



Council Supplement

Town Hall
Wallasey

24 April 2009

Dear Councillor

This Supplement contains additional matters to be considered at the Council meeting on Monday 27 April 2009 and should be read in conjunction with the Council Summons dated 17 April

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AGENDA

5. MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 1 - 2)

To consider additional matters referred to the Council for determination. The following minutes require confirmation. The full text of those minutes is attached; copies of the related reports can be provided for Council members on request.

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

(viii) Minute 470 (Cabinet – 23 April) – Members allowances

(ix) Minute 471 (Cabinet – 23 April) – Overview and Scrutiny Committees

10. MATTERS FOR DEBATE (Pages 3 - 12)

Pursuant to Standing Order 5(1)(m), and in accordance with Standing Order 5(3), to consider written comments, objections or amendments to minutes submitted under Standing Order 7(2), together with those motions, submitted under item 9 above, that the Council agrees to debate at this meeting and any minority reports submitted in accordance with Standing Order 35(4).

A handwritten signature in black ink, appearing to be 'B. M.', with a long horizontal flourish extending to the right.

Director of Law, HR and Asset Management

COUNCIL – 27 April 2009

MATTERS REQUIRING APPROVAL BY THE COUNCIL (Additional list)

The following minutes require confirmation by the Council.

Cabinet – 23 April 2009

MINUTE 470 – MEMBERS ALLOWANCES

The Director of Law, HR and Asset Management requested the Cabinet to make recommendations to the Annual Meeting of the Council in respect of the Members' Allowances Scheme and, in particular, to consider any up-rating of the allowances, as permitted under the scheme. He reported that each increase of 1% in the basic allowance would add £8,262 to the members' services budget, based on the current basic allowance and available special responsibility allowances. However, not all of the SRAs were currently taken up, which meant that, if an increase of up to 2.9% were recommended, it could be accommodated within the existing budget.

The setting of a members' allowances scheme was a decision for the whole Council, based on recommendations from the Cabinet and he reported that any arrangement to implement an up-rating, as allowed by the Scheme, could remain in force for up to four years, i.e. until 2012. He envisaged no other changes to the Scheme and did not intend to request the Independent Remuneration Panel to meet.

RECOMMENDED –

(1) That Cabinet notes that on the basis of the formula recommended by the Independent Panel, the basic allowance for Councillors would increase to £9500, an increase of 3.6%. However, Cabinet recognises the need to show restraint in the public finances at these difficult economic times and therefore proposes that the basic allowance remains at its current value of £9,171 at this time.

(2) That the dependant carer's allowance be increased to £5.73 per hour.

MINUTE 471 – OVERVIEW AND SCRUTINY COMMITTEES

Further to minute 415 (19 March 2009) the Director of Law, HR and Asset Management reported that the proposal to move to five Overview and Scrutiny Committees had been referred to the three Party Leaders for their comments and he set out a number of suggestions that had been made by the Leader of the Conservative Group.

The Director set out the draft terms of reference for the five Overview and Scrutiny Committees, based on the existing Committees and for an over-arching Overview and Scrutiny Committee to perform a role in relation to programme co-ordination and call-ins.

He reported also that section 19 of the Police and Justice Act 2006 was being brought into force on 30 April 2009. This required every local authority to establish a crime and disorder scrutiny committee. He indicated that some local authorities had set up separate crime and disorder sub-committees, whilst others were incorporating the committee into an existing scrutiny committee, which he believed to be more in keeping with the Council's aspiration of reducing the number of overview and scrutiny committees.

RECOMMENDED –

(1) That the Scrutiny Chairs Committee is titled the Scrutiny Programme Board and that additional to those duties set out in the appendix to the Director's report, the Committee should also be responsible for -

- **the development and monitoring of an annual scrutiny work programme;**
- **undertaking scrutiny in its own right with regard to cross-cutting or strategic issues not covered by other Overview and Scrutiny Committees;**
- **identifying and sharing good scrutiny practice across all Overview and Scrutiny Committees.**

(2) That each of the five other Overview and Scrutiny Committees be represented on the Scrutiny Programme Board.

(3) That the Excellent Council Committee is titled Council Excellence.

(4) That the role of the Crime and Disorder Committee is incorporated into the work and terms of reference of the Sustainable Communities Overview and Scrutiny Committee in accordance with the requirements of the Police and Justice Act 2006 as amended by the Local Government and Public Involvement in Health Act 2007.

(5) That in the interests of accountability and transparency, all reports to Scrutiny should identify the relevant Cabinet Portfolio under which the item falls.

