



# Council

Town Hall  
Wallasey

3 December, 2021

Dear Councillor

This supplement for the Council meeting to be held at **6.00 p.m. on Monday, 6 December 2021** in the Floral Pavilion, New Brighton should be read in conjunction with the Council Summons dated 26 November, 2021.

Members of the public are encouraged to view the meeting via the webcast (see below), but for anyone who would like to attend in person, seating is limited therefore please contact us in advance of the meeting if you would like to reserve a seat. All those attending will be asked to wear a face covering (unless exempt) and are encouraged to take a Lateral Flow Test before attending. You should not attend if you have tested positive for Coronavirus or if you have any symptoms of Coronavirus.

Wirral Council is fully committed to equalities and our obligations under The Equality Act 2010 and Public Sector Equality Duty. If you have any adjustments that would help you attend or participate at this meeting, please let us know as soon as possible and we would be happy to facilitate where possible. Please contact [committeeservices@wirral.gov.uk](mailto:committeeservices@wirral.gov.uk)

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

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## AGENDA SUPPLEMENT

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

To consider any recommendations and receive reports from the Council's Committees which require the approval or consideration of

the Council, and to receive questions and answers on any of those reports.

**C. Appointment of Independent Members to the Audit and Risk Management Committee (Pages 1 - 2)**

The minute of the Audit and Risk Management Committee, 30 November, 2021, is attached.

**D. Revision to the Appointment of Committees 2021/22 (Pages 3 - 4)**

An amendment from Councillor Jo Bird has been submitted in respect of this report.

**6. REPORTS AND DECISIONS FROM COUNCIL COMMITTEES AND PARTNERSHIP ORGANISATIONS**

To receive reports about and receive questions and answers on decisions made by Committees since the last meeting of Council.

**A. DECISIONS TAKEN SINCE THE LAST COUNCIL MEETING (Pages 5 - 8)**

The minutes of the Partnerships Committee, 9 November 2021 meeting are attached.

**8. URGENT ITEM OF BUSINESS (Pages 9 - 16)**

The Civic Mayor has agreed to accept this item of urgent business at the request of the Leader of the Council and Councillor Tom Anderson.

On Tuesday, 30 November, 2021, the Policy and Resources Committee met to consider and respond to the Minister of State's recent letter to the Council. The minutes of that meeting and an accompanying motion are attached as an urgent item for Council. Given the importance of the Council making clear its position in respect of the recommendations of the External Assurance Review that accompanied the Minister's letter, the Mayor has agreed that this matter is urgent and that Council should consider this item, which will be considered after item 4b.



Director of Law and Governance

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

*Everyone is welcome to record meetings of the Council and its Committees using non-disruptive methods. For particular meetings we may identify a 'designated area' for you to record from. If you have any questions about this please contact Committee and Civic Services (members of the press please contact the Press Office). Please note that the Chair of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted.*

*Persons making recordings are requested not to put undue restrictions on the material produced so that it can be reused and edited by all local people and organisations on a non-commercial basis.*

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## MINUTE EXTRACT

### AUDIT AND RISK MANAGEMENT COMMITTEE

30 NOVEMBER 2021

#### 31 APPOINTMENT OF INDEPENDENT MEMBERS TO AUDIT AND RISK MANAGEMENT COMMITTEE

The Chief Internal Auditor presented his report which updated the Committee on the outcome of the recruitment exercise to appoint Independent Members to this Committee to comply with the terms of reference and CIPFA guidance.

Two individuals had been proposed for appointment rather than one as indicated in the Terms of Reference as they had different backgrounds but both were considered to have had valuable skills to bring.

Members requested that explicit written consent be requested from the individuals for their CVs to be shared with all Members to detail their background and help Members in the decision at full Council. This would be investigated by officers.

**Resolved – That full Council be recommended to appoint Joanne Byrne and Peter McAlister as independent Members to the Audit and Risk Management Committee in an advisory and consultative non-voting role.**

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**Amendment – Item 5d**  
**Revision to the Appointment of Committees 2021/22**

**Proposed** by Councillor Jo Bird  
**Seconded** by Councillor Pat Cleary

*Replace:*

(b) appoint Cllr J. Bird to sit on the Council's Regulatory and General Purposes Committee & Licensing Act Committee and the Pensions Committee

*With:*

(b) appoint Cllr J. Bird to sit on the Housing Committee and Pensions Committee.

