



# Council

Town Hall  
Wallasey

15 March, 2019

Dear Councillor

This supplement for the ordinary Council meeting to be held at **6.00 p.m. (or on the rising of the extraordinary meeting, whichever is the later) on Monday, 18 March 2019** in the Council Chamber, within the Town Hall, Wallasey, should be read in conjunction with the Council Summons, dated 8 March, 2019.

This meeting will be webcast at  
<https://wirral.public-i.tv/core/portal/home>

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## AGENDA SUPPLEMENT

### 3. MINUTES (Pages 1 - 26)

To approve the accuracy of the minutes of the meeting of the Budget Council held on 4 March, 2019. (Minutes attached).

### 9. MATTERS REQUIRING APPROVAL OR CONSIDERATION BY THE COUNCIL

To consider any recommendations of the Executive or Council Committees which require the approval or consideration of the Council.

#### A. Calendar of Meetings 2019/20 - Cabinet 25 February, 2019 (Pages 27 - 30)

The Council is recommended to adopt the calendar of meetings for the 2019/20 Municipal Year. (Minute attached).

An amendment by the Liberal Democrat Group has been submitted in respect of this minute.

**B. Council Procedure Rules - Standing Order Concerning Voting and Electronic Voting - Standards and Constitutional Oversight Committee - 26 February, 2019 (Pages 31 - 34)**

The Council is recommended to adopt a revised Standing Order 18 of the Council Procedure Rules (Part 4(A) of the Constitution). (Minute attached).

**C. Revision of Members' ICT Policy - Standards and Constitutional Oversight Committee - 26 February, 2019 (Pages 35 - 36)**

The Council is recommended to approve the Members' Information and ICT Acceptable Use Policy. (Minute attached).

**D. Pay Policy Statement 2019/20 - Employment and Appointments Committee - 5 March, 2019 (Pages 37 - 38)**

The Council is recommended to approve the Pay Policy Statement for the financial year 2019/20. (Minute attached).

**10. NOTICES OF MOTION (Pages 39 - 42)**

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



Director: Governance and Assurance

***Audio/Visual Recording of Meetings***

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## COUNCIL

Monday, 4 March 2019

Present: The Civic Mayor (Councillor Geoffrey Watt) in the Chair  
Deputy Civic Mayor (Councillor Tony Smith)

Councillors	RL Abbey	S Foulkes	J McManus
	T Anderson	S Frost	B Mooney
	B Berry	A Gardner	C Muspratt
	J Bird	P Gilchrist	T Norbury
	C Blakeley	JE Green	C Povall
	A Brame	P Hackett	L Rennie
	P Brightmore	P Hayes	J Robinson
	D Burgess-Joyce	A Hodson	L Rowlands
	K Cannon	K Hodson	C Spriggs
	C Carubia	AER Jones	J Stapleton
	P Cleary	C Jones	P Stuart
	W Clements	S Jones	M Sullivan
	T Cottier	T Jones	T Usher
	T Cox	M Jordan	J Walsh
	A Davies	S Kelly	S Whittingham
	G Davies	B Kenny	I Williams
	WJ Davies	A Leech	KJ Williams
	P Doughty	I Lewis	S Williams
	D Elderton	C Meaden	J Williamson
	G Ellis	M McLaughlin	G Wood

Apologies Councillors P Davies D Mitchell  
EA Grey A Sykes

### 95 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bill Davies, Elizabeth Grey, Dave Mitchell and Adam Sykes.

### 96 DECLARATIONS OF INTEREST

In accordance with the Code of Conduct for Members, the following declarations of interest were made:-

(1) Declarations of personal interest in agenda item 8 'Council Budget' insofar as it related to schools budget by virtue of holding positions as school governors were declared on behalf of all members of the Labour and Conservative Groups, and individually by Councillors P Gilchrist and AER Jones.

(2) Declarations of personal interest in agenda item 8 'Council Budget' insofar as it related to the schools budget by virtue of close family members

working in the either in schools and in the Council's Education and Children and Young People's Directorate were declared by Councillors R Abbey, J Green, AER Jones, C Jones, L Rowlands and M Sullivan.

- (3) Councillor C Meaden declared a personal interest in agenda item 8 'Council Budget by virtue of her role as a Trustee of the Mayer Hall, Bebington Trust.

97 **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor informed Council that it was a legal requirement that voting on matters relating to the Council Budget be undertaken in the form of a recorded vote. He advised that, at the appropriate time in proceedings, Members would be stating their voting preference orally. He added that the electronic voting system would therefore not be required that evening.

98 **MINUTES**

It was moved by the Civic Mayor, seconded by Councillor Phil Davies, and

**RESOLVED:**

**That the minutes of the ordinary meeting of the Council held on 10 December 2018 and of the Extraordinary Meeting of the Council held on 25 February 2019 be approved and signed as correct records.**

99 **PETITIONS (PURSUANT TO STANDING ORDER 5(2)(G) COUNCIL PROCEDURE RULES)**

In accordance with Standing Orders 5(2)(g) and 21, the Mayor received petitions submitted by:

- (i) Councillor Pat Cleary on behalf of 36 signatories regarding a request for traffic calming measures on Park Road, Eastham; and
- (ii) Councillor Anita Leech on behalf of over 800 signatories regarding 'saving the 106 bus service', together with a second petition of over 400 signatories regarding retention of the same service.

100 **COUNCIL'S BUDGET AND POLICY FRAMEWORK PROCEDURE RULES (STANDING ORDERS)**

The Civic Mayor stated that it was his intention to take consideration of Item 5 (Budget and Policy Framework Procedure Rules) and Item 6 (Suspension of Standing Orders) together. Therefore:

In conjunction with minute 101 (post), on a motion by moved by the Civic Mayor and seconded by Councillor Phil Davies, on a show of hands it was –

**RESOLVED (unanimously):**

**That the Council's Budget and Policy Framework Procedure Rules contained at Part 4(C) of the Council's Constitution be noted.**

101 **SUSPENSION OF STANDING ORDERS OF THE COUNCIL'S CONSTITUTION**

In conjunction with minute 100 (ante), on a motion by moved by the Civic Mayor and seconded by Councillor Phil Davies, it was –

**RESOLVED (unanimously):**

**That, for the purposes of the Budget Debate, the following Standing Orders be suspended –**

- (a) Standing Order 12(1) insofar as it related to amendments;**
- (b) Standing Order 12(9); and**
- (c) Standing Order 12(10).**

102 **COUNCIL BUDGET**

In accordance with the agreed Budget Council Procedure, the Leader of the Council, Councillor Phil Davies moved and the Deputy Leader of the Council, Councillor George Davies seconded the Cabinet's recommended Budget to Council set out in Minute 54 (extract) from the meeting of the Cabinet held on 18 February 2019 –

54 **COUNCIL BUDGET 2019/20**



**Councillor Phil Davies (Leader of the Council) said:**

*"We have a responsibility to set a fair, sustainable and balanced budget. This is a challenge which gets more difficult every year, as austerity policies continue to bite.*

*Despite the continued reductions in our budget, we are determined we will deliver on what we promised. This budget, despite the ongoing reductions to our funding, is balanced, it protects key services, and ensures investment in the areas most important to residents. It also protects our workforce, and ensures once again we are able to deliver a fair, sustainable budget without making compulsory redundancies."*

Councillors Phil Davies, Janette Williamson and Bernie Mooney introduced reports on the following budgetary matters:

- (A) Revenue Budget 2019/20 and Medium Term Financial Strategy 2019/20 to 2022/23 (Councillor Davies) – the report provided a

technical update on the proposals to balance the budget for 2019/20 and the Medium Term Financial Strategy previously reported to Cabinet on 26 November 2018. It described the background to balancing the budget gap and the key elements contributing to the preparation of the budget, and set out the formal recommendations on the 2019/20 budget and council tax for Full Council. The report included the updated Medium Term Financial Strategy (MTFS) and Resilience Plan for 2019/20 – 2022/23. This also included the publication of the Corporate Risk Register for 2019/20. These documents were dynamic and subject to change. In light of the Government fair funding review and recent funding consultations there was no certainty of funding past April 2020. However, the MTFS had been prepared on the best of knowledge available at the time including known future pressures and plans already underway to change the way the Council provided its services.