COUNCIL – 27 April 2009

MATTERS FOR DEBATE

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

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

1. MOTION: SECRETARY OF STATE'S INTERVENTION ON WIRRAL LIBRARY CLOSURES

Proposed by Councillor Green (7 minutes)

Seconded by Councillor Mrs Rennie (3 minutes)

(1) Council notes:

(i) the continued and consistent opposition of the Wirral public to the Labour/Liberal Democrat administration's plans to close 11 of the Borough's libraries;

(ii) the lack of any thorough or meaningful consultation on its closure programme and the attempt to prevent Council staff from expressing their views and engaging with the public on the implications of the closure programme;

(iii) the Secretary of State's decision to intervene in the dispute regarding library closures in Wirral, stating as he does the concerns of the Museums, Libraries, and Archives Council (MLA), whom he asked the Council to work with in February 2009;

(iv) the MLA's statement that it has been concerned about the Wirral Labour/Liberal Democrat administration's plans for Library Services and that they have been working with the Council behind the scenes in the hope that they could get the plans adapted.

(v) that the MLA has chosen to make public its concerns about the situation in Wirral.

(vi) that the Secretary of State has called for an Inquiry which will be the first of its kind since 1991;

(vii) that the budget amendments put forward by the Conservative Group and members of the Liberal Democrat Group demonstrated that the library closure programme is unnecessary to create a sustainable council budget.

(2) Council believes:

(i) that ready access to high quality libraries for all is absolutely central to a truly public service;

(ii) that the ill thought through and savage attack on Wirral's much loved and valued Library Service, its supporters and users has brought national shame on Wirral

Borough Council and that, if the Labour/Liberal Democrat administration had been prepared to listen to the Conservative Group, the MLA (as it now transpires), the public and even some of its own members, this national shaming of Wirral Borough Council would have been avoided.

(3) Council therefore calls on the Labour/Liberal Democrat Cabinet to:

(i) permanently withdraw its library closure proposals;

(ii) halt any marketing of libraries marked for closure to businesses or other groups;

(iii) demand that its senior officers work with current library staff, users and supporters in a new and genuine partnership to identify a vision for its library service as a matter of urgency;

(iv) draw up a specific, measurable, achievable and realistic action plan on how it will use the current library network to ensure they play a central role at the heart of our disparate communities, providing a rich source of information, wisdom and learning.

(4) Council further expresses its view that, if the current Labour/Liberal Democrat Cabinet cannot or will not accept this notice of motion, it should resign immediately and allow the formation of a new Cabinet that will.

AMENDMENT

Proposed by Councillor Holbrook (7 minutes)

Seconded by Councillor Moon (3 minutes)

Delete part (1) (i) to (vii)

Retain part (2) (i) and renumber as (1)

Delete the remainder and add new paragraphs (2) and (3) as indicated below:

(2) Therefore Council welcomes the decision of the Secretary of State to hold an inquiry into Wirral's plans to modernise its library service; and will co-operate fully with it.

(3) Council anticipates the inquiry will provide a further opportunity for the public to make representations; and, in order not to prejudice the outcome, supports the suspension of any library closures pending its completion.

Right of reply: Councillor Green (7 minutes)

2. MOTION: NURSERY CLASSES AND SURE START CHILDREN'S CENTRES

Proposed by Councillor Kenny (7 minutes)

Seconded by Councillor Phil Davies (3 minutes)

(1) Council welcomes the commitment of this Government to the welfare of young children and recognises the major advances that have been made in the provision of nursery school classes, with every three- and four-year-old now able to take up a nursery school place, and in the provision of help for younger children and their families.

(2) In particular, Council notes that ten years ago there were no Sure Start Children's Centres and that today there are 19 on the Wirral and nearly 3,000 nationally, thanks to over £7 billion funding from a Labour government.

(3) Council further notes that, from April 2009, funding for Sure Start Children's Centres nationally will top a billion pounds a year and notes with pleasure that we can see the real impact this radical reform is having on children and families throughout the Wirral.

(4) Council expresses its real dismay that all this would be put at risk if the Tories were elected into power and that David Cameron's stated plans to cut these services would leave families without the support they need and would be a devastating blow to parents and children in communities across Wirral.

(5) Council recognises that Sure Start Children's Centres make a massive difference to parents and under-fives, throughout the Wirral, and welcomes the fact that every family within the Wirral will have access to a Children's Centre by March 2010.

