



Council

Town Hall
Wallasey

4 July 2014

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday, 14 July 2014** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects :

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

AGENDA

1. DECLARATIONS OF INTEREST

Members of the Council are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest, in connection with any matter to be debated or determined at this meeting and, if so, to declare it and state the nature of such interest.

2. CIVIC MAYOR'S ANNOUNCEMENTS

To receive the Civic Mayor's announcements and any apologies for absence.

3. PETITIONS (Pages 1 - 2)

A. To receive petitions submitted in accordance with Standing Order 21.

B. The following petition is referred to the Council for consideration in accordance with Standing Order 34:

A petition of some 4,029 signatories submitted by Abbas Hussain requesting the Council to reduce the parking charges in Heswall

A sheet from the petition is attached and, in accordance with the Petition Scheme, the petition organiser has been invited to address the Council for up to five minutes. The Council should debate the matter for a maximum of 15 minutes before deciding how to respond to the petition.

4. PUBLIC QUESTIONS

To deal with questions from members of the public, in accordance with Appendix 1 to Standing Orders.

5. MINUTES (Pages 3 - 44)

To approve the accuracy of the minutes of the meeting of the Annual Council held on 2 June and reconvened on 9 June, 2014.

The Council is requested to note the following amendments to appendix C to the minutes, 'Appointments to Outside Bodies 2014/15',

B. ADULT SOCIAL CARE AND PUBLIC HEALTH

(v). Clatterbridge Cancer Centre NHS Foundation Trust

Replace Councillor Moira McLaughlin with Councillor Anita Leech

J. NEIGHBOURHOODS, HOUSING AND ENGAGEMENT

(i). Beechwood and Ballantyne Community Housing Association – Board

Delete Councillors Harry Smith and Denise Realey – replace with Councillor Paul Doughty

(viii) Magenta Living: Community Fund Working Group, officer appointments to read:

Mr I Platt (Head of Housing)

Mr T Sault (Head of Financial Services)

6. LEADER'S, EXECUTIVE MEMBERS' AND CHAIRS REPORTS (Pages 45 - 78)

To receive the written reports of the Leader and Cabinet Members and receive questions and answers on any of those reports in accordance with Standing Orders 10(2)(a) and 11.

Also attached is the Strategic Director of Transformation and Resources' Scrutiny Annual Report 2013/14.

7. MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 79 - 132)

To consider any recommendations of the Leader, Cabinet, Cabinet Member and Committees which require the approval of the Council. The relevant minutes are attached; copies of the related reports can be provided for Council members on request.

**A. Licensing Act 2003 Committee – 19 March 2014
(Pages 79 - 109)**

Minute 12 - Draft Statement of Licensing Policy

The Council is requested to approve the Draft Statement of Licensing Policy as the Council's Statement of Licensing Policy under the Licensing Act 2003. (A copy of the Draft Policy, incorporating amendments proposed at the Committee, is attached, as well as the minute).

**B. Audit and Risk Management Committee – 23 June 2014
(Page 111)**

Minute 72 - Annual Self Assessment 2013/14

The Council is requested to approve an amendment to the Committee's terms of reference, insofar as they relate to the frequency of meetings, to ensure compliance with CIPFA best practice guidance.

**C. Liverpool City Region Combined Authority Scrutiny Panel
(Pages 113 - 132)**

Following consideration of a report on Scrutiny Arrangements by the Combined Authority at its meeting on 13 June, 2014, the Council is requested to appoint two Members to the LCRCA Scrutiny Panel and to nominate one of these two Members as the 'Authority Scrutiny Link'. (A copy of the report on Scrutiny Arrangements, to the LCRCA, is attached).

D. Statutory Scrutiny Officer

The Council is requested to approve the appointment of the Strategic Director of Transformation and Resources as the Council's Statutory Scrutiny Officer, in place of the Director of Public Health / Head of Policy and Performance.

E. Any other matters referred to the Council by Cabinet at its meeting on 7 July, 2014, including:

- **Designation of a Neighbourhood Forum and Neighbourhood Area for Leasowe**

8. MATTERS FOR NOTING (Pages 133 - 134)

The following matters, determined by the Cabinet, are drawn to the

Council's attention in accordance with the Constitution (copies of the related reports can be provided for Council members on request).

Cabinet – 13 March 2014

Minute 162 - Financial Monitoring 2013/14 (Month 10)

Matters potentially to be referred to the Council by Cabinet at its meeting on 7 July, 2014, include:

- Provision of Children and Adult Transport Services (Reason – proposed waiving of call-in)
- Pothole Repair Fund Application – Delegation of Decision (Reason – proposed waiving of call-in)

9. MEMBERS' QUESTIONS

To consider Members' general questions to the Mayor, Cabinet Member or Committee Chair in accordance with Standing Orders 10 (2)(b) and 11.

10. MATTERS REFERRED FROM POLICY AND PERFORMANCE COMMITTEES (Pages 135 - 144)

To consider and determine any references from the Policy and Performance Committees.

- A. The Council is advised that the Notice of Motion, 'Mersey Tunnel Tolls', referred from Council at its meeting on 10 March, 2014 (minute 98 refers) was considered by the Regeneration and Environment Policy and Performance Committee at its meeting on 9 April, 2014 (minute 45 is attached). **(Pages 135 - 138)**

In accordance with Standing Order 7 (5) the Council is asked to consider the following recommendation of the Regeneration and Environment Policy and Performance Committee:

"Resolved (10:5) –

(1) That this Committee regrets the attempt to politicise the issue by the wording within the Notice of Motion, rather than stimulate serious debate. It also regrets that it fails to recognise the burden of high, unregulated bus and train fares on Wirral residents, wherever they travel.

(2) Committee notes that Wirral has benefitted greatly from the freezing of the Merseytravel levy and a direct grant of £3.3m to help offset cuts in Highways Budgets.

(3) Committee notes that putting the burden of tunnel tolls directly on the Council Tax would penalise all Wirral residents including non-car owners and would be unachievable. However, we recognise the issue and impact of tunnel tolls, particularly in Wirral and agree –

(i) That we should support a campaign to move the funding of the tunnel crossing back to the National Highways Network, particularly in the light of the A14 ruling.

(ii) That the Fast-Tag scheme should be encouraged and promoted through all Wirral Council media and outlets.

(iii) That we should encourage local, flexible schemes that could assist Wirral residents in reducing costs.

(iv) That, whatever the outcome, safety and efficiency of the tunnel operation should not be put at risk.

(v) That Wirral will support the Merseytravel campaign to reduce excessive bus and train fares.”

- B. The Council is advised that the Notice of Motion, ‘NO to Nuisance Calls’, referred from Council at its meeting on 10 March, 2014 (minute 98 refers) was considered by the Regeneration and Environment Policy and Performance Committee at its meeting on 9 April, 2014 (minute 46 is attached). **(Pages 139 - 141)**

In accordance with Standing Order 7 (5) the Council is asked to consider the following recommendation of the Regeneration and Environment Policy and Performance Committee:

“Resolved –

(1) That the ‘No to Nuisance Calls’ campaign be supported, and appropriate steps be taken to promote the campaign via the Trading Standards service and through publicity in libraries and other public buildings.

(2) That the report of the Trading Standards Strategic Manager be noted.

(3) That the proposal of the Strategic Director for Regeneration and Environment to promote cross Departmental working be supported.

(4) That the Committee to be appointed for 2014/2015 be asked to consider how best to address the problem.

(5) That the Cabinet be requested to write to local MPs, encouraging them to support the Private Members’ Communications (Unsolicited Telephone Calls and Texts) Bill.”

The Cabinet, at its meeting on 19 June, 2014 (minute 17 refers) resolved:

“That a letter be sent to local MPs, encouraging them to support the Private Members’ Communications (Unsolicited Telephone

Calls and Texts) Bill.”

- C. The Council is advised that the Notice of Motion, ‘Labour’s Effective Stewardship’, referred from Council at its meeting on 10 March, 2014 (minute 98 refers) was considered by the Policy and Performance Coordinating Committee at its meeting on 1 April, 2014 (minute 48 is attached). **(Page 143)**

In accordance with Standing Order 7 (5) the Council is asked to consider the following recommendation of the Policy and Performance Coordinating Committee:

“Resolved:

That the Motion set out above be noted.”

[The motion read as follows:

Council congratulates the Labour Administration on its prudent financial management of the Council which has enabled Council Tax to be frozen for the next 2 years.

At the same time, Labour has delivered a new house-building programme, help for the unemployed through the Reachout Programme and financial assistance for community groups under the ‘Love Wirral’ initiative together with many other progressive policies.

This has been achieved despite the Government’s draconian cuts to Wirral’s budget.]

11. NOTICES OF MOTION (Pages 145 - 150)

Notices of motion submitted in accordance with Standing Order 7(1), are attached. They are listed in the order received, and the full text of each motion is attached. The Mayor, having considered each motion, in accordance with Standing Order 7(4) has decided that they will be dealt with as follows:

- (i). Becoming a ‘Dementia Friendly’ Council**
[The Mayor to refer to the Families and Wellbeing Policy and Performance Committee]
- (ii). The Lyndale School**
To be debated
- (iii). Underground Coal Gasification**
[The Mayor to refer to the Regeneration and Environment Policy and Performance Committee]
- (iv). Private Rented Sector Reform**
[The Mayor to refer to the Regeneration and Environment Policy and Performance Committee]

- (v). **A Fair Deal for Wirral**
To be debated
- (vi). **Investing in Wirral's Infrastructure**
To be debated
- (vii). **The Brown Bin Tax and the Digital Divide**
The Mayor to refer to the Cabinet]

12. 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.

13. ANY OTHER BUSINESS

To consider any other items of business that the Mayor accepts as being urgent.

A handwritten signature in black ink, consisting of several loops and a horizontal line at the bottom.

Head of Legal and Member Services

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Petition to reduce parking charges in Heswall

We, the undersigned, demand that Wirral Borough Council acknowledge the damage being done to trade and businesses in Heswall by the outrageous increase in parking charges in April 2013. We further demand the council change the parking charges to encourage visitors to the town and entice local residents back to the town to shop. We demand the charges be set to 30p for up to 2 hours parking rising to £1 for up to 4 hours and £5 for over 4 hours.

Name	Address	Signature
S. Donovan	26, Ebon Dr., Thornton Hough CH63 1JS	
S. Green	5 Gorse Rd, Meols CH47 0NL	
J. Moon	8 Whitehouse Lane, Cirkboll	
P. DOWELL	8, Wheatland Rd. Heswall	
G. Andrew	7 Baskerville Close, Heswall	
C Fisher	5, Brantley Close, Heswall	
J. BICAL	92, Barston Rd Heswall	
M. WIFFELTS	26 North Dr. Heswall	
Ann McElroy	9 Wheatland Rd Heswall	
Megan Roberts	27 Walsstone Lane West Kirby Neston	
Helen Storr	1, Newhall Cottages, Chester High Rd	
Cynthia Duggan	Red Cedars, Dunota Lane. Burtan	
Carole Ross	20 Gayton Lane. Heswall	
Jean Schoeds	"Hilbre", 6, Oakdale Drive, Heswall	
Colin Schoeds	"Hilbre" 6, Oakdale Drive Heswall	
Jenny Wilson	19 Berwyn Drive Heswall	
Geoff Wilson	19 Berwyn Drive Heswall	
G. WILLIAMS	19 ASHLEA ROAD PENSBY	
Marilyn Gray	58, Broadlake Willaston	
David Creyer	157 Milne Road, Heswall	
Tommy Cropper	15 BROADWAY, HESWALL	

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Public Document Pack Agenda Item 5

COUNCIL

Minutes of the Annual Council Meeting held on Monday, 2 June 2014 and reconvened on Monday, 9 June 2014

Present:

Monday 2 June 2014

The Civic Mayor (Councillor Dave Mitchell) in the Chair
Deputy Civic Mayor (Councillor Steve Foulkes)

Councillors	RL Abbey	R Gregson	D Realey
	T Anderson	P Hackett	L Reecejones
	B Berry	J Hale	L Rennie
	C Blakeley	P Hayes	D Roberts
	E Boulton	A Hodson	L Rowlands
	A Brighthouse	K Hodson	J Salter
	P Brightmore	M Hornby	H Smith
	C Carubia	T Johnson	Tony Smith
	P Cleary	AER Jones	Tracey Smith
	W Clements	C Jones	W Smith
	J Crabtree	S Kelly	C Spriggs
	M Daniel	A Leech	M Sullivan
	G Davies	AR McLachlan	A Sykes
	P Davies	M McLaughlin	J Walsh
	WJ Davies	C Meaden	G Watt
	P Doughty	B Mooney	S Whittingham
	D Elderton	C Muspratt	J Williamson
	G Ellis	S Niblock	I Williams
	L Fraser	T Norbury	KJ Williams
	P Gilchrist	M Patrick	P Williams
	JE Green	C Povall	S Williams

Apologies Councillor J Stapleton

Monday 9 June 2014

The Civic Mayor (Councillor Steve Foulkes) in the Chair
Deputy Civic Mayor (Councillor Les Rowlands)

Councillors	RL Abbey	R Gregson	L Reecejones
	T Anderson	P Hackett	L Rennie
	B Berry	A Hodson	D Roberts
	C Blakeley	K Hodson	L Rowlands
	E Boulton	M Hornby	J Salter
	A Brighthouse	Johnson	H Smith
	P Brightmore	AER Jones	Tony Smith
	C Carubia	C Jones	W Smith

P Cleary	S Kelly	C Spriggs
W Clements	A Leech	J Stapleton
J Crabtree	AR McLachlan	M Sullivan
M Daniel	M McLaughlin	A Sykes
G Davies	C Meaden	J Walsh
P Davies	B Mooney	G Watt
WJ Davies	C Muspratt	S Whittingham
P Doughty	S Niblock	J Williamson
D Elderton	T Norbury	I Williams
G Ellis	M Patrick	KJ Williams
P Gilchrist	C Povall	P Williams
JE Green	D Realey	S Williams

<u>Apologies</u>	Councillors	L Fraser	P Hayes
		J Hale	Tracey Smith

1 **DECLARATIONS OF INTEREST**

The Members of the Council were invited to consider whether they had any disclosable pecuniary and/or any other relevant interest in connection with any matters to be determined at this meeting and, if so, to declare it and state the nature of such interest.

No such declarations were made.

2 **HONORARY ALDERMAN MRS KATE WOOD**

The Civic Mayor informed the Council of the sad news of the recent death of Honorary Alderman Kate Wood, former Conservative Councillor for Wallasey Ward 1973-2013 and Civic Mayor in 2000/01. The Council stood in silence, as a mark of respect.

3 **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor thanked all those within the Council and throughout the Borough who had supported him and the Mayoress in the wide variety of activities that they had undertaken throughout his year of office. In particular, the Civic Mayor thanked the staff of Civic and Member Services and the Attendants for their valued assistance, and all those involved in the work of the Civic Mayor's Charity Fund. He stated how grateful, humble and proud both he and the Mayoress were to have served as Civic Mayor and Mayoress.

4 **ELECTION OF CIVIC MAYOR 2014/15**

The Civic Mayor invited nominations for election of the Civic Mayor for the ensuing municipal year.

On a motion moved by Councillor Phil Davies, seconded by Councillor Gilchrist and, in the absence of any other nominations, it was:

Resolved (50:5) (10 abstentions) – That Councillor Steve Foulkes be elected Civic Mayor of the Metropolitan Borough of Wirral for the 2014/15 municipal year.

Councillor Foulkes made the declaration of acceptance of office required by law, and the retiring Civic Mayor (Councillor Mitchell) vacated the Chair. Councillor Foulkes occupied the Chair.

The Civic Mayor welcomed his guests and spoke to his election.

5 **DEPUTY CIVIC MAYOR 2014/15**

The Civic Mayor invited nominations for the appointment of a Deputy Civic Mayor for the ensuing municipal year.

On a motion moved by Councillor Green, seconded by Councillor Phil Davies, and in the absence of any other nominations, it was:

Resolved (unanimously) – That Councillor Les Rowlands be appointed Deputy Civic Mayor of the Metropolitan Borough of Wirral for the 2014/15 municipal year.

Councillor Rowlands made the declaration of acceptance of office required by law.

6 **ADJOURNMENT**

The Council agreed, without a vote, pursuant to Standing Order 5A (1), that the meeting stand adjourned to 6.15pm on Monday, 9 June 2014.

7 **DECLARATIONS OF INTEREST**

The Members of the Council were invited to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any matter to be debated or determined at this meeting and, if so, to declare it and state the nature of such interest.

No such declarations were made.

8 **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor welcomed everyone to the meeting, including the public and the nine newly elected Members. He also expressed his gratitude to those

former Councillors who had stood down or who weren't returned to office by the electorate and stated that he would be writing to them to thank them for their services to the Council.

The Civic Mayor thanked all those Members who had attended Honorary Alderman Kate Wood's funeral.

The Civic Mayor drew to Members' attention two forthcoming dates for diaries:

- Civic Sunday service would be at St James, Birkenhead, 10.00am, on 10 August, 2014
- Civic Mayor's Charity Ball at Thornton Hall, Thornton Hough on Friday 17 October, 2014

9 **PETITIONS**

In accordance with Standing Order 21, the Civic Mayor received petitions submitted by –

- (i). Councillor Tom Anderson on behalf of 107 signatories objecting to a cut in the Council Tax discount to the over 70s.
- (ii). Councillor Jim Crabtree on behalf of 76 signatories objecting to the loss of community grass at the rear of Balliol Close, Bidston.
- (iii). Councillor Jim Crabtree on behalf of 73 signatories requesting lighting at the Bidston by-pass bus stop.
- (iv). Councillor Bruce Berry on behalf of 254 signatories supporting a campaign for 'taxes paid by people in Wirral should be used for services in Wirral'.

Resolved – That the petitions be noted and referred to the appropriate Chief Officer in accordance with Standing Order 34.

10 **MINUTES**

The minutes of the meetings of the Council held on 10 March, 2014 had been circulated to Members and, it was –

Resolved – That the minutes be approved and adopted as a correct record.

11 **ELECTION RESULTS - 22 MAY 2014**

The Chief Executive and Returning Officer presented a summary of the results of the Local Government Elections held on 22 May 2012.

Resolved – That the report be noted.

12 LEADER'S ANNOUNCEMENT

The Leader of the Council confirmed appointments to his Cabinet for 2014/15 as follows:

Portfolio	Councillor	Party	Address	Ward
Leader	Phil Davies Leader of the Council	Labour	16 Westbourne Grove West Kirby Wirral CH48 4DL	Birkenhead and Tranmere
Governance, Commissioning and Improvement	Ann McLachlan Deputy Leader	Labour	27 Danefield Road Greasby Wirral CH49 3BP	Bidston and St James
Neighbourhoods, Housing and Engagement	George Davies	Labour	46 Shamrock Road Claughton Birkenhead Wirral CH41 0EQ	Claughton
Support Services	Adrian Jones	Labour	10 Elmswood Road Seacombe Wallasey Wirral CH44 8DB	Seacombe
Adult Social Care and Public Health	Christine Jones	Labour	10 Elmswood Road Seacombe Wallasey Wirral CH44 8DB	Seacombe
Leisure, Sport and Culture	Chris Meaden	Labour	19 Inglemere Road Rock Ferry Birkenhead Wirral CH42 4QL	Rock Ferry
Economy	Pat Hackett	Labour	7 Wood Lane Wallasey Wirral CH45 8QP	New Brighton
Children and Family Services	Tony Smith	Labour	27 South Drive Upton Wirral CH49 6LA	Upton
Environment and Sustainability	Bernie Mooney	Labour	30 Brompton Avenue Liscard Wallasey Wirral CH44 0BD	Liscard
Highways and Transport	Stuart Whittingham	Labour	16 Fender Way Prenton Birkenhead Wirral CH43 7ZJ	Upton

The Leader outlined changes he had made to three of the portfolios. With the Council increasingly becoming a commissioner of services rather than as a provider, the Deputy Leader had been given responsibility for commissioning. Public Health would become a key element of the Adult Social Care brief. The new portfolio of Leisure, Sports and Culture reflected the core challenge of remodelling the Council's leisure services and how within current financial constraints the Council could maintain its cultural assets. A list of the responsibilities of the ten portfolios would be published within the next few days.

The Leader welcomed Councillors Bernie Mooney and Stuart Whittingham to the Cabinet and placed on record his thanks to Councillor Harry Smith, who was standing down from the Cabinet, for his excellent work he had undertaken whilst on the Cabinet.

Resolved – That the Cabinet appointments be noted.

13 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

The Council was requested to consider the reports of the Head of Legal and Member Services and Committee referrals on the following matters –

- (i). Appointments and Constitution of Council Committees and the appointment of Chairs and Vice-Chairs to such Committees.
- (ii). Appointments to Statutory and Advisory Committees, Working Parties and Panels.
- (iii). Appointment of Members (and/or other individuals) to Outside Bodies and Organisations.
- (iv). Recommendations of the Policy and Performance Coordinating Committee held on 1 April, 2014, in respect of proposed Joint Health scrutiny arrangements covering the Merseyside and Cheshire area.
- (v). Recommendations of the Standards and Constitutional Oversight Committee held on 28 April 2014 in respect of the Council's Ethical Framework relating to Member conduct and related issues.

In respect of the first matter requiring approval, it was moved by Councillor Phil Davies and seconded by Councillor Ann McLachlan –

'That the recommendations in the report be approved.'

An amendment was then submitted in accordance with Standing Order 12 (1).

Proposed by Councillor Gilchrist
Seconded by Councillor Mrs Pat Williams

'Council believes that taking away the opportunity for members of opposition parties to chair the Scrutiny process is a backward step.

Council is concerned that this was done by the Leader without consultation or discussion with the opposition parties.

In particular, Council respects and notes the role of the Policy and Performance Committees as described in the Constitution where they are expected to...

"foster and encourage an inclusive, structured, non-partisan and non-adversarial approach to overview and scrutiny".

In addition, the Constitution states that Chairs and Members are expected to *"...undertake Overview and Scrutiny functions in a constructive and non-partisan way"*.

Council therefore does not accept that the Chairs should be drawn in their entirety from the controlling party and calls upon the Leader to enter into a meaningful dialogue on this issue.

Council therefore resolves that:

1. With regard to the appointment of Chairpersons to the Policy and Performance Committees, the three Group Leaders shall within the next seven days enter into dialogue with a view to agreeing the Chairperson of each Policy and Performance Committee. Those appointments shall take effect once the names of the Chairpersons have been confirmed in writing to the Head of Legal and Member Services.

2. In the event that the three Group Leaders are unable to reach agreement as to the Chairpersons of the Policy and Performance Committees (pursuant to 1 above), the matter will be referred back to Council for determination at its meeting on 14 July 2014. In the interim, the Chairperson of each Policy and Performance Committee shall be appointed by each Committee from amongst its membership.'

Two further amendments were then submitted in accordance with Standing Order 12 (1).

First amendment -

Proposed by Councillor Jeff Green
Seconded by Councillor Lesley Rennie

'Council notes that opposition Members of the Council have previously raised concerns regarding the size and scope of the Families and Wellbeing Policy and Performance Committee and its ability to adequately scrutinise the performance of services for adults and children in Wirral.

Council further notes the period of extreme change laid out by the Administration for the financial year 2014/15 and beyond.

Therefore in order to ensure that services and policies for vulnerable children, child protection, educational development and vulnerable adults are appropriately scrutinised Council demands the abolition of the Families and Wellbeing Policy and Performance Committee to be replaced by:

1. A Children's Policy and Performance Committee (which shall include two Parent Governor Representatives and two Diocesan representatives (one Catholic and one Church of England); and

2. An Adult and Public Health Policy and Performance Committee.

Council shall stand adjourned to allow officers to (i) recalculate the committee seat allocations so as to ensure that they are politically proportionate; and (ii) apportion the Terms of Reference of the current Families and Wellbeing Policy and Performance Committee between both the Children's and Adult and Public Health Policy and Performance Committees (as appropriate) for consideration and approval by Council when it reconvenes.'

Second amendment

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

'Council notes with disappointment the decision taken by the Leader of the Council to remove all opposition councillors from the chairs of Scrutiny Committees. Council believes this a retrograde step, a break away from good practice and an attempt to ensure the Labour Administration scrutinizes itself.

Council therefore recommends that the Leader of the Council enters into meaningful dialogue with the other Group Leaders with a view to agreeing the Chairmen of each Policy and Performance Committee. These appointments shall take effect once the names of the Chairmen have been confirmed in writing to the Head of Legal and Member Services.

In the event that the three party leaders cannot reach agreement the matter will be referred back to Council for determination at its meeting on 14th July 2014. In the interim, the Chair for each of the Policy and Performance Committees should be drawn from its membership.'

The Civic Mayor suggested and it was agreed that Standing Order 12(10) be suspended and that there would be one debate on all three amendments.

The movers of the amendments then spoke to their amendments. Following a debate, the seconders to the amendments having spoken and Councillor Phil Davies having replied, the amendment proposed by Councillor Gilchrist was put and lost (24:37) (One abstention).

Prior to the vote on Councillor Green's first amendment, Councillor Green along with five Conservative Members asked that a 'card vote' be recorded.

The Council then divided as follows:

For the amendment (23) Councillors T Anderson, B Berry, C Blakeley, E Boulton, A Brighthouse, C Carubia, Mrs W Clements, D Elderton, G Ellis, P Gilchrist, J Green, A Hodson, K Hodson, M Hornby, S Kelly, D Mitchell, C Povall, L Rennie, L Rowlands, A Sykes, G Watt, Mrs P Williams and S Williams.

Against the amendment (37) Councillors R Abbey, P Brightmore, J Crabtree, M Daniel, G Davies, P Davies, W Davies, P Doughty, R Gregson, P Hackett, T Johnson, A Jones, C Jones, A Leech, A McLachlan, M McLaughlin, Mrs C Meaden, B Mooney, C Muspratt, S Niblock, T Norbury, M Patrick, D Realey, L Reecejones, D Roberts, J Salter, H Smith, PA Smith, W Smith, C Spriggs, J Stapleton, M Sullivan, J Walsh, S Whittingham, I Williams, K Williams and J Williamson.

Two abstentions – Councillors P Cleary and S Foulkes.

The amendment was therefore lost (23:37) (Two abstentions)

The second amendment proposed by Councillor Green was put and lost (23:37) (Two abstentions).

