

# COUNCIL

Monday, 17 October 2016

Present: The Civic Mayor (Councillor Pat Hackett) in the Chair  
Deputy Civic Mayor (Councillor Ann McLachlan)

Councillors	RL Abbey	P Hayes	L Rennie
	T Anderson	A Hodson	D Roberts
	C Blakeley	K Hodson	L Rowlands
	E Boulton	T Johnson	T Smith
	A Brighthouse	C Jones	W Smith
	P Brightmore	S Kelly	C Spriggs
	D Burgess-Joyce	B Kenny	J Stapleton
	C Carubia	A Leech	P Stuart
	P Cleary	I Lewis	M Sullivan
	W Clements	M McLaughlin	A Sykes
	A Davies	J McManus	T Usher
	G Davies	C Meaden	J Walsh
	P Davies	D Mitchell	G Watt
	WJ Davies	B Mooney	S Whittingham
	P Doughty	C Muspratt	J Williamson
	D Elderton	T Norbury	I Williams
	G Ellis	M Patrick	KJ Williams
	S Foulkes	C Povall	S Williams
	P Gilchrist	D Realey	
	JE Green	L Reecejones	

<u>Apologies</u>	Councillors	B Berry	T Jones
		J Hale	T Pilgrim
		AER Jones	W Ward

**Meeting Commenced at 18:15hrs**

## 45 DECLARATIONS OF INTEREST

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.

46      **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor noted that apologies had been received from Councillors Bruce Berry, John Hale, Adrian Jones, Tony Jones, Tracey Pilgrim and Warren Ward.

47      **KEEPING RESIDENTS INFORMED**

The Mayor informed that Council would be considering the proposal that Wirral Council launches a monthly publication, containing community and public service information, which will be distributed to every household and every business within the borough. He further informed that the Council Agenda pack included a copy of the requisition notice from the Conservative political groups and Notices of Motion from all three political groups.

The Mayor informed that three Notices of Motion had been received in respect of this item. He stated that all would put before Council and debated together, with a vote taken on each motion, after the debate.

The Mayor called upon the Head of Legal and Member Services to address Council to inform as to the reasons why Counsel's advice had not been circulated. The Head of Legal and Member Services explained that the majority of the Counsel's advice had been shared within Cabinet reports and at subsequent consideration of the matter at the Overview and Scrutiny Call-in meeting. He further informed that the balance in respect of the public interest test and expectation of confidentiality precluded publication of the entire document.

The Head of Legal and Members Services advised that it was appropriate and normal practice for the council to obtain legal advice on various matters that can be contentious or attract considerable public interest. The council from time to time needs to be able to have a safe space to discuss and be candidly advised on legal issues and matters in order that matters can be progressed or dealt with properly. Legal advice can often include frank exchange of views and opinion and that is necessary to ensure effective decision making. A proportionate approach was been taken and aspects of the advice received has been shared in the Cabinet Report and discussed at the Overview and Scrutiny Committee. A balance was struck between the public interest in disclosing the advice and maintaining confidentiality and confidence.

**The three Motions which had been circulated in advance of the meeting were submitted in accordance with Standing Order 12(1) and (9), as follows:**

**Conservative Group Motion**

**Proposed** by Councillor Jeff Green

**Seconded** by Councillor Lesley Rennie

“Council believes that it was a serious miscalculation not to share the letter that the Leader of the Council had received from Marcus Jones MP, Minister for Local Government, Department for Communities and Local Government reminding the Council to abide by the Recommended Code of Practice for Local Authority Publicity with Members of the Business Overview and Scrutiny Committee.

Council is extremely concerned that this omission further increases the likelihood that the Secretary of State will issue a notice of intention to serve a direction under Section 4a of the Local Government Act.

Council understands that the Publicity Code is designed to help maintain a healthy, vibrant, free press as an important tool in providing information for the public to hold their local authority to account. Council newspapers, issued frequently and designed to resemble a local newspaper can mislead members of the public reading them that they are local newspapers covering council events and give communities a biased view of the activities of the council.

Council therefore urges the Leader of the Council and his Cabinet to abandon this expensive exercise in spin and control before anymore hardworking Council Taxpayers money or officer time is expended on this vanity project”.

### **Liberal Democrat Motion**

**Proposed** by Councillor Phil Gilchrist

**Seconded** by Councillor Dave Mitchell

#### “MAKING INFORMATION PUBLIC

Council notes that

- a) Cabinet considered the report ‘Keeping Residents Informed’ at its meeting on 27 June 2016 (Minute 20 refers) – “Officers be authorised to take all necessary steps, including requisite procurement exercises, in order to progress the proposal for a monthly publication as outlined in the report with a view to delivering the first edition in late autumn 2016”;
- b) the matter was considered further at the Call In on 27 July 2016 when the terms of the Call in were dismissed.

Council believes that

- i) the public interest is best served by the disclosure, in full, of the legal advice obtained from Counsel;
- ii) it is in the interest of all Members to see the advice in full regardless of any enquiries made by and exchange of information with the DCLG;
- iii) it should not be necessary for any Member to have to resort to the use of the Freedom of Information Act in pursuit of their diligent and proper duties;
- iv) correspondence to and from the DCLG on this matter should be circulated to all Members of the Council.

