

# Public Document Pack

## COUNCIL

Monday, 12 July 2010

Present:

The Mayor (Councillor Alan Jennings) in the Chair  
Deputy Mayor (Councillor Moira McLaughlin)

Councillors	RL Abbey	T Harney	S Niblock
	T Anderson	K Hayes	C Povall
	C Blakeley	P Hayes	A Pritchard
	E Boulton	A Hodson	P Reisdorf
	A Bridson	S Holbrook	L Rennie
	A Brighthouse	P Johnson	D Roberts
	S Clarke	M Johnston	L Rowlands
	W Clements	AER Jones	J Salter
	J Crabtree	P Kearney	T Smith
	G Davies	J Keeley	W Smith
	P Davies	S Kelly	S Taylor
	WJ Davies	B Kenny	G Watt
	D Dodd	D Knowles	S Whittingham
	D Elderton	I Lewis	R Wilkins
	G Ellis	A McArdle	I Williams
	S Foulkes	D McCubbin	KJ Williams
	G Gardiner	AR McLachlan	P Williams
	P Gilchrist	C Meaden	S Williams
	P Glasman	D Mitchell	K Wood
	JE Green	R Moon	
	J Hale	S Mountney	

Apologies

Councillors	D Realey	J Stapleton
	H Smith	

### 10 MAYOR'S COMMUNICATIONS

The Mayor referred to the recent death of former Councillor Howard Morton, Conservative Councillor for Prenton ward between 1992 and 1996. He also referred to the recent deaths of four soldiers in Afghanistan, two of whom were from the Wirral, Privates Alex Isaac and Niall Halliday.

The Council stood in silent tribute to their memory and expressed sincere condolences to all their families.

### 11 STATEMENT BY A MEMBER OF THE COUNCIL

With the permission of the Mayor, Councillor Knowles made a statement to the Council following the conclusion of an investigation into comments he had made on the social networking site, Facebook.

He had accepted the result of the investigation and stated that he would be attending awareness training on diversity and equality and he also offered a public and personal apology unreservedly for the offence his comments had caused.

He hoped that he could now move forward and concentrate on representing all the people of Seacombe whether gay or straight.

Whilst he accepted the sincerity of Councillor Knowles' apology, the Leader of the Labour Group questioned the Leader of the Council as to his party's policy on suspensions given that Councillor Knowles appeared to have been politically active whilst suspended.

The Leader of the Council stated that Councillor Knowles had been reinstated into the Conservative Group on Monday 5 July having received a report from Matthew Sephton, Chair of LGBTory. He stated that the Conservative Group had acted properly throughout having brought in someone independent of the Group to conduct the investigation with which Councillor Knowles had co-operated fully.

## 12 **DECLARATIONS OF INTEREST**

The members of the Council were invited to consider whether they had a personal or prejudicial interest in connection with any matter to be debated or determined at the meeting and, if so, to declare it and state the nature of such interest. The following declarations were made:

All councillors who had been appointed to outside bodies declared a personal interest in item 5 (iii) 'Indemnities for Members and Officers' by virtue of their membership of those outside bodies.

Councillors R Abbey and A McArdle declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of their membership of Leasowe Community Homes Management Board and left the chamber whilst the matter was considered.

Councillor G Davies declared a prejudicial interest in Motion 4 (Possible Academy Sites) by virtue of him being a school governor and left the chamber whilst the matter was considered.

Councillors D Roberts, T Harney, K Hayes and T Anderson declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of their membership of the Board of Wirral Partnership Homes and left the chamber whilst the matter was considered.

Councillor B Kenny declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of him being a Director of Birkenhead Market, a member of Wirral Multicultural Organisation and the Lauries Centre and left the chamber whilst the matter was considered.

Councillor A McLachlan declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of her being a member of the Beechwood and Ballantyne Community Housing Association Board and also a prejudicial interest in

Motion 4 (Possible Academy Sites) by virtue of her son's employment and left the chamber whilst these matters were considered.

Councillor C Meaden declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of her being a member of the Beechwood and Ballantyne Community Housing Association Board and left the chamber whilst the matter was considered. She also declared a personal interest in Motion 4 (Possible Academy Sites) by virtue of her being a school governor.

Councillor P Glasman declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of her being a member of the Merseyside Arts, Culture and Media Industries Board and left the chamber whilst the matter was considered.

Councillor P Hayes declared a prejudicial interest in motion 7 ("Ghettos of Unemployment") by virtue of his employment and left the chamber whilst the matter was considered.

Councillor D Elderton declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of him being a member of the Egerton House Trust and Wirral Citizens Advice Bureau and left the chamber whilst the matter was considered.

Councillor I Lewis declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of his membership of Leasowe Community Homes Management Board and of Wirral Multicultural Organisation and left the chamber whilst the matter was considered. He also declared a personal interest in motion 5 (Free Swimming) by virtue of his membership of Leasowe Recreation Centre.

Councillor W Smith declared a prejudicial interest in Motion 4 (Possible Academy Sites) by virtue of him being a school governor and left the chamber whilst the matter was considered.

Councillor S Niblock declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of his membership of Wirral Citizens Advice Bureau and left the chamber whilst the matter was considered.

Councillor M McLaughlin declared a prejudicial interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of her membership of Age Concern Board and left the chamber whilst the matter was considered.

Councillor S Williams, L Rowlands and J Green declared a personal interest in Motion 4 (Possible Academy Sites) by virtue of their wives' employment.

Councillor C Povall declared a personal interest in Motion 4 (Possible Academy Sites) by virtue of her daughter's employment.

Councillors G Ellis, E Boulton, G Watt, S Clarke, A Jennings, K Williams, S Mountney, J Crabtree, S Foulkes, S Holbrook and R Moon, declared a personal interest in item 5 (iii) 'Indemnities for Members and Officers', by virtue of their membership of a variety of trusts to which they had been appointed by the Council.

13 **LEADER'S ANNOUNCEMENT**

The Leader of the Council reported upon the successful work of the current three 'champions', Councillors S Clarke, C Meaden and J Williams and that he would be appointing three more for a term of four years. Each of these would report annually to Cabinet and liaise as appropriate with the relevant Overview and Scrutiny Committees. The three new 'champions' would be:

- Councillor M Johnston – Fair Trade Champion
- Councillor P Kearney – Champion for Faith Based Organisations
- Councillor K Hayes – Sure Start Champion

14 **PETITIONS**

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

- (a) Councillor C Povall on behalf of 279 signatories requesting a recreation and play area at Dibbins Hey, Spital.
- (b) Councillor G Gardiner on behalf of 3589 signatories and 600 online signatories requesting improvements to Birkenhead Council Kennels.
- (c) Councillor D Dodd on behalf of 2 groups of petitioners, 67 adults and 38 children, requesting traffic calming measures and designation as an official play street in Wright Street, Wallasey.
- (d) Councillor S Clarke on behalf of 155 signatories concerned at the levels of anti-social behaviour and vandalism at the Queenswood access and egress to Kings Lane Playing field and to improve the gated access at Kings Road, Higher Bebington.
- (e) Councillor C Blakeley on behalf of 275 signatories requesting improvements to road safety and a reduction in excessive traffic speeds along Millhouse Lane, Moreton.