The motion moved by Councillor Phil Davies, seconded by Councillor Ann McLachlan was then put and carried (37:23) (Two abstentions)

Resolved (37:23) (Two abstentions) –

(1) That for the 2014/15 municipal year the total number of Committee places (excluding those on the Cabinet and Constituency Committees) shall be 133 and the places shall be allocated in the following proportions:

Committee	Places	Labour	Conservative	Liberal Dem.	Green
Audit and Risk Management	9	5	3	1	
Employment and Appointments	8	5	2	1	
Licensing Act 2003 Committee	15	9	4	2	
Licensing, Health and Safety and GP	9	5	3	1	
Pensions	10	6	3	1	
Planning	13	7	4	1	1
Standards and Constitutional Oversight	9	5	3	1	
Coordinating Committee P & P	15	9	5	1	
Families and Wellbeing P & P	15	8	5	1	1
Regeneration and Environment P & P	15	9	5	1	
Transformation and Resources P & P	15	9	5	1	
Total	133	77	42	12	2

- (2) That the Chairs of the above Committees be allocated to the Labour Group along with the Vice-Chairs
- (3) That the nominations for places on committees be submitted by the respective Political Group Leaders to the Head of Legal and Member Services and be as set out in Appendix A to the minutes of this meeting.
- (4) That the ongoing nominations of Diocesan and Parent Governor representatives on the Coordinating Committee and Families and Wellbeing Policy and Performance Committee be noted.

In respect of appointments to Statutory and Advisory Committees, Working Parties and Panels it was moved by Councillor Phil Davies, seconded by Councillor Ann McLachlan and –

Resolved (unanimously) - That the numbers be agreed for each appointment to Statutory and Advisory Committees, Working Parties and Panels for the 2014/2015 municipal year, including the proportional split where appropriate, and the nominations be submitted by the respective Political Group Leaders to the Head of Legal and Member

Services and be as set out in Appendix B to the minutes of this meeting. Provision was also made for Group Leaders to nominate deputies in respect of the Health and Wellbeing Board.

In respect of appointments to Outside Bodies and Organisations, it was moved by Councillor Phil Davies, seconded by Councillor Ann McLachlan and

–

Resolved (unanimously) - That the numbers be agreed for each appointment of Members (and/or other individuals) to all Outside Bodies for the 2014/2015 municipal year, including the proportional split, where appropriate, and the nominations be submitted by the respective Political Group Leaders (and Chief Executive in respect of Council Officer nominations) to the Head of Legal and Member Services and be as set out in Appendix C to the minutes of this meeting.

In respect of recommendations of the Policy and Performance Coordinating Committee, it was -

Resolved (unanimously) – That the recommendations of the Policy and Performance Coordinating Committee held on 1 April, 2014, in respect of proposed Joint Health scrutiny arrangements covering the Merseyside and Cheshire area, be approved.

In respect of recommendations of the Standards and Constitutional Oversight Committee, it was moved by the Civic Mayor, seconded by Councillor Phil Davies, and -

Resolved (unanimously) – That the recommendations of the Standards and Constitutional Oversight Committee held on 28 April 2014 in respect of the Council’s Ethical Framework relating to Member conduct and related issues, be approved.

Appendix A Committee Membership 2014-15

Appendix B Statutory and Advisory Committees, Working Parties and Panels 2014/15

Appendix C Outside Organisations 2014/15

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MEMBERSHIP of COMMITTEES 2014/2015

REGULATORY COMMITTEES

AUDIT AND RISK MANAGEMENT COMMITTEE
(9 Council Members)

MEMBERS	DEPUTIES
<p>3 Conservative:</p> <p>John Hale (S) David Elderton Adam Sykes</p>	<p>Kathy Hodson Les Rowlands Leah Fraser Geoffrey Watt Steve Williams Paul Hayes Lesley Rennie Jeff Green</p>
<p>5 Labour:</p> <p>Jim Crabtree (Chair) Ron Abbey (Vice-Chair) Paul Doughty Matthew Patrick Joe Walsh</p>	<p>Phill Brightmore Matt Daniel Anita Leech John Salter Mike Sullivan Stuart Whittingham Irene Williams Janette Williamson</p>
<p>1 Liberal Democrat:</p> <p>Stuart Kelly (S)</p>	<p>Alan Brighthouse Chris Carubia Phil Gilchrist Dave Mitchell Pat Williams</p>

**EMPLOYMENT AND APPOINTMENTS COMMITTEE
(8 Council Members)**

MEMBERS	DEPUTIES
<p>2 Conservative:</p> <p>Jeff Green (S) Lesley Rennie</p>	<p>Andrew Hodson Geoffrey Watt John Hale Wendy Clements Leah Fraser Paul Hayes Chris Blakeley Gerry Ellis</p>
<p>5 Labour:</p> <p>Adrian Jones (Chair) Phil Davies (Vice-Chair) George Davies Ann McLachlan Moiria McLaughlin</p>	<p>Chris Jones Chris Meaden Bernie Mooney Denise Roberts Pat Hackett Harry Smith Tony Smith Stuart Whittingham</p>
<p>1 Liberal Democrat:</p> <p>Phil Gilchrist (S)</p>	<p>Alan Brighthouse Chris Carubia Stuart Kelly Dave Mitchell Pat Williams</p>

**LICENSING, HEALTH & SAFETY AND GENERAL PURPOSES
COMMITTEE
(9 Council Members)**

MEMBERS	DEPUTIES
<p>3 Conservative:</p> <p>Andrew Hodson (S) Leah Fraser Geoffrey Watt</p>	<p>Paul Hayes Tom Anderson David Elderton Steve Williams Eddie Boulton Cherry Povall Mike Hornby Chris Blakeley</p>
<p>5 Labour:</p> <p>Bill Davies (Chair) Steve Niblock (Vice-Chair) John Salter Christine Spriggs Mike Sullivan</p>	<p>Jim Crabtree George Davies Phill Brightmore Christina Muspratt Anita Leech Denise Roberts Jean Stapleton Tony Norbury</p>
<p>1 Liberal Democrat:</p> <p>Pat Williams (S)</p>	<p>Alan Brighthouse Chris Carubia Phil Gilchrist Stuart Kelly Dave Mitchell</p>

**LICENSING ACT 2003 COMMITTEE
(15 Council Members)**

MEMBERS	DEPUTIES No provision for deputies
<p>4 Conservative:</p> <p>Eddie Boulton Gerry Ellis Andrew Hodson Mike Hornby</p>	
<p>9 Labour:</p> <p>Bill Davies (Chair) Steve Niblock George Davies Tony Norbury Louise Reecejones Denise Roberts John Salter Harry Smith Mike Sullivan</p>	
<p>2 Liberal Democrat:</p> <p>Dave Mitchell Pat Williams</p>	

PENSIONS COMMITTEE
(10 Council Members; 5 co-opted members)

MEMBERS	DEPUTIES
<p>3 Conservative:</p> <p>Geoffrey Watt (S) Mike Hornby Cherry Povall</p>	<p>Adam Sykes Kathy Hodson John Hale Eddie Boulton Andrew Hodson Bruce Berry David Elderton Tracey Smith</p>
<p>6 Labour:</p> <p>Paul Doughty (Chair) Ann McLachlan (Vice-Chair) George Davies Treena Johnson Adrian Jones Harry Smith</p>	<p>Jim Crabtree Matt Daniel Rob Gregson Anita Leech Moiria McLaughlin Bernie Mooney Jean Stapleton Stuart Whittingham</p>
<p>1 Liberal Democrat:</p> <p>Chris Carubia (S)</p>	<p>Alan Brighthouse Phil Gilchrist Stuart Kelly Dave Mitchell</p>
<p>5 Co-opted members:</p> <p>The nominees of:</p> <ul style="list-style-type: none"> • Liverpool City Council • Knowsley MBC • St Helens MBC • Sefton MBC <p><i>plus</i> Representative of other Pension Fund employers</p>	

**PLANNING COMMITTEE
(13 Council Members)**

MEMBERS	DEPUTIES
<p>4 Conservative:</p> <p>David Elderton (S) Eddie Boulton Paul Hayes Kathy Hodson</p>	<p>Wendy Clements Bruce Berry Geoffrey Watt Les Rowlands Cherry Povall Lesley Rennie Chris Blakeley Tom Anderson</p>
<p>7 Labour:</p> <p>Anita Leech (Chair) Denise Realey (Vice-Chair) Phill Brightmore Matt Daniel Christine Spriggs Joe Walsh Irene Williams</p>	<p>Jim Crabtree Rob Gregson Treena Johnson Christina Muspratt Matthew Patrick Tony Norbury Denise Roberts Stuart Whittingham</p>
<p>1 Liberal Democrat:</p> <p>Stuart Kelly (S)</p>	<p>Alan Brighthouse Chris Carubia Phil Gilchrist Dave Mitchell Pat Williams</p>
<p>1 Green:</p> <p>Pat Cleary</p>	

**STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE
(9 Council Members; 4 Independent Persons)**

MEMBERS	DEPUTIES
<p>3 Conservative:</p> <p>Les Rowlands (S) Gerry Ellis John Hale</p>	<p>Tracey Smith Chris Blakeley Kathy Hodson Adam Sykes Andrew Hodson Mike Hornby Leah Fraser Bruce Berry</p>
<p>5 Labour:</p> <p>Bill Davies (Chair) Moirá McLaughlin (Vice-Chair) Rob Gregson Denise Roberts John Salter</p>	<p>Jim Crabtree George Davies Chris Jones Anita Leech Chris Meaden Bernie Mooney Steve Niblock Harry Smith</p>
<p>1 Liberal Democrat:</p> <p>Pat Williams (S)</p>	<p>Alan Brighthouse Chris Carubia Phil Gilchrist Stuart Kelly Dave Mitchell</p>
<p>4 Independent Persons:</p> <p>Professor R S Jones (appointed until 15 July, 2016) Mr C Jones (appointed until 15 July, 2016) Mr D Burgess-Joyce (appointed until 15 July, 2016) Mr B Cummings (appointed until 15 July, 2016)</p>	

POLICY AND PERFORMANCE COMMITTEES**COORDINATING COMMITTEE****(15 Council Members; 4 co-opted members)**

MEMBERS	DEPUTIES
<p>5 Conservative:</p> <p>Chris Blakeley (S) Tom Anderson Wendy Clements Mike Hornby Steve Williams</p>	<p>Adam Sykes Leah Fraser David Elderton Bruce Berry Tracey Smith Andrew Hodson Gerry Ellis Jeff Green</p>
<p>9 Labour:</p> <p>Moira McLaughlin (Chair) Paul Doughty (Vice-Chair) Phill Brightmore Anita Leech Christina Muspratt Walter Smith Mike Sullivan Jerry Williams Janette Williamson</p>	<p>Ron Abbey Jim Crabtree Rob Gregson Denise Realey Denise Roberts John Salter Harry Smith Irene Williams</p>
<p>1 Liberal Democrat:</p> <p>Phil Gilchrist (S)</p>	<p>Alan Brighthouse Chris Carubia Stuart Kelly Dave Mitchell Pat Williams</p>
<p>Co-opted members (when dealing with education matters):</p> <p>2 Diocesan representatives (with voting rights): Roman Catholic – Mr Damian Cunningham Church of England – Vacancy</p> <p>2 Parent Governor representatives (with voting rights): Mrs H Shoebridge (until 28 October 2015) Mrs Nicola Smith (until 8 February 2017)</p>	

**FAMILIES AND WELLBEING
(15 Council Members; 4 co-opted members)**

MEMBERS	DEPUTIES
<p>5 Conservative:</p> <p>Wendy Clements (S) Bruce Berry Paul Hayes Mike Hornby Cherry Povall</p>	<p>Tracey Smith Tom Anderson Steve Williams Geoffrey Watt Les Rowlands Jeff Green Adam Sykes Lesley Rennie</p>
<p>8 Labour:</p> <p>Moira McLaughlin (Chair) Denise Roberts (Vice-Chair) Phill Brightmore Treena Johnson Tony Norbury Walter Smith Christine Spriggs Janette Williamson</p>	<p>Ron Abbey Paul Doughty Anita Leech Denise Realey Louise Reecejones John Salter Joe Walsh Irene Williams</p>
<p>1 Liberal Democrat:</p> <p>Alan Brighthouse (S)</p>	<p>Chris Carubia Phil Gilchrist Stuart Kelly Dave Mitchell Pat Williams</p>
<p>1 Green:</p> <p>Pat Cleary</p>	
<p>Co-opted members: 2 Diocesan representatives (with voting rights): Roman Catholic – Mr Damian Cunningham Church of England – Vacancy</p> <p>2 Parent Governor representatives (with voting rights): Mrs H Shoebridge (until 28 October 2015) Mrs Nicola Smith (until 8 February 2017)</p>	

**REGENERATION AND ENVIRONMENT
(15 Council Members)**

MEMBERS	DEPUTIES
<p>5 Conservative</p> <p>Steve Williams (S) Gerry Ellis John Hale Andrew Hodson Tracey Smith</p>	<p>Adam Sykes Kathy Hodson David Elderton Eddie Boulton Tom Anderson Geoffrey Watt Bruce Berry Mike Hornby</p>
<p>9 Labour:</p> <p>Mike Sullivan (Chair) Jerry Williams (Vice-Chair) Jim Crabtree Matt Daniel Rob Gregson Anita Leech Steve Niblock Denise Realey Jean Stapleton</p>	<p>Phill Brightmore Christina Muspratt Tony Norbury Matthew Patrick Joe Walsh John Salter Irene Williams Treena Johnson</p>
<p>1 Liberal Democrat:</p> <p>Dave Mitchell (S)</p>	<p>Alan Brighthouse Chris Carubia Phil Gilchrist Stuart Kelly Pat Williams</p>

**TRANSFORMATION AND RESOURCES
(15 Council Members)**

MEMBERS	DEPUTIES
<p>5 Conservative:</p> <p>Adam Sykes (S) Tom Anderson Bruce Berry Kathy Hodson Tracey Smith</p>	<p>Gerry Ellis Wendy Clements Cherry Povall Paul Hayes Steve Williams John Hale Andrew Hodson Eddie Boulton</p>
<p>9 Labour:</p> <p>Janette Williamson (Chair) Paul Doughty (Vice-Chair) Matt Daniel Rob Gregson Matthew Patrick Christina Muspratt Louise Reecejones Joe Walsh Irene Williams</p>	<p>Phill Brightmore Jim Crabtree Anita Leech Treena Johnson Denise Realey Denise Roberts Christine Spriggs Mike Sullivan</p>
<p>1 Liberal Democrat:</p> <p>Phil Gilchrist (S)</p>	<p>Alan Brighthouse Chris Carubia Stuart Kelly Dave Mitchell Pat Williams</p>

CONSTITUENCY COMMITTEES

BIRKENHEAD

(18 Council Members)

(plus up to 6 co-opted Community Representatives)

WARD	MEMBERS
Bidston and St James	Jim Crabtree, Ann McLachlan, Harry Smith
Birkenhead and Tranmere	Pat Cleary, Phil Davies, Jean Stapleton
Claughton	George Davies, Steve Foulkes, Denise Roberts
Oxton	Alan Brighthouse, Stuart Kelly, Pat Williams
Prenton	Paul Doughty, Tony Norbury, Denise Realey
Rock Ferry	Bill Davies, Chris Meaden, Moira McLaughlin
Co-opted (Subject to review)	Mr Frank Field MP

WALLASEY

(18 Council Members)

(plus up to 6 co-opted Community Representatives)

WARD	MEMBERS
Leasowe and Moreton East	Ron Abbey, Treena Johnson, Anita Leech,
Liscard	Matt Daniel, Bernie Mooney, Janette Williamson
Moreton West and Saughall Massie	Bruce Berry, Chris Blakeley, Steve Williams
New Brighton	Rob Gregson, Pat Hackett, Christine Spriggs
Seacombe	Adrian Jones, Chris Jones, John Salter
Wallasey	Leah Fraser, Paul Hayes, Lesley Rennie
Co-opted Community Representatives (Subject to review)	Mr Ken Harrison, Mr Brian Higgins, Mr Tony Jones, Mr Keith Raybould, Mr Paul Roberts, Mr Lewis Collins

APPENDIX A

WIRRAL SOUTH
(15 Council Members)
(plus up to 6 co-opted Community Representatives)

WARD	MEMBERS
Bebington	Christina Muspratt, Walter Smith, Jerry Williams
Bromborough	Steve Niblock, Joe Walsh, Irene Williams
Clatterbridge	Cherry Povall, Tracey Smith, Adam Sykes
Eastham	Chris Carubia, Phil Gilchrist, Dave Mitchell
Heswall	Andrew Hodson, Kathy Hodson, Les Rowlands

WIRRAL WEST
(15 Council Members)
(plus up to 6 co-opted Community Representatives)

WARD	MEMBERS
Greasby, Frankby and Irby	Tom Anderson, Wendy Clements, Mike Hornby
Hoylake and Meols	Eddie Boulton, Gerry Ellis, John Hale
Pensby and Thingwall	Phill Brightmore, Louise Reecejones, Michael Sullivan
Upton	Matthew Patrick, Tony Smith, Stuart Whittingham
West Kirby and Thurstaston	David Elderton, Jeff Green, Geoffrey Watt
Co-opted Community Representatives (Subject to review)	Jackie Hall (Hoylake and Meols Ward) John Smith (Greasby Frankby and Irby Ward) Lynn Collier (Pensby and Thingwall Ward) Elise Wong (Upton Ward) David Wade (West Kirby and Thurstaston Ward)

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STATUTORY AND ADVISORY COMMITTEES, WORKING PARTIES AND PANELS – MEMBERSHIP 2014/2015

Note: figures in brackets indicate the political ratio, i.e. (Labour: Conservative: Liberal Democrat); asterisk indicates party spokesperson. Statutory Committees should be appointed proportionately or if not proportionate should be appointed with no councillors voting against. Advisory Committees or working parties need not be proportionate.

(1) STATUTORY COMMITTEES AND PANELS

(listed under relevant portfolio)

(a) ADULT SOCIAL CARE AND PUBLIC HEALTH

(i). Discharge from Guardianship by Wirral Council under the Mental Health Act 1983 Panel (2:1:0)

(Members appointed from membership of the Policy and Performance Families and Wellbeing Committee)

Councillor Denise Roberts
Councillor Moira McLaughlin
Councillor Mike Hornby

(ii). Health and Wellbeing Board

3 Political Group Leaders plus, as co-optees, the Cabinet Members for Adult Social Care and Public Health, Councillor Chris Jones and Children and Family Services, Councillor Tony Smith

Group Leaders' nominees as deputies, Councillor Ann McLachlan, Councillor Lesley Rennie and vacancy

(b) CHILDREN AND FAMILY SERVICES

(i). Complaints Panel (School Curriculum and Related Matters)

(2:1:0 plus named deputies)

Councillors Tony Smith Jim Crabtree	Deputies – Councillors Paul Doughty Walter Smith Bernie Mooney
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Councillor Wendy Clements	Deputies – Councillors Paul Hayes Cherry Povall
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(ii). Education Staff Panel (4:2:1 plus named deputies)

Councillors Paul Doughty Tony Smith Walter Smith Bernie Mooney	Deputies – Councillors Chris Meaden
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Councillors Wendy Clements Deputy – Councillor Paul Hayes
Cherry Povall

Councillor Pat Williams Deputies – Councillors Alan Brighthouse
Chris Carubia

(iii). Headteacher Appointments Panel
(3:1:0 plus named deputies)

Councillors Bernie Mooney Deputies – Councillors Jim Crabtree
Walter Smith Janette Williamson
Tony Smith

Councillor Wendy Clements Deputy – Councillor Cherry Povall

(iv). School Appeals Panel

Lay Chairs: Mrs A Barker, Mrs S Reynolds, Mr J Smallthwaite, Mr D Spencer,
Mrs J Turner, Mrs H A Wells and Mrs H Welsh

(v). Standing Advisory Committee on Religious Education (SACRE)
(4:2:0)

Councillors Tony Smith Deputies – Councillors Phill Brightmore
Walter Smith Jim Crabtree
Bernie Mooney Denise Roberts
Moira McLaughlin

Councillors Wendy Clements Deputy – Councillor Paul Hayes
Cherry Povall

(vi). Wirral Schools Forum (Funding Consultative Group)
Observers (2:1:0)

Councillor Bernie Mooney
Councillor Tony Smith
Councillor Wendy Clements

(vii). Wirral Children's Trust Board (2:1:0)

Cabinet Member – Councillor Tony Smith
and Councillors Chris Meaden and Wendy Clements

(viii). Adoption / Fostering Panels

Adoption: Councillor Tony Smith (Chair)
Fostering: Councillors Anita Leech, Cherry Povall and Phil Gilchrist

(c) SUPPORT SERVICES

Independent Remuneration Panel (4 persons who are not members of the Council and who are not disqualified from being a member)

Don Latham (Chair), Ray Allan, Nunzia Bertali, Pauline Brown

(2) ADVISORY COMMITTEES AND WORKING PARTIES

(listed under relevant portfolio)

(a) CHILDREN AND FAMILY SERVICES

(i). Youth and Play Service Advisory Committee

(8 Council Members - 3:3:2)

Councillors	Tony Smith Chris Meaden Walter Smith	Deputy –	Councillor Jean Stapleton
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Councillors	Paul Hayes Wendy Clements Cherry Povall	Deputy –	Councillor Tracey Smith
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Councillors	Chris Carubia Pat Williams	Deputy –	Councillor Phil Gilchrist
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(ii). Corporate Parenting Group (2:2:2)

Councillors Chris Meaden, Tony Smith
Councillors Cherry Povall, Wendy Clements
Councillors Alan Brighthouse, Pat Williams

(iii). Headteachers and Teachers Joint Consultative Committee

(7 Council Members - 3:2:2)

Councillors	Denise Roberts Tony Smith George Davies	Deputies –	Councillors Jim Crabtree Moiria McLaughlin Bernie Mooney
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Councillors	Wendy Clements Cherry Povall	Deputy –	Councillor Paul Hayes
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Councillors	Dave Mitchell Pat Williams	Deputies –	Councillors Alan Brighthouse Phil Gilchrist
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(iv). Wirral Schools' Music Service Consultative Committee

(1:1:1)

Councillor Walter Smith
Councillor Wendy Clements
Councillor Pat Williams

(b) ECONOMY

(i). Wirral Trade Centre Working Party (1:1:1)

3 Political Group Leaders or their nominees.

(ii). Birkenhead Business Improvement District Steering Group

Councillor Jean Stapleton

Kevin Adderley - Strategic Director: Regeneration and Environment

(c) ENVIRONMENT AND SUSTAINABILITY

Wirral Climate Change Group (1:1:1)

Councillor Bernie Mooney

Councillor Tom Anderson

Councillor Dave Mitchell

(d) GOVERNANCE, COMMISSIONING AND IMPROVEMENT

(i). Members' Training Steering Group (2:2:2)

Councillors Ann McLachlan (Chair) and Tony Norbury

Councillors Wendy Clements and Mike Hornby

Councillors Chris Carubia and Phil Gilchrist

(ii). Members' Equipment Steering Group (2:2:2)

Councillors Stuart Whittingham and Ann McLachlan

Councillors Jeff Green and Steve Williams

Councillors Alan Brighouse and Chris Carubia

(e) LEISURE, SPORT AND CULTURE

(i). Birkenhead Park Advisory Committee (4:2:2)

Councillors Chris Meaden, George Davies, Denise Roberts, Jean Stapleton

Councillors Cherry Povall, David Elderton

Councillors Stuart Kelly, Alan Brighouse

(ii). Hilbre Island Nature Reserve Management Committee (2:4:2)

Councillors Jerry Williams, Tony Smith

Councillors Gerry Ellis, John Hale, Jeff Green, Geoffrey Watt

Councillors Alan Brighouse and Chris Carubia

APPOINTMENTS TO OUTSIDE BODIES 2014/2015
(grouped under portfolio or Committee)

Note: Where ratios are quoted, the first figure refers to the entitlement of the Labour group, then Conservative, then Liberal Democrat.

(A) LEADER

(i). Liverpool City Region Cabinet

Leader of the Council, Councillor Phil Davies

(ii). Liverpool City Region Combined Authority *

Leader of the Council, Councillor Phil Davies
Councillor Ann McLachlan (substitute member)

*A Liverpool City Region Combined Authority Scrutiny Panel is due to be established, subject to agreement at the Combined Authority's meeting on 13 June, and nominations will be made at the Council meeting on 14 July, 2014.

(iii). Liverpool City Region Boards

Environment and Waste Board	Leader of the Council Councillor Phil Davies (Chair) Councillor Bernie Mooney
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Employment and Skills Board	Councillor Pat Hackett
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Housing and Spatial Planning Board	Councillor George Davies
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(iv). Liverpool City Region Local Enterprise Partnership - Director

Leader of the Council – Councillor Phil Davies

(v). Local Strategic Partnership Executive Board

Group Leaders: (or their nominees)	Councillors Phil Davies Jeff Green Phil Gilchrist
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and Mr G Burgess (Chief Executive)

(vi). NW Regional Leaders' Board (Nomination)

3 places available for Merseyside Authorities. For the 2014/2015 municipal year, Members from Liverpool City, Knowsley and St Helens Councils were appointed.

