



Council

Town Hall
Wallasey

13 March 2020

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.00 p.m. on Monday, 16 March 2020** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects : -

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

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SUPPLEMENTARY AGENDA

11. NOTICES OF MOTION (Pages 1 - 10)

Notices of motion submitted in accordance with Standing Order 7(1), are attached. They are listed in accordance with Standing Order 7(2), and the full text of each motion is attached. The Mayor, having considered each motion, in accordance with Standing Order 7(4) has decided that they will be dealt with as follows:

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Notices of Motion amendments

Motion 1 - Hoylake beach raking, March 2020 Amendment 1

Proposed by: Councillor Andrew Gardner
Seconded by: Councillor Tony Cox

Paragraph 1:

delete 'and' replace with ',' before 'respect' and insert '*and, most importantly, that the people of Wirral and specifically Hoylake residents whom the Council should count as the primary stakeholders*' after 'bodies'

Insert the following paragraphs after

'<https://www.gov.uk/government/news/environmental-bodies-set-joint-vision-to-tackleclimate-change>'

'Council further notes the contribution and sacrifice that has already been made at Hoylake beach with the area from Red Rocks to West Kirby left to naturalise into salt marsh and congratulates the people of Hoylake on accepting their existing loss of their amenity as their contribution to a more natural coast.'

'Council therefore considers the loss of further Council Taxpayer amenity in losing further recreational areas, especially in Hoylake where there is no other amenity space of scale, to be an unreasonable demand on residents.'

Paragraph 6: replace 'many' with '*a few*', insert '*and the many in favour of sands*' after 'beach management'. Delete all from 'Natural England....' to '.....climate emergency.'

Paragraph 9: insert '*and adhering to the existing Natural England agreement.*' after 'Hoylake beach'

Delete 'a report outlining' and replace with '*an outline report, detailing*'

Delete 'should and should not' and replace with '*might or might not be able to*'

Paragraph 11: insert '*but that this advice is limited to the intertidal area, not the amenity area.*' after 'precautionary principle'

Delete the final paragraph and insert:

'Council therefore believes, that before any decision is made on cessation, the evidence is fully assessed and full stakeholder engagement has taken place.'

Motion 1 - Hoylake beach raking, March 2020

Amendment 2

Proposed by: Councillor Allan Brame
Seconded by: Councillor Phil Gilchrist

Delete final paragraph and insert:

Council reaffirms its policy about the use of damaging chemicals to control vegetation on beaches but wishes to ensure that future decisions on the management of the beach and the operation of any potential amenity area should be fully explored.

Council therefore requests the Cabinet Member, future Policy Committee and appropriate officers to...

1. convene the Coastal Advisory Group of qualified experts in marine environmental and ecological issues to provide further support and advice to the Council on the future management of Hoylake beach;
2. arrange a meeting or series of meetings to engage the local community to listen to the views and concerns of local residents; to explain the constraints which have to inform the Council's actions in a Site of Special Scientific Interest; and to explore sustainable options, including maintaining an area as an amenity beach;
3. ask officers to bring forward a report on the options for managing land drainage onto the beach, including testing the quality of water.

Motion 2 - Wirral Council asked to back the RSPCA's Fireworks Campaign Amendment

Proposed by: Councillor Christine Spriggs
Seconded by : Councillor Julie McManus

At the start of the Motion insert:- Council is keen to ensure that all Wirral residents' concerns regarding the correct and safe use of fireworks in the Borough are taken seriously.

Council thanks etc.

After: Animals affected not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones – as they attempt to run away or hide from the noise.

Please add:

Council realises that fireworks in the wrong hands are dangerous and can be used to cause a public nuisance.

Council therefore resolves (*add*) to:

- . continue to support a number of organised, large scale displays including River of Light as well as local displays with residents encouraged to attend
- . continue with its practice of working with Parks, Communications and other Council teams and partners to promote safety messages and advertise events well in advance of the planned dates, including via the Council's social media channels, allowing residents to take precautions for their animals and vulnerable people
- . continue to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- . continue to allow events like River of Light (which is a large scale organised public display event and which as the Council we plan responsibly for) to use noise levels above 90dB
- . ask the Chief Executive to write to the Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays and to consider options that could limit the private sales of fireworks to individuals.
- . continue visits to local suppliers of fireworks, including 'pop up' suppliers in October and November, to ensure compliance with existing legislation and to encourage fireworks that are appropriate for public display.