- (B) Schools Budget and Funding Formula Changes 2019/20 (Councillor Mooney) - the report set out the Schools Budget for 2019/20 having been previously considered by the Schools Forum at their meeting on 16th January 2019. The Schools Budget covered education provision for all Wirral Pupils aged up to 18 in Early Years, Primary, Secondary and academy schools and for some pupils up to the age of 25 in Special Schools and High Needs providers. Most budgets were delegated to schools with some central provision for support services including school admissions and High Needs. The report proposed a number of changes to the local funding formula for Schools to allow a transitional transfer to the National Funding Formula. There were also changes proposed to High Needs. The Schools Budget provided resources to support all children and young people pledges, and the proposals within result in an in-year deficit of £2,343,200 on the DSG budget.
- (C) Capital Programme and Financing 2019/23 (Councillor Phil Davies) – the report provided Cabinet with the draft Capital Programme 2019/23 for consideration and referral to Council for approval. It also included information regarding the revenue implications of this Programme and an update on the latest forecast for capital receipts. The 2019/23 Capital Programme represented a combination of schemes originally approved as part of the 2018/21 Programme, updated through the Capital Monitoring reports in 2018/19 and new bids for inclusion as detailed in the report.
- (D) Capital Financing Strategy 2019/20 (Councillor Janette Williamson) – the report stated that the Authority’s treasury management activity was underpinned by CIPFA’s 2017 Code of Practice on Treasury Management (“the Code”), in which there was a new requirement for Council to approve an annual Capital Strategy. This report fulfilled the Authority’s legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

- (E) Treasury Management Strategy Statement 2019/22 (Councillor Janette Williamson) – the report stated that The Authority’s treasury management activity was underpinned by CIPFA’s 2017 Code of Practice on Treasury Management (“the Code”), which required the production of annual Treasury Management Indicators and a Treasury Management Strategy Statement on likely financing and investment activity. The Code also recommended that Members were informed of treasury management activities at least twice a year. This report fulfilled the Authority’s legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.
  
- (F) Investment Strategy Statement 2019/20 (Councillor Janette Williamson) – the report stated that in February 2018 the Ministry for Housing, Communities and Local Government (MHCLG) published updated ‘Guidance on Local Government Investments’. The previous edition covered only Treasury Management investments. In recent years local authorities have had an increasing focus on commercial activities including but not exclusive to property. Such activity had the potential to bring both increased returns and increased positive and negative risk. The revised Guidance on Local Authority Investments required that a separate Investment Strategy focusing on non-treasury investments was produced and approved annually by Council. The report fulfilled the requirement of the MHCLG to produce an investment strategy that covered non-treasury activities.

Councillor Phil Davies informed that the Council continued to face another year of challenge to its budget setting year arising from further cuts in funding imposed by the Government. This year’s budget had been structured in such a way that it contained three main elements i.e. the generation of income, providing services in a joined up fashion and the delivery of better services with greater efficiencies via the Council’s transformation programme. Councillor Davies further informed that these decisions had been, as in previous years, a direct result of the huge pressures placed on Local Authorities by Government because of the loss of the Revenue Support Grant funding. The Leader concluded that despite the difficult circumstances faced by the Council, he was proud to be in a position to deliver a balanced, sustainable and legal budget. In conclusion, he added his thanks to residents who had taken part in the budget consultation process, Scrutiny Members for their role in examining the draft proposals, together with Cabinet colleagues, the Chief Executive, Strategic Leadership Team, and all staff who helped deliver good quality services day-in, day-out.

Cabinet Members each raised their own concerns about the continued financial pressures faced by Wirral from Government and the significant reduction of funds over time. Members commented that they were proud to have managed to retain front line services against the background of austerity, and that the Council remained committed to delivery of its 20 Wirral Plan Pledges and continued in its aim to help grow the Wirral economy through the development of more investment, jobs, businesses and improved income for Wirral residents and workers.

Councillor Paul Stuart stated his support of the proposed budget and the pressures placed on those involved in its preparation to create a balanced budget against the background of Central Government austerity. He added that the Council had done extremely well to deal with these pressures e.g. Extra-care Housing, Children's Services, Street Lighting and Highways and had still managed to invest in other areas such as improvements to leisure service facilities, additional funding for the regeneration of Rock Ferry, and support for those struggling financially via the introduction of a Council Tax Reduction Scheme.

Councillor George Davies endorsed the budget, and added his condemnation of the nine years of austerity that had placed significant pressures on the Council. He stated that he wished to see the construction of more affordable, and quality, houses for the people of Wirral. Councillor Davies also made reference to the success of the private sector landlord accreditation scheme that helped to improve the standard of rental accommodation in four key areas of the borough. He fully endorsed the Leaders comment in relation to the significant achievement in delivery of a required £45million in savings, the result of Government austerity, and having produced a balanced budget without the need to resort to cutting services.

Councillor Bernie Mooney endorsed the comments that had been made, adding that the Council had been brave in its decisions over recent years, approaching issues in a different way (which had not always been easy) that had resulted in the Council being able to retain facilities and services, for example to retain its libraries, because once lost the cost of re-instatement could be prohibitive. Councillor Mooney stated that the budget was a testament to the leadership and the hard work of Council Officers, and that she was proud to support the budget recommendations.

Councillor Janette Williamson commented on how the Council had continued to make decisions in line with its priorities, but it was clear that the economy was not working well for many people on Wirral, and that Central Government's disdain for Local Government and the Public Sector was clear. She agreed with earlier speakers that it was a significant achievement to deliver the £45million demanded in savings as a result of Government austerity. She was proud that this Council had made progressive and ethical decisions, and thanked the Finance Officers for all their support in helping preparation of the budget.

Councillor Angela Davies described how Wirral Council was ambitious in its targets for the borough and made no apology for this, she supported the Council's ethical growth and investment strategy and plans for income generation. She stated her support for existing and future plans for the Wirral Growth Company, job creation, apprentices, encouraging local wealth and development of the visitor economy. Councillor Davies added that she looked forward to building on past success of events such as the 'The Giants' and the 'Tall Ships', and welcomed with excitement Wirral's year as borough of culture and the hosting of events that included the Tour of Britain cycle event.

Councillor Anita Leech stated that she was pleased that despite austerity, the budget would help continue to develop the work Council had already undertaken on improvements to infrastructure, buildings and reducing its carbon footprint. She commented on the improvements to equipment in children's play areas and state of the art football facilities. She also highlighted ongoing work by the Council that continued to provide supportive aids and adaptations to people's accommodation that enabled them to stay in their own homes much longer.

Councillor Stuart Whittingham stated that preparation of the revenue budget had been challenging, but he was pleased that the Council was currently still in a position to maintain services. He thanked the staff for their hard work and welcomed the capital programme that would help deliver improvements to street lighting and provision of cycling infrastructure, assisting with the delivery of Council policy and public health improvements. Councillor Whittingham welcomed the additional funding allocated within the budget to help provide support to New Ferry town centre.

Councillor Chris Jones agreed with earlier speakers that it was a significant achievement to have steered the Council through the past few years of austerity and echoed Members' earlier comments regarding new ways of thinking and the use of innovative ideas to deliver services for the people of Wirral. She thanked frontline staff and Officers for their efforts, making particular reference to Social Workers and their colleagues and the unprecedented levels of demand on their service year on year. Councillor Jones further praised the integration of services with those of the NHS and welcomed that care packages were now being delivered much quicker than had been done in the past as a result of this innovation.

Councillor Phillip Brightmore expressed his discontent with the continued financial pressures faced by Wirral imposed by Central Government and the significant reduction of funds in all the time he had served as an Elected Member. He thanked staff, volunteers and Trade Unions who had all contributed to help the Council in maintaining services in such key areas of leisure and recreational services.

Prior to moving to a vote on the content of the Council Budget, the Leader called upon Councillor Bernie Mooney to speak specifically on the Schools Budget and Funding Formula Changes 2019/20. Councillor Mooney responded, highlighting the testing circumstances face by schools in the borough, and commented on the efforts made by Head Teachers and their staff, often going beyond what was required when dealing with Central Government imposed cuts and changes to funding formulae. She added that she was also extremely pleased with the extensive consultations and dialogue undertaken via the schools forum.

It was moved by Councillor Mooney, and seconded in a number of places that a fifth recommendation be included under item 6B (Schools Budget and Funding Formula Changes 2019/20) that:

‘v) That Council calls upon the Government to stop cutting the DSG and move to start funding every child in Wirral appropriately giving them the start in life all children deserve’.

**RESOLVED: (unanimously)**

**That the [following] Budget Resolution be agreed and recommended to the Budget Council.”**

Councillor Phil Davies moved and Councillor George Davies seconded the Labour Budget Resolution 2019/20.

