferred the costs associated with this have always been met from within existing Civic Services Budgets. Section 249 (6) of the Local Government Act allows Councils to spend ‘such reasonable sum as they think fit’ on presenting an address or casket containing the address to the Honorary Alderman or Freeman.

6.0 LEGAL IMPLICATIONS

- 6.1 The Council may by a resolution passed by not less than two-thirds of the Members voting thereon at a meeting of the Council specifically convened for the

purpose with notice of the purpose, admit to be Honorary Freemen or Freewoman of the place or area for which it is the authority persons/organisations of distinction and persons/organisations who have in its opinion rendered eminent services to the Borough. (Section 249(5), of the Local Government Act 1972.)

7.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 7.1 There are no implications associated with staffing, ICT or assets.

8.0 ENGAGEMENT / CONSULTATION

- 8.1 The Council's Leadership has been consulted and is in favour of the proposed Protocol.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no equality applications.

REPORT AUTHOR: **Shirley Hudspeth**

Committee and Civic Services Manager
Telephone: (0151) 691 8559
Email: shirleyhudspeth@wirral.gov.uk

APPENDICES:

Appendix A - Draft Protocol for determining whether the Freedom of the Borough should be conferred

Appendix B - Nomination Form for the Freedom of the Borough

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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Wirral Borough Council

Draft Protocol for determining whether the Freedom of the Borough should be conferred

1.0 Introduction

Section 249 of the Local Government Act 1972 empowers a local authority to confer the “Freedom of the Borough” to persons of distinction, who have in the opinion of the Council, rendered eminent services to the Borough.

- 1.1 The Freedom of the Borough is the highest honour that the Council can grant. It will only be used sparingly and awarded on merit to exceptional persons. It should not be given too often. The overriding principle **must be** that this award should be made on merit, defined as:

- Achievement
- Exceptional Service

- 1.2 Awards should not be for a job well done or because someone has reached a particular level. They should be awarded because an individual has, ‘gone the extra mile’ in the contribution they have made or stand out ‘head and shoulders’ above others in what has been achieved.

2.0 Background

- 2.1 It is important that, if a nomination to confer an Honorary Freedom is to be considered, that all Members of the Council will be in possession of sufficient facts in order to make a decision as to whether the honour should be conferred. Furthermore, there may be instances where there are strongly held views for and against and these need to be addressed as far as possible in advance of an Extraordinary Council meeting called for the purpose. The Council will want to meet with the clear consensus that the person of distinction is to be honoured and not humiliated by the proceedings. A unanimous decision is desirable, but the absence of unanimity cannot prevent the nomination coming forward for consideration by the Council.

- 2.2 To be granted, the title of Honorary Freeman/woman is a mark of distinction upon the person whom the Council wishes to honour. Conferring the Freedom of the Borough does not grant the title holder any privileges, legal rights or responsibilities. For example they have no rights to attend Council or Committee meetings, nor can they be paid an allowance. However, it does maintain a symbolic connection with the Council and it is hoped that those who are awarded this honour will support the Office of the Civic Mayor at civic events and functions.

APPENDIX A

3.0 Criteria for conferring the Freedom of the Borough

- 3.1 It is in the interests of transparency and public confidence that the Council adopts clear criteria for conferring the Freedom of the Borough. It is proposed that one or more of the following are used as the criteria for the award: The person has
- demonstrated exceptional achievement or service to the community which is outstanding in its field;
 - made a real difference in their field of work or their community;
 - brought distinction to the Borough or enhanced its reputation;
 - given outstanding military service;
 - demonstrated innovation, entrepreneurship or exceptional business acumen which has delivered benefits to the Borough;
 - evidenced exceptional charitable service to the Borough, though either a national or locally based charity;
 - evidenced exceptional voluntary service to the Borough or any part of it or community within it;
 - carried the respect of and inspired his/her peers;
 - significantly improved the lot of those less able to help themselves or suffering disadvantage;
 - promoted community cohesion;
 - displayed moral courage and vision in making and delivering tough choices;
 - contributed to the Borough beyond the call of duty in a way that stands out above others.
- 3.2 Only in exceptional circumstances should consideration be given to the admission of organisations.
- 3.3 As this is the highest honour that a Borough Council can grant, it should be used sparingly and should not be given too often in order to preserve its status and value.
- 3.4 The awarding of the Freedom of the Borough to Service Units “to march through the streets of the Borough with bayonets fixed, drums beating and Colours flying” is really an empty grant. The practice has been generally accepted and provides a dignified and satisfactory means of enabling a Borough to honour a distinguished unit of Her Majesty’s forces.