(vii). Strategic Partnership Assembly

Group Leaders: Councillors Phil Davies
(or their nominees) Jeff Green
Phil Gilchrist

and Mr G Burgess (Chief Executive)

(B) ADULT SOCIAL CARE AND PUBLIC HEALTH

(i). Age UK

Councillor Chris Jones

(ii). Arch Initiatives - Wirral Management Committee (1:1:1)

Councillor Denise Roberts
Councillor Steve Williams
Councillor Dave Mitchell

**(iii). Bebington Day Centre Advisory Body
(Bebington Ward Councillors)**

Councillors Christina Muspratt
Walter Smith
Jerry Williams

(iv). Cheshire and Wirral NHS Partnership Trust: Appointed Governor

Councillor P N Gilchrist (Appointed for 3 years until 10 October 2016)

**(v). Clatterbridge Cancer Centre NHS Foundation Trust
(Appointed for 3 years until end of September 2015)**

Councillor Moira McLaughlin

(vi). Girtrell Court Residential Centre Advisory Body (1:1:1)

Councillor Stuart Whittingham
Councillor Bruce Berry
Councillor Pat Williams

(vii). Heswall Advisory Body (Heswall ATC) (1:1:1)

Councillor Jerry Williams
Councillor Kathy Hodson
Councillor Vacancy

(viii). John Lloyd Corkhill Trust

Councillor Chris Jones

(ix). Merseyside Society for the Deaf (1:1:0)

Councillor John Salter
Councillor Mike Hornby

(x). Wallasey Day Centre Advisory Body (3:0:0)

Councillors John Salter
Christine Spriggs
Rob Gregson

(xi). Wirral University Teaching Hospital Foundation Trust - Governors (1:1)

Councillor Kathy Hodson)
Councillor Anita Leech) Appointed for 3 years until 18 September 2016

Deputy: Director of Adult Social Services
(Members appointed to the trust cannot also be members of the Policy and Performance Families and Wellbeing Committee)

(C) CHILDREN AND FAMILY SERVICES

(i). Birkenhead Sixth Form College Governing Body

Councillor Denise Roberts (1 Nov 2011 to 31 Oct 2015)

(ii). C E Gourley VC Endowment Fund

Councillors Geoffrey Watt
Gerry Ellis

(iii). Lower Bebington School Lands Foundation (1:1:1)

Councillor Jerry Williams
Councillor Cherry Povall
Councillor Phil Gilchrist

(iv). National Society for the Prevention of Cruelty to Children

Councillor Tony Smith

(v). Oaklands Centre Management Committee (2:1:1)

Councillors Walter Smith
Tony Smith
Councillor Tracey Smith
Councillor Chris Carubia

(vi). St Bridget's Educational Trust

Councillor Gerry Ellis

(vii). West Kirby Residential School

Councillor Eddie Boulton

(viii). Wirral Alternative School Programme (WASP)

(Appointments no longer required as given Academy status from 1 September, 2014)

(ix). Wirral Metropolitan College Governing Body (Nomination)

Councillor Ann McLachlan (appointed for 4 year term to 19.07.2015)
Mr D Armstrong (Assistant Chief Executive) (appointed for 4 year term to 19.12.2014)

(x). Wirral Play Council Executive Committee (1:1:0)

Councillor Chris Meaden
Councillor Wendy Clements

(xi). Wirral Play Partnership (1:1:1)

Councillor Chris Meaden
Councillor Cherry Povall
Councillor Pat Williams

(D) ECONOMY

(i). Chrysalis (General Partner) Limited - Director

Councillor Ann McLachlan

(ii). Conservation Area Advisory Committees

<u>Conservation Area</u>	<u>Councillor(s)</u>
Bromborough Pool	Steve Niblock
Oxton	Pat Williams
Barnston	Phillip Brightmore
Caldy	Jeff Green
Frankby	Wendy Clements
Gayton and Heswall	Kathy Hodson
Thornton Hough	Cherry Povall
Thurstaston	David Elderton
Wellington Road, New Brighton	Pat Hackett, Rob Gregson, Christine Spriggs
Saughall Massie	Steve Williams
Port Sunlight	Steve Niblock
Rock Park	Chris Meaden
Bidston	Harry Smith
Eastham	Chris Carubia
Hoylelake Meols Drive/King's Gap	Gerry Ellis
Friends of Birkenhead Park	Jerry Williams

West Kirby Society	David Elderton
Bromborough Society	Irene Williams
Mount Wood	Paul Doughty, Tony Norbury, Denise Realey
Clifton Park	Jean Stapleton

(iii). Lairdsid Communities Together

Councillors Phil Davies
Chris Meaden

(iv). Mersey Maritime Group Ltd (1:1:0)

Councillor Bernie Mooney
Councillor Lesley Rennie
Councillor Phil Davies (Co-opted Member)

(v). Mersey / Dee Alliance (1:1:1)

Councillor Pat Hackett (or nominee)
Councillor Steve Williams (or nominee)
Councillor Dave Mitchell (or nominee)

(vi). North Birkenhead Development Trust (Director)

Councillor Harry Smith

(vii). Wirral Business Partnership

Leader of the Council – Councillor Phil Davies
Strategic Director: Regeneration and Environment – Mr K Adderley

(viii). Wirral Citizens' Advice Bureau (1:1:1)

Councillor Jean Stapleton
Councillor David Elderton
Councillor Alan Brighthouse
Plus Strategic Director: Regeneration and Environment (Mr K Adderley) (or nominee)

(ix). Wirral Council for Voluntary Service - Management Committee (1:1:0)

Councillor Denise Roberts
Councillor David Elderton

(E) ENVIRONMENT AND SUSTAINABILITY

(i). Liverpool Airport Consultative Committee

Councillor Steve Niblock

**(ii). Local Government Association
Coastal Issues Special Interest Group**

Councillor Stuart Whittingham
(Cabinet Member for Highways and Transport)

(iii). Manchester Port Health Authority

Councillor John Salter
(Deputy – Not appointed)

(iv). Mersey Port Health Committee (3:2:1)

Councillors	Ron Abbey John Salter Harry Smith	Deputies – Councillors	Bernie Mooney Denise Roberts
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Councillors	John Hale Gerry Ellis	Deputies – Councillors	Steve Williams Les Rowlands
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Councillor	Dave Mitchell	Deputy – Councillor	Alan Brighthouse
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(v). Merseyside Waste Disposal Authority (1:1:0)

Councillor	Irene Williams*
Councillor	Steve Williams.

**Nominated for the purposes of Section 41, Local Government Act 1985*

(F) GOVERNANCE, COMMISSIONING AND IMPROVEMENT

(i). Wirral Multicultural Organisation (1:1:1 plus a Ward Councillor)

Councillor	Ann McLachlan
Councillor	Tracey Smith
Councillor	Dave Mitchell
Councillor	Phil Davies (Ward Councillor)

(G) LEISURE, SPORT AND CULTURE

**(i). Beechwood Play and Community Centre
Joint Management Committee**

Councillors	Jim Crabtree Denise Roberts Ann McLachlan Harry Smith
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**(ii). Charing Cross Play, Youth and Community Centre
Joint Management Committee**

Councillors Phil Davies
Denise Roberts
Jean Stapleton
Chris Meaden

**(iii). Gautby Road Play & Community Centre
Joint Management Committee**
(Bidston and St James Ward Councillors)

Councillors Jim Crabtree
Ann McLachlan
Harry Smith

(iv). The Lauries Centre

Councillor Jean Stapleton

**(v). Leasowe Play, Youth & Community Association Joint
Management Committee**

Councillors Ron Abbey
Treena Johnson
Anita Leech

(vi). Liscard Community Facilities Complex Joint Management Cttee
(Liscard Ward Councillors) - (Will move outside the Council's control within
the next three months)

Councillors Matt Daniel
Janette Williamson
Bernie Mooney

(vii). Livingstone Street Community Centre Joint Management Cttee
(Bidston and St James Ward Councillors) - (Will move outside the Council's
control within the next six months)

Councillors Jim Crabtree
Ann McLachlan
Harry Smith

(viii). Mayer Trust, Bebington
(Appointments to this body will be subject to review as the Trust is currently
reviewing its constitution)

Councillors Jerry Williams
Cherry Povall
Dave Mitchell

(ix). Merseyside Cultural Forum

Councillor Chris Meaden (Cabinet Member for Leisure, Sport and Culture)

(x). New Ferry Village Hall Joint Management Committee

(Bromborough Ward Councillors) – (Will move outside the Council's control within the next three months)

Councillors Joe Walsh
Steve Niblock
Irene Williams

(xi). North West Libraries

Councillor Chris Meaden (Cabinet Member for Leisure, Sport and Culture)
(or nominee)

(xii). Royal Liverpool Philharmonic Society

Councillor Denise Roberts

(xiii). Seacombe Community Association (Council)

Councillor J Salter

(xiv). Tam O'Shanter Cottage Trust

Councillors Denise Roberts
Chris Meaden
George Davies
Steve Foulkes
Bruce Berry

(xv). Woodchurch Community Centre Joint Management Committee

(Upton Ward Councillors) – (Will move outside the Council's control within the next three months)

Councillors Matthew Patrick
Stuart Whittingham
Tony Smith

(H) HIGHWAYS AND TRANSPORT

(i). Merseytravel Committee of the Liverpool City Region Combined Authority (formally the Merseyside Integrated Transport Authority (Not an Approved Duty) (3:1:0)

Councillors Ron Abbey*
Steve Foulkes
Jerry Williams
Councillor Les Rowlands

**Nominated for the purposes of Section 41 of the Local Government Act 1985*

(ii). National Parking Adjudication Service Joint Committee

Councillor Stuart Whittingham
(Deputies – Councillors Lesley Rennie and Dave Mitchell)

(iii). Wirral Cycle Forum (1:1:1)

Councillor Christina Muspratt
Councillor Wendy Clements
Councillor Phil Gilchrist

(iv). Wirral Pedestrian Forum (1:1:1)

Councillor Stuart Whittingham
Councillor Kathy Hodson
Councillor Phil Gilchrist

(I) LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

(i). North Western Inshore Fisheries and Conservation Authority

Councillor Bernie Mooney

(J) NEIGHBOURHOODS, HOUSING AND ENGAGEMENT

(i). Beechwood & Ballantyne Community Housing Association – Board

Councillors Ann McLachlan
Harry Smith
Denise Realey

(ii). Leasowe Community Homes Management Board

Councillors Ron Abbey
John Salter
Anita Leech

And Officer Vacancy

**(iii). Merseyside Fire and Rescue Authority (3:1:0)
(Not an Approved Duty)**

Councillors Denise Roberts*
Steve Niblock
Jean Stapleton
Councillor Lesley Rennie

**Nominated for the purposes of Section 41 of the Local Government Act 1985*

(iv). Merseyside Police and Crime Panel (1:1)

Councillors Moira McLaughlin
Leah Fraser

(v). Wirral Community Safety Partnership (1:1:1)

Councillors George Davies
John Hale
Alan Brighthouse

(vi). Wirral Council and Riverside Challenge Fund Working Group

Councillor George Davies
(Cabinet Member for Neighbourhoods, Housing and Engagement)
Mr K Adderley
(Strategic Director: Regeneration and Environment) or deputy
Mr S Tour
(Head of Legal and Member Services) or deputy

(vii). Magenta Living – Board members (3:1)

Councillors Stuart Whittingham
Denise Roberts
Steve Foulkes
Councillor Jeff Green

(viii). Magenta Living: Community Fund Working Group

Councillor George Davies (Cabinet Member)
Mr K Adderley (Strategic Director: Regeneration and Environment)
Mr S Tour (Head of Legal and Member Services)

(K) SUPPORT SERVICES

**(i). Birkenhead Market Limited/Birkenhead Market Services Limited
– Director**

Vacancy

(ii). Local Government Association: General Assembly (3:1:0)

Councillors Phil Davies
George Davies
Ann McLachlan
Councillor Jeff Green

(iii). North Western Local Authorities Employers' Organisation

Councillor Adrian Jones
(Deputy – Councillor Phil Davies)

(iv). SIGOMA (LGA Special Interest Group of Metropolitan Authorities)

Leader of the Council, Councillor Phil Davies, or nominee

Councillor George Davies is the Leader's current nominee, and the other Group Leaders or their nominees have been authorised to attend as observers.

(Councillor Chris Blakeley is an observer.)

(v). West Kirby Charities (the Council is able to nominate up to 8 trustees)

Councillor D M Elderton	(appointed until 7 September 2017)
Councillor E Boulton	(appointed until 16 October 2017)
Mr David Stevenson	(appointed until 30 October 2014)
Vacancy	(appointed until 18 October 2016)
Councillor Geoffrey Watt	(appointed until 26 April 2016)
Vacancy	(appointed until 30 October 2015)
Mrs Victoria Gawith	(appointed until 18 April 2015)
Mrs Gill Conlon	(appointed until 30 January, 2017)

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**COUNCIL
14TH JULY 2014**

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Phil Davies
CABINET PORTFOLIO	Leader of the Council
CO-ORDINATING CHIEF OFFICER	Chief Executive

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. FUTURE COUNCIL

The Council, as is the case with other local authorities, continues to face significant financial challenges. Reductions in grant funding received from central government and increased demand for our services mean that we will be forced to make a minimum of £45 million savings by 2017, in addition to the substantial savings we have already agreed.

The Future Council programme will complete a systematic, fundamental review of every Council service. Work is continuing on this vital project to ensure it helps identify options for achieving these savings in a fair, equitable and achievable manner.

I am committed to ensuring that any savings which are proposed are subject to extensive consultation with all stakeholders, including the Council workforce, partners, people using services and Members. I am further committed that savings should be developed in accordance with the Council's corporate priorities to tackle health inequalities, protect the vulnerable and to drive economic growth in the borough.

Policy and Performance Committees are meeting this month to consider the initial outcome from this project. Committees have been provided principles upon which budget options are being developed, as well as an outline of the emerging budget options themselves, to ensure that Elected Members are fully engaged in the process and able to participate in determining the future shape of Council services. A full programme of consultation is planned for the autumn on a range of savings options in order that we can take informed budget decisions in November 2014.

2. COMBINED AUTHORITY

The Liverpool City Region Combined Authority Annual General Meetings took place on 13th June 2014. I was confirmed as Chair of the Combined Authority, and discussion at the meeting focused on a number of significant strategic projects that will help to bring widespread economic benefit to the whole Liverpool city region.

Three key transport projects were considered at the meeting, including a draft long-term rail strategy to improve links within the city region over the next 30 years. A set of 12 rail

packages have also been identified by Merseytravel which includes enhancements to the Wrexham-Bidston line and development of the Halton Curve to connect the Liverpool city region with Cheshire and North Wales.

The Combined Authority also discussed approaches for tackling youth unemployment with Members raising concerns about the increasing prevalence of zero-hours contracts. Employees who agree to zero-hours deals are not guaranteed a minimum amount of time at work, meaning their pay can vary greatly from week to week, and they can also be called into work at short-notice. I have requested an investigation into this matter and a report will be brought back in the autumn.

I will ensure that Members of the Council are kept up to date with this work and other matters that form part of the Combined Authority's work programme.

3. NORTHERN AGENDA

Wirral has been leading discussions with a number of partners, including the other Chairs of the Combined Authorities, around developing a case for increased Northern political and economic devolution. There are now five Combined Authorities based around the largest city regions in the North; Liverpool City Region; Sheffield; Greater Manchester; the North East; and West Yorkshire.

Wirral is particularly keen to generate a discussion about the significant contribution that Northern economies can play to generate UK growth. The discussion is focusing on the key issues for joint working, national as well as Northern benefits, and identifying what additional devolved powers and flexibilities may be required to do so. The Municipal Journal are sponsoring a lunch at the LGA conference this month and Wirral will have a strong presence at the event to help showcase the important work that is taking place across the Liverpool City Region to promote economic growth.

The importance of the North was also highlighted in a recent speech by the Chancellor of the Exchequer, Rt Hon George Osborne MP where he called for the collection of northern cities to form a Northern Powerhouse in order to provide jobs and economic opportunities.

4. INTERNATIONAL FESTIVAL OF BUSINESS

On Thursday 19 June, in my role as Chair of the Liverpool City Region Combined Authority, I opened the Department of Business, Innovation and Skill's 4th Annual Manufacturing Summit. This national event was hosted at the Floral Pavilion, as part of the International Festival of Business, and also saw key note speeches from Deputy Prime Minister, Nick Clegg and the Secretary of State, Dr Vince Cable.

Over 250 chief executives from major manufacturing businesses throughout the UK, as well as a number of global organisations, attended the event which was an excellent opportunity to showcase Wirral and take part in a national debate on the future of manufacturing.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Ann McLachlan
CABINET PORTFOLIO FOR	Governance, Commissioning and Improvement
CO-ORDINATING CHIEF OFFICER	Chief Executive

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

1. ANNUAL GOVERNANCE STATEMENT

A draft of the Councils 2013-14 Annual Governance Statement was considered by the Audit Risk Management Committee on the 23rd June. The statement outlines the significant progress made by Council during 2013-14 to address weaknesses in its governance arrangements.

Out of the fifteen significant issues that were identified in the 2012-13 annual governance statement, eight have already been completed, or significant progress has been made during 2013-14; these include improvements to governance arrangements, information assets, procurement, debt, freedom of information requests, managing workforce costs and business planning.

Progress has been made on a further four issues, which are no longer considered to be significant, but will continue to be monitored throughout 2014. These issues include risk management, embedding policies for confidential reporting and grievances, responsibilities in relation to contract procedure rules and ensuring the Council maintains an up to date partnership register. There are three governance issues which are considered to continue to be significant and have therefore been included in the 2013-14 statement to ensure that they are addressed. These issues relate to essential training for staff, asset management and absence management.

On the basis of the work that the Council has undertaken, the Chief Internal Auditor has concluded that a substantively sound system of internal control is in place to meet the Councils objectives. This demonstrates substantial progress over the last 12 months.

A final version of the Annual Governance Statement will be presented to the Audit and Risk Management Committee in September 2014.

2. SECTOR LED IMPROVEMENT

The Local Government Association recently published a case study about Wirral Council's sector led improvement journey. Key messages from the case study highlight the rapid progress the Council made to tackle some of our most significant challenges and implement the recommendations made by the former Wirral Improvement Board.

The improvements made with the support of the Improvement Board are being seen as an example of best practice for sector led improvement. Gill Taylor, the LGA's Principal Adviser for the North West, was on the Wirral Improvement Board. She commented: "Along with my fellow Board members, I can say that Wirral has made enormous progress on its improvement, with much to celebrate. The authority is now ahead of the curve in the crucial financial challenges it faces, with the acknowledgement that, along with all authorities, it still faces very difficult decisions. We would like to offer our congratulations and have also let Wirral know that we are available, both as individuals and through our respective organisations, to offer any further support that may be required in future."

3. FREEDOM OF INFORMATION SCRUTINY REVIEW

The Freedom of Information Scrutiny Review findings were presented to Cabinet on Thursday 19th June 2014. The findings were endorsed and an action plan has been prepared to progress the recommendations outlined in the scrutiny review.

The scrutiny review acknowledged the considerable improvement the Council has made in dealing with Freedom of Information requests. The Council has consistently achieved a response rate of 85% or above in respect of its Freedom of Information requests since June 2013.

The actions for further improvement include developing a simplified approach to first line contact through the appointment of Freedom of Information Champions and Deputies within Council departments, who will act as single points of contact and ensure the effective management and timely progression of FOI requests

Legal and Member Services will also ensure that the percentage of requests responded to within 20 working days are reported to the Chief Executive's Senior Management team, and that exception reporting will be implemented for departments whose performance is either about to, or actually falls below 85%.

The Council's website will be revised so as to include the Council's performance on dealing with and managing Freedom of Information requests. The website will also include commonly asked Freedom of Information requests together with their respective responses.

These recommendations will enhance monitoring and reporting arrangements, ensuring that they are both robust and transparent.

The review highlights the fundamental role that the Councils policy and performance committee's play and I would like to take this opportunity to thank all of the members who have been involved in contributing to this review.

4. ICT STRATEGY

A recent review of the IT at the Council has highlighted a significant number of areas requiring major improvement. As a result a high level action plan has been developed which I regularly monitor progress against. Although significant progress has been made over recent months, the Council still has a way to go before the IT reaches the required standard.

Significant investment has been made, from the existing IT budget, which has greatly improved the underlying infrastructure. In addition the council is currently recruiting a new senior manager to lead the restructured service.

More visibly, preparatory work for the implementation of over 3000 new computers running Windows 7 & Office 2010 across the Council is progressing well, however the directory

services element which caused service problems back in January continues to present challenges with a resultant delay of 3 weeks to the project. Pilot activities will commence on 18 July with a phased rollout in August leading to a full deployment in September, in line with Future Council organisational changes.

5. COMMISSIONING

Due to recent amendments, my portfolio responsibilities have been modified to include the commissioning strategy. We have been developing our commissioning approach to integration through our work with the health economy to deliver our local response to the Better Care Fund. This has meant we are looking to identify further commissioning synergies across the council and partners, and to develop shared outcomes.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor George Davies
CABINET PORTFOLIO FOR	Neighbourhoods, Housing and Engagement
CO-ORINDATING CHIEF OFFICER	Emma Degg

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. AFFORDABLE HOUSING PROGRAMME

The last financial year, 2013/14 saw the completion of 352 affordable homes which included:-

- 38 Help To Buy / FirstBuy equity loans used to assist the purchase of new build homes across various private development sites in Eastham, Birkenhead, Rock Ferry, Bromborough, Beechwood and New Ferry
- Magenta Living completed 139 units of accommodation through both new build and bringing private sector properties back into use in.
- 40 units of accommodation for both shared ownership and affordable rent by Riverside at Bromborough Pool.
- 14 two bed bungalows for Shared Ownership at the Poulton House seeing the final phase of the Extra Care site completed.
- Wirral Methodist Housing Association completed 8 two bed apartments for Affordable Rent at Hamilton Road in New Brighton.

The above schemes developed with our Registered Provider partners have seen a total of £22m investment in the Borough of which £2.37m was secured through the Homes and Communities Agency Affordable Homes Programmes and £126,000 supported via the Council's New Homes Bonus award.

A target to deliver 300 affordable homes has been set for 2014/15, however over 400 units could be completed if Registered Providers are successful in securing additional Homes and Communities Agency funding for an additional 111 units across 6 separate sites to be announced in July 2014.

Anticipated completions in 2014/15 will include; 184 affordable rented homes by Magenta Living at New Hey Road (formerly St Benedicts School) and schemes at Victoria View, New Brighton and Tollemache Road in Birkenhead. Your Housing Group are developing a mix of 33 homes for affordable rent on the former Poulton Primary School in Poulton. Wirral Methodist Housing Association are developing 24 two bed apartments at Hamilton Road in New Brighton. Across these five sites a total of £29.51m inward investment will be achieved and 13 apprenticeships will be created.

To date in 2014/15, 8 Help To Buy equity loans have been completed, assisting buyers to purchase homes at the Sevenoaks site in Rock Ferry and St James's Gate site in Birkenhead. St James Gate is the recently launched the next phase of development on Laird Street which will see the completion of a further 125 new homes in addition to the scheme at St Josephs place which has seen the recent completion of 67 new homes. Already 18 homes for Affordable Rent for Magenta Living have been completed on the St James's Gate site (bringing inward investment of £2.31m of which £300,000 was secured through the Homes and Communities Agency Affordable Homes Programme) The Birkenhead sites are some of the most successful schemes for Keepmoat in the North West and building is therefore already slightly ahead of schedule to cope with the demand. Keepmoat will be looking at developing plans for Phase 3 of the programme on the Station and Tyrer Street site in front of Birkenhead North station later this year.

2. HOME ENERGY EFFICIENCY / AFFORDABLE WARMTH

In May 2014, Wirral Council was named runner-up at the National Green Deal and ECO Awards 2014, recognising its support and proactive approach to partnership working with British Gas on the Wallasey solid wall insulation programme. Due to the programme's success locally, and Wirral Council's continued strong backing, British Gas maintained their commitment and will have invested over £7m in energy efficiency improvements before the scheme ends in July. Sub-contractor BR Contracting have also ensured local people have benefited from employment and training opportunities with the company. Working with Wirral Met College, they have employed 45 plastering students since the programme began.

Energy Projects Plus has completed its contract with the Council to engage 350 households in Tranmere North, the worst area for fuel poverty in the Borough and offer a range of support including energy efficiency advice, energy switching advice and fuel debt assistance as well as distributing water saving packs in conjunction with United Utilities. Energy Projects Plus also promoted the assistance available through training sessions to community organisations and Woodlands Primary School.

3. HEALTHY HOMES PROGRESS

The Housing Standards Team were successful in securing Public Health Outcomes funding to extend the Healthy Homes project into the Community NHS Trust until 1st April 2015 to help reduce health inequalities. This will see the closer alignment of the work of housing standards officers with the health trainers and other community health services. The Healthy Homes scheme seeks to secure better outcomes for vulnerable residents in poor housing by ensuring that hazards in the home that are contributing to poor health are reduced or removed altogether. It will also promote closer links with the community and voluntary sector and bring in additional support to vulnerable residents across a wide range of public services from a single visit to the home. Funding will also allow vulnerable residents on low incomes to access emergency heating grants and other assistance to help provide affordable warmth as a result of excess cold.

4. NEIGHBOURHOODS PROGRAMME

2014/2015 will see the Constituency Teams continuing to support the Constituency Committees, developing and implementing new Constituency Plans, administering constituency budgets, developing and implementing constituency engagement

frameworks and communication strategies, delivering constituency behaviour change programmes, co-ordinating service hub activities, and enabling residents' issues to be dealt with quickly and at source.

The Wallasey Constituency Team are now located at Leasowe Millennium Centre, The Wirral South Constituency Team at the Bebington Civic Suite Annexe, and the Wirral West Constituency Team at Hoylake Job Centre Plus (in preparation for the Golf Open).

The Wirral Public Service Board will continue to provide the strategic steer for the constituency footprint way of working, and the four Local Public Service Boards will provide the operational co-ordination of activities.

Constituency Budgets for 2014/2015 (including 2013/14 under-spend) are as follows:

Constituency & Fund Name	2014/2015 Budgets
Wirral West	
Wirral Council	67,840.32
Improving Road Safety	38,875.00
Promoting Active Travel & Health	38,875.00
Your Wirral	35,000.00
Public Health Outcomes Fund	3,655.92
Public Health Voluntary Sector Support	5,304.60
Total	189,550.84
Wirral South	
Wirral Council	88,720.50
Improving Road Safety	38,875.00
Promoting Active Travel & Health	38,875.00
Your Wirral	40,000.00
Public Health Outcomes Fund	25,000.00
Public Health Voluntary Sector Support	25,000.00
Total	256,470.50
Wallasey	
Wirral Council	89,391.00
Improving Road Safety	38,875.00
Promoting Active Travel & Health	38,875.00
Your Wirral	50,000.00
Public Health Outcomes Fund	5,000.00
Public Health Voluntary Sector Support	8,160.00
Total	230,301.00
Birkenhead	
Wirral Council	100,000.00
Improving Road Safety	38,875.00
Promoting Active Travel & Health	38,875.00
Your Wirral	75,000.00
Public Health Outcomes Fund	25,000.00
Public Health Voluntary Sector Support	25,000.00
Total	302,750.00

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Pat Hackett
CABINET PORTFOLIO FOR	Economy
CO-ORDINATING CHIEF OFFICER	Kevin Adderley, Strategic Director for Regeneration and Environment

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. BIRKENHEAD TOWN CENTRE

A lock out agreement is in place with Neptune Development and they are preparing a master plan for the area outlined in that agreement which they hope to complete during September 2014. This will then be discussed further with the Council.

2. WIRRAL CONSERVATION AREA FORUM

This new forum was created on 12 April 2014 by members of the Conservation Area Committees across Wirral to provide a strategic organisation that can work constructively with the Council in relation to conservation area issues. This initiative is supported by the Council and has been welcomed by English Heritage, the Council and the Forum are beginning to hold quarterly strategic meetings to discuss how heritage and conservation issues can be managed and resourced into the future.

3. LIMITED BUILDING DEVELOPMENT ORDERS

Wirral is also talking to English Heritage about establishing two pilot areas, Hamilton Square and Port Sunlight, where some new approaches, recently introduced into legislation, can be piloted to manage these historic areas in the future.

4. MERSEY DEE ALLIANCE (MDA)

Work continues to promote the work being undertaken across the Mersey Dee Alliance area. Taking the Chair for 2014/15, Wirral will oversee a number of key pieces of work to raise the profile of the MDA, influencing transport debate to improve accessibility and to achieve better co-ordination across the skills agenda. Focus will include trying to increase businesses engagement, and becoming demand responsive on these matters. The Cabinet Member for Planning and Economy will present to the Wales Policy Forum on 30 June outlining the key challenges and opportunities for the MDA and will present the same issues to the Secretary of State for Wales at a meeting in Whitehall in July.

5. NEIGHBOURHOOD PLANS

The Council continues to support local communities in their preparation of neighbourhood planning proposals.

Two new Neighbourhood Forums have already been designated at Hoylake and at Devonshire Park. A third is proposed to be designated at Leasowe

Hoylake are now close to publishing their draft proposals for public consultation. Devonshire Park have already done this and are now preparing to submit their final proposals to the Council for public examination and local referendum.

