



# Council

Town Hall  
Wallasey

3 July 2015

Dear Councillor

This supplement for the Council meeting to be held at **6.15 pm on Monday, 6 July 2015** in the Council Chamber, within the Town Hall, Wallasey, should be read in conjunction with the Council Summons dated 26 June, 2015.

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## AGENDA SUPPLEMENT

### 7. MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 1 - 6)

#### B. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

Minute 4 - Standards and Constitutional Oversight Committee (1 July, 2015) (Pages 1 - 2)

#### C. Beechwood and Ballantyne Community Housing Association Transfer of Engagements to Liverpool Housing Trust

Minute 19 - Cabinet (29 June, 2015) (Pages 3 - 4)

#### D. Policy and Performance Committee Remits and Statutory Scrutiny Responsibilities

Minute 6 - Policy and Performance Coordinating Committee (23 June, 2015) (Page 5)

**11. NOTICES OF MOTION (Pages 7 - 10)**

The Council is requested to consider amendments to Notices of Motion submitted in accordance with Standing Order 12(1) and (9).

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Head of Legal and Member Services

## STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

1 JULY 2015

### 4 **CONSTITUTIONAL AMENDMENTS REQUIRED UNDER THE LOCAL AUTHORITIES (STANDING ORDER) (ENGLAND) (AMENDMENT) REGULATIONS 2015**

A report by the Head of Legal and Member Services and Monitoring Officer set out the changes that must be made to the Council's Constitution to give effect to The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI2015/881) ("the Regulations"). Appendix 1 to the report set out in great detail the proposed changes to the Constitution for the Committee's information.

The Committee was informed that Regulations came into force on 11 May 2015 that required the Council to make certain changes to its Constitution relating to disciplinary action/arrangements in respect of the Head of Paid Service, Monitoring Officer and Chief Finance Officer.

The Committee noted that these changes to the Constitution must be made no later the first ordinary meeting of Council after 11 May 2015 (as prescribed by the Regulations).

The Head of Legal and Member Services and Monitoring Officer introduced his report and took Members through it in detail. Members then asked a number of questions which the Head of Legal and Member Services and Monitoring Officer responded to as appropriate.

#### **RESOLVED:**

**That the Committee recommends to the Council: That**

- (1) the proposed changes to the Council's Constitution be approved;**
- (2) the Monitoring Officer be authorised to invite the Council's current Independent Persons, appointed under section 28(7) Localism Act 2011, to be considered for appointment to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee where matters relating to the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer are to be considered;**
- (3) upon any of the said Independent Persons referred to in 9" above confirming in writing to the Monitoring Officer their willingness to be considered for appointment to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee pursuant to The Local Authority (Standing Order) (England) (Amendment) Regulations 2015, their appointment shall be deemed to take effect.**

**(4) where the number of Independent Persons appointed to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee under the Regulations falls below two and undue delay and/or a significant adverse impact is likely to arise in relation to the matter relating to the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer:**

**(a) a relevant Chief Officer of the Council shall be authorised to invite (in priority order) up to two Independent Person(s) as defined by The Local Authority (Standing Order) (England) (Amendment) Regulations 2015 to be considered for appointment to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee; and**

**(b) the Chairperson of the Employment and Appointment Committee, in consultation with the relevant spokespersons of the other political groups, shall have delegated power to appoint and co-opt the Independent Person(s) duly invited under d)(i) above to the Council's Employment and Appointments Committee and the Chief Officers Employment Disciplinary Sub-Committee so as to give effect to The Local Authority (Standing Order) England) (Amendment) Regulations 2015.**

**and**

**(5) the Head of Human Resources and Occupational Development shall be given delegated authority to make such changes considered necessary, in consultation with the Chairperson of the Employment and Appointments Committee, to any employment/disciplinary policies, arrangements and practices so as to give effect to The Local Authority (Standing Order) (England) (Amendment) Regulations 2015.**

## **CABINET**

**29 JUNE 2015**

19 **APPROVAL FOR COUNCIL NOMINATED OFFICER TO VOTE AT AGM ON PROPOSAL FOR BBCHA TO MERGE WITH LIVERPOOL HOUSING TRUST**

Councillor George Davies introduced a report by the Strategic Director – Regeneration and Environment that informed that the Council, as a member of Beechwood and Ballantyne Housing Association (BBCHA), of proposed changes to undertake a Transfer of Engagements (ToE) of BBCHA to the Liverpool Housing Trust (LHT). The report also set out the ongoing dialogue which had been undertaken with tenants and the lead petitioners following a petition being presented to the Cabinet Member at a meeting with lead petitioners on 18 June 2015. Appended to the Strategic Director’s report was

- Appendix 1 – BBCHA Board Consultation Final Paper; and
- Appendix 2 – Key Issues Raised at the Meetings held concerning the proposed BBCHA Transfer of Engagement to LHT.