### **LABOUR BUDGET RESOLUTION 2019/20**

#### **NATIONAL CONTEXT**

We are now entering our ninth year of austerity. We have suffered almost a decade of Tory cuts which have decimated local services.

This Tory austerity agenda has driven councils throughout the country to breaking point. Pay freezes, redundancies, cuts to benefits, public service closures and fears about the future of the NHS are the main outcomes from nine years of Conservative-led Government.

The Local Government Association estimates that Councils face an overall funding gap of £3.2 billion in 2019/20.

A recent report from independent thinktank Centre for Cities confirmed what we all already knew. Towns and cities in the north of England have borne the brunt of austerity. Our region was and continues to be targeted by this Government.

In Wirral, these national policies have forced us into implementing £200 million in budget cuts. We have lost more than half of our national grant funding, and the rest will disappear in just 18 months.

It was only a few months ago that Theresa May promised an end to austerity. Sadly, like most of this Prime Minister’s promises, the reality is far removed from the rhetoric.

Every year, as we face seemingly insurmountable challenges, we continue to deliver on our priorities in the Wirral Plan: Protecting Vulnerable People; Growing Our Economy; and Improving the Environment. We have found new ways to save money and generate additional income, while still providing the services residents need. And, somehow, every year we achieve it.

Despite this, the Conservatives locally refuse to acknowledge the damage done to local services by the policies of their government. They devote huge amounts of time to generating cheap headlines but remain largely silent when it comes to standing up for the residents of Wirral against the savage policies

of their own ministers, or even suggesting constructive ideas to mitigate the impact of government cuts.

The decisions by their friends in Westminster, voting through more cuts to services in the House of Commons just weeks ago, should send a chill down their spines.

How can they stand by and do nothing whilst Wirral has been battered by austerity?

Once again, in what we know to be a forlorn hope, this Cabinet calls on the Conservative Group in Wirral to do what is right and join us in our fight to get a fair funding settlement for Wirral residents.

## **THE WIRRAL CHALLENGE**

Wirral is forced to reduce its spending, or generate more income, by another £67 million by 2021/22. Our immediate challenge is to meet a £45 million funding shortfall for 2019/20.

These reductions are being made at the worst possible time. We have an ageing population, we're supporting deprived communities with complex needs, and more children than ever need our help.

Decimating our budgets when thousands of families need us most is, in the view of this Cabinet, unfair, unsustainable and irresponsible.

However, as residents know, we refuse to play the same game as this Government. We will not simply pass on the cuts to our budget with cuts to our services and our workforce. Our residents deserve better, and our staff deserve better.

We are a well-run Council. We have an established financial strategy, which focusses our energies on creating new income – to replace what has been taken from us – and delivering better services, with better value.

Our strategy is paying dividends.

Despite the best efforts of this Tory Government:

- We are again proposing a budget which is balanced, sustainable and legal.
- We are again closing no services.
- We are again protecting our workforce and making not a single compulsory redundancy.
- We have secured major investment for vulnerable children and families.
- We continue to challenge every pound which we spend to make sure it is delivering the best value.

This Cabinet rejects austerity. We believe in fairness and social justice. We believe that public services and support should be available to everyone.

Our overall budget strategy of focussing on ethical investing, to bring in the additional revenue our services need to survive, on improving services, so they are fit to meet modern needs and on delivering better value, to ensure we are as efficient and lean as possible, will continue.

This is our response to austerity, and it is working. Our performance analysis shows we are delivering for residents against the Pledges we set out at the start of this journey in the Wirral Plan.

## **ETHICAL INVESTING**

The huge reductions in our funding from Government have left us with two choices: cut our cloth, and cut services, or make the money to pay for them ourselves. We have chosen the latter option. We will replace the money we have lost with money we have made ourselves, but we will do it with a Labour Stamp and with a social conscience.

We will invest our resources and our time in projects which bring a surplus, which we can reinvest into services, but which will also put money into the pockets of local businesses and people. Our Community Wealth Building initiative is a shining example, which will see the Council and other public institutions come together to make sure more public money is spent in Wirral, with Wirral companies, employing Wirral people. We think this work will boost our local economy by more than £10 million in the next year.

This is also why we have created the Wirral Growth Company. We are maximising the value from old, unused council assets to build prosperity and growth. It will create jobs and opportunities for local people and the developments brought forward will put money in the pockets of local businesses and people; creating the homes, offices, leisure and retail opportunities our borough so desperately needs.

The Growth Company will also bring money directly into this Council's coffers. This year, before a single brick has been laid, we will see a dividend of more than £5 million. This is money which we otherwise would not have had. Without this money, our budget gap would be £5 million bigger, and services would have had to be cut, rather than invested in.

We are calling this approach 'ethical investing.' It is about bringing growth to the borough, bringing revenue into the Council, with a Labour conscience – a private sector head, and a public sector heart. It is abundantly clear that only our Administration has the capability and ambition to bring prosperity to this borough.

We are now officially Liverpool City Region Borough of Culture for 2019, with a programme of events which will even outstrip our incredible achievements of last year. The centrepiece of our calendar will be the Tour of Britain events scheduled for May and September, which will be broadcast live throughout

the world and will put Wirral firmly on the map. The evidence shows that culture can provide the rocket fuel for growth. And we are making our borough a more attractive place to invest, to work, to live in and to visit.

The Wirral Growth Company is an example of the importance we attach to adopting a more commercial approach. This will enable us to fund good quality public services by replacing government grant with new income streams. Going forward, if we are to avoid the fate of Councils such as Tory-led Northamptonshire County Council, we will need to identify further projects which will generate new income for the Council.

## **BETTER SERVICES**

When budgets are tight, and demand is rising, making services better than they were before is an almost impossible task. The way we can improve them and make sure people get better support costing less money is to break down the barriers between services and public agencies. When we work together, we are stronger, and we can make our money go further.

Wirral's public services are now the most joined-up in the country. That is a huge statement, and one we should be proud of. We should be proud not because we have saved money by joining with our partners. We should be proud because we have improved our services and made people's lives better.

Through the Safer Wirral Hub, a unique collaboration between Merseyside Police, Merseyside Fire and Rescue Services and Wirral Council, we have seen a 30% reduction in youth offending. In just one year, that is almost unheard of.

Right now, we have the highest-ever level of disabled people in employment, thanks to our pioneering work through services like Wirral Evolutions and our partners in the local NHS.

The transfer of our Adult Social Care Social Workers to the NHS has meant that people no longer have to tell their story multiple times to multiple professionals. This integration is helping to mitigate pressures of £22 million in this service area.

We have also seen our Business Support service, delivered through our partnership with Wirral Chamber of Commerce, support local firms to create 3500 new jobs over the past three years.

Finding the best, most efficient, but crucially most effective way of providing services is vital. We will not rest until we have improved every one of our services, protecting them from Whitehall-cuts and making sure they are able to meet the modern needs of Wirral residents.

## **BETTER VALUE**

Demand for our services is at an all-time high, while cuts to our budgets have gone deeper than ever before. Our services are in a perfect storm of unbelievable pressure.

Under these circumstances, to continue to deliver on our promises to residents and continue to deliver excellent services is nothing short of astounding. The Administration is grateful to our dedicated workforce for the excellent job they do in delivering high-quality public services.

Over the past nine years, our workforce has reduced by more than a third. Almost 2,000 people have left and not been replaced. We do not believe any organisation, in any sector, in this country could cope with this level of reduction and change as well as we have.

Rather than cutting vital services, we have transformed, instead. We have taken the terrible hand the Government has dealt us, but we have not folded. We found a different way to progress.

Because of this different approach, we continue to invest in those things most important to our residents. The £20 million we found to invest into our children's services last year – more than any other Council in the country – is working. Consistent praise from Ofsted, rapidly improving services and better outcomes for children is testament to that.

We have also focussed on managing demand by prioritising early help and intervention in services such as Children & Families. We have also promoted independence with a move away from the Council doing everything and encouraging self-help and community empowerment and resilience through the Wirral Together initiative. We are also devolving more power to communities by providing budgets to individual ward members to spend on local projects.

We will also continue to invest in our local infrastructure and the communities we live in. Over the coming year we will invest more than £8 million on a programme of highway improvements, pothole repairs and road resurfacing. Residents will also soon see our ambitious programme of replacing every streetlight in the borough with new energy efficient lights spring into action.

These huge investments are only possible thanks to our ambitious, entrepreneurial and innovative approach to managing Wirral's finances.

## **HELPING LOW INCOME HOUSEHOLDS**

Because of this socially and fiscally responsible approach to budget management, we are in a much stronger position to deliver on Labour values and support the most vulnerable. This Cabinet is hugely proud to be launching a new and improved Council Tax reduction scheme.