6. RETAIL ACTION PLANS

In 2013/14, Retail Action Plans have been completed for Heswall, Hoylake, Prenton (Woodchurch Road), New Brighton (Victoria Road) and Bromborough. Work continues on other retail areas

7. BUSINESS IMPROVEMENT DISTRICT (BID) FOR BIRKENHEAD

Following the Council's recent approval of funding to support the Chamber of Commerce to explore a BID for Birkenhead, the Council has now entered into the grant agreement and the Chamber are commencing work on this project.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	COUNCILLOR ADRIAN JONES
CABINET PORTFOLIO FOR	SUPPORT SERVICES
COORDINATING CHIEF OFFICER	JOE BLOTT

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT

Voluntary Severance Scheme

Based on budget decisions which have already been taken, and in order to provide services within dramatically reduced government funding, our workforce must unavoidably be further reduced by around 500 over the coming months. Given the worsening budget choices the Council still needs to take, it is inevitable that additional reductions will need to be made over the next two years.

In light of this, a HR1 Notification was issued on 12 June 2014. This notification is a legal step we are required to take to formally notify Trade Unions and the Government that we will potentially need to make compulsory redundancies.

To enable the council to plan its restructures, provide some mitigation and reduce the number of compulsory redundancies that will be needed, we have invited applications for voluntary severance.

Performance Appraisal

Performance Appraisal has been delivered for senior managers over the past year. This is to ensure that all managers' objectives are set to meet the aims and values of the Council and specifically what has been agreed in the Corporate Plan. This is currently being rolled out across the whole Council.

2. ELECTIONS

European Parliamentary and Local Elections took place on Thursday 22nd May. The management and administration of the elections, was very successful. The feedback from councillors, candidates, agents and MPs in attendance at the Bidston Tennis Centre on its use as the count centre for elections has been very positive.

3. ICT UPDATE

Preparatory work for the implementation of Windows 7 & Office 2010 across the Council is progressing well, however the directory services element which caused service problems back in January continues to present challenges with a resultant delay of 3 weeks to the project. Pilot activities will commence on 18 July with a phased rollout in August leading to a full deployment in September, in line with Future Council organisational changes.

There is a high level action plan in place to progress a number of important initiatives in ICT including plans to appoint a Senior Manager. I regularly monitor the high level plan to ensure key milestones are being achieved.

4. EMERGENCY PLANNING AND RESILIENCE

Open Golf Preparations

The Open Golf Championship will return for the week of the 13 - 20 July 2014 and will see over 200,000 visitors come to Wirral to spectate at this truly international sporting event. Over 18 months of multi-agency planning has taken place to ensure that the event will pass off with at least the success of 2006, when it was last held on Wirral.

A comprehensive set of Contingency plans has been drawn up and tested during an emergency planning exercise.

5. ASSET MANAGEMENT

The procurement of the new Asset Management System is close to being finalised, this will enable all asset related information to be held together and will vastly improve the quality and interrogation of the information which the Council holds on its assets, it will support the Council to meet the needs of the new Transparency Agenda. Individuals with responsibilities for property from elected members and senior officers to unit managers require appropriate and timely asset management information to discharge those responsibilities effectively. The procurement and implementation of the new asset management system will make asset data more available for informing the decision making process.

We continue to drive forward the on-going disposal strategy, with a range of sites across the Borough. Capital receipts for this financial year are in the region of £1m with others in the pipeline.

The Council's Asset Management Plan was approved by Cabinet on 19 June, which means implementation of the asset strategy can now commence.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Christine Jones
CABINET PORTFOLIO FOR	Adult Social Care & Public Health
CO-ORDINATING CHIEF OFFICER	Graham Hodgkinson, Director of Adult Social Services

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

1. HEALTH AND SOCIAL CARE INTEGRATION

Significant progress has been made with health partners and colleagues to deliver better outcomes for people and there is now clear evidence of a co-ordinated service position with the further developments of the hospital Integrated Discharge Team and the multi-disciplinary health and social care teams now in place in each constituency area.

The complementary nature and targeting of these services is leading to a better use of resources, positive pathways and outcomes in relation to appropriate hospital discharges, the promotion of support to independence, enabling people to return home and a reduction in the overall number of people entering permanent residential and nursing care home placements.

A key aspect of these services is the growing move to provide services across 7 days and into the evenings. This is illustrating success in increasing service access and availability at a time of significant resource challenges for both the Council and the NHS. We are now creating working environments that support providing care and support at the 'right time and in the right place', demonstrating the commitment of our joint workforces, despite the challenges that is now confronting them.

2. DAY SERVICE TRANSFORMATION

I am pleased to inform Council that on 19 June 2014 Cabinet agreed that a challenge process would be put in place to ensure that the Strategic Business Case for the new Local Authority Company which will provide day services and daytime opportunities for people with disabilities across Wirral. There have been many months of very hard work by officers, staff, people who use services and carers. The business case must demonstrate a clear rationale for the establishment of a Local Authority Company that will deliver sustainable services whilst meeting MTP savings. There is also significant potential to include other services, generate greater revenue and deliver services more innovatively.

Their work around the co-design of the company is gathering pace, and excitement.

The meetings have been very productive; discussions have included the Vision of the company, the objectives, and the offer of services and the scope of them. These meetings have been positive, energetic and producing plenty of ideas and support for the company. The group represents all services and is very diverse.

3. MORETON DAY CENTRE

Members will recall a decision was made last year to close Moreton Day Centre, it was also agreed to provide a smaller more flexible service in Moreton in order to retain community links. I am pleased to inform council that the new service will be operational within the next month and would like to thank not only officers for their hard work but would also like to say a special thanks to Mr Stephen McGreal, Chair of the Parents Group for his ongoing support and hard work in achieving this.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Leisure, Sport and Culture
CABINET PORTFOLIO FOR	Cllr Chris Meaden
CO-ORDINATING CHIEF OFFICER	Clare Fish – Strategic Director – Families & Wellbeing

EXECUTIVE SUMMARY –

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

1. LEISURE

1. I am pleased to make Council aware of the progress that has begun on the improvements to the artificial 5-a-side pitches at Guinea Gap with the pitches available for public use September 2014.
2. Also at Guinea Gap work is due to start in September 2014 to convert the Sports Hall in to a 50 station fitness suite.
3. At West Kirby Concourse – (Refurbishment of the Fitness Suite) – work is due to start in September 2014 and it will be available for general public use in January 2015.
4. I am very proud to report that two members of the Wirral Metro Swim Squad have now been chosen to represent Great Britain. Tom Nelson follows Isobel Thwaite who gained national honours in March this year.

2. LIBRARY ONE STOP SHOPS

Wirral Libraries continue against the backdrop of challenging budgets to provide a large range of literary and cultural events for Wirral and this month launch our summer reading challenge which engages with many hundreds of children and helps improve literacy and interest in reading, in June we again supported the Book Trust Charity National Bookstart Week encouraging our youngest readers (up to four years old) to receive a gift of Books funded by the charity to encourage families to read together which continues to be a great success on Wirral

The programme of improvement at our main central libraries and sites that have One Stop Shop facilities merged into them continues. Birkenhead Central library has now reopened with its remodelled counter, new doors and more open facilities. Bebington Central will reopen this week (*14 July current target*) having now brought the One Stop Shop facility from nearby Pennant House and this has allowed us to do some much needed internal improvements to the ground floor as well as reduce the number of building we occupy and give Bebington residents one place to visit the council in their locality.

Finally our final phase of work on Heswall will soon be complete with a remodelled space downstairs and upstairs a much improved layout to increase available community space for library users and local groups.

My thanks to all users at each site during this period and hope that they enjoy the improved facilities also my thanks to staff who ensured pop up facilities have been available at each place during this change.

3. WILLIAMSON ART GALLERY

The Strategic Shadow Board (formerly the Williamson Action Group) is working on a series of proposals for the future management of the Gallery. It will have this work completed by the end of July 2014 for further discussions with the Council.

The Williamson will be hosting over the summer, a major exhibition of Richard Hamilton prints, who was one of the most significant post war British artists who died last year. Previously, this had only been hosted by the Barbican in London.

4. FLORAL PAVILION

The theatre programme continues to perform well and there has also been an increase in weddings and conferences at the venue.

A business review will be finalised over the next two months to identify ways of making the 2015/16 budget reductions previously agreed by the Council. This will also look at new opportunities for the venue as well as putting more business on-line.

5. TRANSPORT MUSEUM

The volunteers are efficiently running the Transport Museum and developing the facilities that it offers. Discussions are continuing about the formal transfer process.

6. HERITAGE STRATEGY

Work is being undertaken over the summer to refresh the Council's Heritage Strategy which is held in high regard by organisations like English Heritage.

7. CULTURAL STRATEGY

The Council is beginning discussions with Arts Council England and local organisations about the development of a Cultural Strategy for Wirral.

8. PARKS AND COUNTRYSIDE - FOREST SCHOOLS

The Forest Schools project is progressing and spreading well across the Borough with mid and south Wirral to commence in September. The children attending are showing great improvements in self esteem, socialization and communication skills with added health benefits from extra exercise and improvements to wellbeing. The literacy of one trial group raised three points in ten weeks. 727 children from 14 schools have attended so far with two schools making forest schools a part of their intervention methodology after seeing the positive effects.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Bernie Mooney
CABINET PORTFOLIO FOR	Environment & Sustainability
CO-ORINDATING CHIEF OFFICER	Kevin Adderley, Strategic Director – Regeneration & Environment

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. 2014-2015 BUDGET OPTION TO TRANSFER BIRKENHEAD KENNELS TO THE CHARITY FRIENDS OF BIRKENHEAD

The delivery of this exciting budget option is on target to transfer the kennelling service over to the charity Friends of Birkenhead Kennels (FOBK) by the 1 September 2014. This new partnership will deliver a direct annual saving of £40,000 through the transfer of four staff and service responsibilities. The new arrangements will also manage out the existing uncontrollable overspends which are associated with the staffing budget. The contract with FOBK to transfer this service does not include any annual growth as measured against the Consumer Price Index (CPI) or Retail Price Index (RPI), therefore the authority is protected from future increased costs in respect of the grant agreement.

The unique nature of this budget option has realised a number of challenges in which our traditional administrative methods for outsourcing and creating social enterprises have not faced before. However, significant progress has been made to overcome these challenges and fortnightly meetings are being held to ensure the full benefits of this novel partnership are realised by the target date of 1 September 2014. This new partnership will reduce costs and improve the welfare of the animals that the local authority has a statutory duty to care for under the Animal Welfare Act 2006.

2. ENVIRONMENTAL HEALTH MODERNISATION

In 2013 the Council's Technical Functions Transformational Project identified potential savings in Environmental Health through a modernisation of the service and through the implementation of work stream efficiencies. Through the implementation of this modernisation work, annual savings of £175,000 have now been achieved and the challenges associated with implementing the new generic structure are now being overcome. As part of this work an additional sustainable income of £15,000 per year was identified and negotiations around our transformational principles with our partners in Merseyside Port Health Authority (MPHA) also led to an agreement for the next three years to reduce the precept payment Wirral pays by £45,000. Therefore

the budget option to deliver a total saving of £215,000 for Environmental Health for 2014-2015 will be achieved.

3. PUBLIC HEALTH OUTCOMES FUND – TAKEAWAY FOR A CHANGE

Wirral is committed to reducing the health inequalities between deprived and affluent areas of the borough; with Public Health funds Environmental Health have been able to support local communities, businesses and families to reduce life impacting child and adult obesity, and achieve the Public Health outcomes. The project was rolled out in Rock Ferry and involved engaging with the primary school, children's centre and takeaways located in the heart of the community. Environmental Health Officers, supported by nutritionalists and health care professionals provided educational and support sessions for families and children; advising, supporting and guiding them to make healthy meal choices and swap for healthier options when in the supermarket or eating fast food. Local takeaway owners were given grants and supported to change cooking practices and ingredients to make their offer healthier; the new meals were then tried (and mostly enjoyed) by the local community via vouchers offering them 'free healthier meals'. The project has been such a success that Environmental Health has been invited to share their work at the Annual Public Health Conference in July 2014.

4. GARDEN WASTE

So far this new subscription year 34,731 households have signed up for the garden waste subscription service, including around 1500 brand new customers. This is over 6000 more than at the same point last year, indicating that the Council will meet its new target of 38,000 customers by March 2015.

Biffa reported a 560t rise in residual tonnages in April and May this year, as the growing season started. However, residual waste (green bin) tonnages over the year have not been significantly impacted by the changes to the garden waste service.

The Council recycled nearly 13,000t of garden waste in 13/14. The percentage of our total waste sent for composting was 11.14%, compared to 15.02% in the previous year when the service was free. This represents a 3.9% loss in Wirral's composting performance as a result of introducing the charge, compared to the 4-6% projected, meaning that those residents who used the service the most when it was free, are the ones that have continued to use it.

5. STREET CLEANSING

In quarter four of 2013/14, The Corporate Indicator for Local Environmental Quality was green, achieving a score of 97% against a target of 96%. The indicator will continue into 14/15 with the addition of monitoring graffiti, as well as litter and detritus. The overall 14/15 target has increased to 93% from 92% in 13/14. Early indications are that this has been achieved in quarter one.

6. ALLEYWAY DUMPING

Cleansing frequencies have now returned to four weekly. Hundreds of Good Neighbourhood Packs have been requested by residents living in terraced housing areas to help them take positive action to improve their alleyways and deter dumping. Further packs will be distributed through targeted marketing. Local Councillors may request packs on behalf of residents from the Waste and Environmental Services Team.

The Waste Investigation Unit have been carrying out baseline audits of alleyways in proposed pilot areas to enable the Council to track the impact of its anti-dumping campaigns. As a result of their referrals, where evidence has been found, the Environmental Enforcement team have written to 109 individuals suspected of dumping household waste. So far, this has resulted in 28 fixed penalty notices being served. The Waste Investigation Unit also leave postcards behind to all residents living by alleyways where evidence has been found, to make sure they are fully aware of the positive action the Council is taking.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	COUNCILLOR TONY SMITH
CABINET PORTFOLIO FOR	CHILDREN AND FAMILY SERVICES
CO-ORDINATING CHIEF OFFICER	DIRECTOR OF CHILDREN'S SERVICES

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to members of the Council on matters relevant to his portfolio.

1. CHILDREN'S SERVICES PRIORITIES

The Children's Trust Board, comprising partners from different agencies working with children and young people in Wirral have confirmed the following high level transformational outcomes for children and young people. These are incorporated in the refreshed Children and Young People's Plan:

- Children are ready for school
- Young people are ready for work and adult life
- Children and young people have their needs met as early as possible
- Children and young people feel safe and are safe

These priorities will inform all work to improve outcomes for children and young people. This report will focus on two of the outcomes.

2. CHILDREN AND YOUNG PEOPLE HAVE THEIR NEEDS MET AS EARLY AS POSSIBLE

- Over 70 delegates from key partner organisations attended the 'Committing to making a difference in Wirral' strategic stakeholder event on 1st May 2014 at the Floral Pavilion, New Brighton.
- Partners were invited to commit to the principles of Early Help and endorse the Regional Integrated Early Help Strategy.
- 3 Locality Events followed at the beginning of June. Led by the Senior Locality Managers and supported by partners from each area, the events provided delegates with the opportunity for organisations to understand what early help means for Wirral.
- A steering group is now being established; a local action plan will be produced and a communication strategy developed.
- A review is also underway to advise on options for the future service delivery across Early Years and Children's Centres. A core group of multi agency partners are overseeing the review, which will be concluded by Autumn 2014.
- An interim evaluation of the Intensive Family Intervention Programme at 31 May 2014 confirmed that out of 674 families receiving intervention, improved

outcomes for families include reducing incidents of domestic violence (51%), improving parenting capacity (94%), improvements for individuals with substance misuse issues (68%), improved school attendance (88%).

- The G.I.R.L.S. project is a targeted programme across Wirral, working with 240 young women during 2014/15. The accredited programme offers an opportunity for vulnerable and at risk young women aged 13 – 19 years to participate in personal development work to increase their confidence and self esteem.

3. CHILDREN AND YOUNG PEOPLE FEEL SAFE AND ARE SAFE

The Wirral Safeguarding Children Board continues to oversee a range of partner strategies to enable children and young people to feel safe and be safe. Work during this quarter includes:

- Strengthening the Child Sexual Exploitation work through monthly operational meetings, chaired by the Police to focus on individual young people who may be at risk; wide ranging partnership training; bespoke training for schools is being developed by Wirral Youth Theatre, engagement of taxi drivers to support a 'see it, report it' strategy and awareness raising training for elected members in September 2014.
- Implementation of a new Strategy for children experiencing Neglect; to ensure that the children's workforce is able to recognise neglect and provide an effective response. Progress of the strategy's action plan will be overseen by the Stay Safe Strategic Group.
- A workshop for 154 practitioners was, entitled Who's Looking out for the Teenagers? To embed the finding of a local Serious Case Review. This focused on issues such as mental health, domestic abuse, homelessness, substance misuse, transition into adulthood, youth support and child sexual exploitation;
- Within Children's Social Care, work continues to address practice issues and raise standards via a Practice Improvement Group. All aspects of Social Work and partnership working are considered, in line with the Ofsted inspection framework.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Stuart Whittingham
CABINET PORTFOLIO FOR	Highways And Transport
CO-ORINDATING CHIEF OFFICER	Kevin Adderley, Strategic Director – Regeneration & Environment

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. HIGHWAY SERVICES CONTRACT 2014 – 2018

Members will recall that the new Highway Services Contract was awarded to BAM Nuttall from 1st April 2014. Our need for a contractor who will work with the Council to achieve its objectives, and in a collaborative way, has already been evident through the way all parties have worked together to deliver a successful start to the relationship during what was a short period of time between award and start of the contract.

2. STRUCTURAL MAINTENANCE PROGRAMME FOR 2014/15

The highway maintenance part of the Council's Capital Programme is now well underway for this year, and includes a range of surface treatment and resurfacing schemes for both footways and carriageways, including the additional programme of maintenance schemes funded from the Council's Capital Programme to unclassified and residential roads totalling £500,000. I am able to report that our new contractor, BAM Nuttall, have now completed approximately a third of the £2.792m programme for this year.

3. POTHOLE REPAIR FUND

Members will probably be aware that the Government announced an additional £168 Million Pothole Repair Fund, and invited local highway authorities to apply for a share of the fund. The Council submitted a bid and I'm pleased to announce has been successful in securing £462,000.

This money will enable us to repair at least 8000 potholes and we will look to tackle as many defects in carriageways which fall below the actionable intervention criteria as the grant permits. This will benefit all users; and particularly cyclists who are more likely to notice those defects which are, perhaps, 20 – 40 mm in depth.

We will of course continue to repair defects which are unsafe; meeting the criteria in the Council's highway maintenance policy; when they are identified, using the highways revenue budget.

4. MAJOR SCHEME SUBMISSION – DOCK BRIDGES

The specialist consultants have progressed work on the technical feasibility and the Major Scheme Business Case for replacement bridge designs for submission to the Local Transport Body for consideration in the prioritisation of funding in December 2014. The Council's project board, which includes a representative from Peel Ports, will be asked to approve a draft business case in September.

5. LOCAL SUSTAINABLE TRANSPORT FUND

The Local Sustainable Transport Fund is additional grant funding which has been secured for a four year period ending in March 2015. The Council has a corporate priority to improve access to employment and opportunities which is measured by the number of referrals to the Travel Solutions Scheme. The target for referrals was continually exceeded during the last financial year and produced an annual outturn of 2400 people. Monitoring shows that of the people assisted over 70% remain in employment after 6 months.

The Council, along with other partners in the Liverpool City Region (LCR), is bidding to the Department for Transport for further funding to deliver a similar scale and type of projects into 2015/16. A decision is expected on this funding bid in late summer 2014.

6. TRANSPORT AND THE LIVERPOOL CITY REGION GROWTH PLAN/STRATEGIC ECONOMIC PLAN

The LCR Growth Plan/Strategic Economic Plan was submitted to the Government in March 2014. Wirral Council contributed to the Plan and in terms of transport infrastructure to support economic growth, identified a programme of £10.67million over the six years from 2015/16 to 2020/21. Wirral Council have also submitted an application for £3.73m of funding from the Major Schemes element of the Growth Plan for Wirral Docks bridges (replacement of A and C Bridges on A554 Tower Road) which is discussed in Item 4 above. Announcements on the funding are expected later in the year.

7. TRAFFIC SIGNAL MAINTENANCE CONTRACT 2014-2018

The new traffic signal maintenance contract was awarded to Motus Traffic from 1 April 2014. Working with this new contractor over the short period has been positive and the contractor responded effectively to the short timescale for service mobilisation. The contractor has also introduced new fault management software which will enable improved fault monitoring and issue of works.

WIRRAL COUNCIL

COUNCIL MEETING

14 JULY 2014

SUBJECT:	Scrutiny Annual Report 2013/14
WARD/S AFFECTED:	ALL
REPORT OF:	Joe Blott, Strategic Director – Transformation and Resources
RESPONSIBLE PORTFOLIO HOLDER:	Cllr Ann McLachlan (Governance & Improvement)
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 This report provides a summary of the work undertaken by the Council's Overview and Scrutiny function for the municipal year 2013/14. This was an important year with new arrangements introduced for Scrutiny as part of the Council's on-going Improvement Programme. This report provides an overview of the progress made and highlights the key pieces of work delivered.

2.0 BACKGROUND AND CONTEXT

2.1 Overview and Scrutiny is a legal requirement for local authorities under the Local Government Act 2000 and a key component for establishing good governance. Effective scrutiny also provides significant opportunities to improve the Council's decision-making, service provision and cost effectiveness.

2.2 Wirral Council commits to the principles of good corporate governance through the development, adoption and implementation of its Code of Corporate Governance. Scrutiny has a key role to play in meeting a number of supporting principles which promote good governance. These include:

- *'Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny'*,
- *'Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive and accountability relationships.'*

3.0 THE NEW ARRANGEMENTS ADOPTED

3.1 As part of its on-going improvement journey, Wirral Council enhanced its Overview and Scrutiny function during spring 2013 as part of a series of constitutional changes in support of better governance and decision-making. A new model of Overview and Scrutiny was launched with the creation of four Policy and Performance Committees. Three of these are aligned to the Council's Strategic Directorates, with a fourth Committee having a coordination role and dealing with all decisions that are called in.

3.2 The new arrangements were developed following engagement with Elected Members who put forward the following improvement suggestions:

- Being a Member-led process and not officer-led
- Provide opportunities for focussed in depth reviews
- Clear and consistent approach to work programmes and scrutiny reviews
- Work programmes to be determined by Committee Members
- Committees to be less political and to facilitate scrutiny reviews which breakdown party lines
- Opportunities to review and scrutinise policy prior to decision making – emphasising the importance of pre-decision scrutiny to ensure the system is pro-active and not re-active.
- Members not being overloaded and effective use of their time
- Utilising the skills and abilities of Members to the highest level
- Focussed agendas with fewer items
- Effective support from Council officers

4.0 OVERVIEW OF PROGRESS 2013/14

4.1 There have been a number of positive outcomes arising from the new arrangements and the collaborative approach adopted by the Committees. All Committee Chairs arranged agenda setting meetings with party spokespersons which provided an opportunity for all groups to influence the shape of agendas and the work programme. There has also been wider participation in Scrutiny Review Panels by Elected Members of all political groups which demonstrates the increased interest and confidence in the role and value of scrutiny.

4.2 In order to demonstrate the progress of the committees, we have looked at the Centre for Public Scrutiny which highlights a number of roles that are undertaken by an effective Overview and Scrutiny Function. These are set out below:

4.3 **Holding the Executive to account** – Scrutiny provides a framework of accountability to keep check on executive behaviour and prevent the abuse of power.

Three Executive decisions were called-in during 2013/14. Special meetings of the Coordinating Committee were held to allow detailed consideration of the issues involved and whether the decisions were appropriate.

4.4 **Holding Partners to account** – Scrutiny reviews the work of public, private and voluntary sector partners and their impact on the community.

Significant progress was made to enhance health scrutiny arrangements during the year following the Review into the findings of the Francis Report. A new Health and Care Performance Panel has been established to review the work of health partners and their Quality Accounts.

4.5 **Horizon-scanning** – Looking ahead to future policy changes in order to help the Council adapt to them.

Committees receive a regular policy briefing as a standing item at each meeting. These have been well-received by Members and have informed the work programme during the year. A review into the Council's preparations for Individual Electoral Registration (IER) was carried out in advance of this being rolled out across the country during summer 2014.

- 4.6 Policy Development and Review** – Scrutiny contributes to the development of key policies, as well as examining how well a policy has been implemented and outcomes achieved.

A Review Panel has been established to support the development of a new Borough wide car parking strategy. This responds to the findings of a review of the Council's existing car parking charging policy.

- 4.7 Pre-decision scrutiny** – Examines the Council's proposals, objectives, and draft programmes in order to inform their development before they are delivered.

In September 2013, following referral by the Leader of the Council, the Coordinating Committee examined proposals for Wirral to enter into a Combined Authority arrangement in the Liverpool City Region in advance of Cabinet taking this decision.

- 4.8 Post-decision scrutiny** – Examines the implementation of Council policy and enables the Council to review the effects of its decision-making.

A decision by Cabinet to continue to operate leisure facilities and services 'in-house' was reviewed by the Families and Wellbeing Committee. The Committee received a presentation by the Strategic Director followed by a debate of the key issues, challenges and opportunities relating to the decision.

- 4.9 In-depth review** – Small groups of Councillors undertaking detailed investigations into specific topics.

There was a significant increase in the number of Task & Finish Reviews carried out in 2013/14 as compared with previous years. A summary of these is set out in section 5 below

- 4.10 Performance Management and Improvement** – reviewing achievement against Corporate Plan goals and targets.

Each Committee has reviewed Council performance as a standing item at each meeting. Where performance is highlighted as falling short, exception reports are provided with responsible officers being invited to meetings to answer questions.

5.0 SCRUTINY REVIEWS UNDERTAKEN IN 2013/14

- 5.1** Overall there were twelve scrutiny reviews during the 2013/14 municipal year. Seven of these were completed in-year, three of these are still in progress and two were initiated but not progressed beyond the initial scoping stage. A summary against each of these is set out below.

Reviews Completed

5.2 Individual Electoral Registration

A review was completed into the Council's preparations for the introduction of Individual Electoral Registration (IER) during 2014. IER changes the process for registering to vote, transferring responsibility from the head of the household to the individual. The review provided assurances to Members that this should be a smooth transition for Wirral demonstrated by the results of a test run of the data transfer process in which Wirral performed higher than the national average. Analysis was also provided which illustrated those parts of the borough with higher levels of non-registration and Members of the Panel were keen to see how a more targeted canvas process can be designed to address this.