APPENDIX A

- 4.0 Procedure to be adopted on receipt of a Motion to confer the Freedom of the Borough**
- 4.1 Nominations for persons or organisations to be granted the Freedom of the Borough, may be made by any Elected Member to the Assistant Director: Law and Governance and Monitoring Officer on the appropriate form (See Appendix B). Each nomination must contain the support of the Elected Member's Group Leader and where appropriate, the Member should first raise the matter for discussion within their Political Group. An Elected Member who is not a member of a Political Group must have the support of at least one of the Political Group Leaders.
- 4.2 The Assistant Director: Law and Governance and Monitoring Officer will write to all Elected Members once during the Municipal year, to draw their attention to the opportunity to make nominations.
- 4.3 On receipt of the Nomination form the Assistant Director: Law and Governance and Monitoring Officer will ensure that sufficient information has been provided on the form. Full reasons why the person should be considered must be included:
- a person of distinction; or
 - a person who has rendered eminent services to the Borough.
- 4.4 **The Freedom Panel** - When in possession of sufficient information, the Assistant Director: Law and Governance and Monitoring Officer will convene a Panel of each of the Leaders of the Political Groups on the Council (Deputy Leaders can substitute if their Leader is unable to attend), with relevant officers (The Freedom Panel) to consider:
- whether they have sufficient information on which to form a view and, if not, to instruct officers to seek further information;
 - once satisfied that they have adequate information, whether there is sufficient support for the matter to go on to the Council for decision.
- 4.5 In the event that the Freedom Panel concludes that it is unlikely that the nomination will receive sufficient support, the Assistant Director: Law and Governance and Monitoring Officer will advise the Elected Member who made the nomination of this conclusion and the reasons for reaching it. The Elected Member will then be given the opportunity to withdraw his/her nomination, although the Member will still be entitled to have his/her nomination considered by the Council.
- 4.6 **Extraordinary Council Meeting** - Should the Freedom Panel conclude that it is likely that there will be a two thirds majority voting in favour of the nomination, the Assistant Director: Law and Governance and Monitoring

APPENDIX A

Officer will convene an Extraordinary meeting of the Council specifically for the consideration of the one item of business. The timing of the meeting will be such as, so far as it practicable, to meet the availability of the individual concerned to attend and to concord with the Council's diary commitments.

- 4.7 The subject of the nomination will be invited to attend the Extraordinary meeting of the Council where the nomination is to be considered.
- 4.8 The subject of the nomination will be invited to attend the Extraordinary meeting of the Council where the nomination is to be considered.
- 4.9 At the Extraordinary meeting of the Council, there will be only the one item of business and Assistant Director: Law and Governance and Monitoring Officer will submit a report setting out the matters considered by the Freedom Panel and the recommendation of the Panel to Council to approve the nomination.
- 4.10 The resolution should recite the grounds upon which the recommendation is being made, and details of the public services rendered by the nominee should be included.
- 4.11 The Civic Mayor will take a vote on the recommendation of the Freedom Panel and a two-thirds majority of those present and voting is required.

(Note: abstentions do not count as a vote and the required majority will be deduced from the number of Members actually voting on the item).

- 4.12 The Mayor will then immediately close the meeting.