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## PARTNERSHIPS COMMITTEE

Tuesday, 9 November 2021

Present:

Councillor	J Robinson (Chair)	
Councillors	B Berry	J Walsh
	D Brennan	A Wright
	S Hayes	J Bird (In place of T Cottier)
	P Martin	W Clements (In place of J Johnson)
	D Mitchell	S Mountney (In place of I Camphor)

### 21 WELCOME AND INTRODUCTION

The Chair welcomed Members, Officers and any members of the public viewing to the meeting. The Chair welcomed and introduced colleagues from the Police and Crime Commissioner and Wirral NHS Clinical Commissioning Group.

### 22 APOLOGIES

Apologies for absence were received from Councillors Jenny Johnson, Ivan Camphor and Tony Cottier.

### 23 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

The following declarations were made:

Councillor Joe Walsh	Personal interests as his two daughters worked for the NHS.
Councillor Alison Wright	Personal interest as her husband was a retired police officer.

### 24 MINUTES

**Resolved – That the accuracy of the minutes of the meeting held on 28 September 2021 be agreed.**

### 25 PUBLIC AND MEMBER QUESTIONS

The Chair confirmed that no public questions, requests to make a statement or petitions had been received.

26 **POLICE AND CRIME PLAN 2021-2025**

The Merseyside Police and Crime Commissioner (PCC) introduced the report which provided the final version of the Police and Crime Plan 2021-25, which was a statutory document as required by the Police Reform and Social Responsibility Act 2011 and outlined the strategic direction for the PCC's term in office and provided a means by which the Chief Constable could be held to account by the Commissioner. It was reported that the Commissioner had a statutory duty to produce the document, and the version before the Committee was based on the things outlined in the Commissioner's election manifesto and input from a consultation exercise undertaken in the previous months. The Plan detailed three key pillars:

- Fighting Crime and Proactive Policing
- Supporting Victims and Safer Communities
- Driving Change and Prevent Offending

The detail within each pillar was outlined to the Committee, where it was reported that an action plan was in place for each pillar and that collaborative work was ongoing with partners such as local authorities, fire and rescue services and health colleagues to implement the plan. The Committee was advised that one of the other priorities was to fight for fairer funding, with further information anticipated about funding following the policing settlement in December 2021.

Members raised a wide range of queries both in relation to policing on a Liverpool City Region scale and locally in Wirral. Several incidents were highlighted in relation to response times, and it was confirmed that the response time was determined by the assessed threat level of an incident and that over 90% of incidents were responded to on time. Further incidents were raised in relation to the night-time economy and road safety. It was queried why it was felt that Liverpool City Region did not get a fair allocated of resources, where it was outlined that whilst Liverpool City Region received a high amount of funding per head, it did not take into account issues around deprivation and the impact this had on crime and the need for more funding for preventative approaches across the public sector. Members noted the recruitment of a new chief constable with the priority of preventative measures to tackle crime and welcomed the approach.

**Resolved – That the report be noted.**

27 **WIRRAL CLINICAL COMMISSIONING GROUP - COMMISSIONING AND FINANCE**

The Chief Executive of NHS Wirral Clinical Commissioning Group (CCG) introduced the report which provided information relating to the functions and activities of NHS Wirral Clinical Commissioning Group. The report followed a request from Partnerships Committee for further information on matters pertaining to performance and finance of the CCG, with the relevant documents extracted from the last public Governing Body meeting and provided to the Committee for consideration.

It was outlined that as the Health and Care Bill progressed through parliament, the Integrated Care Board would be taking on the function of the Clinical Commissioning Group and the current priority was to ensure the smooth transfer of staff. Further priorities would be to support system partners through the challenges that Covid-19 still presented in the run up to the winter period, as well as ensuring essential governance with a requirement for CCGs to break even and Wirral CCG was on track to do so.

Queries were raised in relation to the finances of the CCG, in particular around its historic deficit and whether this would transfer to the Integrated Care System. It was reaffirmed that a break-even position had been achieved on income and expenditure despite issues associated with Covid-19, but that the underlying deficit still existed and would transfer to the Integrated Care Board. Further issues were raised in relation to access to General Practitioner services and the Chief Executive of the CCG undertook to liaise with members on any individual issues they had reported. Concerns were raised in relation to ear syringing and the fact that this was no longer commissioned by the NHS. Members were informed that locally the CCG were looking at alternative provision to enable patients to access this service free of charge and further information would be shared when available. Further information was also sought on the process of standardisation of access to services following the transfer of functions to the Integrated Care Board.