5.3 Francis Report

This review provided Wirral's response to the publication of the Francis Report following the public inquiry into failings at Mid Staffordshire NHS Foundation Trust. The Leader requested that a local review take place to ensure this could not be replicated in Wirral. The seventeen recommendations arising from the review were all supported by Cabinet and are now in the process of being implemented. The majority of recommendations seek to improve arrangements for Health Scrutiny and improved links and dialogue between all organizations that have a role in the health care system including commissioners, providers, regulators, watchdogs and scrutiny.

5.4 Quality Assurance and Standards in Care Homes

This review assessed the processes in place for monitoring the quality of care homes in Wirral and the mechanisms for improving the quality of care homes where necessary. The evidence presented to Elected Members suggests the standard in some care homes is not of sufficient standard, demonstrating scrutiny's role as a 'critical friend'. As a result, the Panel proposed a series of 18 recommendations aimed at raising standards. Committee requested an update report regarding the impact of the recommendations in April 2015.

5.5 Outcomes for Looked After Children

The Panel reviewed the outcomes for the Borough's Looked After Children focusing, in particular, on the impact of foster carers, the social care process, post-16 support, education, employment opportunities and housing. Central to the process for the Review were a series of meetings with young people currently in care, care leavers and foster carers. Placing the emphasis on the evidence of key service users provided a very helpful focus for the review and subsequent report. The outcome of raising aspiration was highlighted as central to the on-going development of provision for this client group.

5.6 Co-optees and Partners

This was a short review to consider the future role of co-opted members within the Families and Wellbeing Committee. The Panel concluded that co-opted members of the Committee should be confined to the four statutory education co-optees. The

Panel also recommended the creation of an Attainment Sub-Committee providing oversight and challenge to the activities of Wirral Council and its partners in relation to educational attainment, narrowing the gap of attainment for vulnerable groups and ensuring a prioritised response to schools undergoing Ofsted inspections.

5.7 Freedom of Information (FOI)

This review was initiated by the Transformation and Resources Committee following a period of enforced monitoring by the Information Commissioner in respect of Wirral meeting the 20 working day requirement for responding to FOI requests. The review focused on ensuring that the Council is addressing any barriers in complying with Freedom of Information requirements. The review acknowledged the Council's overall improved performance but made recommendations in respect of improving the availability of information to the public, developing a more robust and consistent process for managing requests and better monitoring of performance.

5.8 Impact of Budget Options 2013/14 and proposed options for 2014/15

The Regeneration and Environment Committee established a Panel to examine the impact and deliverability of budget options from 2013/14 and make recommendations to inform the debate around 2014/15 options. A series of meetings were convened with the relevant senior officers to review the impact on reduced service delivery, the success of savings performance and the deliverability of future options proposals as part of the consultation on 2014/15 budget options. The recommendations from this review were considered along with consultation feedback at Cabinet in December 2013. The panel found the process offered an opportunity to understand the evidence behind the budget options and the effects of implementation.

Reviews in progress

5.9 Three Task & Finish Reviews were initiated during 2013/14 and are expected to be completed as part of the work programme for the 2014-15 municipal year, these are:

5.10 Car Park Strategy

A recommendation arising from the Budget Options Review completed by the Regeneration and Environment Committee proposed a review of the Council's Car Parking Strategy. A Review Panel of seven Members has conducted a series of meetings with Senior Officers and is planning to report back to the Committee in September.

5.11 Apprenticeships

A Review Panel of four Regeneration and Environment Committee Members has been established to explore this topic. The panel have met with senior officers, key stakeholders and external organisations including Wirral Met College, National Apprenticeship Service and Connexions. The panel has completed the evidence gathering stage and plans to report to Committee in September.

5.12 Safeguarding Children

This review aims to ensure that effective safeguarding practices are in place both within the Council and across the Children's Partnership. The review has been scoped and evidence gathering will commence in the new municipal year.

Scrutiny Reviews initiated but not progressed

5.13 Two Reviews included as part of the 2013-14 work programme were initiated but did not progress to completion. These are summarised below:

5.14 Shared Services

A scoping meeting on the Shared Services scrutiny review was convened on 6 February 2014 to inform the direction of the review. Cabinet on 13 March 2014 subsequently agreed to suspend the process of developing shared professional and transactional services with Cheshire West & Chester and Cheshire East, thus negating the need for this review.

5.15 Impact of budget options 2013/14 and options for 2014/15

A Review Panel of the Coordinating Committee was established to explore this topic and two meetings were held in Autumn 2013. The Panel had concerns that the subject had not been fully discussed at Committee and there was some uncertainty about what outcomes the review was intended to achieve. The Panel also noted the budget options had been driven by the Council's three strategic directorates and as such had been reviewed by the other three policy and Performance Committees in November. The Panel agreed to refer this topic back to the wider committee recommending that it should not be progressed.

6.0 SCRUTINY IN 2014/15

- 6.1 As we commence a new municipal year, scrutiny has an important role to play in shaping how the Council will operate in these challenging times. At the forefront of this is the Future Council Programme through which all Services are being reviewed to determine the best shape for the organisation to deliver its priorities and key outcomes for residents. In line with the request from the Leader, a process is being developed which engages Policy and Performance Committees to ensure the Future Council Programme is subject to robust challenge and scrutiny.
- 6.2 Wirral is taking a key leadership role in the City Region with the Leader of the Council taking on the role of Chair of the Liverpool City Region Combined Authority. Scrutiny will play an important role ensuring there is public accountability of this new body and that decisions taken are in the best interests of the City Region.
- 6.3 New developments in Health Scrutiny will see improved monitoring of health and social care performance. This will be conducted by a new Health and Care Performance Panel which has been set up as part of Wirral's response to the Francis Report. The Council will also work collaboratively with other authorities in Cheshire and Merseyside as part of new Joint Health Scrutiny arrangements in line with The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. It is anticipated the first Joint Health Scrutiny Committee will be

set up to review the proposed changes to Clatterbridge Cancer Centre NHS Foundation Trust.

6.4 During the 2013-14 municipal year, Elected Members expressed some concern about the lack of sufficient monitoring of previous scrutiny recommendations. A mechanism has been developed to address this going forward and recommendations will now be allocated a clear review date and this will be scheduled into regular committee meetings. The monitoring of recommendations will be programmed across the annual committee meeting cycle.

6.5 In order to support Members in the scrutiny process, a new Scrutiny Toolkit has been developed for the new municipal year. This will be accessible through the Councillor Net section of the Intranet and will be supported by a new Scrutiny Homepage which will go live during July.

7.0 RELEVANT RISKS

7.1 N/A

8.0 OTHER OPTIONS CONSIDERED

8.1 N/A

9.0 CONSULTATION

9.1 N/A

10.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

10.1 N/A

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

11.1 N/A

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

12.1 N/A

13.0 LEGAL IMPLICATIONS

13.1 N/A

14.0 EQUALITIES IMPLICATIONS

14.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?
No, the report is for information to Members and there are no direct equalities implications.

15.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

15.1 N/A

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 N/A

17.0 RECOMMENDATION/S

17.1 Members are requested to note the contents of this report.

18.0 REASON/S FOR RECOMMENDATION/S

18.1 To provide Members with a summary of the work undertaken by the Council's Overview and Scrutiny function during the municipal year 2013/14.

REPORT AUTHOR: Scrutiny Support Team
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Telephone: 691 8379
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APPENDICES

N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council – Reports from Policy and Performance Committee Chairs	10/03/14
Council – Reports from Policy and Performance Committee Chairs	16/12/13
Council – Reports from Policy and Performance Committee Chairs	14/10/13

LICENSING ACT 2003 COMMITTEE

19 MARCH 2014

12 DRAFT STATEMENT OF LICENSING POLICY

Councillor Niblock declared a non pecuniary interest in this matter (minute 9 refers).

Councillor Roberts declared a non pecuniary interest in this matter (minute 9 refers).

The Strategic Director of Regeneration and Environment submitted a report seeking Members' approval of the Draft Statement of Licensing Policy in order that it may be presented to Council for approval.

The Licensing Manager reported that the Council's Statement of Licensing Policy had been subject to two reviews since its first publication in January 2005 and the most recent policy had been published in December 2010.

Members were advised that it is a requirement of the Licensing Act 2003 that the Licensing Policy be reviewed at least every five years and that it was appropriate that the current policy be reviewed and updated due to changes to the Licensing Act 2003. The Draft Statement of Licensing Policy was attached to the report which incorporated the changes to the Licensing Act 2003.

Members were informed that one response had been received from a Licensing Consultant which was supportive of the Policy.

Councillor Niblock outlined a number of amendments he wished to be incorporated into the Draft Statement of Licensing Policy prior to it being approved as a draft to be considered by Council.

Resolved – That, subject to the amendments proposed by Councillor Niblock, the Draft Statement of Licensing Policy be approved as a Draft to be considered by Council for approval as the Statement of Licensing Policy under the Licensing Act 2003.

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DRAFT
Statement of
Licensing Policy

July 2014

**Wirral Licensing Authority
Town Hall
Brighton Street
Wallasey
CH44 8ED**

0151 691 8043

CONTENTS

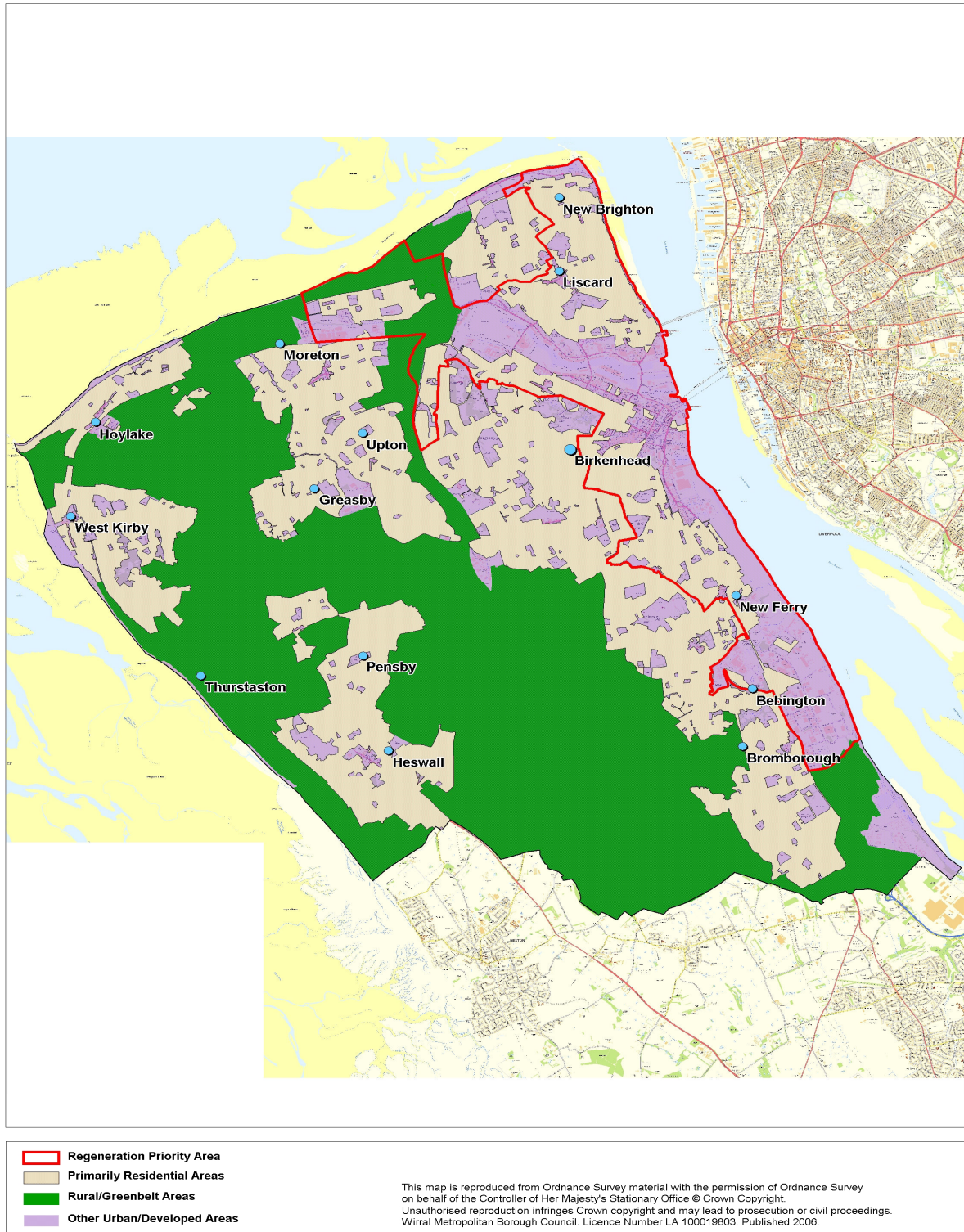
		Page No.
1	Background	1
2	Executive Summary	2
3	Purpose and Scope of the Licensing Policy	3
4	Licensing Objectives	4
5	Operating Schedule	10
6	Off Licences	11
7	Conditions	12
8	Staff Training	13
9	Enforcement	14
10	Cumulative Impact	14
11	Licensing Hours	15
12	Integrated Strategies	16
13	Planning	16
14	Temporary Event Notices	17
15	Licence Reviews	18
16	Administration Exercise & Delegation of Functions	18
17	Promotion of Equality	19

LIST OF APPENDICES

	Page No.
Appendix A Delegation of Functions	20
Appendix B List of Contacts	22

1.0 BACKGROUND

1.1 Wirral Borough Council is situated in the County of Merseyside, which contains no district Councils, but 5 metropolitan councils: Knowsley, Liverpool, Sefton, St Helens and Wirral. The Council area has a population of 319,800 (ONS 2010 midyear population estimates) making it the second largest after Liverpool in the County in terms of population. In terms of area it is the largest in Merseyside, covering 60.1 square miles. The Borough is mainly urban in outlook, with 32.85 square miles (54.66% of the borough) covered in Residential, Industrial or Commercial buildings.



The key provided identifies the urban / rural areas as well as regeneration priority areas.

2.0 EXECUTIVE SUMMARY

- 2.1 This policy sets out how the Licensing Authority will carry out its function in respect of individual applications made under the terms of the Licensing Act 2003 (The Act).
- 2.2 The Licensing Authority aims to provide a transparent balanced, consistent, proportionate and fair licensing service for all service users including applicants, licence holders, Responsible Authorities and members of the public.
- 2.3 Holders of authorisations, be that a Premises Licence, Club Premises Certificate, Temporary Event Notice or Personal Licence will be expected to work proactively and positively with the Licensing Authority, Responsible Authorities and members of the public to promote the licensing objectives.
- 2.4 The policy aims to ensure a consistent approach to licensing within Wirral, promoting fairness and proportionality. The policy is to assist Officers and Members of the Licensing Act 2003 Committee in reaching decisions on particular applications, setting out those matters that will normally be taken into account.
- 2.5 The policy seeks to provide clarity for applicants and those who wish to make representations in respect of any applications to enable them to understand the objectives being promoted and matters that will be considered in determination of the applications made under The Licensing Act 2003.
- 2.6 The policy will cover all applications for Premises Licences, Club Premises Certificates, notification of temporary events, together with applications for renewals, transfers and variations. The policy also provides details of the review process that provides a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a Premises Licence or Club Premises Certificate.
- 2.7 Wirral Borough Council is the Licensing Authority under the Licensing Act 2003 (the Act) and works closely with the Responsible Authorities, the licensed trade, local residents, local businesses and Ward Councillors to deliver the licensing objectives.
- 2.8 The Licensing Authority takes its responsibility and the Act seriously and actively works with other bodies including Merseyside Police and Trading Standards to combat alcohol related crime and disorder and tackle the sale of alcohol to underage persons. Further details of this work can be identified in Wirral's Strategy to tackle alcohol related crime.
- 2.9 The Licensing Authority works closely with residents to listen to their concerns and where appropriate act as a mediator between licence holders and residents to address issues, in particular relating to the prevention of public nuisance. The Licensing Authority also works with licence holders both directly and through Pub Watch, to seek compliance with licence conditions and encourage discussion between all relevant parties to promote the licensing objectives. The Authority has a Charter for Licensed Premises and it is expected that all Licence Holders sign up to this Charter. This work is undertaken in recognition that enforcement action will be taken when necessary and appropriate in accordance with the Authority's Enforcement Policy.
- 2.10 Not only has this Statement of Licensing Policy been prepared to promote the four licensing objectives under the Act, the Licensing Authority has had regard to the local strategies which have been developed for the borough, its residents, businesses, workers and visitors. The Licensing Authority intends to secure the proper integration

with local crime prevention, planning, and other relevant strategies in its roles to promote the licensing objectives.

- 2.11 Applicants for premises licences should be aware of the expectations of the Licensing Authority and the Responsible Authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.
- 2.12 The Licensing Authority will monitor the effect of this Policy throughout the period it covers through licensing liaison meetings with representatives of licence holders such as PubWatch meetings and also by way of regular meetings with the Responsible Authorities.
- 2.13 The Authority is committed to ensuring the highest levels of customer service for applicants, Responsible Authorities and members of the public. Our officers will always seek to assist licence applicants in completing applications and considering relevant conditions – particularly with a view to addressing possible representations from residents and Responsible Authorities. This is an important part of building and enhancing the partnership between the Licensing Authority and the licensed trade and providing useful advice and assistance. Notwithstanding this advice, it will be a matter for the applicant to decide what conditions to volunteer and for Responsible Authorities and other persons to seek additional conditions where appropriate to promote the licensing objectives.

3.0 PURPOSE AND SCOPE OF THE LICENSING POLICY

- 3.1 The Licensing Act 2003 requires that the Licensing Authority publish a Statement of Licensing Policy that sets out the principles the Licensing Authority will generally apply to promote the licensing objectives when making decisions on applications made under the Act. In addition the Policy seeks to provide clarity for applicants and residents to enable them to understand the objectives being promoted and the matters that will be considered in the determination of licences. This Statement of Licensing Policy has been prepared in accordance with the provisions of the Act and having regard to the Guidance issued under Section 182.
- 3.2 The Policy relates to all those activities identified as falling within the provisions of the Act, namely:
 - Retail sale of alcohol
 - Supply of alcohol to club members
 - Provision of regulated entertainment
 - The supply of hot food and/or drink from any premises between 11.00 pm and 5.00 am
- 3.3 In accordance with Section 5(3) of the 2003 Act, the policy has been prepared in consultation with:
 - The Chief Officer of Police
 - The Fire and Rescue Authority
 - The Director of Public Health
 - Persons/Bodies representative of local holders of premises licences
 - Persons/Bodies representative of local holders of club certificates
 - Persons/Bodies representative of local holders of personal licences

- Persons/Bodies representative of businesses and residents in its area

4.0 LICENSING OBJECTIVES

- 4.1 To achieve these objectives the Licensing Authority will use its full range of powers and engage all relevant Responsible Authorities and members of the public. Accordingly, the Licensing Authority will enter appropriate partnership arrangements, working closely with the Police, the Fire and Rescue Authority, local businesses, community representatives and local people in meeting these objectives.
- 4.2 In carrying out its various licensing functions the Licensing Authority will promote the licensing objectives which are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm

These objectives will be considered of equal importance and paramount at all times.

- 4.3 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act.
- 4.4 In determining a licence application the overriding principle adopted by the Licensing Authority will be to determine each application on its individual merits.

Prevention of Crime and Disorder

- 4.5 The Licensing Authority expects individual licence holders, new applicants and temporary event organisers to regularly review their arrangements in addressing crime and disorder issues pertinent to their particular licensable activities and/or premises. Information and advice can be obtained from regulatory agencies, business network groups and other sources. The Licensing Authority also encourages local residents and other businesses to discuss issues of concern directly with individual businesses or, to contact the Police and Licensing Service if they believe that a particular licensed premises is failing to achieve this objective.
- 4.6 The Licensing Authority will require the applicant to detail in their operating schedule the steps proposed to ensure the deterrence and prevention of crime and disorder, on and in the vicinity of the premises, having regard to their location, character, condition, the nature and extent of the proposed use and the persons likely to resort to the premises.
- 4.7 There are many steps an applicant may take to prevent crime and disorder. The Licensing Authority will look to the Police for the main source of advice on these matters. In accordance with the Statutory Guidance, Police views on matters relating to crime and disorder will be given considerable weight.
- 4.8 The Authority will through its' Community Safety Partnership, devise and help deliver strategies to tackle the misuse of alcohol, identified in the Government Office's Alcohol Harm Reduction Strategy as being a precursor to crime and anti-social behaviour. The Licensing Authority expects existing licence holders, new applicants and the organisers of temporary events, to be able to demonstrate the measures they use, or propose to adopt, to prevent and actively discourage underage retail and

hospitality sales/supply of alcohol. The Licensing Authority supports initiatives / good practice to prevent the sale of alcohol to those who attempt to buy alcohol on behalf of those who are underage as well as those who are drunk.

- 4.9 Where its discretion is engaged, the Licensing Authority will seek to promote the licensing objective of preventing crime and disorder in a manner which supports the Community Safety Partnership and any local crime reduction strategy.
- 4.10 The risk assessment approach remains fundamental. Licence holders and applicants are strongly recommended to work closely with the Police and Licensing Service in particular, in bringing into effect appropriate control measures to either overcome established or potential problems. A combination of short and longer-term strategies may need to be deployed by the licence holder to sustain and promote the prevention of crime and disorder.
- 4.11 The Licensing Authority will require the licence holder to indicate what steps will be put in place to control the excessive consumption of alcohol and drunkenness on relevant premises in order to reduce the risk of anti social behaviour occurring elsewhere after customers have left the premises.
- 4.12 The Licensing Authority is aware of the link between the supply of discounted alcohol and incidents of alcohol related disorder and will consider whether any measures or restrictions can be placed on alcohol sales to prevent binge drinking and promote 'sensible drinking'.
- 4.13 Off Licences, shops, supermarkets and stores selling alcohol for consumption off the premises potentially have a high risk of crime and disorder as they can be targeted as an easy premises from where to acquire alcohol. Such premises can contribute to anti social behaviour and disorder through the consumption of alcohol on the street and in open spaces by groups of drinkers, through the sale of alcohol to children, and through the sale of alcohol to street drinkers and persons who are already drunk.
- 4.14 The Licensing Authority expects Off Licences to show particular due diligence in areas where these problems are prevalent, and to strictly monitor the way they sell alcohol where the premises are located close to schools and hostels and similar premises that provide shelter or services to alcohol dependent persons.
- 4.15 It is important that staff working at Off Licences are suitably trained in the Act and can discharge their duties in full compliance with the licence conditions and requirements of the Act. This includes the ability to competently check a customer's age with acceptable forms of identification where necessary.
- 4.16 The Licensing Authority will expect new applicants, existing licence holders and organisers of temporary events to adopt recognised good practices in whatever area of operation they are engaged. For example, the 'Safer Clubbing Guide' provides essential advice for clubs and pubs providing public entertainment.
- 4.17 The Licensing Authority encourages relevant businesses to participate in the local PubWatch scheme or similar forums where they are set up, and where this helps secure and/or promotes the licensing objectives.
- 4.18 The Licensing Authority will review the adequacy of transport provision, in relation to the ability to disperse customers of licensed premises, in a safe and timely manner. Swift dispersal of patrons of licensed premises will help reduce the opportunity for crime and disorder.

- 4.19 The Licensing Authority will encourage small businesses to network locally with other businesses and to seek advice from regulatory agencies.
- 4.20 The Council has specific duties under Section 17 of the Crime and Disorder Act 1998 that underpins any control strategy that is employed. The Council will continue to work in partnership with the Police in addressing the crime and disorder issue(s).

Promotion of Public Safety

- 4.21 Public safety is not defined within the Act, but is concerned with the physical safety of people, not specifically with public health matters, which are covered by other legislation such as the Health and Safety at Work etc, Act 1974 and the Regulatory Reform (Fire Safety) Order 2005.
- 4.22 Applicants and event organisers will be expected to assess not only the physical environment of the premises (or site) but also operational practices, in order to protect the safety of members of the public visiting the site, those who are permanently employed in the business, those who are engaged in running an event or anyone else that could be affected by site activities.
- 4.23 Holders of Premises Licences, and Club Premises Certificates Certificates, or those organising temporary events, should interpret safety widely, the Licensing Authority will take a broad approach to its meaning.
- 4.24 For licensed or certificated premises and for temporary events, public safety must be kept under review and where changes to operational practices occur, a review of risk assessment must be undertaken.
- 4.25 Fire safety and means of escape remain an essential consideration to the Licensing Authority when determining applications. The Licensing Service will work in partnership with the Fire and Rescue Authority and other Council departments (e.g. Building Control and Environmental Health) to ensure that appropriate standards are applied and maintained. Applicants are encouraged and reminded to consult with all relevant parties prior to submission.
- 4.26 In the context of providing safe access to licensed premises for disabled members of the community, the Licensing Authority urges all licensees to familiarise themselves with The Equality Act 2010.
- 4.27 Special events in the open air or temporary structures raise particular issues. Applicants are referred to other sections of this document where guidance on holding these types of event is given.
- 4.28 Maximum occupancy limits in the premises licence will be specified only where appropriate for the promotion of public safety or the prevention of disorder.

Prevention of Public Nuisance

- 4.29 In considering the promotion of this licensing objective, applicants and licence holders need to focus on the effect of licensable activities on persons living and working in the area around the premises which may be disproportionate and unreasonable.