5.0 The Ceremony

- 5.1 Arrangements for the ceremonial award of the Freedom Scroll will be made by the Committee and Civic Services Manager after liaising with the Civic Mayor, Political Group Leaders and the individual concerned. This can be done at either at the Extraordinary Council meeting and be followed by a Civic reception or at a Civic reception at a later date arranged specifically for that purpose.
- 5.2 The new Freeman/woman's name will be added to the Freedom Roll that hangs on the wall in the foyer of Wallasey Town Hall.

Wirral Borough Council

Nomination Form for the Freedom of the Borough

I Councillor.....would like to nominate the following person (organisation) to be considered for the conferment of the Freedom of the Borough of Wirral.

Nominee.....

I am aware that the following criteria must be applied to the achievements of the nominee.

They have:

- demonstrated exceptional achievement or service to the community which is outstanding in its field;
- made a real difference in their field of work or their community;
- brought distinction to the Borough or enhanced its reputation;
- demonstrated innovation, entrepreneurship or exceptional business acumen which has delivered benefits to the Borough;
- evidenced exceptional charitable service to the Borough, though either a national or locally based charity;
- evidenced exceptional voluntary service to the Borough or any part of it or community within it;
- carried the respect of and inspired his/her peers;
- significantly improved the lot of those less able to help themselves or suffering disadvantage;
- promoted community cohesion;
- displayed moral courage and vision in making and delivering tough choices;
- contributed to the Borough beyond the call of duty in a way that stands out above others.

I believe that they have met one or more of the above criteria in the way detailed on the reverse of this form:

APPENDIX B

Reasons for the Nomination

Please attach any supporting evidence.

***Support of the Leader of the nominating Member's Political Group**

I, Councillor....., Leader of the.....Group am fully in support of this nomination.

Signed.....

*An Elected Member who is not a member of a Political Group must have the support of at least one of the Political Group Leaders.

EXECUTIVE MEMBER DECISION FORM

DECISION TO BE TAKEN BY: Councillor Ann McLachlan

KEY DECISION NO

PORTFOLIO AREA: Transformation, Leisure and Culture

PORTFOLIOS AFFECTED: Transformation, Leisure and Culture

WARDS AFFECTED: All

SUBJECT: Moving Forward with Members' Learning and Development

1. RECOMMENDATION:

That the Cabinet Member be requested to:

- (1) recommend the revised **attached** Terms of Reference for the Member Development Steering Group to the Council for adoption;
- (2) note that if (1) above is agreed the political proportionalities of the Member Development Steering Group will be:
 - Four Members from the Labour Group;
 - Two Members from the Conservative Group; and
 - One Member from the Liberal Democrat Group.

and nominations will be required to fill the places; and

- (3) agree that the LGA's Member Development Outline Proposal 2016/17 be adopted as the approach for moving forward with Members' Learning and Development.

2. REASONS FOR THE DECISION

- 2.1. The Wirral Plan provides a 2020 vision for the Wirral Partnership to work collectively on a set of twenty pledges and harness resources across the partnership to secure their delivery. This requires Members to review and develop their skills, knowledge and expertise to ensure the Council can meet its challenges and realise all of its opportunities going forward.

- 2.2. These recommendations have been put forward to help develop the capacity of Elected Members to lead, support and progress the Council's aims and objectives. Strength and substance will be added to the Member Development Steering Group's Terms of Reference. The Local Government Association's Outline Proposal and support will help scope and provide a clear understanding of what Members' need

to deal with the Council's complex and significant agenda going forward.

3. STATEMENT OF COMPLIANCE

The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

4. DECLARATION OF INTEREST

Signed:  Executive Member: TRANSFORMATION Date: 14.12.16. Also present:	Signed:  Chief Officer: S. Lee Date: 14/12/2016.
Date of Senior Policy Team Meeting(s):	

A list of background papers on this issue is held with:

Contact Officer:

Date:

Date of Publication:

Date of Expiry of Call-In Period:



COUNCILLOR ANN MCLACHLAN

CABINET MEMBER REPORT FOR DELEGATED DECISION

MOVING FORWARD WITH MEMBERS' LEARNING AND DEVELOPMENT

REPORT SUMMARY

The Wirral Plan provides a 2020 vision for the Wirral Partnership to work collectively on a set of twenty pledges and harness resources across the partnership to secure their delivery. This requires Members to review and develop their skills, knowledge and expertise to ensure the Council can meet its challenges and realise all of its opportunities going forward.