This new programme will see more than 9,000 low income households get a better deal on their Council Tax. These are households who are struggling to get by, who are using foodbanks, who are working hard to keep their heads above water. It is right that we give them some help.

## **PROTECTING OUR STAFF**

It is only because of the success of our financial strategy – bringing new revenue into the Council from ventures such as Wirral Growth Company, to replace the money taken from us by Government – that we have been able to deliver another balanced budget without any compulsory redundancies.

This year I am pleased to say we can go further and, after extensive and positive discussions with our Trade Union colleagues, we are able to reduce the amount of unpaid leave our workforce are required to take from four days down to three.

We know our staff are our most valuable resource. It is our workforce who have worked tirelessly to keep providing the services Wirral residents rely on every day. We understand the pressure they are under, we are immensely grateful for their efforts and we will continue to do all we can to support them.

## **NEW FERRY**

New Ferry is a community we will never forget. The Government has shamefully turned their back on this town, denying them the support they deserve on no less than four separate occasions. This Cabinet remains firmly behind the regeneration of New Ferry and the support of this community.

We have done all we can to support every resident and business affected by the events of March 2017. We are purchasing properties, to make sure the rebuilding process happens at pace. We are creating new residential developments in the town, and now we are in a position to go further.

In addition to the £300,000 which the Council invested in the immediate aftermath of the gas explosion, we are setting aside a further £200,000 to help and support the residents and businesses of New Ferry. This money should be used to kick-start the rebirth of the town, helping businesses get back on their feet and residents to rebuild their lives. We will ask officers to report to Cabinet early in the new municipal year with a proposed methodology for allocating this funding.

## **A COLLABORATIVE BUDGET**

Again, we remind residents we are here to work for them. We will never set a budget in isolation. Consultation, engagement, and conversations with residents will always underpin every decision we take. Almost 1,300 residents took the time to give us their views on our budget, our priorities and our plans and we pledge to use this valuable feedback as decisions are made.

Cabinet thanks Elected Members – of all parties – who took part in the comprehensive scrutiny process to look in detail at the budget proposals. The feedback from that process has been provided to Cabinet and has proved extremely helpful in making these decisions.

## **CONCLUSION**

In summary, this is a balanced budget built around our Labour values of social justice, inclusive growth and delivering good quality public services for everyone. It supports the important work being done to deliver services our residents rely on. It invests in our economy, makes improvements to our environment and shares the burden fairly between all those who can afford to contribute and those who enjoy the services Wirral offers.

We are closing no services.

We are investing in what is most important to residents, those on low incomes and communities which have suffered recent tragedy.

We are protecting our workforce.

This is a budget, against a harsh Conservative austerity agenda, our Labour Council can be proud of.

## **RECOMMENDATIONS**

Cabinet, having had regard to the responses to the proposals announced at the 26 November 2018 meeting recommends to Budget Council for approval:-

### Revenue Budget 2019/20 and Medium Term Financial Strategy to 2022/23

1. Cabinet recommends to Budget Council a Budget proposal for 2019/20 and MTFRS 2019/20-2022/23 based upon:
  - a) The updated Medium Term Financial Resilience Strategy (MTFRS) 2019/20 – 2022/23 as set out at Appendix 1
  - b) The consultation findings from the series of consultation events during December 2018 and January 2019 as detailed in Appendix 2
  - c) The fees and charges, as in Appendix 3, with delegated authority being:
    - i) given to the Section 151 Officer to update the Council's Fees and Charges Directory prior to publication before 1 April 2019.
    - ii) given to the relevant Director in consultation with the relevant Portfolio Holder and Section 151 Officer to vary existing fees and charges.
    - iii) Approval of the Pricing and Charging Policy.

- d) Approval of the Discretionary Rate Relief Policy for Business Rates for 2019/20 as in Appendix 4
  - e) The level of General Fund Balances being recommended, as set out paragraph 3.51, continuing to be based on a locally determined approach based on an assessment of the financial risks that the Council may face in the future and that the Council maintains balances at, or above, this level.
  - f) The Chief Financial Officer Statement regarding the robustness of the estimates made for the purpose of the Budget and the adequacy of the General Fund balances and reserves at Appendix 5.
2. Council Tax levels for 2019/20:
- a) For Wirral Council Services the Council Tax be increased by 2.99% for 2019/20.
  - b) The Wirral Council Tax will include the precepts from the Police & Crime Commissioner for Merseyside, from the Merseyside Fire & Rescue Service and from the Liverpool City Region Combined Authority.

#### Schools Budget and Funding Formula Changes 2019/20

Cabinet recommends the 2019-20 Schools Budget of £267,661,400 to Budget Council having taken account of the views and formula proposals from the Schools Forum that:

- i) That the 2019-20 schools funding formula should be a transition formula introducing some elements of the National Funding Formula including the minimum per pupil funding formula levels of £3,500 for primary schools and £4,800 for secondary schools.
- ii) That a Minimum Funding Guarantee of 0% for Wirral schools in 2019-20 is approved to provide additional protection and stability in funding, and to ensure that no school can lose pupil funding unless there is a reduction in pupil numbers ensuring that no pupil is disadvantaged as a result of the change in formula.
- iii) That the continuing Contributions to Combined Budgets should be £875,600 in 2019-20.
- iv) That any remaining uncommitted Dedicated Schools Grant (DSG) reserves remaining at the end of 2018-19 are used as a contingency to support High Needs pressures in future years.
- v) That Council calls upon the Government to stop cutting the DSG and move to start funding every child in Wirral appropriately giving them the start in life all children deserve.

### Capital Programme and Financing 2019/23

1. That the new bids as detailed in Appendix 2 requiring £30.4 million borrowing be approved for inclusion in the Capital Programme.
2. That the bids referred to in paragraphs 6.4.1 to 6.4.5 are included in the programme but where specified, are deferred to a later commencement date, on an individual basis, in recognition of an ongoing review.
3. That any new bids supported by grant funding do not commence until written confirmation has been received from the granting authority.
4. That Cabinet recommend to Council for approval the Capital Programme 2019/23(as detailed in Appendix 3).
5. That progress on delivering the Capital Programme is presented in accordance with the agreed Capital Monitoring arrangements.

### Capital Financing Strategy 2019/20

1. That Members approve the Capital Strategy for 2019/20.
2. That the associated Prudential Indicators be adopted.
3. That Members note the Council's Minimum Revenue Provision policy.
4. That Members note the flexible capital receipts policy.

### Treasury Management Strategy Statement 2019/22

1. That Members approve the Treasury Management and Investment Strategy for 2019/2022.
2. That the Treasury Management Indicators be adopted.
3. That Members approve the Council's Minimum Revenue Provision policy.
4. That the Council Officers listed within Appendix G, of the Strategy Statement, be authorised to approve payments from the Council's bank accounts for all treasury management activities.

### Investment Strategy 2019/20

That Members approve the Investment Strategy for 2019/2020 which includes potential investment in the following activity areas:

- Commercial Property
- Service Investments: Loans
- Service Investment: Shares (non-currently held)

- Loan Commitments and financial Guarantees

### **The Statutory Calculations and Resolution**

It be noted that in accordance with Section 31B of the Local Government Finance Act 1992 (as amended), that Cabinet on 26 November 2018 calculated the Council Tax Base 2019/20 for the whole of the properties in its area as 93,497.8 (Item T in the statutory formula).

That the following amounts be calculated and approved by the Council for the year 2019/20 in accordance with Sections 32-36 of the Local Government Finance Act 1992 (as amended) (“the Act”);

- a) £142,436,211 being the amount calculated in accordance with Section 31A (4) of the Act (amended) as the Council Tax Requirement for 2019/20 (item R in the statutory formula). This amount (D) is determined as being the difference between:
  - i) £853,640,211 this being the aggregate of the amounts calculated in accordance with Section 31A (2) of the Act (as amended), i.e. the aggregate of the amounts that the Council estimates that will be charged to a revenue account for the year in performing its functions, that are required to be set aside for contingencies and reserves and required to be transferred from its General Fund to its Collection Fund in the year and
  - ii) £711,204,000 this being the amount calculated in accordance with Section 31A (3) of the Act (as amended), i.e. the aggregate of the amounts of income that the Council estimates will be credited to a revenue account for the year in accordance with proper practices, the amount of reserves that are estimated to be used to provide for the items referred to in paragraph (a) above, and required to be transferred from its Collection Fund to its General Fund in the year.
- b) £1,523.42 being the amount calculated in accordance with Section 31B (1) of the Act (amended) as the Basic Amount of Council Tax for 2019/20. This amount being calculated as item R divided by item T (as above).
- c) That in accordance with section 36(1) of the Act that the following amounts are calculated for each valuation band in the area:

### **Wirral – Basic Amount of Council Tax per Valuation Band**

A	B	C	D
£1,015.61	£1,184.88	£1,354.15	£1,523.42
E	F	G	H
£1,861.95	£2,200.49	£2,539.03	£3,046.84

These amounts being the amounts given by multiplying the amount calculated as the Basic Amount of Council Tax by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings in a particular valuation band which is applicable to dwellings listed in valuation Band D.