**Resolved – That the petitions be noted and referred to the appropriate chief officer in accordance with Standing Order 34.**

15 **MINUTES**

The minutes of the meeting of the Council held on 17 May, 2010 adjourned to 24 May, had been circulated to members and it was –

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

16 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

In accordance with Standing Order 7(1) a number of matters were submitted for approval by the Council.

On a motion by Councillor Green, seconded by Councillor Rennie it was –

**Resolved – That the following matters be approved:**

- (i) Minute 36 Cabinet (24/6/2010) Insurance Fund Annual Report**
- (ii) Minute 43 Cabinet (24/6/2010) Integrated Regeneration Study for Birkenhead and Wirral Waters**

The Council considered a report from the Director of Law, HR and Asset Management on indemnities for Members and officers and on a motion by Councillor Holbrook, seconded by Councillor Green it was –

**Resolved (47:0 with 1 abstention) –**

- (1) That Council agrees that Members, officers (and other persons appointed to or nominated by the Authority to outside bodies) be indemnified with immediate effect in relation to any claims brought after 12 July 2010 to the maximum extent permitted by law (including by virtue of the Local Government Act 2000, the Local Authorities (Indemnities for Members and Officers) Order 2004 and Section 111 of the Local Government Act 1972) subject in all cases to the limitations set out in Articles 5, 6 and 7 of the 2004 Order.**
- (2) That the Director of Finance be given delegated authority to put in place such insurance arrangements as he considers to be in the Council's best interest in relation to the Council indemnifying Members and officers (and other persons appointed by or nominated to outside bodies by the authority).**

**17 MATTERS FOR NOTING**

**Resolved – That the following matters be noted, as required by the Constitution:**

**Minute 13 Cabinet (27/5/2010) Neptune Development, New Brighton (Reason: waiving of call – in).**

**18 PROCEDURE**

On a motion by Councillor Blakeley, duly seconded, it was –

**Resolved –**

- (1) That following the two questions, for which notice had been given, Standing Order 11 be then suspended and question time be dispensed with.**
- (2) That Standing Order 7 (8) be applied from 8.30pm.**

**19 QUESTIONS**

(a) Councillor Jerry Williams, having given the appropriate notice in accordance with Standing Order 11, submitted the following question:

"I note from minute 52 (Cabinet - 24/6/10) that the Chief Executive is consulting on options for the future assignment of the Cultural Services Division.

Can the Cabinet member for Culture, Tourism and Leisure please reassure the people of New Ferry that a home will be found rapidly in the Council's organisation for this vital service and can he also explain to the people of New Ferry how it is possible for a landmark historical building of international significance, like the Great Eastern Public House, to be cavalierly demolished before any planning process was completed, destroying in the process part of Wirral's cultural heritage with links to the great engineer Isambard Kingdom Brunel and to the legendary Great Eastern vessel and weakening the tourist potential for the area. Will he guarantee that he personally will drive forward the completion of a register of historical buildings on Wirral which has already been agreed, working with the Wirral History and Heritage Association, in order to prevent further marginalisation of Wirral's historic buildings and the potential for major destruction if the precedent set by the demolition of this building is carried forward to other, as yet unlisted, historic sites on Wirral and will he also speed up feasibility studies on potential conservation areas in Wirral ?"

Councillor David Elderton, Cabinet Member for Culture, Tourism and Leisure, responded as follows:

"Cllr Williams raised this issue at a planning and development control meeting on 6 July 2010. He was given a detailed explanation by officers of why we are where we are. And I thank him for raising this issue so that the explanations given can now be broadcast in greater detail to a wider audience.

In response to the first part of the question, I reaffirm that consultations are already taking place with officers and will take place with appropriate bodies in order to secure a home for the Cultural services.

I have spoken with the Director of Technical Services regarding the recent demolition of the Great Eastern Public House and I have been advised as follows:

The demolition of the building did not require the formal consent of the Council as demolition is not classed as development under Section 55 of the Town & Country Planning Act, 1990 (as amended) as directed by Circular 10/95, appendix 2. In addition to this, the building was not protected by any Statutory Listing nor was it located within a Conservation Area. There was, therefore, nothing to prevent the demolition of the building nor was there any duty on the developer to inform the authority prior to his/her actually demolishing the building.

Whilst the Council agrees with Councillor Williams that there were some elements of the building that had some architectural merit, on balance it was felt there was no evidence to demonstrate that collectively this building was worthy of protection.

With regard to the future, the Conservation Section within Technical Services is currently investigating how we can locally list buildings of local interest and initial discussions have taken place with the Wirral Historical and Heritage Association regarding the feasibility of setting up a Local List.

However, there are implications of introducing Local Lists which would only be effective and enforceable by the removal of Permitted Development Rights and the imposition of Article 4 Directions. One issue in removing PD rights for Development Control is that the Council cannot charge for any resultant planning applications – hence significant revenue implications, with no fees for DC officers to process the applications.

There are further cost implications for the Council when you factor in the LDF (Local Development Framework) and formal consultation costs. New policy work would be required to implement a Local List, developing new policy in the LDF and the subsequent formal consultation is in a different order of expense to what it used to be.

However, a report will be submitted to Planning Committee and Economy and Regeneration O&S Committee later in 2010/11 outlining the pros and cons of developing a Local List and highlighting for Members the financial implications to set up and administer such a list.

It should be noted also, however, that even with a Local List, so long as the demolition of a building outside of a Conservation Area – or one that is not Statutorily (Nationally) Listed by the Department of Culture, Media and Sports – is not even classified as ‘development’ (as under current planning law), permission will still not be required for demolition of such a building and as such there are no watertight means for ensuring its protection.

Current national planning guidance makes it clear that most demolition does not constitute ‘development’. Therefore, even if the Great Eastern Public House building had been included on a ‘Local List’, it would only have removed PD rights on the property and would not have prevented demolition by the developer or have required the developer to inform the authority of his intention to demolish it. Therefore, unless a “locally listed” building is located within a Conservation Area, the consent of the LPA would not be required for its demolition.