In the light of these requirements and the Council's complex and significant transformation agenda going forward, this report seeks the Cabinet Member's agreement to recommend the **attached** revised Terms of Reference for the Member Development Steering Group to the Council for adoption and to agree the **attached** Local Government Association's (LGA) Member Development Outline Proposal to help change and strengthen Members' culture, development and support.

The Member Development Steering Group considered the Terms of Reference and the Outline Proposal at its meeting on 13 December 2016 and made some minor amendments which have been made to the appendices of this report.

RECOMMENDATIONS:

That the Cabinet Member be requested to:

- (1) recommend the revised **attached** Terms of Reference for the Member Development Steering Group to the Council for adoption;
- (2) note that if (1) above is agreed the political proportionalities of the Member Development Steering Group will be:

- Four Members from the Labour Group;
- Two Members from the Conservative Group; and
- One Member from the Liberal Democrat Group.

and nominations will be required to fill the places; and

- (3) agree that the LGA's Member Development Outline Proposal 2016/17 be adopted as the approach for moving forward with Members' Learning and Development.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATIONS

- 1.1 To develop the capacity of Elected Members to lead, support and progress the Council's aims and objectives by adding strength and substance to the Member Development Steering Group's Terms of Reference, committing to the Local Government Association's Outline Proposal on Member Development and examining Members' future requirements etc.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 No other options have been considered.

3.0 BACKGROUND INFORMATION

- 3.1 Local Authorities have an obligation to ensure that they support effective Elected Members' working to provide and improve corporate governance, local democracy and local services.

4.0 MEMBERS' LEARNING AND DEVELOPMENT NEEDS

- 4.1 Wirral Council recognises that Members have a pivotal role in taking forward its transformation agenda and that its success will depend on Elected Members having the capacity to provide best possible services to its residents.

- 4.2 All Members, whether newly elected or experienced, will benefit from the opportunities available for specific learning and continuing development in order to fully appreciate and contribute to the dynamic delivery agenda and to update and refresh the skills and knowledge required. All Members need to understand the scope and scale of their role in order to be able to identify the personal development needs that will enable them to fulfil the ever increasing individual and political demands.

- 4.3 Elected Members' Learning and Development is a key factor in ensuring the Council's continuous improvement. It is essential if the Council is to realise the full potential of its Members in an appropriate manner and it must be tailored to the Council's needs. Only then will Wirral fulfil its aspiration of becoming an outstanding Council.

- 4.4 Strong and effective leadership is the key to efficient, accountable and responsible local government. Members are 'champions' of their local communities. They make decisions, deliver change, challenge and scrutinise proposed actions, communicate the Council's plans and take up issues raised with them by their constituents. It is their responsibility to make sure outcomes are improved for Wirral residents, based on the Pledges they have committed to in the Wirral Plan.

- 4.5 Any Member Development Programme that is proposed must be designed to support Members in this endeavour and ensure the Council is at the forefront with regard to Members' support, learning and development opportunities. Measured learning and measured outputs resulting from it are essential. There is a wide

range of skills required against the range of Member roles.

- 4.6 The proposed approach will provide Members with the opportunity to access events and activities that are appropriate to their roles and responsibilities recognising the importance of their role within the Council, their constituencies, and with partner organisations and will ensure that the ongoing requirements of the North West Charter on Elected Member Development are met.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The guidance provided by the Local Government Association is free. There are not expected to be any additional financial implications. Any minor incidental costs can be met from the existing Member Development Budget.

6.0 LEGAL IMPLICATIONS

- 6.1 It is regarded as good practice for the Council to have an agreed Member Development Programme.

7.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 7.1 There are no implications associated with staffing, ICT or assets.

8.0 ENGAGEMENT / CONSULTATION

- 8.1 The Council's Leadership has been consulted and is in favour of the proposed Protocol.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no equality applications.