It be determined that the amount set in (c) above as the Council's Basic Amount of Council Tax for 2019/20 is not excessive in accordance with the principles determined by the Secretary of State under section 52ZC of the Act (as amended) and that no Referendum to approve the Basic Amount of Council Tax is required. The principles require a Referendum to be held for any increases of 6% or above.

### **Wirral – Basic Amount of Council Tax Comparison for Referendum**

	2018/19	2019/20	Change	Change
	£	£	£	%
Band D	£1,479.19	£1,523.42	£44.23	2.99

To note that the Police and Crime Commissioner for Merseyside, the Merseyside Fire and Rescue Service and the Liverpool City Region Combined Authority issue precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area. This will be as indicated in the tables which when received will be included in updated tables to Council.

### **Police and Crime Commissioner for Merseyside**

A	B	C	D
£134.65	£157.09	£179.53	£201.97
E	F	G	H
£246.85	£291.73	£336.62	£403.94

### **Merseyside Fire and Rescue Authority**

A	B	C	D
£52.56	£61.32	£70.08	£78.84
E	F	G	H
£96.36	£113.88	£131.40	£157.68

### **Liverpool City Region Combined Authority –Mayoral Precept**

A	B	C	D
£12.67	£14.78	£16.89	£19.00
E	F	G	H
£23.22	£27.44	£31.67	£38.00

That having calculated the amounts for Wirral together with the Police, Fire and Liverpool City Region – Mayoral Precept the Council in

accordance with Section 30 (2) of the Act hereby sets the following amounts as the total amount of Council Tax for the year 2019/20 for each of the categories of dwellings.

### **Total Council Tax for Wirral**

A	B	C	D
£1,215.49	£1,418.07	£1,620.65	£1,823.23
E	F	G	H
£2,228.38	£2,633.54	£3,038.72	£3,646.46

### **LIBERAL DEMOCRAT BUDGET AMENDMENT 2019/20**

Councillor Phil Gilchrist moved and Councillor Stuart Kelly seconded the following amendment to the proposed budget 2019/20 –

“The proposals for 2019/20 be approved subject to agreement that the following observations on financial management and in-year adjustments will be accepted and put in place.

Council recognises that the use of reserves and the proceeds of asset sales to bolster the Budget is regrettable but necessary in this period of economic and political uncertainty.

Council fully appreciates that these are short-term steps whilst work continues to build up the local economy and financial resilience.

Council fully supports and endorses:

- i) the work being undertaken through SIGOMA and the Local Government Association to press the Government to fund Councils fairly to deal with the crisis in children’s services and social care.
- ii) representations being made by the Cabinet Member for Children and Families to highlight the financial pressures and difficult decisions facing head teachers and governing bodies of Wirral’s schools.
- iii) the increase in the Police and Crime Commissioner’s precept and looks forward to the deployment of the extra resources in the fight against all forms of crime.

Nevertheless, Wirral still has to take further steps to get its own house in order. The public needs to be satisfied that the Council provides value for money. Members need more oversight of budget monitoring. This is required since:

- a) the Medium Term Financial and Resilience Strategy (pages 140 and 148 refer) regards this as essential and that communities need assurance that this is being done;

- b) the 'Vision for Wirral and its finances' refers to 'members and senior officials setting a tone that financial discipline is important'.

The Chief Financial Officer's Statement refers to 'ownership by the Cabinet Portfolio Holder and Senior Leadership team of proposed savings and their achievability' (page 201).

In the uncertain financial climate, new mechanisms must be brought in so that Scrutiny Chairs and Spokespersons can be included in this 'ownership'. Documents prepared for the monthly monitoring by the Senior Leadership Team should be available to them. Scrutiny Chairs and Spokespersons should be invited to take part in these reviews. A formal structure is necessary for this to be drawn up in consultation with Members, ensuring greater transparency.

Council has these further observations on current practices and calls on Cabinet to consider the issues and report back to Council:

1. Council believes that the level of expenditure on Wirralview and the number of officers employed in Communications and Engagement, along with the recent level of expenditure on consultant and interim posts, cannot be justified in this period of continued austerity. Based on the known numbers of officers in these posts, across all services, Council considers it not unreasonable that a target saving of £500,000 should be secured during the year on top of that already envisaged.
2. Council notes that the condition of Wirral's minor roads is now, finally, recognised as deteriorating after repeated requests by Councillors. Council calls for the publication of the Condition Survey in full so that Members can be informed on the progress that may be made and help plan the programme for future years.
3. Council notes that Liverpool City Region Combined Authority and Mayor have now introduced a precept. Council calls on the City Region to set out how this precept can be justified. Council believes that the disparate structures of the Police and Crime Commissioner's office and that of the Mayor and Merseytravel should be examined and rationalised with a view to freeing up resources for front line services.
4. Council notes that this budget has been bolstered by the use of asset sales. Where the sale of an asset impacts on a local community, developers should pay a fair contribution towards the development of local infrastructure, schools and health services. Council regrets that the lack of a Local Plan has not enabled the use of the Community Infrastructure Levy, thereby losing revenue which might otherwise have been secured.
5. Council is concerned that the financial arrangements with Kingdom Services Group Ltd ensure that rewards for enforcement effectively take a share of fines income away from local services. An early exit

from this contract is now essential to establish a fully accountable, cost effective and directly operated service.

6. Council notes the proposal to use one-off Public Health grant contractual efficiency savings to support the revenue budget. Council considers this to be ill-advised and, instead, calls on Cabinet to re-allocate £500,000 of these resources to support new Public Health commissioned projects.

### **The Statutory Calculations and Resolution**

It be noted that in accordance with Section 31B of the Local Government Finance Act 1992 (as amended), that Cabinet on 26 November 2018 calculated the Council Tax Base 2019/20 for the whole of the properties in its area as 93,497.8 (Item T in the statutory formula).

That the following amounts be calculated and approved by the Council for the year 2019/20 in accordance with Sections 32-36 of the Local Government Finance Act 1992 (as amended) (“the Act”);

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These amounts being the amounts given by multiplying the amount calculated as the Basic Amount of Council Tax by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings in a particular valuation band which is applicable to dwellings listed in valuation Band D.

It be determined that the amount set in (c) above as the Council's Basic Amount of Council Tax for 2019/20 is not excessive in accordance with the principles determined by the Secretary of State under section 52ZC of the Act (as amended) and that no Referendum to approve the Basic Amount of Council Tax is required. The principles require a Referendum to be held for any increases of 6% or above.

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## Merseyside Fire and Rescue Authority

A	B	C	D
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E	F	G	H
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## Liverpool City Region Combined Authority –Mayoral Precept

A	B	C	D
£12.67	£14.78	£16.89	£19.00
E	F	G	H
£23.22	£27.44	£31.67	£38.00

That having calculated the amounts for Wirral together with the Police, Fire and Liverpool City Region – Mayoral Precept the Council in accordance with Section 30 (2) of the Act hereby sets the following amounts as the total amount of Council Tax for the year 2019/20 for each of the categories of dwellings.

### Total Council Tax for Wirral

A	B	C	D
£1,215.49	£1,418.07	£1,620.65	£1,823.23
E	F	G	H
£2,228.38	£2,633.54	£3,038.72	£3,646.46

### **CONSERVATIVE BUDGET OBJECTION 2019/20**

Councillor Ian Lewis moved and Councillor Lesley Rennie seconded the following objection to the proposed budget 2019/20 –

“The political rhetoric contained in the Cabinet’s Budget resolution is, as usual, meaningless and nothing more than a weak and pathetic attempt to curry favour among the increasingly extreme elements within the ruling Labour Party.

The Labour Cabinet has, once again, taken the easier option of raising taxes, charges and fees while continuing to spend money on projects that have little public benefit.