The Cabinet noted that BBCHA had been undertaking a review of its current arrangements since May 2014. In particular BBCHA had been considering how best to mitigate the key risks it was exposed to, and ensure the long term protection of services and investment in the Beechwood and Ballantyne neighbourhoods in an increasingly hostile environment.

The BBCHA Board had considered a range of possible options for its future and agreed in October 2014 that the best option was to enter into formal negotiations with LHT for a possible transfer. The BBCHA Board presented a detailed ‘ask’ to LHT, focussed on improving services and homes in Beechwood and Ballantyne, and during negotiations a detailed business case was developed.

Formal consultation was undertaken with BBCHA tenants from 26 March 2015 for a period of six weeks. The resulting feedback showed that the majority of tenants were supportive of the ToE on the understanding that services they receive were not compromised.

Consultation with other key stakeholders including the Homes and Communities Agency (HCA) and funders had been completed with no barriers to progressing the transfer being raised. The BBCHA Board had undertaken a due diligence exercised and no areas of concern in terms of LHT had been reported. The BBCHA Board had also received independent legal advice and support from Trowers and Hamblins and they had confirmed that due process had been followed.

After on-going discussions with Officers, BBCHA and LHT, a report had been provided for the Cabinet meeting held on 4 June 2015 setting out the rationale of why BBCHA had proposed to undertake a ToE to LHT, a business case which had set out the potential benefits of BBCHA transferring to LHT compared to staying as it was now, along with a report on the consultation undertaken, responses received by local tenants affected and the response to these issues raised.

Immediately prior to the Cabinet Meeting, the Cabinet Member had been presented with a petition of 271 signatories from tenants and residents from Beechwood and Ballantyne. The petition had been dated 23 February 2015.

In the light of this petition the Cabinet had agreed to defer the decision on the report until the Council had been given the opportunity to review the petition further and undertake discussions with tenants and BBCHA and report those discussions back to this meeting of the Cabinet to inform any decisions to be made.

At a subsequent meeting with the lead petitioners, another petition had been presented which was different to the first and had 428 signatories.

A meeting had also arranged by BBCHA in the Community to discuss concerns in response to both the petitions.

The report dealt with both petitions presented and set out the questions raised at the Community meeting.

Councillor Ann McLachlan reminded the Cabinet that she represented the area in question as she was a ward Councillor for Bidston and St James and that she had sat on the BBCHA Board previously for a period of nine years. She had been on the Board in 2005 when the Estate had voted no re Wirral Partnership Homes. Councillor Ann McLachlan reported that the Beechwood Estate had in recent years seen significant redevelopment and was now totally transformed.

Councillor Ann McLachlan reported that she had attended a meeting on the Estate on 2 June 2015 where concerns had been raised about the public buildings, no guarantees had been received and the residents considered that they had not been engaged or consulted on the proposals.

Since that meeting the Leader had received written guarantees and it was noted that the public buildings would be transferred with peppercorn rents.

**RESOLVED: That:**

- (1) the Transfer of Engagements of the Beechwood and Ballantyne Housing Association to the Liverpool Housing Trust be supported;**
- (2) the relevant Council officers be authorised to vote on the proposal (and associated matters) proposed and detailed in the report at the forthcoming Beechwood and Ballantyne Housing Association Special General Meeting; and**
- (3) the report be referred to the meeting of the Council scheduled for 6 July 2015.**

## **POLICY AND PERFORMANCE – COORDINATING COMMITTEE**

**23 JUNE 2015**

### **6 POLICY AND PERFORMANCE COMMITTEE REMITS**

A report by the Strategic Director of Transformation and Resources served to review the roles of the Policy and Performance Committees and proposed a number of updates to their remits to reflect organisational re-structuring that had taken place over the last year and to reflect statutory requirements for Overview and Scrutiny. The Committee was requested to endorse these changes and where necessary refer them to the Council for its approval.

Appended to the Strategic Director's report were the revised committee remits. The Committee noted that under this proposal all service activity would be aligned to one of the three Strategic Directorate Policy and Performance Committees. This freed up this Committee to fulfil its constitutional role to deal with call-ins and consider any Council-wide business or activity that did not clearly align with one of the other committees.