REPORT AUTHOR: Shirley Hudspeth

Committee and Civic Services Manager
Telephone: (0151) 691 8559
Email: shirleyhudspeth@wirral.gov.uk

APPENDICES:

- Member Development Steering Group's – Revised Terms of Reference
- LGA's Wirral Council – Member Development Outline Proposal 2016/17

REFERENCE MATERIAL**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date

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Member Development Steering Group

Terms of Reference

Role and Function

The role of the Member Development Steering Group (“the Steering Group”) is to:

- provide cross-party strategic leadership to member learning, development and support so as to enable members to help deliver the Wirral Plan and the Pledges;
- ensure all members have the requisite skills, knowledge and attributes to be able to meet their varied duties and responsibilities;
- actively promote, encourage and oversee member culture, development and support;
- explore, research, gather insight, examine and develop and implement new innovative methods, approaches and initiatives to improve member culture, development and support.
- drive continuous improvement in member culture, development and support within political groups.
- Specifically:

1. Training and Development

- 1.1 Review, and recommend to the relevant Cabinet Member for consideration, changes/proposals in respect of the ‘Approved Duties’ definition within the Members Allowances Scheme.
- 1.2 Identify, review and agree core member development, training and skills requirements/needs.

2. Champion and Promote Learning

- 2.1 Act as a champion for Member learning and development.
- 2.2 Encourage engagement of members in their learning and development.
- 2.3 Encourage members to identify individual development needs linked to the Council’s priorities and objectives through Personal Development Plans (‘PDPs’).

- 2.4 Identify, promote and encourage national, regional and local learning and development opportunities for members.

3. Monitor and Evaluate Training

- 3.1 Monitor the level of learning and development activity undertaken by members and political groups.
- 3.2 Encourage and evaluate feedback following learning and development training, events, activities and/or arrangements.
- 3.3 Evaluate the value for the council and the individual through undertaking learning and development training, events, activities and/or arrangements..
- 3.4 Support the accreditation of the Members Charter or other external validation.

4. Member Induction

- 4.1 Oversee Elected Member Induction arrangements, including training, peer support, local/national development programmes.
- 4.2 Approve requisite civic/legal requirements in relation to Elected Member Acceptance of Office Declarations.

Membership

The Steering Group shall consist of:

- Four Members from the Labour Group;
- Two Members from the Conservative Group; and
- One Member from the Liberal Democrat Group.

Members of the Steering Group shall also be their respective political group “Member Development Champion(s)” and as such shall proactively support the work of the Steering Group and drive continuous improvement with regards to member culture, development and support.

Any Member of the Steering Group is entitled to nominate a deputy (from the membership of their respective political group) to attend meetings of the Steering Group on his/her behalf.

Meetings

The Working Group shall meet as frequently as considered necessary.

Chairperson

The Chairperson and Vice-Chairperson shall be appointed by the Steering Group members at its first meeting in the Municipal Year.

Quorum

Meetings of the Steering Group shall be quorate providing the Chairperson (or Vice-Chairperson) and at least three other Steering Group members (of their deputies) are in attendance.

Access to Information

Meetings of the Steering Group shall be held in private and the provisions relating to Access to Information shall not apply.

Administration

The Steering Group shall be administered and supported by the Monitoring Officer, Committee Services and HR/OD as appropriate.

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Amendments to Notices of Motion

The Council is requested to consider the following amendment, submitted in accordance with Standing Order 12(1) and (9)

(1) Notice of Motion No. 6 (Renumbered as 4) – CRISIS IN SOCIAL CARE

Amendment

Proposed by Councillor Phil Gilchrist

Seconded by Councillor Alan Brighouse

Insert after para 1...

Council has had only a limited opportunity, so far, to fully interpret the provisional local government finance settlement announced on 15 December 2016, but believes that the combination of increased Council Tax, use of the Better Care Fund and the changes to the New Homes Bonus, are not capable of addressing the underlying problems and pressures faced by this and many other authorities.

