



Annual Meeting (Part One)

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **7.00 p.m. on Wednesday, 17 May 2023** in the Civic Hall, within the Town Hall, Wallasey, to take into consideration and determine the following subjects:

Contact Officer: Dan Sharples
Tel: 0151 666 3791
e-mail: danielsharples@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

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

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

AGENDA

1. DECLARATIONS OF INTEREST

Members of the Council are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest, in connection with any matter to be debated or determined at this meeting and, if so, to declare it and state the nature of such interest.

2. CIVIC MAYOR'S ANNOUNCEMENTS

To receive the Civic Mayor's announcements and any apologies for absence.

3. ELECTION OF CIVIC MAYOR 2023/24

To elect the Civic Mayor of the Metropolitan Borough of Wirral for the municipal year 2023/24.

4. DEPUTY CIVIC MAYOR 2023/24

To elect the Deputy Civic Mayor of the Metropolitan Borough of Wirral for the municipal year 2023/24.

Full Council Responsibility for Functions

The full responsibility of functions for Full Council can be found at the end of this agenda.



Paul Sator, Chief Executive

TIMINGS AND GUILLOTINE

Members are reminded of the following:

Item 2 - under Standing Order 2(iv) Mayor's announcements normally limited to up to 5 minutes.

Item 4A. – under Standing Order 10.7, public questions, up to 2 minutes allowed to put a question and up to 2 minutes for a response. Up to 30 minutes in total allowed for public questions (Standing Order 2(v)).

Item 4B. - under Standing Order 11.1, representations (statements) up to 3 minutes, with public speaking on any one item not exceeding 10 minutes. Up to 20 minutes in total allowed to receive representations (Standing Order 2(vi)).
Petitions – under Standing Order 11.2, present and speak to a petition for up to 1 minute.

Item 4C. – under Standing Order 12.8, questions on notice from Members will not exceed 1 minute and up to 2 minutes for a response.

Item 6 – under Standing Order 2(xii) the total time allowed for questions and answers on decisions of committees is up to 45 minute.

Under Standing Order 9 of the Council Procedure Rules:

The Mayor will adjourn the meeting for a period of ten minutes at a convenient time after one and a half hours.

Where three hours have elapsed after the commencement of any meeting (and in the case of an extraordinary meeting of Council when two hours have elapsed since commencement of the meeting) the Mayor shall interrupt the meeting and the Member speaking must immediately cease doing so and sit down. The meeting shall then dispose of the item then under consideration as if the motion '*That the question be now put*' had been carried (i.e. the debate shall be concluded by the seconder and by the Member who has the right of reply and the vote will then be taken without any further discussion). This rule will not apply to meetings of a quasi-judicial or regulatory nature.

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.

This page is intentionally left blank

Full Council – Responsibility for Functions

1. Introduction

Full Council is the primary decision-making body of the Council and, as such, is responsible for the exercise of all of the functions that are held by the local authority.

Whilst decisions in relation to these functions could be made by the Council, and indeed some functions can only be carried out by the Full Council, in order to operate more effectively as an organisation, most of the Council's functions are exercised through delegation to a committee, sub-committee or an officer, or to another local authority.

This part of the Constitution contains the remits of the Council, Committees, Sub-Committees and Panels and also contains the Scheme of Delegation to Officers.

2. Council Functions

The Council reserves to itself the following functions (in accordance with the rules and procedures contained in this Constitution):

- (a) All non-delegable functions as defined by the Local Authorities (Committee System) (England) Regulations 2012 including: -
 - (i) **The Budget** – The approval or adoption of a plan or strategy for the control of the local authority's borrowing, investments or capital expenditure or for determining the authority's minimum revenue provision, which includes the overarching annual:-
 - (1) Capital programme
 - (2) Capital investment strategy
 - (3) Medium term financial plan
 - (4) Treasury management strategy,except for any amendment, modification, variation or revocation which—
 - (aa) is required for giving effect to requirements of the Secretary of State or a Minister of the Crown in relation to a plan or strategy submitted for approval, or to any part submitted; or
 - (bb) is authorised by a determination made by the local authority—
 - in pursuance of arrangements made for the discharge of functions as set out in the Budget and Policy Framework Procedure Rules set out at Part 4(3) of this Constitution (including virements); and
 - at the time when the local authority approves or adopts the plan or strategy, as the case may be.