**Resolved – That the report and supporting documentation be noted.**

## 28 **LONG COVID**

The Chief Executive of NHS Wirral Clinical Commissioning Group introduced the report which provided detail on the development of the nationally prescribed local Long Covid Multi-Disciplinary Teams (MDTs) as well as further detail on NHS Wirral Clinical Commissioning Group's (CCG) commissioning of the service. It was reported that Wirral Community NHS Foundation Trust mobilised the local service in August 2021 to ensure that there were resources in Wirral to give individual patient focus on Long Covid recovery. This included support for both psychological and respiratory issues and there were elements of social prescribing within the service. Referrals to the local service had recently started to take place. Further information was

sought on the number of people who had accessed the Merseyside service and the number of those who had since been referred to the local service.

**Resolved – That the nationally prescribed commissioning arrangements for Long Covid Multi-Disciplinary Teams and NHS Wirral Clinical Commissioning Group’s commissioning of a Wirral Tier 3 Long Covid Multi-disciplinary Team be noted.**

29 **WORK PROGRAMME**

The Head of Legal Services introduced the report of the Director of Law and Governance, which provided the committee with an opportunity to plan and review its work across the municipal year.

It was outlined that the Committee had requested a single item agenda meeting to consider the Integrated Care System and requested that the RNLI item scheduled for February 2022 be rescheduled to March 2022 to enable this to take place. The Committee was advised that originally it had been the preference to consider RNLI and Flood Risk and Management at separate meetings to avoid confusing the two matters, but that given the comments from members this would be explored.

**Resolved – That**

**(1) the work programme be noted.**

**(2) RNLI be invited to the meeting scheduled for March 2022.**

## **Council – 6 December, 2021**

### **URGENT MOTION – RESPONSE TO EXTERNAL ASSURANCE REVIEW**

**Proposed by Councillor Janette Williamson**

**Seconded by Councillor Tom Anderson**

That Council:

- (1) receives and notes the draft minutes of Policy & Resources Committee of 30th November 2021; and
- (2) endorses the decision of the Policy and Resources Committee to provide a written response to the Minister’s letter to the Council of 2nd November 2021, enclosing and publishing the two independent reports that make up the External Assurance Review, in the terms of this Council:
  - (a) acknowledging and accepting the content of the reports;
  - (b) developing the recommendations for implementation; and, in particular,
  - (c) emphasising the adoption of the recommendations concerning:
    - (i) development of a financial recovery plan;
    - (ii) appointing an independent Panel to support the Council;
    - (iii) moving to a whole council scheme of elections, subject to consultation, to take effect as of 2023 and then every fourth year thereafter; and
    - (iv) review the committee system to reduce the number of committees.

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# **POLICY AND RESOURCES COMMITTEE**

Tuesday, 30 November 2021

Present: Councillor J Williamson (Chair)

Councillors T Anderson T Jones  
H Cameron J McManus  
P Cleary Y Nolan  
W Clements L Rennie  
P Gilchrist J Robinson  
JE Green P Stuart  
S Hayes

Deputy: Councillor S Foulkes (In place of EA Grey)

## **89 WELCOME AND INTRODUCTION**

The Chair welcomed everyone to the meeting and those watching the webcast.

## **90 APOLOGIES**

The Chair confirmed the apologies of Councillor Liz Grey, with Councillor Steve Foulkes deputising.

## **91 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were asked to declare any disclosable pecuniary interests and any other relevant interest and to state the nature of the interest.

No such declarations were made.

## **92 PUBLIC AND MEMBER QUESTIONS**

The Chair reported that no questions from either members of the public or Members had been submitted. Nor were there any statements or petitions to receive.

## **93 MINISTERIAL EXTERNAL ASSURANCE REVIEW**

The Chief Executive reported that the Council, having applied for exceptional financial support, received a capitalisation directive for 2020/21 and received an offer for 2021/22 subject to an external assurance review focusing on its financial position and on its ability, including the strength of its governance arrangements, to deliver its plans for medium-term sustainability. The reviews

were commissioned by the Government Department with the intention of it resulting in an agreed plan between the Authority and the Secretary of State to address the review's recommendations.

The Minister had written to the Council on 2 November, 2021, enclosing and publishing the two independent reports that made up the External Assurance Review. The letter asked the Council to set out in writing, within the following month, the steps it was taking in the immediate and longer term to respond to the Review and implement the recommendations.

The report highlighted the primary recommendations within the reviews and provided further details on how these would be addressed, including for:

- The development of a financial recovery plan
- Appointment of an independent panel
- A whole Council electoral scheme
- Reducing the number of committees

Responding to comments from Members both the Chief Executive and Director of Law and Governance confirmed the process by which policies, which might need to be reviewed in light of the financial recovery plan, could be undertaken. The Senior Leadership Team were already working closely with the Finance Sub-Committee on the 2022/23 budget and it was a two way process in which policies might naturally come up during these discussions or the Sub-Committee members could be asking officers to review those policies if that was what was required. The Chair and group spokespersons would be consulted on officer decisions when the relevant director considered it necessary to do so. The Director also confirmed that the delegation of decisions to officers, which was already up to £1,5m, did not affect the Constitution as it was always within the ability of a Committee to delegate further.