(6) Council is therefore appalled that the Conservative Party's plans to cut £200m each year from the Sure Start budget could see at least four Children's Centres on Wirral forced to close their doors.

(7) Council further notes with concern that the Conservative Party is also committed to restricting the Department for Children, Schools and Families budget to a 1% real terms increase from April this year - representing a £300 million cut - and that, although no announcement of where these cuts will fall has been made, there is a real possibility that this could mean further cuts to Sure Start Children's Centres in the Wirral.

(8) Council wishes to place on record its thanks to everyone concerned with making the Sure Start Children's Centres programme such a success in the Wirral, to the benefit of many thousands of children and their families, and agrees to do even more to publicise their services throughout the Wirral.

AMENDMENT

Proposed by Councillor Sheila Clarke (7 minutes)

Seconded by Councillor Karen Hayes (3 minutes)

Delete the whole of the motion and substitute:

(1) This Council notes:

(i) the entire Council's commitment to improving the life chances of all young children;

(ii) the Conservative Group's full support over a long period for Wirral's Sure Start programme;

(2) Council expresses its disappointment that, with so many issues facing Wirral, the Labour Group has chosen to falsely accuse the Conservatives of planning to cut these services by reducing £200 million (almost 20%) from the Sure Start budget.

(3) Council believes that Sure Start should be more 'Health-led', noting that under the current Government the number of trained health visitors has reduced by 2000.

(4) Council welcomes the Conservative Party's initiative to use money set aside for outreach workers to pay for 4200 health visitors, enabling all parents to be better supported through the crucial early years of their child's life.

(5) Council believes that the Labour Group would be better working for the introduction of more effective ways of helping families rather than seeking to play on their fears.

Right of reply: Councillor Kenny (7 minutes)

3. MOTION: E.U. FUNDING FOR ENGLISH REGIONS

Proposed by Councillor Holbrook (7 minutes)

Seconded by Councillor Kelly (3 minutes)

(1) This Council condemns the refusal by the Government to apply for a six-month extension for European ERDF funding for English regions, while allowing Scots, Welsh and Irish to apply for such an extension.

(2) This Council notes that the extension offer from the European Union was designed to enable all regions receiving ERDF funds to spend their unused money on tackling the recession.

(3) This Council believes the consequent loss of much needed funding for Merseyside will be about £25m, most of which will find its way back to the Treasury, at a time when our small businesses are crying out for help.

(4) This Council therefore calls on HM Government to:

(i) apply the money it has confiscated from the Regions back into the regional economies, and not use it to subsidise general government spending, and

(ii) ensure that the North West is fully reimbursed so that our small- and medium-sized enterprises can receive help as originally intended by the European Union.

(5) This Council also calls upon Wirral's MPs and North West MEPs to lobby the Government on the Council's behalf.

Right of reply: Councillor Holbrook (7 minutes)

4. MOTION: PAYMENT OF LOCAL HOUSING ALLOWANCE

Proposed by Councillor Blakeley (7 minutes)

Seconded by Councillor Leah Fraser (3 minutes)

(1) This Council notes that Wirral is successfully administering the Local Housing Allowance (LHA), following its introduction in April 2008 and congratulates officers and staff in the Finance Department for their work.

(2) Council, however, notes that the Government has excluded the option of the LHA being paid direct to tenants using their existing Department for Work and Pensions Benefit Account.

(3) Council is concerned that this restriction results in many tenants without any form of bank account receiving their LHA by cheque, and that companies cashing their cheques typically charge 15% commission, as well as increasing the risks of fraud and theft for some of the most vulnerable people in society.

(4) Council therefore requests that the Chief Executive and Wirral's Members of Parliament lobby for the restrictions on the LHA payments to tenants to be lifted.

Right of reply: Councillor Blakeley (7 minutes)

5. MOTION: INVESTMENTS IN WALLASEY

Proposed by Councillor Abbey (7 minutes)

Seconded by Councillor Salter (3 minutes)

(1) Council welcomes major new investments in Wallasey, with a brand new primary school serving the communities of Seacombe and Liscard being built at Park Primary, at a cost of £6.4m, and £13.6m spent on the New Primary Care centre at VCH, with a further £2m being invested in extensions to GP practices at St. George's Medical Centre and Somerville Medical Centre and another £8.7m of public money being spent on an extensive major Extra Care Housing scheme.

(2) Council believes that the people of Wallasey benefit most from this kind of positive action and that the persistent negative campaigning of the Conservative Prospective Parliamentary Candidate, which included opposing the proper use of surveillance to effect successful prosecutions for anti-social behaviour and for rogue traders, can only damage the interests of the people she says she wishes to serve.