(ii) **Policy Framework (Required)** – The making or revoking or amending the following policies, plans and strategies required to form a part of the Council’s Policy Framework:

- (1) Annual Library Plan;
- (2) Crime and Disorder Reduction Strategy;
- (3) Development Plan Documents;
- (4) Licensing Authority Policy Statement;
- (5) Policies made under the Gambling Act (including any resolution relating to casinos);
- (6) Local Transport Plan;
- (7) Plans and alterations which together comprise the Development Plan;
- (8) Sustainable Community Strategy; and
- (9) Youth Justice Plan;

except for any amendment, modification, variation or revocation which—

- (aa) is required for giving effect to requirements of the Secretary of State or a Minister of the Crown in relation to a plan or strategy submitted for approval, or to any part submitted; or
- (bb) is authorised by a determination made by the local authority—
 - in pursuance of arrangements made for the discharge of functions as set out in the Budget and Policy Framework Procedure Rules set out at Part 4(3) of this Constitution; and
 - at the time when the local authority approves or adopts the plan or strategy, as the case may be.

(iii) Making of a Members Allowance Scheme and amending the same.

(iv) Determination of Mayor’s and Deputy Mayor’s allowances.

(v) Making a request for single member electoral wards to the Local Government Boundary Commission.

(vi) Resolution to change a scheme for elections.

(vii) Making an order giving effect to the recommendations made in a Community Governance Review.

(viii) Conferring voting rights on co-opted members of Overview and Scrutiny Committees (if any).

- (b) **Policy Framework (Choice)** - The making or revoking or amending the following policies, plans and strategies reserved by Council to form a part of the Council's Policy Framework
 - (i) The Council Plan.
- (c) Setting the Council's Council Tax requirement
- (d) Electing the Mayor and Deputy Mayor
- (e) Appointing the Leader and Deputy Leader of the Council (Chair and Vice-Chair of Policy & Resources Committee)
- (f) Agreeing or amending the committee structure, the remit/terms of reference of committees, their size and membership
- (g) Confirming the appointment (or dismissal) of the Head of Paid Service, Monitoring Officer and Chief Finance (Section 151) Officer.
- (h) Confirming the appointment of the Independent Persons.
- (i) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation including bylaws or personal bills.
- (j) Appointment of the Returning Officer and Electoral Registration Officer.
- (k) Significant changes to the Council's Constitution, including adopting and amending standing orders, Rules of Procedure, Contract Procedure Rules, Financial Regulations, Codes and Protocols that make up the Constitution.
- (l) All other matters which by law are reserved to the Council including: -
 - (i) Ombudsman reports where there has been a finding of maladministration with injustice and the report has been rejected
 - (ii) Statutory officer reports of the Monitoring Officer, Chief Financial Officer and Head of Paid Service and External Auditor's public interest reports.
- (m) Conferring the title of Honorary Freeman and Honorary Alderman.
- (n) Approving the Annual Senior Officer Pay Policy Statement.
- (o) Changing the name of the Borough.
- (p) Appointment of representatives of the local authority not otherwise delegated to a Committee.
- (q) Nomination of councillors and other persons to outside bodies
- (r) Consideration of reports from committees or any other body constituted by the Council.

- (s) To receive the minutes of committees and sub-committees acting under delegated powers for question and comment.
- (t) Making recommendations to the Secretary of State on the Borough boundaries, ward boundaries, electoral divisions, ward or polling districts; and
- (u) any other function which must by law be reserved to full Council.

Note

For the avoidance of doubt, the Full Council retains ultimate responsibility for the actions and decisions of all its Committees and also retains the ability to exercise all its powers whether or not they have also been delegated to a Committee or Officer. Full Council shall not, however, exercise a power that has been delegated without first ensuring that such a step is in the best interests of the Council and in accordance with the rules set out in the Articles of this Constitution. The Council's ability to exercise its powers will not override or supersede any decision or action already taken and implemented by a Committee or Officer acting under delegated authority.