Under Reg 3(1) of The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended), Wirral’s 21 Conservative Councillors therefore submit the following objections to the Labour Cabinet’s Budget Recommendations:

- Wirral’s 21 Conservative Councillors believe the costs of the Chief Officer Team and Senior Directors are an excessive burden on the Taxpayer, costing £1,645,135 in 2018/19.
- The Cabinet has failed to ensure that highly paid management consultants, costing £2,270,670 in 2018/19, are appointed in a transparent and open manner.
- The Cabinet’s Budget proposals, once again, fail to reflect the concerns of the public with ongoing, unquestioned support for vanity

projects such as the failing Wirral View newspaper, costing £554,300 to date, the Hoylake Golf Resort and the speculative acquisition of assets of questionable value, most recently demonstrated by the purchase of the Vue Cinema.

Reducing these costs will enable revenue and capital to be released, instead, to support the following objectives:

- **Improve Road Safety:** by repairing more streetlights, fixing potholes and recruiting school crossing patrols.
- **Providing Cleaner Streets:** by increasing the frequency of street cleaning and dog fouling prevention, without resorting to the draconian and unacceptable measures of a PSPO which only helps Kingdom to generate fines and does nothing to tackle dog fouling near shops, schools or residential areas.
- **Supporting local businesses:** by working with businesses to develop a coherent plan to support them, and to attract business and trade to Wirral through enhanced cultural offers, while reversing punitive policies on car parking charges and Fixed Penalty Notices for shops and small businesses

We therefore seek to have the Cabinet's Budget Recommendations rejected and request Cabinet to submit fresh proposals reflecting these priorities to Council, within no more than five working days."

## **BUDGET DEBATE**

At the invitation of the Civic Mayor, Councillor Bernie Mooney introduced the Schools Budget, and delivered a short personal statement in which she thanked colleagues for their support during her 8 years representing the people of Wirral as a Councillor for Liscard Ward and most recently as Cabinet Member – Children and Families. Members of Council rose to deliver a standing ovation to Councillor Mooney in thanks for her work.

A debate ensued on the Labour Budget, Liberal Democrat Budget amendment and Conservative objection as included in the Council agenda papers. Debate included varied references to budget pressures (with specific mention to the schools budget), the impact of austerity as evidenced by the number of rough sleepers, and the increased demand for food banks. Members reiterated a point made by the current Chair of the Local Government Association (LGA), Lord Porter concerning the impact of cuts to Local Government funding. Members also paid tribute to the Leadership and Officers for their hard work in addressing the challenge, and debated matters relating to work undertaken in respect of looked after children, the role of Councillors in their communities and the role of the Wirral Growth Company in supporting the regeneration of Wirral.

In response to comments on the budget and a personal statement, Council rose to deliver Councillor Ron Abbey a standing ovation in respect of his 22 years of service as an Elected Member.

At a point in the debate, with Councillor Jo Bird having risen to address Council, it was moved by Councillor Ian Lewis, seconded by Councillor Jeff Green, in accordance with Standing Order 12(13) that the Member 'not be heard'. Following clarification on process, a number of Members rose to request a 'card vote'.

A recorded vote was then taken on the motion and the Council divided as follows:

For the motion (22) - Councillors T Anderson, B Berry, C Blakeley, D Burgess-Joyce, W Clements, T Cox, D Elderton, G Ellis, A Gardner, JE Green, P Hayes, A Hodson, K Hodson, M Jordan, I Lewis, M McLaughlin, C Meaden, C Povall, L Rennie, L Rowlands, M Sullivan, S Williams.

Against the motion (39) - Councillors R Abbey, J Bird, A Brame, P Brightmore, K Cannon, C Carubia, T Cottier, P Cleary, A Davies, G Davies, P Davies, P Doughty, S Foulkes, S Frost, P Gilchrist, P Hackett, AER Jones, C Jones, S Jones, T Jones, S Kelly, B Kenny, A Leech, J McManus, B Mooney, C Muspratt, T Norbury, J Robinson, T Smith, C Spriggs, J Stapleton, P Stuart, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams, J Williamson, G Wood.

Abstention – Councillor G Watt (Civic Mayor).

**The motion was therefore lost (22:39) (one abstention).**

Following the debate and Councillors Phil Gilchrist, Ian Lewis and Phil Davies having replied, the Civic Mayor indicated that recorded votes would be taken in accordance with the Budget Council Procedure.

In respect of the **Liberal Democrat Budget Amendment**, the Council divided as follows:

For the motion (4) – Councillors A Brame, C Carubia, P Gilchrist, S Kelly.

Against the motion (57) - Councillors R Abbey, T Anderson, B Berry, J Bird, C Blakeley, P Brightmore, D Burgess-Joyce, K Cannon, P Cleary, W Clements, T Cottier, T Cox, A Davies, G Davies, P Davies, P Doughty, D Elderton, G Ellis, S Foulkes, S Frost, A Gardner, J Green, P Hackett, P Hayes, A Hodson, K Hodson, AER Jones, C Jones, S Jones, T Jones, M Jordan, B Kenny, A Leech, I Lewis, M McLaughlin, J McManus, C Meaden, B Mooney, C Muspratt, T Norbury, C Povall, L Rennie, J Robinson, L Rowlands, T Smith, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams, S Williams, J Williamson, G Wood.

Abstention – Councillor G Watt (Civic Mayor).

**The budget amendment was therefore lost (4:57) (one abstention).**

In respect of the **Conservative Budget Objection**, the Council divided as follows:

For the motion (23) – Councillors T Anderson, B Berry, C Blakeley, A Brame, D Burgess-Joyce, C Carubia, W Clements, T Cox, D Elderton, G Ellis, A Gardner, P Gilchrist, JE Green, P Hayes, A Hodson, K Hodson, M Jordan, S Kelly, I Lewis, C Povall, L Rennie, L Rowlands, S Williams.

Against the motion (38) - Councillors R Abbey, J Bird, P Brightmore, K Cannon, P Cleary, T Cottier, A Davies, G Davies, P Davies, P Doughty, S Foulkes, S Frost, P Hackett, AER Jones, C Jones, S Jones, T Jones, B Kenny, A Leech, M McLaughlin, J McManus, C Meaden, B Mooney, C Muspratt, T Norbury, J Robinson, T Smith, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams, J Williamson, G Wood.

Abstention – Councillor G Watt (Civic Mayor).

**The budget objection motion was therefore lost (23:38) (one abstention).**

In respect of the **Cabinet Budget Resolution relating to the revenue budget 2019/20 and Council Tax levels for 2019/20** the Council divided as follows:

For the motion (37) - Councillors R Abbey, J Bird, P Brightmore, K Cannon, T Cottier, A Davies, G Davies, P Davies, P Doughty, S Foulkes, S Frost, P Hackett, AER Jones, C Jones, S Jones, T Jones, B Kenny, A Leech, M McLaughlin, J McManus, C Meaden, B Mooney, C Muspratt, T Norbury, J Robinson, T Smith, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, S Whittingham, I Williams, KJ Williams, J Williamson, G Wood.

Against the motion (24) - Councillors T Anderson, B Berry, C Blakeley, A Brame, D Burgess-Joyce, C Carubia, P Cleary, W Clements, T Cox, D Elderton, G Ellis, A Gardner, P Gilchrist, JE Green, P Hayes, A Hodson, K Hodson, M Jordan, S Kelly, I Lewis, C Povall, L Rennie, L Rowlands, S Williams.

Abstention – Councillor G Watt (Civic Mayor).

**The motion was therefore carried (37:24) (one abstention).**

## MINUTE EXTRACT CABINET 25 FEBRUARY 2019

### 59 DRAFT CALENDAR OF MEETINGS FOR THE 2019/20 MUNICIPAL YEAR



**Councillor Phil Davies, Leader of the Council - (Overall strategic direction of Council; Lead the Wirral Partnership; Lead Wirral across Liverpool City Region), said:**

*“This report sets out a programme of meetings for the coming Municipal Year, allowing the Council to plan its business effectively and enable effective governance and scrutiny of all decisions.”*

Councillor Phil Davies introduced a report which recommended draft dates for Council, Cabinet and Committee meetings (“Council meetings”) for the Municipal Year 2019/2020.

Appendix 1 to the report described various issues that had been taken into account in compiling the draft calendar.

Appendix 2 to the report detailed other meetings that did not constitute a meeting of the Council and, therefore, did not require inclusion in the Calendar of Meetings. Notification of these other meetings was provided to help Members to manage their diaries.