- 4.30 Public nuisance is not narrowly defined within the context of the Act. The Licensing Authority will take a broad approach to its meaning. In effect, any nuisance arising from a licensable activity – ranging from major noise from an outdoor pop concert affecting a wide area, to a low-level nuisance affecting only a few people (e.g. vibrations from a poorly mounted extraction duct serving a night café), could be included.
- 4.31 The Licensing Authority remains sensitive to the expectations and needs of different parts of the community in respect of leisure and cultural pursuits, and will view applications accordingly. The Licensing Authority will consider the impact of those activities on people who have to live, work and sleep within the local vicinity of a licensed premises.
- 4.32 The Licensing Authority will always consider whether other legislation already provides sufficient protection of the rights of local people. For example, the Environmental Protection Act 1990, the Noise Act 1996 and the Antisocial Behaviour Act 2003 can be utilised to address noise nuisance issues. The Licensing Authority considers that the potential for public nuisance can be prevented or much reduced by good design and planning during new or ancillary construction works, and by the provision of good facilities. This will require appropriate advice at the planning and development stages of new projects. The Licensing Authority's Licensing Service and the Environmental Health Department and other regulatory agencies such as the Police, should be viewed as being instrumental in this respect. Applicants should consider carefully the suitability of the premises for the type of activity to be undertaken, particularly in terms of ventilation, noise breakout and noise/vibration transmission to adjoining premises. Applicants should ensure they have measures in place to prevent public nuisance within the vicinity of the premises that might affect other businesses as well as residents.
- 4.33 The Licensing Authority expects licence holders to use their risk assessments and Operating Schedules to review and, if need be, to make necessary improvements to the premises, or to operational practices, in order to prevent public nuisance. The matter of persons congregating in outside areas including beer gardens can cause disturbance and be a public nuisance to residents living in close proximity to licensed premises. This congregation may be connected to the manner in which the smoke free legislation is managed at the premises. The Licensing Authority will expect such matters to have been demonstratively assessed and addressed in the Operating Schedule. In cases where there appears to be a likelihood of residents living around licensed premises or businesses within the vicinity being disturbed by customers leaving venues, or there being an impact on crime and disorder from customers leaving venues, applicants may consider putting in place a dispersal policy. Such a policy would set out the steps that would be put in place to minimise disorder or disturbance that may be caused as customers leave.
- 4.34 Applicants are recommended to consult Environmental Health Services for advice on measures that may need to be incorporated into an operating schedule.
- 4.35 The Licensing Authority will particularly consider the following matters where they are material to the individual application:
- The proximity of residential accommodation
 - The type of use proposed, including the likely numbers of customers, proposed hours of operation and the frequency of activity

- The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices
- The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises
- The use of smoking areas and how these are controlled / managed
- The use of a garden / other open-air areas, and how these are controlled / managed
- The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly
- The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents
- The provision for public transport in the locality (including taxis and private hire vehicles) for patrons
- Whether a dispersal policy has been prepared to minimise the potential for disturbance as customers leave the premises
- Any other relevant activity likely to give rise to nuisance

4.36 Following the implementation of the smoking ban, the Licensing Authority has become aware of nuisance issues relating to the use of external areas at licensed premises. If relevant representations are made, the Licensing Authority will consider whether it is necessary to impose conditions to regulate behaviour in external areas and access to them in order to promote the licensing objectives. In so doing the Licensing Authority considers that generally patrons who are using external smoking areas or shelters are there as a direct result of the licensed premises and are within the control of the licence holder. Applicants with external areas are recommended to seek the views of the Council's Environmental Health Department when preparing their operating schedule so as to include appropriate measures to prevent public nuisance.

4.37 Where the provision of existing legislation proves inadequate or inappropriate for control purposes, if its discretion is engaged through the submission of representations the Licensing Authority will consider imposing licence conditions. Any condition deemed appropriate and imposed by the Licensing Authority to promote the prevention of public nuisance will focus on measures within the direct control of the licence holder, and designated premises supervisor. If conditions or other legislation cannot adequately address the issues of nuisance, an application may be refused.

Protection of Children from Harm

4.38 The Licensing Authority recognises the Local Safe Guarding Children Board as being competent to advise on matters relating to the protection of children from harm.

4.39 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained

to protect children from harm, relevant to the individual style and characteristics of their premises and events.

- 4.40 The Licensing Authority is committed to tackling the issue of under-age drinking and has developed a comprehensive package of measures in partnership with other stakeholders and will seek support from licence holders to implement these measures.
- 4.41 It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Licensing Authority supports the Challenge 25 scheme, and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the Licensing Authority determines the licence application.
- 4.42 Licensing conditions will usually only restrict access to children in order to protect those children from harm. Applicants will be expected to pay particular attention to safety issues within their operating schedule where regulated entertainment is specially presented for children.
- 4.43 The Licensing Authority recognises the great variety of premises for which licences may be sought, including cinemas, public houses and 'night-clubs'. The Licensing Authority will consider the individual merits of each of these applications. Examples of premises where restrictions on access to children may be imposed include:
- Where there have been convictions of current staff for serving alcohol to minors
 - Where there is a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is commonly provided
 - Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises
- 4.44 The options available for limiting access to children can include:
- A limit on the hours when children may be present
 - Age limitations (below 18)
 - Limitation or exclusions when certain activities are taking place
 - The requirement to be accompanied by an adult
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place
- 4.45 The Licensing Authority will not impose any condition which specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issues of access will remain a matter for the discretion of the individual licensee or club or event organiser.
- 4.46 Where children are expected to attend public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm.
- 4.47 The type of entertainment and the nature of the premises will determine the appropriate level of adult supervision. If considered appropriate, the Licensing Authority may require that adult supervisors be subject to a Disclosure and Barring check.
- 4.48 Where cinemas are concerned, the Licensing Authority would expect licensees to impose conditions that children will be restricted from viewing age-restricted films

according to the recommendations of the British Board of Film Classification or the Licensing Authority. Licensees will be expected to include in their operating schedule arrangements for restricting children from viewing age restricted films.

4.49 The Licensing Authority has not adopted its own system of classification and therefore abides by the recommendations of the British Board of Film Classification. A mandatory condition attached to all Premises Licences and Club Premises Certificates authorising the exhibition of films requires that all films should have been classified by a body designated under Section 4 of the Video Recordings Act 1984 (the British Board of Film Classification is the only body designated as such) or by the Licensing Authority itself. Where the Licensing Authority itself is to classify a film, the Authority expects:

- A synopsis of the exhibition or young person's film programmes to be sent to the Licensing Service 21 days in advance, where possible, of any exhibition, giving sufficient information on any potentially controversial issues such as theme, swearing, violence, imitable techniques, horror, drugs, nudity, flashing lights etc, and in particular anything considered over 18 – R18 for example.
- Information as to the steps that will be taken to display notices inside and outside the premises so that persons entering can readily read them and be aware of the category attached to the film.
- Information on how staff are informed on policies and matters that may be significant at the time of the exhibition.
- To ensure that whenever children are in the vicinity of a film or exhibition that is being shown in a multi purpose premises, sufficient ushers/stewards (minimum 18 years old) shall be in attendance at the entrance to the viewing room at all times to ensure children cannot enter or view the film or exhibition.

4.50 Following receipt of the above written information, elected Members will view the film to determine the appropriate recommendation. The film will therefore be referred to a Licensing Sub-committee for determination.

5.0 OPERATING SCHEDULE

- 5.1 Under the Licensing Act 2003 applicants are required to complete an 'operating schedule'. Applicants are expected to have regard to the Council's Statement of Licensing Policy. They must also be aware of the expectations of the Licensing Authority and the Responsible Authorities as to the steps that are appropriate for the promotion of the licensing objectives and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.
- 5.2 Operating schedules are the key to ensuring that the four licensing objectives are promoted. An operating schedule should include enough information to enable any Responsible Authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.
- 5.3 Applicants should make their own enquiries and demonstrate how they have considered the following in their operating schedule:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young persons may congregate
- Any risk posed to the local area by the applicants' proposed licensable activities; and
- Any local initiatives for example, local crime reduction initiatives or voluntary schemes which may help mitigate potential risks of undermining the licensing objectives.

5.4 The Licensing Authority expects individual applicants to complete the operating schedule in a manner that is specific to the application being made in respect of those premises and the licensable activity to be carried on rather than in general or standard terms. Information should be given to demonstrate how the applicant proposes to address and promote the licensing objectives.

5.5 Any application or operating schedule not completed in accordance with the Act and the regulations may be returned to the applicant unprocessed with a request to complete the forms correctly before the application is accepted by the Licensing Authority.

5.6 Operating schedules for premises licences are the key to ensuring compliance with the four licensing objectives. The measures proposed in the operating schedule will normally be converted into conditions to be attached to the premises licence and/or club premises certificate and should therefore fulfil the following criteria:

- i) Be precise and enforceable
- ii) Be unambiguous
- iii) Not duplicate other statutory provisions
- iv) Be clear in what they intend to achieve, and
- v) Be appropriate, proportionate and justifiable

5.7 Prospective holders of new Premises Licences, and those seeking variations to existing Premises Licences are advised to consult with the Licensing Authority and the various Responsible Authorities at the earliest possible stage.

5.8 During the course of its inspections, the Licensing Authority may refer matters to any other agency where there appears to be a contravention of the legislation enforced by that agency.

6.0 OFF LICENCES

6.1 For sales of alcohol for consumption off the premises – applicants in respect of off licences and other premises selling alcohol for consumption off the premises may need to consider whether:

- there are appropriate numbers of staff on duty to deal with possible 'intimidation' to sell alcohol.
- there are restrictions required on the sale of low price, high strength alcohol and drink promotions.
- an incident log book is available to record incidents.

- there are measures in place to prevent underage sales.
- there are measures in place to prevent alcohol from being sold outside permitted hours where the operating hours of the premises exceed those for the sale of alcohol.
- there are procedures in place to prevent sales of alcohol to intoxicated persons (with particular attention to street drinkers) or individuals leaving premises in the vicinity such as a late night bar; where there is evidence to suggest this is a problem the Licensing Authority may require a temporary cessation of alcohol sales during high risk times.

7.0 CONDITIONS

- 7.1 The Licensing Authority cannot impose conditions unless it has received a relevant representation from a Responsible Authority, such as the Police or an Environmental Health Officer or an other person, such as a local resident, local business or a local Ward Councillor. The Licensing Authority will determine whether or not a representation qualifies as a “relevant representation” and therefore whether or not the representations may be taken into account by the Licensing Authority when it makes its decision. In determining whether or not a representation is a “relevant” representation, the Licensing Authority will have regard to Government guidance. The Licensing Authority then needs to be satisfied that it is appropriate to impose conditions or refuse an application in order to promote one or more of the licensing objectives.
- 7.2 The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises. Standard conditions, other than mandatory conditions, will therefore be avoided and no condition will be imposed that is disproportionate or cannot be shown to be appropriate for the promotion of the licensing objectives.
- 7.3 Applicants for Premises Licences or Club Premises Certificates or for variations to such licences or certificates are expected to conduct a thorough risk assessment with regard to the licensing objectives when preparing their applications. The risk assessment should cover the premises, events, activities and the customers expected to attend and will inform any necessary steps to be set out in the operating schedule to promote the licensing objectives. As referred to earlier in this Policy it would be sensible for applicants and clubs to consult with Responsible Authorities when operating schedules are being prepared. This would allow for proper liaison before representations prove necessary. The level of detail to be provided should be proportional to the scale and nature of the application to allow Responsible Authorities and other persons to consider whether the licensing objectives are being/can be fully met.
- 7.4 If an applicant volunteers a prohibition or restriction in their operating schedule because their own risk assessment has determined it is appropriate, such prohibitions or restrictions will become conditions attached to the licence, or certificate and will be enforceable.

- 7.5 Conditions deemed appropriate to achieve the licensing objectives will be applied following relevant representations. Conditions attached to licences will be proportionate and will focus on matters that are within the control of individual licensees and others granted relevant permissions. The focus of these conditions will be on the direct impact that activities taking place at the licensed premises could have on persons attending the venue as well as members of the public living, working or engaged in normal activity in the area concerned and will seek to ensure the protection of children from harm.
- 7.6 It is recognised by this policy that licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. This policy is able to address such behaviour “in the vicinity” of premises used for licensable activities. Whether or not incidents can be regarded as “in the vicinity” of licensed premises or places is ultimately a matter of fact to be determined by the courts in cases of dispute. The Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 7.7 The Licensing Authority will work in partnership with the Police and other relevant agencies to promote the licensing objectives and will develop licensing conditions for individual premises in order to meet these objectives and conditions will be tailored to the specific premises concerned. Licensing Law is not the primary mechanism for the general control of nuisance and anti-social behaviour once they are beyond the direct control of the individual, club or business holding the licence, however the Licensing Authority recognises that it is a key aspect of such control and Licensing Law will always be part of a holistic approach to the management of the evening and night time economy in town and city centres.
- 7.8 Other mechanisms available for addressing issues when individuals behave badly away from licensed premises include:
- Planning control
 - Town centre initiatives
 - The provision of CCTV surveillance in town centres
 - Designation of defined areas within this Authority where alcohol may not be consumed publicly
 - Police enforcement of the normal law concerning disorder and anti-social behaviour including the issuing of fixed penalty notices
 - The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk or who are underage
 - The confiscation of alcohol from adults and children in designated areas
 - Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises
 - The power of the Police, other Responsible Authority or a local resident or business to seek a review of the licence or certificate in question

8.0 STAFF TRAINING

- 8.1 The Licensing Authority recommends that all persons employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Similarly persons employed at on-licensed premises should

be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all staff involved in managing or supervising the premises.

- 8.2 It is also recommended that persons employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety, and if appropriate have the necessary Disclosure Barring Service checks.

9.0 ENFORCEMENT

- 9.1 It is essential that Licensed Premises are maintained and operated to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the Act. The Licensing Authority will monitor premises and take appropriate enforcement action in line with the Licensing Authority's Enforcement Policy. A copy of the Enforcement Policy is available on request.
- 9.2 The Licensing Authority recognises the interests of both citizens and businesses and will work closely with partners to assist licence holders to comply with the law and the licensing objectives. However, proportionate but firm action will be taken against those who commit serious offences or consistently break the law.
- 9.3 The Licensing Authority will continue to work with Merseyside Police on joint inspections of premises to reduce the level of crime and disorder and ensure the safety of the public. Protocols will continue to be developed to avoid duplication and ensure the best use of resources to promote the licensing objectives.
- 9.4 Protocols continue to be developed in accordance with the Licensing Authority's Enforcement Policy and the principles of better regulation. The principles of risk assessment and targeting will prevail and inspections planned accordingly.

10.0 CUMULATIVE IMPACT

- 10.1 Cumulative impact means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. Cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider and the Licensing Authority may adopt a special policy.
- 10.2 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new Premises Licences or Club Premises Certificates or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
- 10.3 However, a special policy does not relieve Responsible Authorities or any other person of the need to make a relevant representation before a Licensing Authority may lawfully consider giving effect to its special policy. If there are no representations, the Licensing Authority must grant the application in terms that are consistent with the operating schedule submitted.
- 10.4 The absence of a special policy does not prevent any Responsible Authority or any other person making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

- 10.5 It is for any person making such representations to provide evidence to the Licensing Act 2003 Sub-Committee that the addition of the premises concerned would cause the cumulative impact claimed. When considering such representations, the committee will:
- Identify any serious and chronic concern
 - Identify the area from which problems are arising and the boundaries of that area
 - Make an assessment of the causes
 - Consider adopting a policy about future licence applications from that area
- 10.6 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter the Licensing Authority can take into account. This should not, however, be confused with 'need' which relates more to the commercial demand for a particular type of premises e.g. a public house, restaurant or hotel. The issue of 'need' is therefore a matter for planning consideration or for the market to decide and does not form part of this licensing policy statement.
- 10.7 The Licensing Authority recognises that public houses, 'night clubs', restaurants, theatres, concert halls, community buildings and cinemas all provide their services of selling alcohol, serving food and providing entertainment with contrasting styles and characteristics. Proper regard will therefore be given to these differences and the differing impact they will have on the local community and each application will be considered on its individual merits.

11.0 LICENSING HOURS

- 11.1 Guidance issued under Section 182 of the Licensing Act 2003 states that the Licensing Authority has powers to make decisions regarding licensed opening hours and that Licensing Authorities are best placed to make such decisions based on local knowledge. In determining licensing hours the Licensing Authority will have regard to the location of the premises in question and the surrounding area, considering each application on its individual merits.
- 11.2 Particular regard will be given to premises in close proximity to residential accommodation.
- 11.3 If relevant representations are made, the Licensing Authority will determine the hours of use proposed having regard to the operating schedule and any risk assessment that adequately demonstrates that:
- the applicant has properly considered what is appropriate for the local area when considering what hours and activities to apply for
 - the potential effect on the licensing objectives is not significant
 - the agreed operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on local residents and businesses
- 11.4 Restrictions may be made to the proposed hours of use where, after receiving relevant representations, the Licensing Authority considers it appropriate for the promotion of the licensing objectives to do so.

12.0 INTEGRATING STRATEGIES

- 12.1 The Licensing Authority will seek to ensure proper integration with the Community Safety Partnership, Planning, and other relevant strategies when dealing with licence applications and through partnership working. The Licensing Authority will work with other partners including the Police, Trading Standards and Public Health to develop initiatives that support the licensing objectives.
- 12.2 The Licensing Authority recognises that there are many stakeholders in the leisure industry covering a wide range of disciplines.
- 12.3 The Licensing Authority shall have regard to the local Policing Plan and local crime prevention strategies where appropriate.
- 12.4 The Licensing Authority shall have regard to the need to disperse people quickly and safely from the town centre to avoid concentrations that may produce disorder and disturbance. The policy shall reflect any protocols agreed between the local Police and other licensing enforcement officers and the need to report to other council committees.

13.0 PLANNING

- 13.1 It will be expected that applications for Premises Licences, Club Premises Certificates and Temporary Event Notices will normally relate to premises with an existing lawful use for the activity proposed and the times when such activities are permitted.
- 13.2 Applications for Premises Licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the planning authority. The planning and licensing regime involve consideration of different (albeit related) matters, for example, Licensing considers public nuisance whereas planning considers amenity.
- 13.3 The Licensing Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. Similarly, the granting by the Licensing Authority of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building consent.
- 13.4 There are also circumstances when as a conclusion of planning permission, a terminal hour has been set for the use of the premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Applicants are strongly recommended to consider whether their application conflicts with a relevant planning permission for a particular premises. If the applicant is unsure whether this is the case or where they are aware of such a conflict, they should contact the planning department. Contact details are provided in Appendix 2
- 13.5 The Council's Planning Policies are currently set out in its Unitary Development Plan (UDP), supplemented by additional guidance on A3 use of restaurants and cafés, A4 use of public houses and A5 use for take-aways. The strength of these policies is that there is an obligation both on the Council, as the local Planning Authority, and the decision maker on any appeal, to give considerable weight to them. This helps to ensure consistency in the decision making process.

13.6 In general, planning permissions authorise the development or change of use of land and buildings in the public interest, whereas licences relate to the specific circumstances and proposed licensable activity within a particular premises and the suitability of the operator and may cover only a part of the premises.

13.7 In many cases where an application is made for a new licence or variation, the town planning use will already be authorised by a previous planning permission or because the premises has a longstanding lawful use. Therefore, a new application for planning permission is often not required. However, the existing planning permission if recently granted is very likely to have conditions restricting the use of the premises in some way: e.g. the hours of operation. In that case, anybody seeking a licence to operate beyond those hours would need to seek and obtain the revised planning permission or a variation or removal of the relevant planning condition.

13.8 In general, the planning position should be resolved before a licence application is made. The Licensing Authority may refuse to grant a licence if the:

- Activity to be authorised would amount to an unlawful use of the premises
- Hours being sought exceed those authorised by any planning permission.

13.9 The Licensing Authority may nonetheless determine a licence application without evidence of a lawful planning use where the applicant satisfactorily demonstrates special reasons justifying such an approach.

14.0 TEMPORARY EVENT NOTICES

14.1 A permitted temporary activity is an event lasting for no more than 168 hours where the number of people attending the event is no more than 499.

14.2 Temporary events do not involve the Licensing Authority giving permission for the event to take place but the Police and Environmental Health must be served with the Temporary Event Notice (TEN). This is a notification procedure in which only the Police and Environmental Health may intervene to prevent such an event taking place or to modify the arrangements for such an event. The Police and Environmental Health may only do so where they believe it may undermine the promotion of the licensing objectives.

14.3 The event organiser must give the Licensing Authority, the Police and Environmental Health a minimum of 10 clear working days notice, or 5 clear working days notice in the case of a late TEN. This does not include the application date, the day of the event, weekends and bank holidays. The Licensing Authority recommends that TEN's are received by this Authority and Merseyside Police at least 28 days before the event, to allow any necessary discussions to take place with the Police or Environmental Health.

14.4 It is not a requirement for a TEN to be served on other Responsible Authorities, however the Licensing Authority will notify the Responsible Authorities of all TEN's received. In addition Ward Councillors will be made aware of the TEN'S received relating to the premises in their ward so they are up to date with activities taking place in their area and are therefore able to respond to enquiries from local residents.

14.5 As started in paragraph 12.2 it is only the Police and Environmental Health who can object to a TEN and providing details to other Responsible Authorities and Ward Councillors is purely to assist them in undertaking their duties.

15.0 LICENCE REVIEWS

15.1 At any stage following the grant of a Premises Licence or Club Premises Certificate a Responsible Authority or any other person may ask the Licensing Authority to review the Licence or Club Premises Certificate because of a matter at a particular premises in connection with any of the four licensing objectives.

15.2 Where a person or body is considering making an application for a review they are advised to contact the Licensing Office, contact details are provided in Appendix 2. This is so that an officer may provide some initial feedback on the matter and then if appropriate attempt to facilitate a meeting or a series of meetings between relevant persons to discuss the review process and identify any possible solutions.

15.3 Applicants for a review should make all efforts to set out their concerns clearly and ensure that these concerns are relevant to a failure to promote one or more of the licensing objectives.

15.4 In considering an application from an 'other person' the Licensing Authority must first consider whether the applicant is relevant, vexatious, frivolous or repetitions.

15.5 The promotion of the licensing objectives relies heavily on a partnership between license holders, residents, Responsible Authorities and other persons in pursuit of common aims. It is important therefore that Authorities, persons and Responsible Authorities give licence holders early warnings of their concerns and of the need for improvement.

15.6 The Licensing Authority in considering the review may take such of the following steps:

- modification of the conditions of the premises licence
- the exclusion of the sale of alcohol by retail (or other licensable activities) from the scope of the licence
- removal of the designated premises supervisor from the licence
- suspension of the licence for a period not exceeding 3 months
- revoke the licence

15.7 The Licensing Authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

16.0 ADMINISTRATION EXERCISE AND DELEGATION OF FUNCTIONS

16.1 The powers of the Licensing Authority under the Act may be carried out by the Licensing Act 2003 Committee, by a Sub-Committee or, instead, by one or more officers acting under delegated authority.

- 16.2 The Licensing Authority recognises its responsibilities under The Equality Act 2010.
- 16.3 It is considered that many of the functions will be largely administrative with no perceived areas of contention. In the interests of efficiency and effectiveness these will, for the most part, be carried out by officers.
- 16.4 Where there are relevant representations applications will be dealt with by a Sub-Committee of the Licensing Act 2003 Committee, as will any application for the Review of a licence.
- 16.5 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.
- 16.6 When determining applications, the Licensing Authority will have regard to any guidance issued under Section 182 of The Licensing Act 2003. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Licensing Authority's consideration will be balanced against the wider benefits to the community.
- 16.7 In the interests of speed, efficiency and cost effectiveness, the Licensing Authority have determined which decisions and functions should be carried out by the full Licensing Act 2003 Committee, or delegated to a Sub-Committee or Council officer. Appendix 1 to this Statement of Licensing Policy sets out how the Council will approach and carry out its different functions.

17.0 PROMOTION OF EQUALITY

- 17.1 The Licensing Authority will undertake its functions and responsibilities in accordance with the requirements of The Equality Act 2010.

DELEGATION OF FUNCTIONS

Matters to be dealt with	Full Committee	Sub-Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representative made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	

Matters to be dealt with	Full Committee	Sub-Committee	Officers
Decision on whether a complaint is irrelevant frivolous vexatious, etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an Environmental Health / Police objection to a temporary event notice		All cases	

LIST OF CONTACTS

Name and Address	Telephone Number	Email Address	Fax Number
Licensing Authority Wallasey Town Hall Brighton Street Wallasey CH44 8ED	0151 691 8043	licensing@wirral.gov.uk	0151 691 8215
Police Licensing Section Manor Road Police Station Manor Road Wallasey CH44 1DA	0151 777 2944	A.BCU.Licensing@merseyside.police.uk	0151 777 2939
Environmental Health Municipal Offices Knutsford Road Moreton CH46 8TN	0151 604 3549	environmentalhealth@wirral.gov.uk	N/A
Planning Authority Development Control Wallasey Town Hall North Annexe Brighton Street Wallasey CH44 8ED	0151 606 2004	planningapplications@wirral.gov.uk	0151 691 8532
Wirral Area Child Protection Committee Hamilton Building Conway Street Birkenhead CH41 4FD	0151 666 4291	N/A	0151 666 4580
Trading Standards Town Hall Brighton Street Wallasey CH44 8ED	0151 691 8020	tradingstandards@wirral.gov.uk	0151 691 8098

Merseyside Fire & Rescue Service Wirral District Fire Safety The Fire Station Mill Lane Wallasey CH44 5UE	0151 296 4932	WirralAdmin@merseyfire.gov.uk	0151 296 6222
Public Health Old Market House Hamilton Street Birkenhead CH41 5AL	0151 666 5182	N/A	N/A
Guidance issued under section 182 of the Licensing Act 2003 can be obtained from:			
Home Office Direct Communications Unit 2 Marsham Street London SW1P 4DF	020 7035 4848	public.enquiries@homeoffice.gsi.gov.uk	020 7035 4745

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AUDIT AND RISK MANAGEMENT COMMITTEE

23 JUNE 2014

72 ANNUAL SELF ASSESSMENT 2013/2014

The Chief Internal Auditor reported that to comply with best professional practice the Audit and Risk Management Committee was required to complete an annual evaluation of its role and effectiveness as part of the systems of internal audit. The CIPFA publication 'A Toolkit for Local Authority Audit Committees' recommended the use of a self assessment checklist to achieve the task, and he presented the checklist which had been completed by the Chair, together with a draft Action Plan that had been developed following the exercise, which identified recommendations to improve the existing arrangements and address any risks.

He commented specifically that an action arising from the exercise involved updating of the Committee's terms of reference, insofar as they related to the frequency of meetings, to ensure compliance with CIPFA best practice guidance.

Resolved –

- (1) That the self assessment checklist and draft action plan be approved.**
- (2) That subject to the approval of the Council, the terms of reference for the Audit and Risk Management Committee be revised to incorporate the following wording, to comply with CIPFA best practice guidance –**

The Audit and Risk Management Committee should meet five times in each municipal year unless otherwise determined by Council in the calendar of meetings and at such times as determined by the Chair of the Audit and Risk Management Committee.

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LIVERPOOL CITY REGION COMBINED AUTHORITY

To: The Chairman and Members of the Combined Authority
Meeting: 13 June 2014
Authority/Authorities Affected: All
EXEMPT/CONFIDENTIAL ITEM: No

REPORT OF THE LEAD OFFICER: SCRUTINY

SCRUTINY ARRANGEMENTS

1. PURPOSE OF REPORT

- 1.1 The Liverpool City Region Combined Authority (LCRCA) Constitution - Part 5 Section B (Appendix 1) sets out the Scrutiny arrangements for the Combined Authority.
- 1.2 This report considers the following matters in respect of the scrutiny arrangements that are being put in place to support the Combined Authority and meet the requirements of the LCRCA Constitution :-
 1. To agree the Scrutiny Model for the LCRCA;
 2. To achieve Political Balance on the Scrutiny Panel;
 3. To invite appointments to the Scrutiny Panel by each Constituent Council and Liverpool City Region Opposition Groups;
 4. To agree a Programme of Meetings for future Scrutiny Panel meetings;
 5. To consider Topics for inclusion in the Annual Scrutiny Plan; and
 6. To agree to commission Training for Scrutiny Panel members.