Council notes that the Secretary of State for Communities and Local Government has stated that 'when we allocate billions of funding from the Better Care Fund, we take into account the council tax raising power of each area' but has also introduced new targets before the New Homes Bonus can be secured.

In (new) para 6, insert...

'genuinely' after "the failure to deliver..."

Insert after (new) para 6 (ends '...their independence and wellbeing.')

Council asks officers to assess what can be achieved with what the Government has described as the 'improved' Better Care Fund and to establish how Wirral's predicted share relates to the Relative Needs Formula.

Council notes that comments have been made at the way the Better Care Fund is being used, with praise directed at some areas and criticisms made of others. Council therefore awaits publication of the 'Integration and Better Care Fund Policy Framework' so that our local progress can be ascertained.

In the meantime, the Council will continue to work through the Local Government Association to ensure that their Chairman's statement that 'There needs to be an urgent and fundamental review of social care and health before next year's spring Budget' is vigorously pursued.

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Department for Communities and Local Government

Cllr Phillip Davies
Leader- Wirral Borough Council
Town Hall
Brighton Street
Wallasey
Wirral
Merseyside
CH44 8ED

Marcus Jones MP
Minister for Local Government

Department for Communities and Local
Government
Fry Building
2 Marsham Street
London
SW1P 4DF

Tel: 0303 444 3460
Fax: 020 7035 0018
Email:marcus.jones@communities.gsi.gov.uk
www.gov.uk/dclg

05 DEC 2016

Dear Councillor Davies,

I am writing in response to your letter dated 28 July 2016 about Wirral Borough Council's compliance with the provisions of the Code of Recommended Practice on Local Authority Publicity ('the Code'). In particular, this is in response to Wirral Borough Council's publication of 'Wirral View' on a monthly basis. You will be aware of the provision in paragraph 28 of the Publicity Code which provides that "where local authorities do commission or publish newsletters, newsheets or similar communications, they should not issue them more frequently than quarterly".

As you know, the vast majority of local authorities comply with the Code and it is therefore unfortunate that your council have decided to depart from the provisions of the code, in relation to frequency of publication. The purpose of the provisions in the Code about frequency of publication is to create a fair environment for independent local media and to prevent unfair competition with the independent press.

I invite you to share your reasoning in deciding that a monthly newsletter is required for your local authority. In particular, can you further elaborate on how the specific findings of the Ipsos Mori research and the report have led you to decide to publish a monthly newsletter? When taking this decision, what other alternative options were considered and why were these discarded?

This Government attaches great importance to councils complying with all provisions of the Publicity Code, and where councils do not, we will not be afraid to take action.

I look forward to your response.

Yours sincerely,
Marcus Jones
MARCUS JONES MP

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Please reply to:

Councillor Phillip L Davies
Leader of Wirral Council

Town Hall, Brighton Street
Wallasey, Wirral
Merseyside, CH44 8ED
Telephone: 0151-691 8540
Fax: 0151-691-2887
Email: phildavies@wirral.gov.uk

28th July 2016

Marcus Jones MP
Minister for Local Government
Dept. for Communities & Local Govt.
4th Floor, Fry Building
2 Marsham Street
London SW1P 4DF

my ref PD/BT/

Dear Marcus

Thank you for your letter.

I think it would be helpful to first explain some wider context.

Late last year Wirral Council commissioned extensive market research among its residents. This research provided us with some extremely valuable insight into what local people felt was most important to them, where they felt we should focus our energies and in what areas they felt we needed to improve.

One of the key findings from the research was the fact a majority of local people state they do not feel well informed about the services the Council provides. The research also made clear the more economically deprived a community, the less likely they were to state they felt well informed.

The research findings can be reviewed from our website:
www.wirral.gov.uk/wirralplan.

Our Cabinet have made the decision to respond to these findings by developing a new publication, which would provide this information directly to every resident, alongside a redeveloped website and suite of social media channels.

This decision was recently 'called-in' for further scrutiny by Members of the Council and on 27 July 2016 Members made the decision to uphold the decision of the Cabinet.