Right of reply: Councillor Abbey (7 minutes)

AMENDMENT

Proposed by Councillor Leah Fraser (7 minutes)

Seconded by Councillor Kate Wood (3 minutes)

Delete paragraph (2) and replace with:

(2) Council, however, regrets the loss of local, community-based facilities in the Wallasey constituency, notably:

- nine Post Offices
- Wards 6 and 7 at Victoria Central Hospital
- the Central Cutting Unit at Remploy
- the loss of green space, such as the Moreton AFC pitch and Webster's Market Gardens.

(3) Council also notes with alarm the on-going Strategic Asset Review and the potential to decimate the Council's cultural and community services in the town including Wallasey Village Library and Seacombe Library.

(4) Council instructs the Cabinet to listen more carefully in future to the people of Wallasey who, at every opportunity, have demonstrated their opposition to the loss of services and facilities in their communities.

Right of reply: Councillor Abbey (7 minutes)

6. MOTION: AIR QUALITY

Proposed by Councillor Gilchrist (7 minutes)

Seconded by Councillor Harney (3 minutes)

(1) This Council

(i) notes that a wide range of locations in Wirral are being used for the collection of data on nitrogen dioxide levels and welcomes the fact that during 2008 additional sites were selected in the Eastham area, both near to industrial sites and along the New Chester Road, and that a clearer picture of pollution levels is being obtained;

(ii) recognises that in 2008 environmental health officers, together with officers from the Environment Agency, attended meetings organised by the Eastham Village Preservation Association and explained the arrangements for the control and monitoring of air pollution in the area, along with the steps required to investigate emissions from existing and proposed processes in the area.

(2) Council believes that these steps have been important in creating and building confidence in the procedures and controls currently in place, but believes that consideration should now be given to the establishment of an Air Quality Management Area to meet residents' concerns about the concentration of industry and traffic in the area.

(3) Council therefore requests officers to consider and report upon whether an Air Quality Management Area can be established in the Eastham area having regard to the available data and to the Policy Guidance (PG09) issued by the Department for Environment, Food and Rural Affairs in February 2009.

Right of reply: Councillor Gilchrist (7 minutes)

7. AMENDMENT: minute 415 (Cabinet – 19 March)

Moved by Councillor Green (7 minutes)

Seconded by Councillor Mrs Rennie (3 minutes)

Delete paragraph (1) and substitute:

(1) This Council does not agree to the delegation of all non-key decisions to portfolio holders.

Right of reply: Councillor Foulkes (7 minutes)

8. MOTION: CONSERVATIVE “DO NOTHING” APPROACH TO POLITICS

Proposed by Councillor Ann McLachlan (7 minutes)

Seconded by Councillor Denise Roberts (3 minutes)

(1) This Council condemns the Conservative “do nothing” approach to politics both nationally and locally.

(2) Council notes that:

- this is the bankrupt Conservative policy that left our schools run down and dilapidated, our children without books to learn from or materials to work with and teachers demoralised and exhausted with large class sizes;
- this is the bankrupt Conservative policy that slashed affordable house building programmes and sold off the nation’s stock without replacing it;
- this is the bankrupt Conservative policy that preached that wealth would “trickle down” from the richest in society to the poorest;
- this is the bankrupt Conservative policy whose non-intervention saw the highest levels of unemployment ever.

(3) Council believes that the only thing the Conservatives have learnt from their period in the wilderness is how to create a new wilderness, both locally and nationally.

(4) Council therefore condemns local and national policies that seek to persuade the electorate that in a time of economic difficulty nothing need change and no intervention is necessary, and which promise to do what they believe will gain them votes while making plans to cut the very finances that would be needed to deliver on those promises.

(5) Council believes, with regret, that ultimately Conservative politics will always be dominated by the in-built drive to protect those in positions of privilege at the expense of the more vulnerable in society.

AMENDMENT

Proposed by Councillor Green (7 minutes)

Seconded by Councillor Mrs Rennie (3 minutes)

Delete all after ‘This Council’ in paragraph (1) and substitute the following:

(1)is surprised that, in the Notice of Motion that this amendment seeks to change, the Labour Group has chosen to accuse Conservatives locally and nationally of doing nothing and notes with interest the comments of Frank Field MP:

“Week after week MPs have been turning up but with almost no serious work to do. There is the odd bill, to be sure. But there is no legislative programme to speak of. Even the debates that are put on to fill in time are ones that deny MPs a vote. The whole exercise is vacuous.