The Committee noted that as well as the statutory duty to undertake overview and scrutiny under the strong leader model, there were three additional areas for which the Council's scrutiny function had a statutory responsibility to undertake scrutiny as follows:

- Health Scrutiny
- Crime & Safety Partnership Scrutiny
- Flood Risk Scrutiny

It was proposed these statutory scrutiny responsibilities be allocated to the Committee with the best fit, in line with the remits set out in Appendix 1 to the report.

#### **RESOLVED: That**

- (1) the remits as proposed in Appendix 1 to the report be endorsed; and**
- (2) the statutory scrutiny responsibilities summarised in the following table be referred to the Council for approval:**

<b>Statutory Requirement</b>	<b>Scrutiny</b>	<b>Policy &amp; Performance Committee</b>
Health Provision		Families & Wellbeing Committee
Crime & Safety Partnership		Transformation & Resources Committee
Flood Risk		Regeneration & Environment Committee

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## **Amendments to Notices of Motion**

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

### **(1) Notice of Motion No. 1 – THE NORTHERN POWERHOUSE**

#### **Amendment**

**Proposed** by Councillor Phil Gilchrist  
**Seconded** by Councillor Dave Mitchell

*In paragraph 2 delete:*

“the key architect of the country’s economic recovery”

*Replace with:*

“recognising long-standing concerns about rebalancing the economy”.

*In paragraph 4 delete:*

“must not be squandered.”

*Replace with:*

“must be thoroughly explored and its opportunities quantified and tested.”

*In paragraph 5 insert at end:*

“In the event of a regional Mayor emerging as the chosen option, a democratically elected Assembly should be established with members drawn from each local authority, on lines similar to those operating in London.”

*In paragraph 6 delete:*

“confirm its support for a directly elected Metro Mayor”

*Replace with:*

“continue to press the Government to develop democratic arrangements that meet local concerns and aspirations”

### **(2) Notice of Motion No. 5 – MERSEYSIDE FIRE AND RESCUE FUNDING**

#### **Amendment**

**Proposed** by Councillor Chris Blakeley  
**Seconded** by Councillor Bruce Berry

*Leave all and add after the final paragraph:*

Council notes that at its meeting on 30th June Merseyside Fire and Rescue Authority approved the merger of Upton and West Kirby fire stations at a new station on green belt land on Saughall Massie Road.

However Council also acknowledges the overwhelming public opposition to the proposal by Merseyside Fire and Rescue Authority for a fire station on green belt land in Saughall Massie, as demonstrated by:

- The 200 people who attended a public meeting arranged by Merseyside Fire and Rescue Service, and a further 270 who were unable to gain admission to the venue.
- The opposition of the Saughall Massie Village Area Conservation Society and the Wirral Society
- The 1,030 people who have, so far, signed a petition against the proposal

Therefore Council impresses upon Cabinet:

- (1) To maintain protection of Wirral's Green Belt, as set by agreed policies and stop inappropriate development.
- (2) To ask officers to continue to work co-operatively with Merseyside Fire and Rescue Service in identifying and facilitating a more suitable brown field site for operational purposes and to maintain the amenity of the local people.
- (3) **Notice of Motion No. 6 – IMPLEMENTATION OF NOTICE OF MOTION 'BECOMING A DEMENTIA FRIENDLY COUNCIL'**

#### **Amendment**

**Proposed** by Councillor Moira McLaughlin  
**Seconded** by Councillor Denise Roberts

*Delete all after paragraph 1 and add the following sentence to paragraph 1:*

"And from there it was referred back to Full Council recommending approval, which took place at Policy Council on December 8th"

#### *Paragraph 2*

Council notes that, in line with good practice for scrutiny, a progress report on the implementation of the 5 recommendations was requested by the committee and it appears on the current work programme for the committee, with the plan to bring that report back at the 12 month stage.

Council therefore requests that the Strategic Director for Families and Wellbeing:

Produce the progress report and submit it as requested to the September 2015 meeting of the Families and Wellbeing Policy and Performance Committee. That all elected members respond to the recommendation to become Dementia Friends by completing the necessary training when it is offered.

**(4) Notice of Motion No. 6 – IMPLEMENTATION OF NOTICE OF MOTION  
'BECOMING A DEMENTIA FRIENDLY COUNCIL'**

**Amendment**

**Proposed** by Councillor Phil Gilchrist

**Seconded** by Councillor Chris Carubia

*Add new clause(c) at end...*

- (c) establish a mechanism for tracking Notices of Motion so that those Members who take the time to develop and research issues can be assured these are being followed up. This will necessitate Officers being nominated to check on the steps being taken to implement agreed action and will require that timescales or milestones for progress are developed in consultation with Members, it being noted that, in the case of this particular subject, various initiatives are in hand, including a reference in the relevant work programme.

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