The Cabinet was reminded that the Wirral Plan: A 2020 Vision set out a shared partnership vision to improve outcomes for Wirral residents. Delivery of the priorities and outcomes described in the Plan was dependent on the efficient operation of the democratic process to scrutinise and make the decisions required and the requirement for the scheduling of Council meetings which make these decisions.

The decision required was not a key decision and no other options were considered beyond those outlined in the report.

**RESOLVED: That it be recommended to the Council:**

**That**

- (1) the relevant draft Calendar of Meetings for the 2019/20 Municipal Year set out at Appendix 1 to the report for approval, and unless amended at the**

**meeting of Council on 18 March 2019, be confirmed as the Calendar of Meetings for the Municipal Year 2019/20;**

- (2) the other meetings set out at Appendix 2 to the report be noted and Members be requested to diarise those meetings as appropriate; and**
- (3) any proposed amendments to the Calendar of Meetings and Appendix 2 to the report be submitted to the Director of Governance and Assurance by no later than 10am on Friday, 8 March 2019.**

**COUNCIL  
18 MARCH 2019**

**AMENDMENT IN RESPECT OF AGENDA ITEM 9 - MATTERS REQUIRING  
APPROVAL OR CONSIDERATION BY THE COUNCIL**

**A. Calendar of Meetings 2019/20**

**Proposed by Councillor Phil Gilchrist  
Seconded by Councillor Chris Carubia**

Council believes that the 'Portfolio Summary Reports' presented by Cabinet Members should contain far more than references and links and references to press reports.

Council considers it essential that an additional opportunity is taken to hold the new Cabinet to account.

Accordingly, an additional Council meeting should be added to the Calendar on Monday 9 September 2019 for which Cabinet Members will be expected to provide meaningful details and accounts of their activities.

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## **MINUTE EXTRACT STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE 26 FEBRUARY 2019**

### **27 COUNCIL PROCEDURE RULES - STANDING ORDER CONCERNING VOTING AND ELECTRONIC VOTING**

The Director of Governance and Assurance introduced a report which sought to address deficiencies in Standing Order 18 of the Council Procedure Rules (Part 4(A) of the Constitution) concerning voting methods. It had regard to the model standing order contained in statutory Guidance and recommended a revised standing order to make improvements and to cater for use of the electronic voting system in the Council Chamber.

Attached to the report was:

- Appendix A - the Council's current standing order 18 on 'Voting'.
- Appendix B - the Model Standing Order upon which the above was based and to which the Council must have regard.
- Appendix C – the recommended revised Standing Order on Voting.

The Committee was informed that the Council was legally required to have regard to the statutory Guidance in drafting Council standing orders. The draft revision at Appendix C was based on the model standing order contained within the Guidance, together with:

- (a) those elements of the existing WBC standing order that appear to have been drafted with good reason and are not otherwise found in the Model; and
- (b) amended to cater for the addition of an electronic voting system and the Council's preferred custom and practice as set out in the report.

The Committee noted that another option available to it was that the current standing order remained unchanged. However, this would not address the issue of the current standing order requiring a vote at each meeting to allow for use of electronic voting. Alternatively, the standing order could be amended in some other way, perhaps as part of an overall review. This would mean a delay.

The Committee was aware that the Council Chamber's Electronic Voting System had been activated in mid-August 2018. Demonstrations for Elected Members had taken place on 26 September and on 3, 8 and 10 October 2018 and the first Council meeting utilising the new electronic voting system had taken place on 15 October 2018.

Following the installation of the new electronic voting system in the Council Chamber, and consultation with Members on its usage, it had been identified that the Council's Constitution would require revision of Standing Order 18 of the Council Procedure Rules. This was primarily that the default method of voting should be altered to

electronic voting as opposed to a 'show of hands'. This alteration would negate the need to vote and suspend standing orders at the beginning of every Council meeting, to enable use of the electronic voting system at future meetings.

Member's views had been sought on an alteration to the existing standing order. Following debate, the Committee had formed the view that the additional sections suggested that covered the issue of electronic voting, taken largely from a detailed standing order used in another council, would alter the balance and flow of the meeting. Rather, the Committee requested that the Council Procedure Rule 18 be re-considered in its entirety, with a further Council meeting taking place between that meeting and the Committee considering this matter again.

The Committee noted that the current standing orders included reference to and means of utilising electronic voting, including the Mayor's powers where the system had failed or was potentially misused. These were drafted for a previous electronic voting system, however, and missed several elements. In particular, the current standing order:

- presumed or required a vote on whether to use the electronic voting system at the beginning of each meeting (at 18(1)); and
- was confusing in relation to a recorded vote (referred to as a 'card vote') in that it did not necessarily differentiate between a recorded vote and the current means of electronic voting and did not specify the stating of the vote for the gallery and web-cast.

It was noted that the current standing orders, therefore, required a vote at the beginning of each meeting to permit the use of electronic voting system and to waive the standing order to provide clarity.

Members noted that the two were quite different in places and certain paragraphs appeared to be missing or worded in an entirely different way in the Council's standing order compared to the Model. Members also noted that this situation was repeated elsewhere in the Council's Constitution, hence Appendix C which was recommended to the Committee as a replacement standing order 18 of the Council Procedure Rules for adoption by the Council.

It was reported that having regard to the statutory Guidance, the draft at Appendix C was based on the model standing order, together with those elements of the Council's standing order that appear to have been drafted with good reason and were not otherwise found in the Model and amended to cater for the addition of an electronic voting system and the Council's preferred custom and practice.

The Committee was also made aware that adopting standing orders without obvious or evidenced regards having been had to the legal requirement to do so runs the risk of challenge and continuing to waive the existing standing orders in order for a Council meeting to operate was not conducive to good administration and not good practice.

Members then asked the Director of Governance and Assurance a number of questions and made a number of comments. They were all in favour of recorded votes (card votes) involving a roll call, taking precedence which meant that Members would

not be required to press the button to record their vote using the electronic voting system at the same time as voting orally. This would avoid the confusion that had been experienced at the Extraordinary Council meeting on 25 February 2019. It was noted that this was how the report and Appendix C had been written. When a recorded vote was not requested voting in the Council Chamber would involve the use of the electronic voting system.

**RESOLVED:**

**That the Council be recommended to adopt a revised Standing Order 18 of the Council Procedure Rules (Part 4(A) of the Constitution) as attached at Appendix C to the report.**

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## **MINUTE EXTRACT STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE 26 FEBRUARY 2019**

### **26 REVISION OF MEMBERS' ICT POLICY**

The Head of ICT Strategy and Delivery introduced his report reminding Members that the Council was responsible for a wide variety of information, some of which was personal and sensitive. Elected Members were responsible for the personal information of Wirral citizens in their Ward/Constituency. Members and the Council had legal and moral responsibilities to ensure that the security of that information was maintained.

It was also reported that the Council maintained an Information Governance Framework which sought to protect the security of its information assets. This was a combination of policy, procedural and technical controls which together helped officers and Members to manage the risks to the confidentiality, integrity and availability of Council information.

Appended to the report at Appendix 1 was the Members' Information and ICT Acceptable Use Policy which confirmed responsibilities as a new or existing Elected Member of Wirral Council in terms of the acceptable use of Council information and ICT facilities. As well as outlining responsibilities under the Data Protection Act it also detailed the key policy rules that must be followed to ensure the safe handling, storage and use of Council and constituents' information. It supplemented the Members' Code of Conduct, and replaced the existing 'Members' ICT Policy' previously agreed by the Council on 19 December 2016.

The Head of ICT Strategy and Delivery informed that the Members' ICT Policy had been updated to take account of the 1998 Data Protection Act and the 2018 Data Protection Act. A few small changes had been made in respect of the security of emails and improvements in technology.

The Committee noted that no other options had been considered because failure to adequately protect the Council or Constituents' information would result in a compromise of its security which could have a number of negative consequences for the Council, including:

- Financial penalties - The ICO could issue monetary penalties up to €20 million to organisations which have failed to comply with the DPA.
- Legal ramifications – Serious breaches of the DPA could result in legal action, including prosecution.
- Reputational damage – Data breaches were often reported in the media and consequently result in the public perception of an organisation and/or the individuals who represent them, being damaged.

- Emotional / physical harm – The compromise of personal and sensitive data could result in harm to the individuals to whom the information related.
- Compliance – Failure to maintain information and ICT security could result in the Council not complying with the Public Services Network (PSN) and NHS Data Security and Protection Toolkit standards. This could result in the authority being unable to deliver key services.