Council, therefore, calls for the issue and publication of the full Counsel's opinion in the interests of openness and transparency".

### **Labour Group Motion**

**Proposed** by Councillor Phil Davies

**Seconded** by Councillor Mathew Patrick

#### **"RESIDENTS' PUBLICATION**

1. This Council recognises that regular communication is a key attribute of a successful relationship between a local authority and strong communities.
2. Council acknowledges the findings of the Residents' Survey, conducted by IPSOS/MORI in 2015, which identified that six out of ten local residents did not feel well informed about the Council and its services.
3. Council also notes that while Wirral is served by two free weekly newspapers and a dedicated Wirral edition of the leading regional newspaper, important information about the services and opportunities offered to residents by Wirral Council and other public agencies is still not reaching every resident.
4. Council notes that the distribution of free weekly newspapers is not uniform across the borough and evidence suggests poorer and more disadvantaged neighbourhoods appear to be the areas where these publications do not reach.
5. Council recognises its responsibility to ensure all of the Borough's residents and businesses are kept informed about services, job opportunities or other community announcements, especially those residents and communities who rely on Council services the most.
6. Council recognises the tremendous work performed on behalf of our residents by a wide range of organisations, working hard to make Wirral a wonderful place to live, and regrets that sometimes these endeavours and their successful impacts and outcomes are not being widely celebrated, promoted and acknowledged across the whole borough.
7. Council is proud of the contribution its residents, businesses, and private, public and voluntary sector organisations are making and wants to ensure their success, energy and commitment is better understood by residents.
8. Council supports the creation of a new monthly publication, distributed free to every home and business in the borough, supported by a new

online portal for those comfortable with digital technology, focused on building greater awareness of the services the Council and its partners offer and building confidence, resilience and pride not just in some communities and neighbourhoods but across the whole of Wirral.

9. Finally, Council notes that the publication will be funded from existing budgets and will not require any additional resources.

Council then debated the proposal that Wirral Council launches a monthly publication, containing community and public service information, which will be distributed to every household and every business within the borough. Members of the Council expressed views and arguments in support of, and counter to, the motions listed above.

Following the debate and Councillor Phil Gilchrist having replied, a vote was put on the **Liberal Democrat Motion** and **lost (24:35) (One abstention)**.

Councillor Phil Davies having replied, a vote was then taken on the **Labour Motion** and **carried (35:24) (One abstention)**.

Councillor Jeff Green having replied, a 'card vote' a vote was put on the **Conservative Motion** and **lost (24:35) (One abstention)**.

For the motion (24) Councillors T Anderson, C Blakeley, E Boulton, A Brighthouse, D Burgess-Joyce, C Carubia, P Cleary, Mrs W Clements, D Elderton, G Ellis, P Gilchrist, J Green, P Hayes, A Hodson, K Hodson, S Kelly, I Lewis, D Mitchell, C Povall, L Rennie, L Rowlands, A Sykes, G Watt and S Williams.

Against the motion (35) Councillors R Abbey, P Brightmore, A Davies, G Davies, P Davies, W Davies, P Doughty, S Foulkes, T Johnson, C Jones, B Kenny, A Leech, A McLachlan, M McLaughlin, J McManus, C Meaden, B Mooney, C Muspratt, T Norbury, M Patrick, D Realey, L Reecejones, D Roberts, T Smith, W Smith, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

#### **RESOLVED (35:24) (One abstention) – That**

1. **This Council recognises that regular communication is a key attribute of a successful relationship between a local authority and strong communities.**
2. **Council acknowledges the findings of the Residents' Survey, conducted by IPSOS/MORI in 2015, which identified that six out of ten local residents did not feel well informed about the Council and its services.**
3. **Council also notes that while Wirral is served by two free weekly newspapers and a dedicated Wirral edition of the leading regional**

**newspaper, important information about the services and opportunities offered to residents by Wirral Council and other public agencies is still not reaching every resident.**

- 4. Council notes that the distribution of free weekly newspapers is not uniform across the borough and evidence suggests poorer and more disadvantaged neighbourhoods appear to be the areas where these publications do not reach.**
- 5. Council recognises its responsibility to ensure all of the Borough's residents and businesses are kept informed about services, job opportunities or other community announcements, especially those residents and communities who rely on Council services the most.**
- 6. Council recognises the tremendous work performed on behalf of our residents by a wide range of organisations, working hard to make Wirral a wonderful place to live, and regrets that sometimes these endeavours and their successful impacts and outcomes are not being widely celebrated, promoted and acknowledged across the whole borough.**
- 7. Council is proud of the contribution its residents, businesses, and private, public and voluntary sector organisations are making and wants to ensure their success, energy and commitment is better understood by residents.**
- 8. Council supports the creation of a new monthly publication, distributed free to every home and business in the borough, supported by a new online portal for those comfortable with digital technology, focused on building greater awareness of the services the Council and its partners offer and building confidence, resilience and pride not just in some communities and neighbourhoods but across the whole of Wirral.**
- 9. Finally, Council notes that the publication will be funded from existing budgets and will not require any additional resources.**