Representatives from Newsquest, who own a local media title in the borough, attended the call-in and gave evidence. They highlighted their concerns in regards to the perception the Council would be competing with them and also acknowledged a significant coverage deficiency, with a minimum of one in three Wirral households receiving no local newspaper.

It was made clear during the call-in process that the Council is intending to accept advertising within its publication but would not seek to compete with independent media suppliers in our borough. We will ensure this through a) not accepting advertising from those organisations and industries who most often advertise within the local press and b) setting our pricing structure at a level which is considerably higher than any local media provider. Accepting advertising is a by-product of developing this publication, not its direct purpose, and achieving any level advertising income is not material to it being sustainable and achieving good value for the authority.

We will continue to place advertising in the local and regional media. In particular, advertisements which are required to be placed within a newspaper – such as statutory and public notices – would continue to be placed within a local newspaper.

It was also debated and made clear that the Council is attempting to address a very real issue in the borough and ensure all residents are able to be kept informed about local issues and public service information.

It is important to note our publication would not attempt to emulate a newspaper in either style or content. The content would focus on Council services, community events and activities, job opportunities and issues related to housing, social care and other areas of public services which would not traditionally be considered 'news'.

In addition, the content of all communications, including the new publication, would continue to conform to the Code in its entirety. We have robust governance system in place to ensure all content meets the principles of the Code and our own local media guidelines. Content for the publication would also be sourced from our partner agencies – all of whom support the development of the publication as they too suffer from being unable to communicate easily with large portions of the most economically disadvantaged residents in our borough.

I would encourage you to read the report which was considered by my Cabinet earlier this month. It is available on the Council website (at item 20):

<http://democracy.wirral.gov.uk/ieListDocuments.aspx?CId=121&MId=5503&Ver=4>

The report makes clear Wirral Council has shown regard to the Code and we have come to the conclusion that the strength of our rationale and business case regarding this publication makes it appropriate for us to depart from the Code in relation to frequency only. We have also committed to reviewing the effectiveness of the publication at regular interviews during the first 24 months of its existence.

We would welcome a meeting to discuss these matters further, should you need any further information.

With best wishes

Yours sincerely

A handwritten signature in black ink, appearing to read "Phil Davies". A horizontal line is drawn through the signature.

Councillor Phil Davies

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Department for Communities and Local Government

Councillor Phil Davies
Leader - Wirral Council
Cheshire Lines Building
Canning Street
Birkenhead
Wirral
CH41 1ND

Marcus Jones MP
Minister for Local Government

Department for Communities and Local
Government

4th Floor, Fry Building
2 Marsham Street
London SW1P 4DF

Tel: 0303 444 3460
Fax: 020 7828 4903
E-Mail: marcus.jones@communities.gsi.gov.uk
www.gov.uk/dclg

Dear Councillor Davies,

You will be aware that Section 4(1) of the Local Government Act 1986 requires all local authorities to have regard to the Code of Recommended Practice on Local Authority Publicity (the 'Publicity Code') that was issued on 31 March 2011.

You will also be aware of the provision in the Publicity Code that where local authorities do commission or publish newsletters, newsheets or similar communications, they should not issue them more frequently than quarterly.

As you know the great majority of local authorities comply with the provisions in the Publicity Code – the provision in relation to frequency of publication has been designed to ensure that in each locality the independent local media does not face unfair competition. In short, the purpose of that provision is to create an environment which is as conducive as possible to the flourishing of the independent local media, an essential element of any effectively operating democracy.

It has been suggested in recent press reports in both the Municipal Journal and the Liverpool Echo that Wirral Council are considering publishing a monthly newsletter. Such a publication would not appear to comply with the provision in paragraph 28 of the Publicity Code which provides that "where local authorities do commission or publish newsletters, newsheets or similar communications, they should not issue them more frequently than quarterly".

I would be grateful therefore if you could provide me with reassurance that Wirral Council will comply with the provisions of the Publicity Code when considering how it communicates with residents.

Yours sincerely,
Marcus Jones
MARCUS JONES MP

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