The law is different however in the case of a dwelling house, where notice will need to be given to the LPA before it can be demolished. The local authority could not however refuse the demolition of the building but rather could only control the method of demolition. Protection from demolition altogether only comes in the form of statutory (national) listing or being sited within a Conservation Area. It may also be worth noting that any member of the public can contact English Heritage who would then look at listing any such building on behalf of the Department of Culture, Media and Sports.

I can confirm that the feasibility of the designation of new conservation areas for the Borough is actively being explored and will, of course, be dependant on the Council’s budgets. A recent report to the Planning Committee (22 April 2010) indicated that such designations could cost within the region of £5,000 to £8,000 per new conservation area.

In conclusion, I again thank Councillor Williams for raising this issue. He has my assurance that I will do all in my power to promote, support and enhance Wirral’s cultural heritage within the current national and local financial constraints so clearly apparent to all.

My personal support for heritage and conservation is actually second to none – and goes way beyond actually merely debating this important issue. In my former business life, I was responsible for many conservation projects including:

1. The restoration and conversion of the 18th century Dock Traffic Office in Liverpool – to create the first phase of Merseyside Maritime Museum for Merseyside County Council.
2. The conversion of the listed Grape Street Warehouse for Granada TV in Manchester – to create a rehearsal facility for Coronation Street and the back drop to the award winning Sherlock Homes TV series produced at the time.
3. The restoration, refurbishment and extension of an 18th century mansion owned by a former Leeds textile industrialist at Oulton Hall outside Leeds for De Vere hotels. This grade two listed building that had no roof on it when we inherited it – and created 20 years ago the only 152 bed 5 star hotel in England north of the M62.

Why do I mention these? Because they all demonstrate that the clients involved recognised that it was commercially viable to preserve these buildings and give them a new lease of life of value to the community. Unfortunately, this was not the case with the Great Eastern – which is why it was demolished. Of course we need to retain our local heritage – but it can only be done with adequate patronage, commitment and appropriate financial support.”

Councillor Williams then asked a supplementary question, to which Councillor Elderton responded accordingly.

(b) Councillor T Harney having given the appropriate notice in accordance with Standing Order 11, submitted the following question:

“The report referred to in minute 27 (Cabinet - 24/6/10) was based on an analysis of a suggestion by parents of a problem. The parents actually suggested a change in the age range catered for at the Lyndale School. This has not been dealt with. Does the cabinet member think it reasonable that the report does not deal with the underlying problem at all, that is the lack of a secondary school that would meet the needs of their children? Does she not feel that it is even worse that no attempt has been made to deal with the real concerns of parents that their children will not be able to have a safe and happy school experience in a school with a mixture of children with profound and multiple learning difficulties and children who are highly mobile and can exhibit challenging behaviour?”

Councillor Sheila Clarke, Cabinet Member for Children’s Services and Lifelong Learning, responded as follows:

“I would like to thank Councillor Harney for his question and to pay tribute to him as a staunch advocate for The Lyndale School, especially the parents and children. I would like to start by stating that Special Education is a part of our school provision that I believe Wirral should be proud of. This is a group of children and parents who need the best that we can offer. Ofsted have repeatedly told us over a number of years that our school provision is either Good or Outstanding and we should be



grateful for the wonderful staff and governors who we have working in this area. However, this does not mean we should be complacent as there is always more to do for these important children and their families.

We have listened to parents and developed opportunities in mainstream schools when parents have wanted it by opening additional specialist resource facilities in our mainstream schools and have continued to allocate significant resources on an annual basis into our special schools. For this financial year the total resources given to Wirral Special Schools including standard funds is £15.5m and we expect to spend a further £3.4m on education in independent school provision for those very special children that it is difficult for any authority to provide for. In addition, we spend some £4m transporting special school children to school. This is approximately 10% of the total schools budget spend.

Turning to the specific question ....

The proposal for the creation of a 2-19 special school for children and young people with profound and multiple learning difficulties arose from the early informal consultations regarding the improvement of special school provision for children and young people with complex learning difficulties and was put forward by parents and governors at The Lyndale School. It was this proposal that was publicly consulted upon with a subsequent recommendation being made to Cabinet that the proposal should be examined further by means of a feasibility study.

The format, rationale and methodology of the study, including the definition of profound and multiple learning difficulties, was discussed with and agreed by the governing body of The Lyndale School. I am advised that at no point was the issue of simply extending the age range of The Lyndale School for its current pupil cohort raised.

The concerns expressed by some parents at The Lyndale School are referred to and recommendations for action are made in the report; these will be followed through. These include further work in the area of transition especially between primary and secondary and post 19. An invitation has gone to the Headteacher and Chair of Governors of Lyndale to discuss these matters and a joint development day across our five schools for children with complex learning difficulties is being arranged.

In conclusion, we have no evidence from Ofsted or School Improvement Partners that the mixture of children with the most complex needs in our CLD schools leads any of them to be anything other than safe and happy. Indeed, those Elected Members from all parties that visited Foxfield and Meadowside were very complimentary about the provision available.

We have no evidence that we have a gap in our provision for secondary aged pupils with complex problems although we recognise that each year we will have a small number with very special needs who require provision outside of Wirral. Currently, out of 400 children we have 4 such children.

Finally, I am advised that the vast majority of year 6 pupils from The Lyndale School transfer successfully to Wirral's secondary CLD schools each year. Where parents feel this may not be the case, as articulated so well by the parent who spoke at the Cabinet meeting that there may be a perception amongst parents of pupils at The

Lyndale School that this is not the case, then the authority is keen to engage in dialogue with parents to ensure that enhanced transition plans can be arranged.

For my part I have committed to meeting with a representative group of parents of children with Learning Difficulties on a regular basis in order to assure myself that we are being responsive.”

Councillor Harney then asked a supplementary question, to which Councillor Clarke responded accordingly.

## 20 **MATTERS FOR DEBATE**

The matters listed for debate in accordance with Standing Order 5(2)(m) were dealt with as indicated in minutes 21 to 30 below.

## 21 **MOTION:THE STATE OF THE COUNCIL'S FINANCES**

Proposed by Councillor Steve Foulkes  
Seconded by Councillor Phil Davies

This Council recognises that the previous administration left the Council's finances in a healthy state and rejects any accusation that it built up unreasonable and unsustainable debts.

### **Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Jeff Green  
Seconded by Councillor Lesley Rennie

*Delete all after 'This Council recognises' and replace with:*

that debts eventually have to be repaid and that the current level of Council debt is costing £11 million a year to service in interest. Such levels of debt make the Council vulnerable to fluctuations in market interest rates.