Councillor Phil Gilchrist spoke against the recommendations within the report and stated that he had reservations about signing the letter of response to the Government.

In response to a Member's comment the Chief Executive stated that as Head of Paid Service it was incumbent on him to encourage all political groups to work together and as Chief Executive he was seeking the co-operation of all groups to turn the organisation around.

The Chair and Members of the Committee expressed their very grave disappointment at the stance being taken by the Leader of the Liberal Democrat Group.

On a motion by the Chair, seconded by Councillor Tom Anderson, it was -

**Resolved (14:1) –**

**That this Committee:**

- (1) authorises the Chief Executive, in consultation with the Leader, to provide a written response to the Minister’s letter to the Council of 2<sup>nd</sup> November 2021 (attached as Appendix A to the report) in the terms of:**
  - (a) acknowledging and accepting the content of the reports;**
  - (b) developing the recommendations for implementation; and, in particular,**
  - (c) emphasising the adoption of the recommendations concerning:**
    - (i) development of a financial recovery plan;**
    - (ii) appointing an independent Panel to support the Council;**
    - (iii) moving to a whole council scheme of elections, subject to consultation, to take effect at the earliest practicable opportunity; and**
    - (iv) review the committee system to reduce the number of committees;**
- (2) authorises the Chief Executive to take such decisions as he considers necessary to implement the recommendations contained in the External Assurance Review (as outlined at Appendix B to the report), such decisions to be taken in consultation with the Leader and Group Leaders wherever appropriate.**
- (3) For the remainder of the 2021/22 municipal year, agree to recommend to all policy committees that:**
  - (a) agenda be reduced so far as is practicable to only those matters associated with the effective maintenance of statutory services, the budget, budget and financial recovery plan development and responding to the external assurance process; and**
  - (b) all other matters, including all key and non-key decisions, be delegated to the relevant Director, in consultation with a committee’s chair and group spokespersons where considered necessary.**

In response to further comments from Members, the Director of Law and Governance clarified the position with regard to possible consideration at the forthcoming Council meeting of any issues which this debate and passing of this decision had raised but emphasised that this decision had now been taken and that this would now be implemented. The Chief Executive confirmed that the letter to the Government would be sent on 1 December, 2021.

The Chair, in seeking to stress the importance of the decision the Committee had just taken and why it had needed to be taken, then read out a paragraph of the letter from the Government Minister as follows:

“As such, I would ask that you set out in writing, within the next month, the steps you are taking in the immediate and longer term to respond to the Review and implement its recommendations. Any faltering in this area would be of considerable concern and could lead to a reconsideration as to whether a different approach might be appropriate to secure the improvements that are necessary.”

#### 94 **CONSULTATION TO CHANGE SCHEME OF ELECTIONS**

The Director of Law and Governance introduced a report which brought forward a process to enable a change to a four year, “all out” electoral cycle at the earliest opportunity following a recommendation made in the External Assurance Review of 2 November 2021, that the Council should move to implement such a change.

The earliest practicable year for a change in electoral scheme to whole council elections was considered to be 2023, which provided the Council with the ability to consult and prepare for the change and was felt to best accord with the Boundary Commission’s planned review. The report detailed the steps required for such a change to take place.

It was moved by Councillor Paul Stuart and seconded by Councillor Yvonne Nolan, that –

“This Committee authorises commencement of a consultation process with a view to changing the Council’s scheme for elections by thirds to a scheme for whole-council elections and that the year for elections be set for the purposes of the consultation as 2023.”

It was then moved as an amendment by Councillor Tom Anderson and seconded by Councillor Lesley Rennie, that –

“This Committee authorises commencement of a consultation process with a view to changing the Council’s scheme for elections by thirds to a scheme for whole-council elections and that the year for elections be set for the purposes of the consultation as 2022.”

Following a considered debate on the amendment and motion, the amendment was put and lost (5:10).

The motion was then put and carried (15:0), and it was therefore –

**Resolved (15:0) - That this Committee authorises commencement of a consultation process with a view to changing the Council's scheme for elections by thirds to a scheme for whole-council elections and that the year for elections be set for the purposes of the consultation as 2023.**

Responding to a Member's comment the Director of Law and Governance confirmed that the Boundary Commission would be informed of this decision, with the Commission being due to start their review in 2023/24, the impact of their proposals would then come into effect in 2027, should whole-council elections be implemented from 2023.

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