Motion 3 - Independent Review of Wirral's Special Educational Needs and Disability (SEND) Service Amendment

Proposed by: Councillor Thomas Usher
Seconded by: Councillor Wendy Clements

Amend the Motion as follows:

Council supports the right of parents to seek the best possible educational and life chance outcomes for children with Special Educational Needs and Disability.

Council recognises that the Director of Children Services has commissioned an external review of the SEND service from the LGA and North West Association of Directors of Children Services.

As this review will directly engage with parents and children with SEND, we welcome this.

Council ~~is anxious~~ recognises that the findings of this external review of SEND should be shared with elected members at the earliest opportunity ~~so that elected members can better understand the current landscape of SEND and identify improvements that can be made to the service.~~ with a view to introducing the improvements that parents are anxious to ensure take place.

Council notes that

- ~~i. for the academic year 2017/18 and calendar year 2019 there were 57 appeals against the outcome of the EHCP process~~
- ~~ii. In the calendar year 2019 there were 36 appeals made against the outcome of the EHCP process with only 2 having been successful for the Council.~~
- i. In the academic year 2017/18 there were 21 first tier tribunal appeals. 8 of these appeals were conceded and 5 withdrawn before a tribunal hearing. Out of the remaining 8 appeals 6 were not upheld and 2 were upheld. The number of appeal made during 2017/18 represents less than 1% of all the decision made within the service during the academic year.
- ii. In 2019 a decision was made to account for the number of appeals raised during a calendar year rather than an academic year in order to be consistent with the way tribunals operate. During the calendar year 2019 there were 36 appeals. Although this is a higher number some of the increase is accounted for by the move a counting calendar years.
- iii. Of these, 17 of these appeals were conceded, 4 were agreed with consent 5 were withdrawn and 10 went to a first tier tribunal. 7 of the 10 appeals were upheld, 2 were not upheld and 1 was partially upheld. The number of appeals represents less than 1% of all the decisions made within the service during the calendar year.

~~Council believes that in taking cases to tribunal where they have shown to have little chance of success is detrimental to parents and to the children involved. Council is therefore anxious that elected Members should have as full as possible~~

~~understanding of the reasons behind the number of appeals and their results. Whilst these cases form a low percentage of the numbers requiring the help of our support services, Members are anxious-eager to learn lessons from this and seek assurance that the external review will be sufficiently independent and thorough to assist this understanding. Council is resolved to continue to use findings to reduce conflicts and ensure we work collaboratively with children and their families in order to effectively meet needs. Council notes the work that has been done in the last twelve months to improve the service and welcomes the co-production of a new SEND strategy, with children and their families as equal stakeholders in this strategy. Council also welcomes an opportunity for members to learn about recent changes to the service and to contribute to the SEND strategy.~~

~~Council considers that the review commissioned needs to include a study of the Children's Services Department's approach to parents and their children, the management of the service, and the processes that have led to unnecessary conflict with parents through the tribunal system; and to make recommendations that will help to reduce the Authority's record of recourse to tribunal, to increase the support and assistance offered to parents and SEND children, examine competencies and culture, and to liaise with established parent support groups~~

~~Council requests the Leader of the Council to instruct the Chief Executive and Director of Children's Services to ensure that the review is rigorous and reports to Members on its outcomes and recommendations for improvement as soon as practicable.~~

~~Council requests the Leader of the Council to instruct the Chief Executive and Director of Children's Services to ensure that the review is rigorous, takes due account of the unique insight of parents/carers/young people and special interest groups and reports to Members on its outcomes and recommendations for improvement as soon as practicable.~~

Motion 4 - Supporting the Streetcar proposals for Wirral Waters Amendment

Proposed by: Councillor Liz Grey
Seconded by: Councillor Tony Jones

Delete the final para and replace with:

To that end, Council looks forward to rapid progress in the development of plans to fund and implement this scheme to serve the wider East Wirral area. Council requests that the leader provides regular feedback on progressing these plans.