Council also notes that while the current Deputy Leader of the Labour Group has suggested that urgent action is required, as Wirral is 'burning', the current Leader of the Labour Group has stated that the Council finances are in a 'healthy state'.

### **Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Simon Holbrook  
Seconded by Councillor Stuart Kelly

*Add to end of motion:*

In particular Council notes that, over the 3 years of the previous Labour / Liberal Democrat administration, £37.5m was saved from the Council Budget and that the accounts for 2009-10 just closed indicate that the Council underspent its Budget by £315,000.

However, notwithstanding this success, Council acknowledges that following the former Chancellor Alistair Darling's Budget of 2009; the Director of Finance has reported at various times the need for further savings of between £60m and £80m between 2011 and 2014, and that the Deputy Leader of the Council has consistently warned of the major challenges this poses.

Following the first Budget of the Coalition Government, Council now has the current Budget gap confirmed at the upper end of the previously reported range.

Council condemns the financial and regulatory mismanagement of the previous Labour Government, which in combination with the global financial crisis has resulted in the worst national debt crisis in living memory.

Council recognises that it is this failure which is the root cause of the public spending reductions which will now impact on local people and services.

Following a debate and Councillor Foulkes having replied, the Council divided as follows on the amendment proposed by Councillor Green:

For the amendment (27) - Councillors T Anderson, C Blakeley, E Boulton, SL Clarke, W Clements, DM Elderton, GJ Ellis, JE Green, J Hale, K Hayes, P Hayes, AC Hodson, PSC Johnson, P Kearney, J Keeley, DT Knowles, I Lewis, D McCubbin, SR Mountney, C Povall, A Pritchard, Mrs LA Rennie, SL Rowlands, S Taylor, GCJ Watt, S Williams and Mrs K Wood.

Against the amendment (35) - Councillors RL Abbey, A Bridson, A Brighthouse, JA Crabtree, G Davies, PL Davies, WJ Davies, D Dodd, S Foulkes, G Gardiner, PN Gilchrist, P Glasman, T Harney, SA Holbrook, M Johnston, AER Jones, SE Kelly, BM Kenny, A McArdle, ARC McLachlan, M McLaughlin, CM Meaden, GD Mitchell, RK Moon, SAM Niblock, PTC Reisdorf, DE Roberts, J Salter, PA Smith, WW Smith, S Whittingham, R Wilkins, I Williams, KJ Williams and Mrs PM Williams.

Abstentions (1) – Councillor AT Jennings.

The Council divided as follows on the amendment proposed by Councillor Holbrook:

For the amendment (14) - A Bridson, A Brighthouse, G Gardiner, PN Gilchrist, T Harney, SA Holbrook, M Johnston, SE Kelly, GD Mitchell, RK Moon, SAM Niblock, PTC Reisdorf, R Wilkins and Mrs PM Williams.

Against the amendment (48) - Councillors RL Abbey, T Anderson, C Blakeley, E Boulton, SL Clarke, W Clements, JA Crabtree, G Davies, PL Davies, WJ Davies, D Dodd, DM Elderton, GJ Ellis, S Foulkes, P Glasman, JE Green, J Hale, K Hayes, P Hayes, AC Hodson, PSC Johnson, AER Jones, P Kearney, J Keeley, BM Kenny, DT Knowles, I Lewis, A McArdle, D McCubbin, ARC McLachlan, M McLaughlin, CM Meaden, SR Mountney, C Povall, A Pritchard, Mrs LA Rennie, DE Roberts, SL Rowlands, J Salter, PA Smith, WW Smith, S Taylor, GCJ Watt, S Whittingham, I Williams, KJ Williams, S Williams and Mrs K Wood.

Abstentions (1) – Councillor AT Jennings.

The Council divided as follows on the motion:

For the motion (35) - Councillors RL Abbey, A Bridson, A Brighthouse, JA Crabtree, G Davies, PL Davies, WJ Davies, D Dodd, S Foulkes, G Gardiner, PN Gilchrist, P Glasman, T Harney, SA Holbrook, M Johnston, AER Jones, SE Kelly, BM Kenny, A McArdle, ARC McLachlan, M McLaughlin, CM Meaden, GD Mitchell, RK Moon, SAM Niblock, PTC Reisdorf, DE Roberts, J Salter, PA Smith, WW Smith, S Whittingham, R Wilkins, I Williams, KJ Williams and Mrs PM Williams.

Against the motion (27) - Councillors T Anderson, C Blakeley, E Boulton, SL Clarke, W Clements, DM Elderton, GJ Ellis, JE Green, J Hale, K Hayes, P Hayes, AC Hodson, PSC Johnson, P Kearney, J Keeley, DT Knowles, I Lewis, D McCubbin, SR Mountney, C Povall, A Pritchard, Mrs LA Rennie, SL Rowlands, S Taylor, GCJ Watt, S Williams and Mrs K Wood.

Abstentions (1) – Councillor AT Jennings.

**Resolved (35:27:1) – This Council recognises that the previous administration left the Council's finances in a healthy state and rejects any accusation that it built up unreasonable and unsustainable debts.**

## 22 MOTION: BIN CHARGING

Proposed by Councillor Simon Holbrook  
Seconded by Councillor Gill Gardiner

- (1) This Council welcomes the announcement by the Communities Secretary that powers to allow councils to charge households according to the amount of waste thrown out have been ruled out.
- (2) Council believes that local flexibility to operate household waste and recycling collection schemes according to what works best for that particular area is the best way to increase recycling rates.
- (3) Council is pleased to note the current high levels of bin collection rates in Wirral, the improvements to contract quality, service delivery and working practices that have been implemented over the last three years and congratulates the Director of Technical Services, the Waste Management Team and those councillors involved for their hard work in this area to achieve this.
- (4) Council also commends the positive response from Wirral residents and notes that our residents recycled more dry recycling than any other Merseyside district (2009/10).
- (5) However, Council also believes that more can be done to divert waste away from landfill and further increase recycling.
- (6) Therefore, Council requests that the Director of Technical Services continues to examine new ways to reduce waste to landfill, such as through the introduction of food waste collections (taking account of existing work undertaken to date), the collection of recyclable material from businesses, increasing the range of recyclable material that can be taken to the council's recycling collection points

and working with MWDA to increase the range of materials that can be placed in grey bins.

- (7) The Director is also requested to investigate the feasibility and cost effectiveness of introducing a recycling rewards scheme to incentivise households to do more to recycle.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor John Salter  
Seconded by Councillor Denise Roberts

*Insert new paragraph 7 – renumber current paragraph 7 accordingly.*

Council stresses that any new ways of reducing waste to landfill, such as the collection of food waste, must not take place at the expense of any other front line services, nor must it be allowed, through reduction in resources or any other way, to reduce the present high standard and reliability of waste collection across the borough.