2. RECOMMENDATIONS

- 2.1 It is recommended that the Combined Authority resolve as follows:-
 - a) To adopt the Scrutiny Model and arrangements for political balance set out in this report for the LCRCA Scrutiny Panel;
 - b) Each Constituent Council appoint 2 members to the LCRCA Scrutiny Panel;
 - c) The Liverpool City Region Opposition Groups, acting collectively across the City Region geography, appoint 2 opposition members to the LCRCA Scrutiny Panel;
 - d) That a minimum of 4 LCRCA Scrutiny Panel meetings be held in per annum in:-
 - Sept 2014
 - Jan 2015
 - Apr 2015
 - July 2015

- e) The Scrutiny Panel develop an Annual Scrutiny Plan;
- f) Training be arranged through NWEO for Scrutiny Panel members; and
- g) To approve the Agenda for the inaugural City Region Scrutiny Panel meeting (see Appendix 4).

3. ACHIEVING POLITICAL BALANCE ON THE SCRUTINY PANEL

3.1 Purpose

The purpose of this paper is to consider the most appropriate scrutiny model for the LCRCA and establish how political balance can be achieved on the Scrutiny Panel for the Combined Authority. The paper is written on the assumption that the makeup of the Scrutiny Panel should reflect, in the main, the combined political makeup of the 6 Liverpool City Region authorities. This requirement is contained in the Constitution of the LCRCA.

3.2 Approach

In order to assess the required political balance for the Scrutiny Panel it is first necessary to look at the combined political makeup of the 6 LCR authorities. This is shown in the Table below following the Local Council Elections on 22nd May 2014.

Council	Total Seats	LAB	LD	CON	Green	LIB	IND/Other
Halton	56	51	3	2	0	0	0
Knowsley	63	63	0	0	0	0	0
Liverpool	90	79	3	0	4	3	1
St Helens	48	42	3	3	0	0	0
Sefton	66	40	17	7	0	0	2
Wirral	66	38	6	21	1	0	0
TOTALS	389	313	32	33	5	3	3

The respective percentages of seats held by each party being as follows:

Labour	80.46%
Liberal Democrat	8.22%
Conservative	8.44%
Others	2.82%

The principle adopted in this paper is therefore to find a scrutiny arrangement that matches the pattern above.

It should be remembered, however, that the above pattern may change following subsequent elections and the arrangements in this paper may require modification to achieve the necessary political balance.

3.3 Recommended Scrutiny Model

A 14 member Scrutiny Panel with 2 members nominated by each local authority, plus an additional 2 places for opposition parties. (This assumes given the current political control in the City Region that each Council nominate 2 Labour members – this of course is a matter for each Council.)

3.4 Reconsideration (call-in) Procedure

Using the agreed 2/3 threshold for “reconsideration/call-in” the following number of members would be required for a “reconsideration/call-in”

9 members

Attached to this report is a draft pro-forma that could be utilised to trigger a call in if sufficient numbers of members consider this appropriate (see Appendix 2).

4. APPOINTMENTS

4.1 Each constituent Council shall be entitled to appoint TWO members to the Scrutiny Panel, as of right.

4.2 To achieve political balance TWO opposition members will also need to be appointed to the LCRCA Scrutiny Panel.

4.3 Arrangements will need to be put in place to identify the opposition members to join the Scrutiny Panel.

4.4 The following protocol is proposed to appoint the opposition group members to the LCRCA Scrutiny Panel:-

- a) The Leaders of the largest opposition party, as calculated by aggregating the number of opposition members across the 6 Constituent Councils of the LCRCA geography, shall nominate ONE elected member from their aggregated elected members to the LCRCA Scrutiny Panel.

(Following the 2014 Elections the largest opposition party is the Conservative Party).

- b) The Leaders of the second largest opposition party, as calculated by aggregating the number of opposition members across the 6 Constituent Councils of the LCRCA geography, shall nominate ONE elect member from their aggregated elected members to the LCRCA Scrutiny Panel.

(Following the 2014 Elections the second largest opposition party is The Liberal Democrats).

5. PROGRAMME OF MEETINGS

5.1 The LCRCA is asked to approve the dates for future meetings of the LCRCA Scrutiny Panel.

5.2 The process

- For the LCRCA to agree the preferred Scrutiny Model; and
- The Constituent Councils to appoint members to the Scrutiny Model

will not be concluded until the end of July, due to the cycle of Council meetings for the 6 Constituent Councils. Therefore it is proposed the first meeting of the LCRCA Scrutiny panel takes place early September 2014.

The Scrutiny Panel will meet a minimum of 4 times a year, although it is anticipated additional meetings will take place as the scrutiny process matures.

6. TOPICS FOR CONSIDERATION BY SCRUTINY PANEL

6.1 In accordance with the LCRCA Constitution, this is a matter for the LCRCA Scrutiny Panel to determine.

It is anticipated the LCRCA Scrutiny Panel Work Programme will be developed further as part of the training and workshop sessions proposed in Section 7 of this report.

Members are invited to suggest any topics they would wish the Scrutiny Panel to consider as part of their Annual Work Programme.

A draft Agenda for the inaugural meeting of the LCRCA Scrutiny Panel is attached at Appendix 3.

7. TRAINING

7.1 To assist members of the Scrutiny Panel to undertake their duties and responsibilities, it is proposed to offer members training. This training will be available through the NW Employers Organisation (NWEO). The proposed content of this training is set out at Appendix 4.

8. RESOURCE IMPLICATIONS

8.1 Financial

There are no additional costs associated with the recommendations in this report.

8.2 Human Resources

There are no direct issues as a result of the recommendations set out within this report.

8.3 **Physical Assets**

The recommendations within this report have no bearing upon any land/buildings/other physical assets owned by the CA or its constituent Councils or have any direct impact upon the use of IT, or need for IT support.

8.4 **Information Technology**

There are no direct issues as a result of the recommendations set out within this report.

9. **RISKS AND MITIGATION**

9.1 The risks associated with the recommendations in this report are low. Transparent and effective scrutiny is important to the continuing credibility of the CA and will enhance and support the work of the CA. Scrutiny exists to achieve greater public accountability over decision made and services delivered to the whole Liverpool City Region in respect of those functions under the remit of the Combined Authority.

10. **EQUALITY AND DIVERSITY IMPLICATIONS**

10.1 The policies referred to within this report have equality and diversity implications, these have been considered. Achieving political balance will ensure the CA meets Government guidance.

11. **COMMUNICATION ISSUES**

11.1 There are no direct issues, though this report seeks to clarify the arrangements for scrutinizing the work of the Combined Authority.

12. **CONCLUSION**

12.1 This report sets out the main issues associated with the arrangements for scrutinizing the work of the Combined Authority.

DAVID PARR
Lead Officer: Scrutiny

Contact Officer(s):

David Parr, Chief Executive, Halton Council (0151 511 6000)

Ian Leivesley, Strategic Director, Halton Council (0151 511 6000)

Appendices:

Appendix One - LCRCA Constitution (Scrutiny)

Appendix Two - Re-consideration - Call In (Draft) Pro-forma

Appendix Three - Agenda for inaugural LCR Scrutiny Panel Meeting

Appendix Four - NWEO Training Programme

Background Documents:

None

LIVERPOOL CITY REGION COMBINED AUTHORITY CONSTITUTION

Part 5 - Section B

Scrutiny Arrangements for the Authority, Merseytravel Committee and Merseytravel

1 Introduction

1.1 The Authority is to be supported by a scrutiny model in order to scrutinise decisions made at the sub-regional level.

2 Function of Scrutiny at a City Region Level

2.1 Scrutiny exists to achieve greater public accountability over decisions made and services delivered to the whole Liverpool City Region in respect of those functions under the remit of the Combined Authority.

2.2 The principal ways in which the Combined Authority will be 'held to account' via Scrutiny are:-

- (a) 'Critical Friend' role
- (b) Pre-decision scrutiny
- (c) Monitoring the delivery of the Combined Authority Strategic Plan

2.3 Pre-decision scrutiny would need to be used selectively otherwise the scrutiny system would, by spreading its energies too thinly, be likely to have little impact.

2.4 The role of Scrutiny in these three key function areas will be:-

(a) To provide a 'critical friend' to policy and strategy development The main priority for scrutiny should be to help the Authority to:-

- Develop policies to deal with new issues
- Reviewing existing policies which are felt to be in need of review
- Contributing to the formulation of the annual budget
- Reviewing policies or actions of agencies external to the local authorities which may be impacting adversely on the quality of life of local people

(b) To undertake scrutiny reviews into areas of strategic importance for the people of the Liverpool City Region The Authority's Scrutiny Panel should aim to investigate matters of strategic significance for the Liverpool City Region area and review should focus on sub-regional issues that are directly linked to the work of the Combined Authority and its sub-structure. The Panel would take a similar approach to a Parliamentary Select Committee. Panel members will collect evidence through a variety of sources, including –

- Questioning expert 'witnesses'
- Receiving reports and other literature
- Undertaking consultation
- Communication with stakeholders

The Panel will work with this information to make suggestions for improvement, acknowledge good practice and make recommendations. It will not deal with individual issues or queries that are more suitably dealt with by a local authority or specific organisation. The findings of each review will be submitted to the Authority for consideration. There are two potential sources for identifying in-depth studies to be carried out by scrutiny; the Scrutiny Panel itself and the Authority. The Authority may require scrutiny of a particular policy before agreeing a policy or taking a decision.

- (c) To monitor the delivery of the Authority's Strategic Plan The Scrutiny Panel will review the outcomes of the Authority's Strategic Plans. Any involvement of scrutiny in this activity would need to demonstrate that it could add value and not just replicate what the Authority, its Boards or Committees were doing. Scrutiny would again need to be highly selective acting only when it was concerned about evidence of poor performance and it was not satisfied by the Authority's response to it.

3 Operation of Scrutiny Arrangements

- 3.1 The Scrutiny Panel will comprise of Members from each of the Constituent Councils. Membership will be agreed at the Annual General Meeting. Nominations to the Scrutiny Panel must not be members of the Authority (including substitute members) or the Merseytravel Committee.
- 3.2 Nominations to the Scrutiny Panel by the Constituent Councils will be made in accordance with the principles of political balance set out in Section 15(5) of the LGHA 1989.
- 3.3 Any elected member appointed to the Scrutiny Panel by the Authority under these scrutiny arrangements who is also appointed to any Committee of the Authority, cannot participate in the operation of the scrutiny arrangements on any issues which were taken at any meeting of the Authority or any Committee of the Authority at which they were present.
- 3.4 The term of office for members of the Scrutiny Panel will be one year from the date of the annual council meeting of the Constituent Council that nominates them to the Scrutiny Panel, unless:-
 - (a) they cease to be an elected member of the Constituent Council that appointed them;
 - (b) they wish to no longer participate in these arrangements; or
 - (c) the Head of the Secretariat is advised by any of the Constituent Councils that it wishes to change one or more of its nominees to the Scrutiny Panel.
- 3.5 Non-voting members may be co-opted to participate in these arrangements from other organisations as the Scrutiny Panel members may decide.

4 Meetings of Scrutiny Panel

- 4.1 The members appointed by the Authority to the Scrutiny Panel will hold at least one annual meeting and may convene additional meetings in accordance with these arrangements.
- 4.2 The Scrutiny Panel members will:
 - (a) elect a Chair and Vice Chair;
 - (b) determine the areas of review and scrutiny that they wish to pursue during the ensuing 12 months;
 - (c) agree to establish Scrutiny Working Groups from amongst their number in order to carry out agreed areas of review and scrutiny.
- 4.3 The quorum for the annual meeting and any other meetings is 6, and must include representatives of at least 4 of the Constituent Councils.
- 4.4 The principle of decision-making at any such meeting shall be that, wherever possible, decisions will be made by agreement, without the need for a vote. If a vote is necessary it will be a simple majority of those present and the Chair will not have a casting vote.
- 4.5 The venue for each annual meeting and the usual venue for any other meetings will be the offices of Merseytravel, save that the Scrutiny Panel may choose to hold meetings other than the annual meeting in other venues if this is deemed to assist the scrutiny process.
- 4.6 Notice of the annual meeting and any other meetings will be sent to each Scrutiny Panel member in accordance with the requirements of the Local Government Act 1972.
- 4.7 The Chair will approve the agenda for each annual meeting and any other meetings; however, any member of the Scrutiny Panel will be entitled to require an item to be placed on the agenda for the meeting.
- 4.8 Subject to paragraphs 4.1 to 4.7, meetings will proceed in accordance with the Rules of Procedure.

5 Key Principles for the Operation of the Scrutiny Arrangements

- 5.1 The Constituent Councils will work together to maximise the exchange of information and views, to minimise bureaucracy and make best use of the time of members and officers of other bodies or agencies.
- 5.2 Members of the Scrutiny Panel will, when considering reviews, determine whether the issue is more appropriately dealt with by one of the Constituent Councils or elsewhere and will not duplicate the work of existing bodies or agencies.

- 5.3 Subject to prior consultation, the Constituent Councils will respond positively to requests for information, or for the attendance of a member or officer at any meetings set up under these arrangements.
- 5.4 While it is ultimately for each Constituent Council to decide who it considers the most appropriate person(s) to speak on its behalf at any meetings set up under these arrangements, consideration will be given to meeting specific requests.
- 5.5 Dates and times for officer and member attendance at any meetings set up under these arrangements should be by agreement.
- 5.6 Members appointed under these arrangements may request the attendance of officers employed by the Constituent Councils to answer questions and give evidence at any meetings set up under these arrangements. All such requests must be made via the Chief Executive of the relevant Constituent Council. If any request is declined by the Chief Executive, he/she must state the reasons for so doing.
- 5.7 The Scrutiny Panel may
- (a) invite members to attend before it to answer questions;
 - (b) invite other persons to attend meetings of the Panel;
 - (c) review or scrutinise decisions made or other action taken in connection with the discharge of any functions of the Authority;
 - (d) make reports or recommendations to the Authority with respect to the discharge of any functions which are the responsibility of the Authority.
- 5.8 The power to review or scrutinise a decision made, but not implemented under subparagraph 5.7(c), includes the power to recommend that the decision be re-considered, but is subject to the following provisions:
- (a) this shall not apply where, in the view of the decision-making body stated when the decision is made, any delay in implementing the decision would prejudice the interests of the Authority or the interests of the public;
 - (b) (i) in relation to decisions which may be subject to reconsideration, each decision shall be available where possible by electronic means within two working days of being made. Members of the Scrutiny Panel will be provided with a copy of the decision which will bear the date published and indicate it will come into effect on the expiry of three working days after publication;
 - (ii) if two-thirds of the membership of the Scrutiny Panel notify the Head of the Secretariat that they wish the Scrutiny Panel to consider the decision, then the Head of the Secretariat will arrange for a meeting of the Scrutiny Panel to be convened at the first available opportunity and in any event within seven working days of the request being notified to him. No action will be taken in the meantime to implement the decision which is subject to the request;

(iii) the Scrutiny Panel will consider the matter and if it chooses to, may resolve to request that the decision-maker reconsiders the decision. The Scrutiny Panel must set out the basis upon which reconsideration is requested;

(iv) the decision-making body will reconsider the decision and that reconsideration shall take place within seven working days of the Scrutiny Panel's request;

(v) no further requests for reconsideration may be made in cases where decisions have been reconsidered and the decision has been affirmed;

(c) decisions which have been subject to pre-decision scrutiny cannot be recommended for reconsideration unless the decision taken is, in the view of the Head of the Secretariat, significantly different from the proposal under contemplation at the pre- decision scrutiny stage;

5.9 Where the Scrutiny Panel makes a report or recommendation under 5.7(d), it may:

(a) publish the report or recommendations;

(b) by notice in writing, require the Authority to

(i) consider the report or recommendation;

(ii) provide a response to the Scrutiny Panel indicating what action (if any) it proposes to take;

(iii) where the Scrutiny Panel has published the report or recommendations, publish the response;

5.10 A notice under 5.9(b) will require the Authority to comply with it within two months, beginning with the date on which the Authority receives the report or recommendations or (if later) the notice.

5.11 The Authority will comply with a notice given under 5.9(b).

5.12 The requirements or power to publish contained in 5.9(a) and 5.11, shall not apply where the reports contain exempt or confidential information.

6 Scrutiny Working Groups

6.1 The annual meeting of members of the Scrutiny Panel may establish Scrutiny Working Groups to undertake agreed scrutiny reviews.

6.2 Scrutiny Working Groups shall include representatives from at least 4 of the Constituent Councils.

6.3 Scrutiny Working Groups established under this Protocol must be appointed to carry out specific scrutiny tasks and be time limited. Their continuation will be subject to confirmation at each annual meeting of the Scrutiny Panel members.

- 6.4 The Authority may also, if they choose, request that a Scrutiny Working Group be appointed to examine a specific issue in more detail and report back its findings to the Authority as appropriate.
- 6.5 Scrutiny Working Groups will have no delegated powers and will refer the outcome of their investigations to the Scrutiny Panel for consideration and decision.

7 Reviews and Recommendations

- 7.1 The process of scrutiny will be an open and transparent process designed to engage the Constituent Councils, their residents and other stakeholders.
- 7.2 Meetings will be held in public unless the meeting decides to convene in private in order to discuss confidential or exempt information, in accordance with the relevant provisions of the LGA 1972 or LGA 2000.
- 7.3 The terms of reference, timescale and outline of any review will be agreed by Scrutiny Panel members appointed at their annual meeting.
- 7.4 Different approaches to scrutiny reviews may be taken in each case, but members will seek to act in an inclusive manner and will take evidence from a wide range of opinion.
- 7.5 The primary objective of any Scrutiny Working Group established under these arrangements will be to reach consensus on its recommendations, but where a minimum number of 2 members express an alternative to the majority view, they will be permitted to produce a minority report.

8 Budget and Administration

- 8.1 The scrutiny leads from each Constituent Council will provide guidance to the Scrutiny Panel on its work programme, advice on the scoping of reviews (at different levels) and ensuring the appropriate information and advice is made available during the reviews, where appropriate, through the use of expert witnesses.
- 8.2 The decisions and recommendations of the Scrutiny Panel will be communicated to the Authority and/or Merseytravel as appropriate, as soon as practicable.

9 Support and Advice to Scrutiny Arrangements

- 9.1 The Scrutiny Panel may ask individuals or groups to assist it on a review by review basis and may ask independent professionals for advice during the course of reviews. Such individuals or groups will not be able to vote.
- 9.2 The Scrutiny Officer of each Constituent Council will ensure that the work programmes and minutes relating to the work carried out by the Scrutiny Panel in scrutinising the Authority and the Merseytravel Committee, are circulated appropriately within their own Constituent Council's scrutiny arrangements.
- 9.3 Each Constituent Council will nominate one of the 2 members of that Constituent Council who have been appointed to the Scrutiny Panel to act as that Constituent Council's "Authority Scrutiny Link". The Authority Scrutiny Link will be responsible for

reporting back to their own Constituent Council on the scrutiny work carried out by the Scrutiny Panel and will also be responsible for reporting to the Scrutiny Panel any issues identified locally by their own Constituent Council which may warrant scrutiny at a sub-regional level.

The nomination of an Authority Scrutiny Link and the way in which this role will be performed will be determined by each Constituent Council.

COMBINED AUTHORITY “RECONSIDERATION PROCEDURE”

DECISION TO BE “RECONSIDERED ” FROM THE COMBINED AUTHORITY

Date of meeting	
Minute No.	
Subject	

REASONS FOR MATTER TO BE “RECONSIDERED”

“CALLED IN” BY COUNCILLORS
(Signatures of each Councillor to be inserted)

1		Proposer
2		Seconder
3		
4		
5		
6		
7		
8		
9		
10		
etc		

This form must be received by the Proper Officer or the Committee Section on their behalf, by 5pm on the latest “Reconsideration” date specified in the Minutes.

LIVERPOOL CITY REGION COMBINED AUTHORITY

Scrutiny Panel

To: The Chairman and Members of the Combined Authority Scrutiny Panel

Meeting: September 2014 (Date to be confirmed)

Authority/Authorities Affected: All

EXEMPT/CONFIDENTIAL ITEM: No

DRAFT AGENDA

- . Appointment of Chair
- . Appointment of Vice Chair
- . Dates of Future meetings
- . Role of the LCRCA
- . Role of the LCRCA Scrutiny Panel
- . Training and Development Days – Proposal
 - a) to support scrutiny members in their new roles
 - b) to help inform and develop the Annual Plan

Liverpool City Region Combined Authority Scrutiny Development Support Proposal



Background to the proposal

The following proposal is based on a conversation between Carole Hudson, Chief Executive of St Helens Council and Liz McQue from North West Employers on 22 April 2014. This is an initial outline of the support that North West Employers could offer to the new Combined Authority as it develops its scrutiny arrangements.

About North West Employers

North West Employers is a not for profit organisation and exists to help organisations deliver better outcomes *with* and *for* local people. All the Merseyside local authorities and joint boards are members of North West Employers.

North West Employers provides a network of support and advice on all people matters, including leadership development, governance arrangements, human resources policy and practice, change management, and organisational design and performance. As a result of our regional role in sharing good practice, we spend most of our time working with officers and politicians, which gives us a deeper understanding of the issues local authorities and their partners face.

To reflect the changing shape of public services we have reviewed our core priorities. Our three core areas of work are:

- 1. Supporting effective public services**
(Focus on Workforce, Governance, Leadership and Public Sector Reform)
- 2. Building growth through capacity and skills**
(Focus on Coaching and Mentoring, Apprenticeships, Volunteering)
- 3. Sharing and making connections**
(Focus on connecting people, ideas and practice across the public sector)

Our work with councillors is at the heart of what we do, supporting and connecting councillors locally and across the North West to think through the changing environment and what this means for their work with communities and constituents.

Whilst we design and deliver a whole range of region wide programmes for both councillors and officers, a great deal of our work is co-produced with authorities and takes account of the local circumstances and needs. We always work to develop long term sustainable relationships and take a collaborative approach to the delivery of our programmes.

Scrutiny Support Proposal for Liverpool City Region Combined Authority

We are keen to support the Combined Authority as it shapes its new governance arrangement and we believe our experience of assisting councils to develop individual and joint scrutiny arrangements will provide a valuable external perspective.

As part of our commitment to support to all the Merseyside authorities we can offer the following package as part of the core support at no additional cost. We believe that the

existing relationships we have with the Merseyside authorities would provide depth to the work and this would enhance the advice and support we continue to provide to the individual authorities.

The initial proposals include the five elements below as part of the core support, and we would be happy to amend the design to meet your specific needs.

1. Diagnostic assessment – baseline survey

We could conduct a diagnostic survey to establish a baseline to assess officers and councillors' knowledge, skills and attitudes at the beginning of the process. An anonymous and confidential survey would be co-designed with the Combined Authority and responses collated and analysed by North West Employers to create a picture of key skills and strengths and identify areas where further development may be required.

The survey could be repeated after 6 or 12 months to review progress and to compare responses against the initial baseline survey. The report back from the second survey could be supported by a half day away day to identify key lessons and plan further improvements.

2. Introductory away day for councillors and lead officers - one day

The key focus for the away day will be to ensure that all councillors are clear about the new roles and how scrutiny at the Combined Authority level can add value given the multiple challenges facing local government, the wider public sector and communities. This first session would be tailored to reflect the experience, knowledge and understanding of those appointed but may include:

- Understanding the new system and the role of scrutiny
- Working together as a Scrutiny Team (utilising tools such as Myers Briggs)
- Developing a work programme to make a difference, establishing and agreeing criteria for selection of issues
- Connecting with other scrutiny arrangements at different levels - local, sub regional, regional scrutiny arrangements to avoid duplication
- Feedback and co-ordination arrangements
- Communicating the role of scrutiny
- Examples of successful scrutiny and lessons learnt from cross-authority scrutiny and Combined Authorities

3. Skills development programme – two half days

Two half day sessions would be included in the support programme which could cover some of the specific skills outlined below. If additional sessions are requested these would fall outside the funded programme of support and can be discussed separately.

Skills development workshops - options include:

- Comparative analysis
- Research skills
- Interviewing skills
- Appreciative inquiry
- Influencing skills
- Effective scrutiny behaviours

4. Real time scrutiny support - up to three half days

From our experience we believe that a solid introduction to a new scrutiny role is essential but we also understand that much of the learning will happen through real life practice and experience. We have developed a 'real time' approach to provide external support during a live scrutiny review to provide timely interventions supporting an effective process and outcomes.

Our approach would be to provide coaching support which could include attending meetings as a critical friend to reflect on how the committee works together and the focus would be on skills development and scrutiny processes such as:

- guided support throughout a scrutiny review
- defining, structuring and undertaking a scrutiny review
- shaping powerful recommendations
- ensuring scrutiny has an impact

5. Northern Scrutiny Event with Combined Authorities – one day

As part of our connector role we would set up a Northern Scrutiny Learning Event to bring together scrutiny members and lead officers in October 2014 or March 2015 to share practice/experiences, progress and lessons learnt. In addition we would produce a conference report to outline key messages and learning from the event.

Additional options of support

Additional support can be provided outside the programme of funded support and could include:

- Individual support/coaching for the Chair and/or Deputy Chair or those with specific roles to focus on key challenges and leadership behaviours in developing a more effective approach and leadership of scrutiny.
- The Scrutiny Development: Peer Learning Group brings 'scrutineers' together to focus on key challenges and opportunities for scrutiny functions.

Our experience of Scrutiny

We have been extensively involved in supporting scrutiny functions since the Local Government Act 2000. Our early work focused on supporting councillors and officers in defining the role, scope, structures and working practices of scrutiny committees. Our work has included providing support and advice for scrutiny chairs and officers, workshops and seminars and the sharing of good practice from across the North West and beyond.

- **Skills workshop**

We frequently run workshops designed to focus on key skills and behaviours of scrutiny councillors ensuring that scrutiny practices and processes are 'fit for purpose'. The majority of programmes are delivered bespoke to the authority and councillor needs to ensure tailored and specific content. Examples of the programmes we run include:

- Shaping Overview and Scrutiny
- Scrutiny and Questioning
- Formulating Recommendations
- Chairing and Managing Scrutiny

- Scrutiny in Action
- Scrutinising External Partners
- Performance and Financial Scrutiny
- Appreciative Inquiry in Scrutiny

- **Real Time Scrutiny**

We are frequently asked to work with scrutiny committees on 'live' issues and enquiries and supporting the committee through facilitation and coaching. Three recent examples of 'focussed' interventions include: support for a County Council in undertaking a review of children's services; support for a District Council in scrutinising partnerships; a focused intervention for a public sector partner in developing a scrutiny work programme.

- **Topic Specific Seminars and Workshops**

We have provided focused events that support scrutiny reviews of specific issues such as 'Scrutiny of Worklessness Services'. These have been provided on local themes or regionally to highlight key challenges, needs and opportunities for scrutiny functions.

- **Scrutiny Toolkit**

Production of '**Scrutiny of Worklessness: A Toolkit for Scrutineers**' aimed at supporting frontline councillors in their role of improving the quality of life of their residents; in particular, it looks at the opportunities offered to councillors in the scrutiny and review of worklessness.