Motion 6 - Breastfeeding Friendly Wirral Amendment

Proposed by: Councillor Janette Williamson
Seconded by: Councillor Liz Grey

Amend Motion as follows:

Council notes the extensive and resounding evidence that breastfeeding saves lives, improves health and saves money in every country worldwide. It protects children from a vast range of illnesses including infections, diabetes, asthma, heart disease and obesity, as well as Sudden Infant Death Syndrome (cot death). It supports the mother-baby relationship and the mental health of both baby and mother. However, recently Wirral University Teaching Hospital's breastfeeding initiation rate stood at only 61.21%.

Council further notes that James P. Grant, Executive Director of UNICEF 1980 - 1995, said: "Breastfeeding is a natural 'safety net' against the worst effects of poverty. Exclusive breastfeeding goes a long way toward cancelling out the health difference between being born into poverty and being born into affluence. It is almost as if breastfeeding takes the infant out of poverty for those first few months in order to give the child a fairer start in life and compensate for the injustice of the world into which it was born."

Council also notes that breastfeeding alone cannot mitigate the effects of poverty. It acknowledges the report by the UN Rapporteur Phillip Alston which is explicit in its condemnation of austerity and poverty. Council notes that life chances of children would be significantly improved by a government committed to anti-austerity policies.

Council therefore resolves to:

- be a Baby Friendly employer
- Adopt the Breastfeeding Welcome Scheme in Wirral to increase the number of venues where breastfeeding mothers can feel confident to nurse, and thus support a cultural shift towards breastfeeding in our area.
- Sign up all council buildings as Breastfeeding Welcome venues
- Call on the government to implement a comprehensive child poverty strategy

Motion 7 - A Future Path for Housing Amendment

Proposed: Councillor Stuart Whittingham

Seconded: Councillor Pat Cleary

Add the word 'also' between the words 'Council' and 'considers' in the first paragraph:

Add the following before the first paragraph:

Council notes that the cabinet has:

- a. Agreed to the renewal and extension of the selective licensing scheme to drive up standards in the private rented sector.
- b. Agreed to increase the empty property premium to 300% council tax for long term empty properties in order to bring more empty homes back into use.
- c. Worked with registered providers to deliver new extra care schemes such as the one at Woodpecker Close in Saughall Massie.
- d. Established a strong relationship with Homes England and Liverpool City Region to unlock brownfield sites and protect the green belt.
- e. Worked with the Liverpool City Region to roll out the Housing First model, to get homeless people into decent housing then addressing other needs.

Council also notes that ensuring Wirral's housing stock is as energy efficient as possible is a key plank to tackling the climate emergency, Council therefore notes that:

- a. Cabinet is working with developers to achieve BREEAM Outstanding (Building Research Establishment Environmental Assessment Method) standards to help embed sustainability principles and goals as an essential part of the transition towards zero carbon developments.
- b. Cabinet has started investigating the feasibility of retrofitting existing housing stock to raise energy efficiency levels, tackle fuel poverty and improve people's life chances.
- c. Cabinet is looking to arrange a visit to view the Passive House development in Manchester.

Motion 9 – Solidarity with EU27 Citizens Amendment

Proposed by: Councillor Jo Bird
Seconded by: Councillor Pat Hackett

Please remove paragraph 3 and add after paragraph 2

The Wirral, as a forward-thinking, progressive Borough should do all it can to support its EU27 citizens, standing up for their rights as members of our communities and denounce in the strongest terms any persecution aimed at them purely because they were not born in the United Kingdom.

Of course, our deep and shared history with the Republic of Ireland – with whom we share a Common Travel Area – currently affords Irish citizens unique rights within the United Kingdom, and we support and seek to reiterate the importance of this arrangement.

Council should seek to counter the hostile environment enacted by successive governments and show the thousands of EU27 citizens still on the Wirral that they belong and are welcome here. Despite the promises from Boris Johnson that the rights of EU citizens to remain in the UK be guaranteed, there has been resistance and delay from government in producing physical documentation – as voted for in the House of Lords – leaving EU citizens under a cloud of uncertainty and risking a new Windrush-style scandal.

A formal statement of support from the policymakers of the Borough should not be underestimated as a way of allaying any fears that EU27 citizens' rights are in anyway subservient to that of UK citizens.

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