Following a debate Councillor Holbrook agreed to accept Councillor Salter's amendment as a friendly amendment. Having waived his right of reply, the amendment was put and it was –

**Resolved (unanimously) –**

- (1) This Council welcomes the announcement by the Communities Secretary that powers to allow councils to charge households according to the amount of waste thrown out have been ruled out.**
- (2) Council believes that local flexibility to operate household waste and recycling collection schemes according to what works best for that particular area is the best way to increase recycling rates.**
- (3) Council is pleased to note the current high levels of bin collection rates in Wirral, the improvements to contract quality, service delivery and working practices that have been implemented over the last three years and congratulates the Director of Technical Services, the Waste Management Team and those councillors involved for their hard work in this area to achieve this.**
- (4) Council also commends the positive response from Wirral residents and notes that our residents recycled more dry recycling than any other Merseyside district (2009/10).**
- (5) However, Council also believes that more can be done to divert waste away from landfill and further increase recycling.**
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existing work undertaken to date), the collection of recyclable material from businesses, increasing the range of recyclable material that can be taken to the council's recycling collection points and working with MWDA to increase the range of materials that can be placed in grey bins.

- (7) Council stresses that any new ways of reducing waste to landfill, such as the collection of food waste, must not take place at the expense of any other front line services, nor must it be allowed, through reduction in resources or any other way, to reduce the present high standard and reliability of waste collection across the borough.
- (8) The Director is also requested to investigate the feasibility and cost effectiveness of introducing a recycling rewards scheme to incentivise households to do more to recycle.

## 23 MOTION: THE BUDGET

Proposed by Councillor Phil Davies

Seconded by Councillor Steve Foulkes

- (1) This Council recognises that action needs to be taken to address the financial challenges arising from the global recession. However, it notes that according to the Institute of Fiscal Studies, the measures set out by the Chancellor of the Exchequer in the Budget on the 22 June, are "regressive" with cuts to public services which will hit "poorer households significantly harder than richer households".
- (2) Council condemns:
  - (i) The £5.5m of cuts in revenue which the Government has instructed this Council to find in this financial year, and the £4m loss of Capital. This is part of the £6bn of cuts which during the general election campaign the Liberal Democrats argued was unnecessary.
  - (ii) The proposed increase in VAT from 17.5% to 20%. This will be profoundly regressive and breaks an explicit promise made during the election by both the Conservatives and the Liberal Democrats.
  - (iii) The proposed cuts of £11bn in welfare benefits which will hit the poorest members of communities the hardest.
  - (iv) The proposed 25% cuts in departmental spending, which, if applied to Local Government grant, would leave Wirral needing to find up to £100m cuts over three years. Again, these departmental cuts will impact disproportionately on people in the poorest communities who rely more on public services than residents elsewhere.
- (3) Council notes that the motion passed by the Cabinet on the 24 June fails to identify a single penny of savings and proposes measures such as the ending of sandwiches for members which will realise a tiny fraction of the savings

targets for the next 3 years. Furthermore, the announcement of 8 reviews of various issues indicates that the administration has no clear vision of the future.

- (4) Council calls on the ruling coalition to lobby their Government to reverse their cuts which will bring huge job losses and misery to hundreds of Wirral residents and adopt the more reasonable deficit-reduction plan proposed by the Labour Party which had already started to reduce the deficit and placed greater emphasis on asking those on higher incomes to pay more and avoided cuts to front-line services.
- (5) Council condemns the utter hypocrisy of the Liberal Democrats who, by agreeing to measures such as an increase in VAT, have surrendered any claims to be a Party of progressive values and are helping to deliver the ideological agenda of the right wing of the Tory Party. Council recognises that the Labour Party is now the only progressive Party in Britain and calls on all those who previously supported the Lib Dems to join Labour and help defend the attacks on public services and the poorest members of the community by the Coalition Government.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Jeff Green  
Seconded by Councillor Lesley Rennie

*Delete all after* '(1) This Council recognises that action needs to be taken to address the financial challenges arising from the global recession' *and replace with:*

and recognises the distress, anger and upset caused to people across Wirral, including some of the most deprived communities by the previous Government, such as cuts to public services and abolition of the 10p starting rate of Income Tax for the lowest paid.

- (2) Council also notes that while other countries went into recession later and returned to growth faster, the UK economy suffered the longest period of recession and the longest domestic recession since the 1930s.
- (3) Council believes that the action taken by the Coalition Government will restore the nation's finances and also enable fairer, greener taxes and protection for the most vulnerable, including:
  - Raising the personal allowance for under 65s by £1,000 in April 2011, with the gains limited to basic rate taxpayers. The Government estimates that the 880,000 lowest income taxpayers will be removed from tax altogether.
  - the introduction of a levy based on banks' balance sheets and action on unacceptable bank bonuses.
  - freezing council tax In 2011-12, in partnership with local authorities.
  - a triple guarantee to help pensioners by uprating the Basic State Pension by earnings, prices or 2.5 per cent, whichever is highest.
  - an increase in the child element of the Child Tax Credit of £150 above CPI indexation.

## **Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Simon Holbrook  
Seconded by: Councillor Bob Moon

*Delete all after 1st sentence in paragraph (1) – and insert:*

and the financial and regulatory mismanagement of the previous Labour Government. Council notes that the overall impact of all the measures in the Chancellor's Budget of 22nd June was progressive, building on the coalition's principles of freedom, fairness and responsibility.

- (2)** Council recognises that a series of progressive measures were announced in the Chancellor's Budget that will:-
  - (i) lift at least 850,000 low-paid taxpayers out of income tax.
  - (ii) restore the link between the state pension and earnings (or prices or 2.5%, whichever is higher).
  - (iii) provide an extra £150 a year for the poorest families, through changes to family tax credits.
  - (iv) increase capital gains tax to 28% for top rate taxpayers.
- (3)** Council recognises that the public understands that action is needed to address the unsustainable levels of government debt and applauds the initiative taken nationally by the Coalition Government and locally by Wirral's Cabinet to engage with the public on their priorities for future public spending of taxpayer's money. Council further notes that this represents a continuation of the Council's policy on engagement agreed with all party support on 15th February 2010.
- (4)** Council is outraged but not surprised at the utter hypocrisy of the Labour Party for its failure to be honest with the public about the scale and impact of the budget reductions needed as a result of its own party's mistakes in government, and for suggesting that the Conservatives and Liberal Democrats are wrong to consult the public on the difficult challenges that lie ahead.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

Councillor Green agreed to accept Councillor Holbrook's amendment as a friendly amendment and the combined amendments were put and carried (41:21) (One abstention) –