- **Co-ordinating the NW Strategic Scrutiny Network**

Aimed at councillors actively involved in scrutiny within their authority, the network provides a platform to debate and explore the real challenges. The network focuses on key topics to support the advancement of strategic scrutiny amongst councillors. The network is chaired by an active scrutiny councillor and is supported by a steering group. The network meets 3 times a year and has a long history within the North West.

- **Case studies and sharing**

We believe that the greatest learning and resources to support the advancement of scrutiny are based within our member organisations and we seek opportunities to share good practice across the region. Our most recent example includes our publication **Post-Regulation Scrutiny: North West Pioneers**, first edition published January 2014.

- **Consultation, support and advice**

As part of our support to member organisations, we often act as 'critical friend' and support councillors and officers in thinking through approaches, processes and skills required of scrutiny committees and functions. This support is bespoke and supports the effectiveness of scrutiny within and across its locality.

Our Team

The programme would be delivered by North West Employers' associate team who all have extensive experience of supporting scrutiny functions and developing the skills and understanding. We may also work with other key facilitators /organisations to help deliver this programme and we would discuss with you your requirements to agree a team that meets your needs.

Dr Stephanie Snape

Stephanie has worked in the world of local government for twenty-five years as a local government officer, academic and latterly consultant. She has been working on local

government scrutiny issues for many years and led the first national evaluation of overview and scrutiny; has undertaken many evaluations of scrutiny functions; and designed and delivered national, regional and local scrutiny development programmes. She is a Director of the New Leadership Foundation, which provides two modules of the Local Government Association's Leadership Academy for councillors. She has a long history of working with North West Employers.

Councillor John Lamb

John is an elected member of Trafford Council and has been a councillor for 16 years. Currently, he is Chair of the all party member development group and Vice Chair of the Health Scrutiny Committee. A former Executive Member for Adult Social Care and Health, John is currently a Board Member at the Trafford Housing Trust and Chairs the Development and New Business Committee. John is also an appointed Governor at the University Hospital of South Manchester and Chair of a local primary school. He also Chairs the North West Strategic Scrutiny Network.

John's consultancy work is in the private and public sectors and is varied. An accredited peer member with the LGA, he has worked with a number of Councils across the country on projects ranging from Adult Social Care Peer review, development of Cabinets, development of councillor ward working, development of Overview and Scrutiny to delivery of specific training courses for councillors. John is also an Advisor with Local Government Leadership and recent assignments have been working with councillors to improve community engagement. An Associate with North West Employers, John also tutors on the prestigious LGA Leadership Academy and is an associate with the University of Birmingham Institute for Local Government Studies.

Sir Steven Houghton CBE

Sir Steve has been an elected member of Barnsley Metropolitan Borough Council for 25 years and Leader of the Council for 17 years. He has a Masters Degree in Local Governance from the University of Birmingham. Previously, Sir Steve led a Government Review into the role of local authorities and partnerships in tackling long term unemployment and worklessness, which was published in 2009.

Sir Steve holds a number of positions including Chair of the Barnsley Local Strategic Partnership; Chair of SIGOMA; Regional Peer of the LGA; and Non Executive Director, Barnsley Hospital Foundation Trust. He was awarded the CBE for services to Local Government in the 2004 New Year's Honours List and a Knighthood in 2013 in the Queen's Birthday Honours.

Collaborative Working

We would work with a range of partner organisations including the Centre for Public Scrutiny and other Combined Authorities to ensure that Liverpool City Region Combined Authority have access to learning from other scrutiny systems.

Costs:

The package of support in this proposal would be provided at no cost to the Combined Authority including design and preparation. (Venue costs to be covered by the Combined Authority).

We would be happy to provide costs for any additional support requested outside this proposal.

Contact

To progress this proposal please contact:

Liz McQue

Chief Executive, North West Employers .

lizm@nwemployers.org.uk 0161 214 7123

References can be made available on request.

CABINET

13 MARCH 2014

162. FINANCIAL MONITORING 2013/14 (MONTH 10)

Councillor Phil Davies produced a report by the Strategic Director - Transformation and Resources that informed the Cabinet of the Monitoring position for Month 10 (ending 31 January 2014). There were separate appendices for Revenue (Appendix A) and Capital (Appendix B) attached to the report for Members' information.

RESOLVED: That

Revenue

- (1) It be noted at Month 10 (January 2014), the full year forecast projects a gross General Fund underspend of £966,000, net £197,000. Cabinet previously agreed to earmark £519,000 of any forecast underspend against future Council restructuring costs and a further £250,000 to replenish General Fund Balances used for the clean up and repairs to infrastructure from December's exceptional weather events. The remaining £197,000 available if the forecast is realised at the end of the financial year would be required to either contribute to the restructuring reserve or to raise the level of General Fund Balances to the required level for 2014/15.**

Capital

- (2) the spend to date at Month 10 of £19.8 million, with 83.3% of the financial year having elapsed be noted;**
- (3) the revised Capital Programme of £35.9 million (Table 1 at 4.1 Appendix B) be agreed; and**
- (4) the re-profiling of a number of schemes into 2014/15, totalling £0.762 million be agreed.**

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REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE

9 APRIL 2014

45. NOTICE OF MOTION - MERSEY TUNNEL TOLLS

The Head of Legal and Member Services advised that at the meeting of the Council held on 10 March 2014 (minute 98 refers), the following Notice of Motion proposed by Councillor Les Rowlands and seconded by Councillor Andrew Hodson was referred by the Mayor to this Committee for consideration.

MERSEY TUNNEL TOLLS

- (1) Council regrets the recent tunnel toll increases for all toll classes forced through by the Labour-led Integrated Transport Authority.
- (2) Council notes that since the introduction of the 2004 Mersey Tunnels Act, sponsored by former Labour MP Claire Curtis-Thomas and supported by Labour Members throughout its passage through Parliament, Merseytravel has accrued over £40 million in surpluses which have been used on their pet transport schemes and vanity projects.
- (3) Council also notes that Merseytravel have squandered large amounts of money as can be evidenced by the £70 million failed tram scheme colloquially known as 'Line 1 to Nowhere' and its extravagance in occupying a half empty building at No 1 Mann Island.

Therefore Council believes

- (a) The consistent increases year on year is damaging Wirral's economy putting further pressure on motorists and businesses.
- (b) Council recognises such increases place a greater strain on tunnel users who have to travel to and from work placing an unfair tax burden on Wirral residents
- (c) Council recognises discount toll schemes/free crossings for local residents already exist in other parts of the country and while recognising that fast tag users benefit from a discount, Council believes that regular users should be rewarded with a local discount scheme over and above that afforded by use of the fast tag such as that announced for the Mersey Gateway Bridge of a "local user discount scheme" with up to 300 free journeys per year.

Council therefore requests the Leader of the Council and the Chief Executive to write to the Chief Executive/Director General of Merseytravel requesting an urgent meeting to discuss: if and how the Mersey Tunnels can be reinstated back into the national road network and Tunnel Tolls abolished.

If that is not possible how a 'local user discount scheme' over and above that which already exists through the Fast Tag can be implemented to ease the burden on hard the pressed motorists of Wirral.

In accordance with Standing Order 7 (6), Councillor Rowlands was invited to attend the meeting in order for him to be given an opportunity to explain the Motion. However, he had advised the Chair that he did not wish to address the Committee but was happy to provide clarification of any matters contained within the Motion. In accordance with Standing Order 7 (5), any recommendation from the Committee in relation to the Notice of Motion would be referred to the Council. Any debate at Council should take place upon the recommendation of the Committee and there should be no separate debate upon the Motion itself.

The Chair introduced Gary Evans (Head of Customer Delivery) and Frank Rogers (Deputy Chief Executive) from Merseytravel, who had been requested to respond to a number of statements made in the Notice of Motion, viz:

(a) The consistent increases year on year is damaging Wirral's economy putting further pressure on motorists and businesses.

The tolls did not rise consistently year on year and the Class 1 actual toll had risen 50p in the ten years since the Tunnels Act was introduced. He referred also to an independent report published in January 2010, which helped to understand the impacts of the tolls. This indicated that half of retail spending by Wirral residents stayed in Wirral and that, if the tolls were removed, an estimated net £80m retail spending would be lost from Wirral per annum. In addition, new business start ups and survival rates of new businesses in Wirral were the second highest in Merseyside. Businesses did cite tunnel tolls as having an impact on overall transport costs, but no more highly than congestion and not as significant as fuel costs. Less than 20% of Wirral businesses viewed the tolls as a barrier to doing business across the river and more than 60% perceived no transport barriers at all.

(b) Council recognises such increases place a greater strain on tunnel users who have to travel to and from work placing an unfair tax burden on Wirral residents

The funding mechanism for the Mersey Tunnels was different from a tax regime, in that the user paid for a service, which was not compulsory, as other modes of cross river travel and road links existed. The element of choice suggested that the reference to "tax" in this context was inappropriate. Survey data also suggested that although the greatest number of journey start locations was in Wirral (36.5%), almost two thirds of all tunnel journeys started outside Wirral, with a greater volume starting on the other Merseyside districts combined.

(c) Council recognises discount toll schemes/free crossings for local residents already exist in other parts of the country and while recognising that fast tag users benefit from a discount, Council believes that regular users should be rewarded with a local discount scheme over and above

that afforded by use of the fast tag such as that announced for the Mersey Gateway Bridge of a “local user discount scheme” with up to 300 free journeys per year.

The view of Merseytravel was that it was inappropriate to compare the Mersey Gateway scheme with the Mersey Tunnels as the funding mechanism for its construction an operation was different and it would have significantly lower ongoing maintenance costs. The Mersey Gateway was within one Council area and, as a consequence, the discount was part of the approach to the project funding. It was not possible to answer detailed questions in relation to the operation of the Mersey Gateway as its tolls had not yet been set. A proposal to allocate 300 free journeys each year equated to a discount of approximately £19m per annum; such an approach would require support from the levy in order to continue to operate at existing levels, in which case the funding model would transfer to all Merseyside residents.

Merseytravel already offered a number of discounts which, if fully taken up would equate to £15.8m. The current budget set anticipated discount uptake to remain as it is, but the potential existed for an estimated £8m plus to be lost in income should all discounts be utilised. He commented that Wirral had the highest number of Merseyrail stations across Merseyside and Members were asked to note that that the surplus in tunnels revenue generated was re-invested in the local transport provision. He highlighted a number of major schemes that had progressed in recent years.

The Motion had also made reference to a request for the Mersey Tunnels to be transferred into the national road network. Such a request had been made at the request of the Integrated Transport Authority in January 2013 and he commented that the response from the Department for Transport suggested that this was not in the Government’s plans.

Members noted that the levy had been frozen for the past two years and was anticipated to be frozen again next year. It was also noted that without tolls, increased usage could lead to severe congestion and potentially could have a detrimental impact on other cross river transport systems. In response to a question from a Member, Mr Evans indicated that the tunnel debt would be paid by 2048, at which point the people of Merseyside would be consulted.

The Labour Group spokesperson commented that the language in the first two paragraphs of the Motion were not helpful or factual and in respect of the ‘pet scheme’ or ‘vanity project’ to relocate Merseytravel HQ to Mann Island, he referred to minutes of the Urgency Sub-Committee of Merseytravel’s Policy and Resources Committee held on 7 January 2009, which showed this to be an all-party decision. He referred also to the benefits to Wirral of the levy being frozen and indicated the potential Council Tax increase that would be required if the tunnels were toll free. He commented that there was a significant cost in keeping the tunnels safe and operating efficiently and, although the Government had made their position clear in relation to estuary crossings, any proposed change would need all-party support to seek a change to the Government’s plans. He also wished to be clear that all Wirral Members of Merseytravel had voted against the recent toll increase.

On a motion by Councillor Steve Foulkes and seconded by Councillor Mike Sullivan, it was –

Resolved (10:5) –

- (1) That this Committee regrets the attempt to politicise the issue by the wording within the Notice of Motion, rather than stimulate serious debate. It also regrets that it fails to recognise the burden of high, unregulated bus and train fares on Wirral residents, wherever they travel.**
- (2) Committee notes that Wirral has benefitted greatly from the freezing of the Merseytravel levy and a direct grant of £3.3m to help offset cuts in Highways Budgets.**
- (3) Committee notes that putting the burden of tunnel tolls directly on the Council Tax would penalise all Wirral residents including non-car owners and would be unachievable. However, we recognise the issue and impact of tunnel tolls, particularly in Wirral and agree –**
 - (i) That we should support a campaign to move the funding of the tunnel crossing back to the National Highways Network, particularly in the light of the A14 ruling.**
 - (ii) That the Fast-Tag scheme should be encouraged and promoted through all Wirral Council media and outlets.**
 - (iii) That we should encourage local, flexible schemes that could assist Wirral residents in reducing costs.**
 - (iv) That, whatever the outcome, safety and efficiency of the tunnel operation should not be put at risk.**
 - (v) That Wirral will support the Merseytravel campaign to reduce excessive bus and train fares.**

REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE

9 APRIL 2014

46. NOTICE OF MOTION - NO TO NUISANCE CALLS

The Head of Legal and Member Services advised that at the meeting of the Council held on 10 March 2014 (minute 98 refers), the following Notice of Motion proposed by Councillor Stuart Kelly and seconded by Councillor Alan Brighthouse was referred by the Mayor to this Committee for consideration.

'NO' TO NUISANCE CALLS

Council notes:

- (a) the success and popularity of 'No Cold Caller Zones' which have been introduced across Wirral by Trading Standards officers, with support from residents and the Police, and that this work has resulted in the creation of 46 'Neighbourhood/No Cold Calling Zones', which now cover some 900 households;
- (b) that "nuisance" marketing calls and text messages to landlines and mobiles are a growing problem despite the existence of the Telephone Preference Service (TPS), with more than 650 million so-called "silent calls" made every year. These are causing inconvenience and distress, particularly to elderly and vulnerable people.

Council welcomes the 'No to Nuisance Calls' campaign <http://www.no2nuisancecalls.net/about> for more effective regulation of this problem, which seeks to enhance the Information Commissioner's powers to encompass all forms of unsolicited telemarketing contact, increase enforcement activity against transgressors and for there to be a single, simple point of contact for any individual wishing to protect their privacy from unwanted telemarketing calls, texts, and emails.

Council resolves to support the 'No To Nuisance Calls' campaign, to take appropriate steps to promote this campaign via the Trading Standards service and publicity and libraries and other Council buildings and to write to local MPs encouraging them to support the Private Members' Communications (Unsolicited Telephone Calls and Texts) Bill.

In accordance with Standing Order 7 (6), Councillor Kelly was invited to attend the meeting in order for him to be given an opportunity to explain the Motion. In accordance with Standing Order 7 (5), any recommendation from the Committee in relation to the Notice of Motion would be referred to the Council. Any debate at Council should take place upon the recommendation of the Committee and there should be no separate debate upon the Motion itself.

Councillor Kelly referred to the considerable support he had received since submitting his Notice of Motion, which suggested to him that nuisance calls were a

significant and growing problem, which caused inconvenience and distress to many people in all areas.

The Council's Trading Standards Strategic Manager gave an outline of the work being done by Trading Standards Officers, who were acutely aware of the scams associated with tele-sales and the dangers, particularly to vulnerable people of ending up on 'suckers lists' and receiving unwanted home visits. He referred to steps that could be taken to eradicate nuisance calls and highlighted Wirral's participation in a number of national campaigns. He reported also upon a local initiative to utilise call-blocking devices, which was soon to be launched. The devices cost approximately £32 per unit and were a very effective way of stopping the majority of nuisance calls. Although only a limited number were available as part of the initiative, they could be purchased from a number of retail outlets.

In response to comments from Members, the Trading Standards Manager acknowledged that there were often legitimate reasons as to why people called upon members of the public and the measures he had outlined were only to combat those who acted unlawfully or sought to take advantage of vulnerable members of society. In response to further comments, he indicated that Neighbourhood/No Cold Calling Zones were created based on the number of complaints received and intelligence gathered to support action in a particular area. However, although they were very effective and were introduced with support from local residents and Merseyside Police, demand outstripped the resources that were available.

Members expressed concern with regard to the financial implications of supporting the Notice of Motion and suggested that the cost needed to be fully evaluated. In addition, it was more difficult to legislate against and combat nuisance calls that originated outside the UK.

The Strategic Director for Regeneration and Environment commented that although his department did not have a significant interaction with vulnerable people, he proposed to discuss the matter of nuisance calls at a senior officer level. He was pleased to explore cross departmental working to get the message across but emphasised that there was no additional funding available for it.

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

Resolved –

- (1) That the 'No to Nuisance Calls' campaign be supported, and appropriate steps be taken to promote the campaign via the Trading Standards service and through publicity in libraries and other public buildings.**
- (2) That the report of the Trading Standards Strategic Manager be noted.**
- (3) That the proposal of the Strategic Director for Regeneration and Environment to promote cross Departmental working be supported.**

- (4) That the Committee to be appointed for 2014/2015 be asked to consider how best to address the problem.**
- (5) That the Cabinet be requested to write to local MPs, encouraging them to support the Private Members' Communications (Unsolicited Telephone Calls and Texts) Bill.**

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POLICY AND PERFORMANCE COORDINATING COMMITTEE

1 APRIL 2014

48. NOTICE OF MOTION - LABOUR'S EFFECTIVE STEWARDSHIP

The following Notice of Motion had been submitted for the Council meeting held on 10 March 2014 in accordance with Standing Order No. 7(1). The Mayor had considered this motion, in accordance with Standing Order No. 7(4) and referred it to the Committee.

Proposed by Councillor Phil Davies
Seconded by Councillor Ann McLachlan

Council congratulates the Labour Administration on its prudent financial management of the Council which has enabled Council Tax to be frozen for the next 2 years.

At the same time, Labour has delivered a new house-building programme, help for the unemployed through the Reachout Programme and financial assistance for community groups under the 'Love Wirral' initiative together with many other progressive policies.

This has been achieved despite the Government's draconian cuts to Wirral's budget.

RESOLVED:

That the Motion set out above be noted.

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Council – 14 July 2014

Motions

The following motions have been submitted in accordance with the notice required by Standing Order 7(1) and are listed in the order received.

1. BECOMING A 'DEMENTIA FRIENDLY' COUNCIL

Proposed by Councillor Tom Anderson

Seconded by Councillor Tracey Smith

Council:

1. Recognises that dementia is becoming a serious issue in society and is alarmed that one in three people over 65 will be diagnosed with dementia.
2. Applauds the great work that the Alzheimer's Society is doing in aiming to get 1 million people trained as a 'Dementia Friend' by the end of the year.
3. Notes Dementia Friends is a national programme that takes a maximum of 1 hour educating people on dementia and its effects.

Council believes that this is a worthy programme and the Council can play its part.

Therefore Council requests the Chief Executive to:

- a. Encourage Council staff to become Dementia Friends (and to undertake relevant training as soon as practicably possible).
- b. Write to the Alzheimer's Society requesting advice on how best to assist them in rolling out training across Wirral.
- c. Allow for Council property, where suitable, feasible and within reason, to be used free of charge by those delivering Dementia Friends Training.
- d. Encourage all Elected Members to become a 'Dementia Friend'.
- e. Invite key Council staff members to become 'Dementia Friend Champions' thereby enabling the roll out of Dementia Friends Training referred to.

2. THE LYNDALE SCHOOL

Proposed by Councillor Paul Hayes

Seconded by Councillor Jeff Green

Council, having regard to the support given to the campaign to keep the Lyndale School open by the public of Wirral, resolves that:

1. It is the firm belief of Council that the Lyndale School should remain open, and in order to bring to an end the anguish and uncertainty suffered by pupils and their parents and carers, calls upon Cabinet to confirm that the school will remain open when Cabinet next meets.
2. Council recognises the unique and caring environment provided by the Lyndale School to children with profound and multiple learning difficulties.

Council acknowledges the value of this provision and affirms its belief that such provision should remain at the Lyndale School.

3. Council instructs officers to work with the Wirral School's Forum in order to investigate how the funding of Wirral's Special Schools can more closely reflect the will of Wirral's residents, as expressed by the huge support given to the Lyndale School: that the quality and scale of provision for children requiring the services of special schools in Wirral should continually strive to improve and be in no way diminished.

3. UNDERGROUND COAL GASIFICATION

Proposed by Councillor Geoffrey Watt

Seconded by Councillor Gerry Ellis

- (1) Council recalls that at its meeting on 18th July 2011 it approved, with unanimous (all-party) support, a motion 'Shale Gas Fracking' (minute 28 refers) stating its opposition to shale gas or coal bed methane testing or extraction in Wirral until the Council was satisfied as to the safety of the process and the risk of adverse environmental impacts had been fully addressed.

See:

<http://democracy.wirral.gov.uk/documents/g3562/Printed%20minutes%2018th-Jul-2011%2018.15%20Council.pdf?T=1>

- (2) It has subsequently emerged that conditional licences to explore for underground coal gasification under parts of the Dee Estuary, including the Hilbre Islands and a coastal strip from Caldy to Hoylake have been granted to Cluff Natural Resources Ltd and for an area just off the entire North Wirral Coast to Riverside Energy Ltd.
- (3) Council notes that the Hilbre Islands are within the Dee Estuary Special Area of Conservation and Dee Estuary Special Protection Area (all part of a network of protected sites stretching across Europe called Natura 2000) and therefore covered by the Conservation of Habitats and Species Regulations which also covers the Dee Estuary Ramsar Site. They are also protected through national legislation under the Countryside and Rights of Way Act as a Site of Special Scientific Interest, as is the North Wirral Coast and the Mersey Narrows.
- (4) Council notes that operations both onshore and above the low water mark would require planning approval to be granted by this authority and also that the Hilbre Islands and much of the coastal strip are within its ownership and thus under its control.
- (5) Therefore, Council:
 - (a) Confirms its opposition to Unconventional Gas Extraction, including Underground Coal Gasification, Coal Bed Methane and Fracking, under Wirral, its offshore coastal waters and the Dee and Mersey estuaries until such time as the Council is satisfied as to the safety of the process and that the risk of adverse environmental impacts have been fully addressed.

(b) Instructs the Chief Executive to write to the Secretary of State for Energy and Climate Change and to Wirral's four Members of Parliament, informing him and them of this decision.

(c) Instructs the Chief Executive to write to Wirral's neighbouring coastal local authorities (Sefton, Liverpool, Halton, Cheshire West & Chester, and Flintshire) informing them of this decision and inviting them to pass an equivalent resolution with the intention of protecting our shared environment.

4. PRIVATE RENTED SECTOR REFORM

Proposed by Councillor George Davies

Seconded by Councillor Matt Daniel

Council re-affirms its support for the Selective Landlord Licensing Scheme proposed in the 2014/2015 Labour Group budget. It also welcomes the significant proposals put forward by the Labour Party in relation to preventing tenants being ripped-off by unscrupulous landlords and providing them with long term security they desperately need. More specifically:-

- The introduction of longer term three year tenancies
- The banning of letting agents fees to tenants, saving them on average £350
- Predictable rents with Landlords only allowed to review them once every year with an upper ceiling to prevent excessive rises.

5. A FAIR DEAL FOR WIRRAL

Proposed by Councillor Phil Davies

Seconded by Councillor Ann McLachlan

Council notes that:

- (i). Sir Merrick Cockell, the outgoing chairman of the Local Government Association, has said increasing demands from a growing elderly population and cuts in council grants will lead to a funding gap of £5.8bn between March 2014 and March 2016 and a catastrophe in elderly care. The LGA predicts that by 2020 local authorities will have to spend 40% of their resources on elderly care. Council budgets have been cut by about 33% since 2010 as part of the austerity programme, including a £2.8bn reduction in social care funding.
- (ii). In Wirral, between 2014 and 2017 the gap between forecast expenditure and income is £45m which equates to a further 20% reduction in expenditure;
- (iii). Cuts of £70m are required between 2014/15 and 2017/18 to balance the books.
- (iv). By 2016 the government will have cut Wirral's grant by 57% (£127m);

- (v). The Council's budget is currently running a small under-spend, having been over-spent by £17m under the previous Administration;
- (vi). Whilst every effort has been made to minimise the impact of savings on front-line services, some of the budget reductions over the past two years have had negative impacts;
- (vii). Given the scale of the further savings required over the next three years it will become even more difficult to maintain good quality front-line services;
- (viii). The 'Future Council' programme will help to identify the core services which the Council should provide in the future. It will also help us to put in place new models to enable us to deliver more for less;

In light of the above, Council agrees to the following:

- (1) To reaffirm the principles on which we have based budgetary decisions, i.e. those with the broadest shoulders should bear the greatest burden; to minimise the impact on front-line services. Budget options should also enable us to meet our corporate priorities as far as possible, i.e. attracting jobs and investment; protecting the vulnerable; tackling inequalities;
- (2) To retain the relatively generous voluntary severance scheme for our staff as long as possible and to do everything possible to ensure that reductions in posts are achieved by voluntary means;
- (3) To help residents deal with the cost of living crisis, if the conditions surrounding the Council Tax Freeze Grant are maintained in 2015/16, then the Administration confirms its intention to freeze the Council Tax for a further year;
- (4) To continue to use every opportunity to lobby the government to reverse the damaging cuts to local government and, in particular, the unfair way in which Councils in the North of England have been forced to bear the brunt of the cuts. We will work with others to highlight this injustice and to campaign for a fair deal for Wirral from whichever party forms the government following next year's general election.

6. INVESTING IN WIRRAL'S INFRASTRUCTURE

Proposed by Councillor Phil Gilchrist

Seconded by Councillor Dave Mitchell

Council recognises that substantial capital receipts are likely to be received from asset sales over the next two years and that this has been reported as being in the order of £20 million.

Council believes that Wirral's roads, pavements and street lighting require further investment, over and above the programmes of recent years. Council welcomes the work being put in to target resources effectively and to utilise funds provided by the Government to cope with winter damage.

Council believes that the data from the annual condition survey should be reported upon in detail and that a strategic decision is desirable on a programme of sustained investment to improve the infrastructure in Wirral.

Council therefore requests that the Regeneration and Environment Policy & Performance Committee examine and report back on:

- (i). the level of investment in recent years
- (ii). the repairs backlog, including up to date UKPMS survey data
- (iii). the number of potholes, trip hazards and faulty street lighting issues being tackled
- (iv). a programme of investment that can be sustained over several years to deal with public concern about the state of Wirral's roads, pavements and lighting infrastructure.

7. THE BROWN BIN TAX AND THE DIGITAL DIVIDE

Proposed by Councillor Stuart Kelly

Seconded by Councillor Dave Mitchell

Council recalls that when the Labour administration brought in charges for garden waste collection, many residents objected, not only to the charge, but also to different charges being levied for those subscribing on-line and for those subscribing in other ways.

The garden waste service is the only chargeable service that operates such a differential.

Council notes that over 4,600 residents, without their own computers or access to one, were faced with having to pay out an extra £5. This continues to be regarded as deeply unfair to people who do not have Internet access.

Council therefore calls upon Cabinet to review the fairness of this different charging regime, in light of motions previously passed by Council on the issues of digital and financial exclusion, with a view to refunding the additional £5 paid by digitally excluded members of the community.

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