Members then asked a number of questions which were answered by the Head of ICT Strategy and Delivery and the Director of Governance and Assurance. Issues raised included the following:

- The role of the Members' Equipment Steering Group. It was considered that it should have had the opportunity to make recommendations on it and sign off the revised Policy.
- The webcasting service interruption during the Extraordinary Council meeting held on 25 February 2019. Members had requested that the meeting be held in the Civic Hall but there had not been sufficient time to do this in order that the meeting could be webcast. This was disappointing as a lot of members of the public had been expected and did attend but as there was not enough room in the public gallery, had been accommodated in Committee Rooms 1 and 2. Regrettably, there had been a wifi problem and the signal had dropped out. Consequently, members of the public had missed a lot of the meeting because of the interruption. It was noted that the webcasting was provided by a private company and did not use the Council's network.
- The Civic Hall was not designed for Council meetings and there was no webcasting equipment in there. On special occasions with plenty notice suitable accommodation for a Council meeting may be found e.g. Civic Hall, Floral Pavilion, other hired space but this would incur an additional cost as it would also mean hiring a private company to provide webcasting because the Council's mobile kit did not accommodate all 66 Members.
- The Council now owned a cinema but it could not be used for Council meetings because it only owned the freehold, not the operation or the leasehold. It was leased to a cinema provider (Vue). If Vue Cinemas wished to let the Council use the cinema they would hire it out to the Council.

It was reported that the Head of ICT Strategy and Delivery (Jeff Ashworth) was leaving the Council and that his last day at work would be 22 March 2019. Members put on record the Committee's thanks for the work he had done and wished well for the future.

**RESOLVED:**

**That the Members' Information and ICT Acceptable Use Policy be recommended to the Council for approval.**

## **MINUTE EXTRACT EMPLOYMENT AND APPOINTMENTS COMMITTEE 5 MARCH 2019**

### **25. PAY POLICY STATEMENT 2019/20**

Tony Williams, Head of Human Resources introduced the report of the Director of Change and Organisational Design that set out information on the Council's Pay Policy, to provide transparency with regard to the Council's approach to setting pay identifying:

- the methods by which salaries of all employees are determined;
- the detail and level of the salary package of its most senior staff; and
- the Head of Paid Service's responsibility for ensuring the provisions set out in the statement were applied consistently throughout the Council, recommending any amendments to Full Council.

The report highlighted that the Council was required to prepare and approve its Pay Policy Statement 2019/2020 before 31 March 2019, and that the Council will be at risk of not meeting the requirements of The Localism Act 2011 if this was not achieved.

The report also informed that Council operated all pay arrangements within the requirements of the Equality Act 2010 and that all pay arrangement were regularly reviewed and assessed to identify any equality issues (the subject of a separate report to the Employment and Appointments Committee, Minute 27 post refers).

Members discussed a number of key areas within the report, namely variations to pay grades (taking into account external pay levels in the labour market) and pay ratios between the lowest paid employees and Chief Officers and the Chief Executive. Members requested that this information be collated and reported back to the Committee at the earliest opportunity.

Members also questioned the current cost of termination payments and when this particular subject area had last been reviewed. The Head of Human Resources agreed to investigate and report back to Members.

The Head of Human Resources informed the Committee that in addition to consultation on the Council's Pay Policy with Trade Unions, a specific Equality Impact Assessment (EIA) was also produced and shared with Trade Unions - relating to the implementation of NJC pay award for 2019/20.

Members re-iterated the request that the Head of Human Resources bring back a further report to the Committee at the earliest opportunity, on the subject of pay multiples and benchmarking with other Local Authorities, and general guidance from the Local Government Association (LGA) or Department for Local Government (DCLG), if available.

**Resolved – That**

- (1) the introduction of the National Joint Council (NJC) redesigned pay spine which includes the National Living Wage rate of £9 per hour, effective from 1 April 2019, be agreed; and**
- (2) it be recommended to Council that the Pay Policy Statement for the financial year 2019/20 be approved.**

## 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 – NO PLACE FOR ANTI-SEMITISM IN WIRRAL'S POLITICS**

#### **Amendment**

**Proposed** by Councillor Phil Gilchrist

**Seconded** by Councillor Allan Brame

*Insert after para 2...*

Council is aware that the January 2019 report of the Committee on Standards in Public Life entitled 'Local Government Ethical Standards' was placed before the Standards and Constitutional Oversight Committee on 26 February. The report

[http://democracy.wirral.gov.uk/documents/s50055485/Local\\_Government\\_Ethical\\_Standards\\_Web.pdf](http://democracy.wirral.gov.uk/documents/s50055485/Local_Government_Ethical_Standards_Web.pdf)

provides advice on the current interpretation of the circumstances within which any member acts in their capacity as a Councillor and makes a recommendation that Section 27 (2) of the Localism Act 2011 should be amended to permit local authorities to presume councillors to be acting in an official capacity in their public conduct, including statements on publicly-accessible social media, when deciding upon code of conduct breaches.

Council is also aware that the Standards and Constitutional Oversight Committee only recently adopted a revised procedure for dealing with complaints against Members set out in the document 'Protocol – Arrangements for investigating and making decisions in relation to allegations made under the Members' Code of Conduct' and believes that any complaints made to the Monitoring Officer about Members conduct should be dealt with in accordance with the provisions of the Localism Act 2011 and the protocol.

### (2) **Notice of Motion No. 2 – TIME TO INVEST IN GREEN ENERGY**

#### **Amendment**

**Proposed** by Councillor Anita Leech

**Seconded** by Councillor Stuart Whittingham

*Add the following:*

Council reaffirms its commitment to Green Energy which is supported in our Climate Change Strategy and the authority's history of investing in green energy.

Council notes the work which is being undertaken through the 'Cool Wirral' partnership.

Council also notes that the authority has installed solar panels on Council buildings under a spend to save initiative and that there are currently 25 Council buildings that have the panels installed. An example can be seen at Guinea Gap leisure centre.

Council further notes that:

- Local schools have been engaged in looking at solar opportunities and at least three schools have signed up to the 'Solar for Schools' initiative which, if their applications are successful, will see the installation of solar panels on their buildings. A number of other schools are also considering taking up this opportunity.
- Discussions have commenced with regard to replacing the authority's current energy supply with solar energy.
- Cabinet is also tackling fuel poverty, an issue that affects a large number of Wirral residents, by considering an energy supply service which will enable residents to obtain cheaper gas and electricity.
- Work is ongoing on a range of other green energy initiatives which will be brought to members during the next municipal year.

### **(3) Notice of Motion No. 3 – FUTURE PENSIONS FIT FOR PURPOSE**

#### **Amendment**

**Proposed** by Councillor Phil Gilchrist

**Seconded** by Councillor Stuart Kelly

*Insert after final para....*

Council observes that this initiative, along with the Liverpool City Region Year of the Environment, presents opportunities for this Council to refresh and update its policies. It should also provide the trigger for actions which have not been taken for some time or are now due for updating. These need reviewing in the light of the current environmental crisis affecting many species.

Council notes that the last Carbon Budget report was presented to Cabinet by Councillor Mooney on 10 February 2015:

<http://democracy.wirral.gov.uk/documents/s50023323/Carbon%20Budget%20Report%202014-15.pdf>

The Agenda for Budget Cabinet on 22 February 2016 stated that the Carbon Budget was to be presented at the Council Meeting in July 2016. It did not appear and, since then, that reporting appears to have ceased.

Wirral's Climate Change Strategy was developed for the period 2014-19 and is due for updating and renewal:

<https://www.wirral.gov.uk/sites/default/files/all/About%20the%20council/climate%20change/Wirral%20Climate%20Change%20Strategy%202014-2019.pdf>

and that the most recent progress report was the 4th Annual Progress Report of 'Cool Wirral', published in July 2018:

<https://www.wirral.gov.uk/sites/default/files/all/About%20the%20council/climate%20change/Cool%20Steps%20Wirral%20Climate%20Change%20Strategy%204th%20Annual%20Progress%20Report%20July%202018.pdf>

In this context, Members need to review this and the next report to ensure that Wirral Council can rise to the challenges.

Furthermore, the Wirral Biodiversity Action Plan adopted in 2013 could usefully be re-examined and updated

<https://www.wirral.gov.uk/sites/default/files/all/planning%20and%20building/Local%20Plans%20and%20planning%20policy/Local%20Planning%20Evidence%20Base%20and%20Research/Wirral%20Documents/Wirral%20BAP%20FINAL%20February%202003%20for%20Web%20site.pdf>

Council asks that these issues are taken on board by the current Cabinet Member and any successors to ensure they are followed up.

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