**Resolved (41:21:1) –**

- (1) This Council recognises that action needs to be taken to address the financial challenges arising from the global recession and recognises the distress, anger and upset caused to people across Wirral, including some of the most deprived communities by the previous Labour Government's financial and regulatory mismanagement, such as cuts to public services and abolition of the 10p starting rate of Income Tax for the lowest paid. Council notes that the overall impact of all the measures in the**



**Chancellor's Budget of 22 June was progressive, building on the coalition's principles of freedom, fairness and responsibility.**

- (2) Council also notes that while other countries went into recession later and returned to growth faster, the UK economy suffered the longest period of recession and the longest domestic recession since the 1930s.**
- (3) Council believes that the action taken by the Coalition Government will restore the nation's finances and also enable fairer, greener taxes and protection for the most vulnerable, including:**
  - Raising the personal allowance for under 65s by £1,000 in April 2011, with the gains limited to basic rate taxpayers. The Government estimates that the 880,000 lowest income taxpayers will be removed from tax altogether.**
  - the introduction of a levy based on banks' balance sheets and action on unacceptable bank bonuses.**
  - freezing council tax In 2011-12, in partnership with local authorities.**
  - a triple guarantee to help pensioners by uprating the Basic State Pension by earnings, prices or 2.5 per cent, whichever is highest.**
  - an increase in the child element of the Child Tax Credit of £150 above CPI indexation.**
  - increase capital gains tax to 28% for top rate taxpayers.**
- (4) Council recognises that the public understands that action is needed to address the unsustainable levels of government debt and applauds the initiative taken nationally by the Coalition Government and locally by Wirral's Cabinet to engage with the public on their priorities for future public spending of taxpayer's money. Council further notes that this represents a continuation of the Council's policy on engagement agreed with all party support on 15 February 2010.**
- (5) Council is outraged but not surprised at the utter hypocrisy of the Labour Party for its failure to be honest with the public about the scale and impact of the budget reductions needed as a result of its own party's mistakes in government, and for suggesting that the Conservatives and Liberal Democrats are wrong to consult the public on the difficult challenges that lie ahead.**

**24 MOTION: POSSIBLE ACADEMY SITES**

Proposed by Councillor Stuart Kelly  
Seconded by Councillor Ann Bridson

- (1) Council notes the decision of Cabinet of 27 May to 'go the extra mile in identifying an alternative site for the new academy'.**
- (2) Council considers that the sites identified below should not be further investigated for the stated reasons:**

- (a) The site by Shaftesbury Youth Club playing fields – because the board of trustees have made it very clear that they would not be prepared to sell their land to the Council.
- (b) The site of Prenton High School - because the land is subject to a PFI contract until 2031.
- (c) The site of Bedford Drive Primary School – because there are no plans to close or relocate the School.
- (d) The site of Hind Street former gasworks - because it is within 150m of two large gasometers.
- (e) Land at Mersey Park Tranmere – because of the unacceptable loss of park land involved.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Jeff Green  
Seconded by Councillor Paul Hayes

*Delete all, other than:*

Council notes the decision of Cabinet of 27 May to ‘go the extra mile in identifying an alternative site for the new academy’.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Phil Davies  
Seconded by Councillor Chris Meaden

*Delete everything and insert the following:*

- (1) Council notes the resolution passed by Cabinet on 27 May, 2010 which instructed the Director of Children’s Services to explore further whether a suitable site and funding might be available to accommodate the Academy as a new build.
- (2) This Council believes that it would be inappropriate to reach a conclusion on specific sites until the Director has had an opportunity to provide a full report back to Cabinet on the pros and cons of all potential sites in order to ensure that an informed decision is taken.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

Councillor Green agreed to accept Councillor Davies’ amendment as a friendly amendment and the combined amendments were put and carried (45:14) (One abstention) –

**Resolved (45:14:1) –**

- (1) **Council notes the decision of Cabinet of 27 May to ‘go the extra mile in identifying an alternative site for the new academy’ and which instructed the Director of Children’s Services to explore further whether a suitable**

**site and funding might be available to accommodate the Academy as a new build.**

- (2) This Council believes that it would be inappropriate to reach a conclusion on specific sites until the Director has had an opportunity to provide a full report back to Cabinet on the pros and cons of all potential sites in order to ensure that an informed decision is taken.**

**25 MOTION: FREE SWIMMING**

Proposed by Councillor Darren Dodd  
Seconded by Councillor Denise Roberts

- (1)** Council condemns the decision of the National Con/Dem alliance to withdraw free swimming for children and pensioners.
- (2)** Council further notes with dismay that Wirral's Conservative / Liberal Democrat coalition has only guaranteed free swimming until September, despite the fact that free swimming both for children and for the elderly was agreed and paid for from within the Council's own budget before any government subsidies were introduced and that this Labour initiative was a trail blazer for other local authorities and for the government.
- (3)** Council agrees that any move to axe free swimming would be a false economy and work in direct opposition to the Corporate Priority of increasing Health and Well Being for all, and act against the agreed drive to reduce childhood obesity, and to keep elderly people as fit as possible for as long as possible in order to improve their quality of life and reduce the need for any early care interventions.
- (4)** Council notes that the Coalition as part of their agreement together have signed up to the Corporate Plan and the Corporate Priorities.
- (5)** Council further notes that being able to swim is also a matter of safety for Wirral residents who live on a peninsula surrounded on three sides by water and demands that the administration guarantees free swimming on a permanent basis.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor David Elderton  
Seconded by Councillor Denis Knowles

*Delete all after '(1) Council' and replace with:*

believes it is difficult for a local authority to provide free swimming if it has closed and demolished its swimming baths and leisure centres, as planned by the previous Labour-led administration.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Bob Moon  
Seconded by Councillor Mark Johnston

*Delete paragraphs (1) (2) and (3) and insert new paragraphs (1) and (2)*

- (1)** Council congratulates the Cabinet for taking swift action to reassure the Wirral public that there would be no immediate end to free swimming following the announcement that funding for free swimming was to be withdrawn by the Coalition Government.
- (2)** Council recognises that in these difficult financial times, many spending decisions already agreed will need to be kept under review and that the Cabinet has commissioned a report on the costs and benefits of free swimming and how to safeguard access for the most vulnerable before reaching a conclusion on this matter.

*Amend paragraph (4) and renumber as (3), delete "notes" and replace with "welcomes".*

*Delete paragraph (5) and replace with final paragraph (4):*

Council therefore also welcomes the fact that the Cabinet has called for a report on the effectiveness of spending against these priorities of projects and programmes funded by the Area Based Grant, rather than make the type of arbitrary cuts that would have been the hallmark of the Labour Party.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment proposed by Councillor Elderton was put and lost (27:35) (One abstention).