“Labour MPs are left staring into the abyss - that nothingness of Harold Wilson's statement. There is a wish amongst all sections of the PLP for the government to start governing. We wouldn't care too much whether the ideas were Blairite or non-Blairite, as long as we could give the impression of supporting a government that was using the next year to mark out why we should stay in office.”

(2) Council is also surprised that the Notice of Motion that this amendment seeks to change uses the word 'bankrupt' four times when even Vince Cable has pointed out that Labour has lost its moral authority, that economic failure has killed the New Labour brand. Just as good banks are being separated from bad banks, there is a separation in progressive politics, and Labour is the bad bank with a legacy of toxic policies and failed management.

(3) Council believes that:

(i) whatever the Budget spin, Gordon Brown can't get away from the fact that he has run out of money and saddled Wirral families with massive debt. Only months ago, the Prime Minister was calling for huge extra spending, but he has had his credit card ripped up by the Governor of Bank of England. Council is therefore drawn to the conclusion that, like every other Labour government, this one has run out of money, and no amount of spin can cover it up.

(ii) the e-mails from No 10 Downing Street show a terrible misappropriation of Government time when the country is struggling to get through a recession. It makes it look like the priority of the team around Gordon Brown is not about saving jobs but is instead about saving the Prime Minister's skin, and, in the words of Chris Hulne:

“The Prime Minister doesn't get that British politics needs more than tinkering, it needs to be fundamentally fixed.”

(4) Council expresses the hope that the Labour Party locally disavows smearing its opponents and spinning its activities to Wirral residents and will demand that the Labour Party nationally does the same.

(5) Council calls on the Wirral Labour Group to abandon their juvenile tactics and start using its opportunities to put down Notices of Motion in the Council Chamber to highlight issues of concern to Wirral residents and offer suggestions on how to improve their quality of life.

Right of reply: Councillor McLachlan (7 minutes)

9. MOTION: LOCAL TRANSPORT BILL “QUALITY CONTRACT”

Proposed by Councillor Knowles (7 minutes)

Seconded by Councillor Harry Smith (3 minutes)

(1) This Council notes that in November 2008 the Labour Government enacted the long awaited Local Transport Bill.

(2) Council further notes that one of the main tenets of the Act is the ability for local authorities to regulate bus services by the use of a "Quality Contract" when other forms of partnership agreements fail.

(3) Council condemns the fact that nationally the Conservative Party have threatened, if elected to office, to rescind this part of the Act, even if the travelling public, the bus operators and local authorities all find that the contract is working.

(4) Council calls on local Conservatives to oppose their shadow transport minister and join their colleagues across the country in condemning this threat.

AMENDMENT

Proposed by Councillor Blakeley (7 minutes)

Seconded by Councillor Lewis (3 minutes)

Delete paragraph (1) and replace with:

(1) This Council notes that in November 2008 Parliament enacted the Local Transport Bill

Delete paragraphs (3) and (4) and substitute:

(3) This Council urges future governments to support the Quality Contracts element of the Local Transport Act 2008

Right of reply: Councillor Knowles (7 minutes)

10. AMENDMENT: minute 471 (Cabinet – 23 April), linked to minute 415 (19 March)

Moved by Councillor Green

Seconded by Councillor Mrs Rennie

(1) Council notes the Labour/Liberal Democrat Executive's desire to alter the arrangements for scrutinising their activity.

(2) Council believes that its scrutiny function should hold the Executive accountable for its decisions and be sufficiently understandable to the public so that it acts as their forum where their views and opinions can be aired and discussed.

(3) Council believes that the changes recommended do not meet that aim and that scrutiny committees aligned to the Council's departmental structure would ensure a greater level of accountability. This would produce five committees:

- Adult Social Services
- Children and Young People
- Corporate Services *combined with* Regeneration (under the title Regeneration and Leisure) and incorporating the Crime and Disorder function
- Finance *combined with* Law, HR and Asset Management

- Technical Services.

(4) That, if it is appropriate to have a Scrutiny Programme Board, with responsibility for call-ins, then it should be a stand-alone committee

(5) That the chairs of scrutiny committees should not be allocated to parties represented on the Executive.

(6) That, subject to the Council accepting the above, the remainder of the Cabinet's recommendations relating to overview and scrutiny committees, namely those set out in minute 415(3) and minute 471(1) and (5), be accepted.

Right of reply: Councillor Foulkes (7 minutes)