The amendment proposed by Councillor Moon was put and carried (41:21) (One abstention).

**Resolved (41:21:1) –**

- (1) Council congratulates the Cabinet for taking swift action to reassure the Wirral public that there would be no immediate end to free swimming following the announcement that funding for free swimming was to be withdrawn by the Coalition Government.**
- (2) Council recognises that in these difficult financial times, many spending decisions already agreed will need to be kept under review and that the Cabinet has commissioned a report on the costs and benefits of free swimming and how to safeguard access for the most vulnerable before reaching a conclusion on this matter.**
- (3) Council welcomes that the Coalition as part of their agreement together have signed up to the Corporate Plan and the Corporate Priorities.**

- (4) Council therefore also welcomes the fact that the Cabinet has called for a report on the effectiveness of spending against these priorities of projects and programmes funded by the Area Based Grant, rather than make the type of arbitrary cuts that would have been the hallmark of the Labour Party.

26 **MOTION: SCRAPPING OF COMPREHENSIVE AREA ASSESSMENT**

Proposed by Councillor Simon Holbrook  
Seconded by Councillor Bob Moon

- (1) This Council welcomes the announcement by the Communities Secretary and the letter from the Audit Commission to Chief Executives and LSPs that all work on Comprehensive Area Assessment is to be ceased by the Audit Commission with immediate effect.
- (2) Council believes that Comprehensive Area Assessment was a wasteful, over-bureaucratic and ineffective way of assessing councils' and other public bodies' effectiveness and placed an unacceptable burden on councils in servicing the process.
- (3) Council welcomes the fact that resources now freed up from the inspection regime can be used more flexibly to ensure frontline services are delivered in the most effective and efficient way for local people.
- (4) Therefore, Council requests the Director of Corporate Services to:
- (a) Ensure that the Authority does not participate in any targeted inspections that the Audit Commission wishes to carry out in Wirral, unless a robust rationale that demonstrates value for money and improved service delivery from carrying out that inspection can be provided by the Audit Commission to the satisfaction of the Authority.
- (b) Review existing arrangements for policy and performance management across all council services and provide a report to Cabinet at the earliest opportunity on how capacity released by the ending of CAA might be harnessed more effectively.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

**Resolved (unanimously) – That the motion be approved.**

27 **MOTION: "GHETTOS OF UNEMPLOYMENT"**

Proposed by Councillor Ann McLachlan  
Seconded by Councillor George Davies

- (1) Council is outraged but not surprised by the comments made by Ian Duncan Smith where he suggests breaking up "ghettos of unemployment" and moving

the unemployed instead into areas across the country where work is more freely available.

- (2) Council is outraged because the policies of this government will increase these “ghettos” by targeting the largest share of cuts on precisely those poorest areas where unemployment is highest.
- (3) Council believes that the Government is fully aware of the fact that where the public sector provides a high proportion of jobs, the public and private sector are co-dependent and any cuts in the public sector will have a direct knock on to the private sector, creating major job losses across a region like Merseyside with little chance of recovery.
- (4) Council is outraged but not surprised that the Tory solution is then to move the unemployed away from their home areas, and their own support networks, which often provide valuable assistance in child care, and mutual support when times are hard, making it even more difficult for them to hold down jobs in a new place, presumably in the overcrowded South East where there is already a major housing crisis. This is simply the old, familiar Norman Tebbit “Get on your bike” Tory philosophy.
- (5) Council roundly condemns this crazy, ill thought out and ugly policy which demonstrates just how far removed from reality the current millionaire, Eton based Cabinet ministers are.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Andrew Hodson  
Seconded by Councillor Tony Pritchard

*Delete all after '(1) Council' and replace with:*

recognises the distress, anger and upset caused to people across Wirral, including some of the most deprived communities, by the failure of the previous Government to tackle youth unemployment and the growth in number of people claiming Incapacity Benefit.

- (2) Council notes the difference in real gross value added per capita growth rates between the Greater South East and all other English regions widened towards the end of the last decade.
- (3) Council therefore welcomes the Coalition Government’s determination that all parts of the UK benefit from sustainable economic growth, and that the private sector recovery is particularly strong in areas that are currently overly dependent on the public sector.
- (4) Council also welcomes measures in the Emergency Budget to promote job creation in Wirral and the wider Merseyside economy, including:
  - a reversal of the most damaging part of the planned increase in employer National Insurance Contributions.

- the creation of a Regional Growth Fund to support increases in business employment and growth, and a scheme in which new businesses in targeted areas will get a substantial reduction in their employer National Insurance Contributions.
- an increase in the Enterprise Finance Guarantee and the creation of a new Growth Capital Fund.
- a reduction in the small profits rate to 20 per cent.
- a planned reduction in the main rate of corporation tax from 28 per cent to 24 per cent.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor Phil Gilchrist  
Seconded by Councillor Dave Mitchell

*In paragraph (1) delete “outraged but not surprised by the” and replace with “disappointed by the insensitive”*

*Delete rest of motion (paragraphs (2) to (5)) and replace with:*

- (2)** Council is disappointed because it does not reflect the policies and priorities of the Coalition Government and it brings back echoes of the Norman Tebbit “Get on your bike” philosophy, which it rejects as simplistic and insulting to those people out of work through no fault of their own. Council notes the announcement of the £1bn fund to promote private enterprise and support economic recovery in the regions hit hardest by public sector job losses.
- (3)** Council also notes that, according to the Office for Budget Responsibility, the deficit reduction plans of the previous Labour Government would, if implemented, have resulted in an estimated 460,000 public sector job losses by 2014-15. Council notes this is only 30,000 less than that projected from the measures taken by the Coalition Government and condemns Labour for their failure to spell out the implications and impact of their own deficit reduction programme.
- (4)** However, Council also recognises that the public sector in Wirral provides a bigger proportion of local employment than in other parts of the Country. Council requests that a report is presented to Cabinet on how local people who may lose their jobs may be supported.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment proposed by Councillor Hodson was put and lost (26:35) (One abstention).

The amendment proposed by Councillor Gilchrist was put and lost (14:47) (One abstention).

The motion was put and lost (21:40) (One abstention).

28 **MOTION: LAND AT OXTON ROAD / BALLS ROAD**

Proposed by Councillor Stuart Kelly  
Seconded by Councillor Alan Brighthouse

Council requests the relevant Cabinet Members and officers to investigate the possible consolidation of waste land in the Oxtan Road / Balls Road East area of Birkenhead, including the use of Compulsory Purchase Orders and then subsequent marketing for family housing development in the area and to report on progress to a future appropriate meeting.

**Amendment submitted in accordance with Standing Order 7(2):**

Proposed by Councillor George Davies  
Seconded by Councillor Ann McLachlan

*Delete all and insert:*

- (1) Council notes that Minute 169 of the Cabinet meeting of October 15th 2009 Area Appraisal and Strategic Acquisitions, Belmont, Birkenhead, has already set in motion the action requested in the Notice of Motion and that acquisition of the relevant properties is already well under way and should be completed within the next month or so, thereby rendering the current Notice of Motion unnecessary.
- (2) Council expresses its amazement that a member of the Cabinet which took that initial decision, and a councillor for the neighbouring ward, should be unaware of the progress already made under a Labour Cabinet Member for Housing, and can only conclude that either the item passed him by, or that he has raised it again for purely electoral purposes in order to claim credit for action already taken in a desperate attempt to bolster the Liberal Democrats' faltering chances in the next election, which he knows full well are already damaged by the coalition with the Conservatives nationally and locally.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment was put and lost (21:41) (One abstention).

The motion was put and carried unanimously.

**Resolved – Council requests the relevant Cabinet Members and officers to investigate the possible consolidation of waste land in the Oxtan Road / Balls Road East area of Birkenhead, including the use of Compulsory Purchase Orders and then subsequent marketing for family housing development in the area and to report on progress to a future appropriate meeting.**

29 **MOTION: HUNG, SHOT OR GUILLOTINED**

Proposed by Councillor Brian Kenny  
Seconded by Councillor Adrian Jones



This Council condemns the utter hypocrisy of the Conservative Liberal Democrat Alliance nationally and locally, which has initiated the most savage round of public sector cuts since the 1930s and then seeks ways of devolving the decisions on these cuts away from itself, both nationally and locally, either through a massive, tax payer funded, "consultation" exercise or by the new doctrine of "localism", devolving decision making down to a very local level, as far away as possible from the real decision takers.

Council believes that:

- (1)** The people of Wirral and the employees of the Council are, in reality, being asked to decide whether they wish to be hung, shot or guillotined. Whichever choice they make, they will undoubtedly be blamed for their own death.
- (2)** Devolving power under the new doctrine of localism will turn out to be the classic Tory scam, (camouflaged in warm words about local democracy and involvement), of passing the buck while cutting the money available to do anything useful.
- (3)** The local consultation exercise, as currently mounted, will only serve to delay urgent decision making which, in turn, will mean cuts have to be even more savage as time runs out to have decisions taken and implemented by April 1st, leading to only part year savings or the use of balances which both leave a hole in the next year's budget, and also have to be replaced, doubling the impact.
- (4)** Any form of meaningful consultation would mean producing carefully costed and detailed options for saving and budget setting and giving the public the opportunity to choose between those costed options. Anything less is simply a cover to shift blame onto the public for the decisions that are taken, and even that still leaves the public and staff implicated in taking decisions against their own interests.
- (5)** The first victims of the Tory scam are the Liberal Democrats who have been lured into an alliance with promises of greater local involvement and democracy, only to find out that this cherished policy will go the way of the campaign against VAT increases, and prove to be just another cover for Tory ruthlessness which will hurt the poorest most, devastate the people of Wirral, and ultimately benefit the wealthy in the Tory heartlands of the South East, all in an ideological drive to reduce the size and influence of the State sector.

(With the permission of the Council, an amendment submitted by Councillor Green was withdrawn.)

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The motion was put and lost (21:41) (One abstention).

30 **OBJECTION: MINUTE 50 (CABINET - 24 JUNE, 2010) - REVIEWS OF LOCAL GOVERNANCE ARRANGEMENTS AND COMBATING ANTI-SOCIAL BEHAVIOUR**

Moved by Councillor Steve Foulkes  
Seconded by Councillor Phil Davies

This Council expresses deep concern about the Constitutional and democratic implications of Cabinet Minute 50 and believes that in setting up the first two Commissions the Cabinet has paid scant regard to the current Constitution of the Council.

Council notes that:

- The Commission is not a sub committee of Cabinet, as it comprises one member from each party.
- The Commission is not a sub committee of any Overview and Scrutiny Committee, although the subject matter clearly comes under a relevant Scrutiny Committee and could have been referred to Scrutiny for examination and a report back to Cabinet.
- There is no clear division between the Executive and Scrutiny Function.
- There is a potential for real confusion and overlap between the role of the Commission and the role of Scrutiny. For example, the Children and Young People's Overview and Scrutiny already has a review of Sure Start and under 5's as part of its work programme.
- Three people, outside any normal accountability structure, will in fact be conducting a wide consultation and advising the Cabinet on issues of local governance which will have huge financial and constitutional consequences, with any subsequent Cabinet decisions likely to require major changes across the Council's Constitution.
- This is a clear vote of no confidence in the Scrutiny Chairs of all parties who would normally be expecting to carry out this kind of work.
- The consequence is there will be no clear structural audit or minute trail which sets out how the advice in the final report to Cabinet was reached.
- This could be seen as a preliminary move back to the old committee system preferred by the Conservatives, but not yet allowed for in law, disguised for the time being as a working party without decision making powers (but with considerable influence on the Executive.)

For all these reasons, Council refers Minute 50 back to the Cabinet for further detailed consideration.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The objection was put and lost (21:41) (One abstention).

31 **VACANCIES**

The Council was requested to deal with the following appointments:

## **COUNCIL COMMITTEES**

- **Licensing Act 2003 Committee**

Councillor Sue Taylor's appointment as Chair, in accordance with the wishes of the Committee (minute 3 (25/5/10) refers) be ratified.

Councillor Alan Brighthouse to replace Councillor Pat Williams

## **OUTSIDE BODIES**

- **Housing and Community Safety**

**Wirral Partnership Homes Board**

Councillor Stuart Whittingham to replace Councillor Brian Kenny

- **Regeneration and Planning Strategy**

**Liverpool City Region Boards**

Environment and Waste Board - Councillor Gill Gardiner

Employment and Skills Board - Councillor Andrew Hodson

Housing and Spatial Planning Board - Councillor Chris Blakeley

**Mersey Maritime Group Ltd,**

Councillors Lesley Rennie and Gill Gardiner

- **Social Care and Inclusion**

**Wirral University Teaching Hospital Foundation Trust – Governors**

Councillor J Green

Councillor C Meaden Appointed for 3 years until 16 September 2013

Councillor R Moon

Note: Council confirms that Councillor Elderton be the Authority's sole representative on the **Egerton House Trust Board**.

**Resolved – That the appointments be approved.**

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