



# Council

Town Hall  
Wallasey

2 December, 2011

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday, 12 December 2011** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects :

**Contact Officer:** Andrew Mossop  
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**Website:** <http://www.wirral.gov.uk>

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## AGENDA

### 1. MAYOR'S COMMUNICATIONS

The Mayor's Chaplain, Revd Bernard McConnell, will lead the Council in prayers.

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

### 2. DECLARATIONS OF INTEREST

The members of the Council are invited to consider whether they have a personal or prejudicial 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.

### 3. PETITIONS

To receive petitions submitted in accordance with Standing Order 21.

**4. MINUTES (Pages 1 - 32)**

To receive as a correct record the minutes of the meetings of the Council held on 11 and 17 October, 2011.

**5. LEADER'S ANNOUNCEMENTS**

**6. MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 33 - 34)**

To consider matters referred to the Council for determination. The relevant minutes are attached; copies of the related reports can be provided for Council members on request.

In accordance with Standing Order 7(1), these matters will be taken as approved except in respect of any to which objections or amendments are submitted, in accordance with Standing Order 7(2).

(i) Minute 175 (Cabinet – 3/11/11) – Provision for Inflation 2012/13

(ii) Minute 198 (Cabinet – 24/11/11) – Insurance Fund Budget 2012/13

(iii) Any other matters referred to the Council by Cabinet at its meeting on 8 December, 2011, including:

- Corporate Plan 2012/13 – Update
- Council Tax Base 2012/13
- Capital Programme 2012-15 including Capital Financing 2012-13

**7. MATTERS FOR NOTING**

The following matters, determined by the Cabinet, are drawn to the Council's attention in accordance with the Constitution (copies of the related reports can be provided for Council members on request).

Matters potentially to be referred to the Council by Cabinet at its meeting on 8 December, 2011, include:

- Department of Adult Social Services Self Evaluation – Local Account (Reason – proposed waiving of call-in).

**8. QUESTIONS**

To deal with questions from councillors and from members of the public, in accordance with Standing Order 11.

**9. NOTICES OF MOTION (Pages 35 - 50)**

Notice has been given, in accordance with Standing Order 8(1), of motions on the following subjects. They are listed in the order received, and the full text of each motion is attached.

1. Adoption - Being the Best Corporate Parents
2. Affordable Homes
3. Cashless Scrap Metal Trade
4. Increasing Recycling
5. Public Consultation and Shared Services
6. Policies Affecting Women
7. Employment Rights
8. Bye-Law Banning Dogs from Children's Play Areas
9. Corporate Governance
10. Cuts to Local Transport Plan
11. Annual Children's Services Assessment
12. Council Processes and Purpose
13. Parks and Countryside Service Procurement Exercise (PACSPE)
14. Duty to Involve, Inform and Consult
15. Loss of Gas Supply in Leasowe and Moreton
16. AKA Report
17. Lights, Camera, Action
18. Education, Education, Education
19. Fairness, Not Favours

**10. MATTERS FOR DEBATE**

Pursuant to Standing Order 5(2)(n), and in accordance with Standing Order 5(4), to consider written comments, objections or amendments to minutes submitted under Standing Order 7(2), together with those motions, submitted under item 9 above, that the Council agrees to debate at this meeting and any minority reports submitted in accordance with Standing Order 35(4).

**11. VACANCIES (Pages 51 - 52)**

To receive nominations, in accordance with Standing Order 25(6), in respect of any proposed changes in the membership of the Cabinet and committees, and to approve nominations for appointments to outside organisations.

**12. ANY OTHER BUSINESS**

To consider any other items of business that the Mayor accepts as being urgent.

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Director of Law, HR and Asset Management

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## COUNCIL

Tuesday, 11 October 2011

Present: The Mayor (Councillor Moira McLaughlin) in the Chair  
Deputy Mayor (Councillor Gerry Ellis)

Councillors	RL Abbey	T Harney	D Realey
	T Anderson	P Hayes	L Rennie
	E Boulton	M Hornby	D Roberts
	A Bridson	P Johnson	L Rowlands
	A Brighthouse	M Johnston	J Salter
	W Clements	AER Jones	H Smith
	A Cox	C Jones	T Smith
	J Crabtree	P Kearney	W Smith
	G Davies	J Keeley	A Sykes
	P Davies	S Kelly	S Taylor
	WJ Davies	B Kenny	J Walsh
	D Dodd	A McArdle	G Watt
	P Doughty	AR McLachlan	S Whittingham
	D Elderton	C Meaden	R Wilkins
	S Foulkes	D Mitchell	I Williams
	P Gilchrist	B Mooney	KJ Williams
	P Glasman	S Mountney	P Williams
	J Hale	S Niblock	S Williams

<u>Apologies</u>	Councillors	C Blakeley	I Lewis
		S Clarke	D McCubbin
		JE Green	C Povall
		P Hackett	J Stapleton
		A Hodson	K Wood

### 37 MINUTES

The minutes of the meeting of the Council held on 12 October, 2010, had been circulated to members and, subject to the addition of Councillor Stuart Whittingham to the attendance list for the meeting, it was –

**Resolved – That the minutes be approved and adopted as a correct record.**

### 38 YOUTH PARLIAMENT

Before the commencement of the Youth Parliament in the Council Chamber a dance performance was given by the Inclusion Dance Company in the Civic Hall.

The young people and Councillors assembled in the Council Chamber at 6.15pm. The Mayor welcomed the young people and thanked Maureen McDaid, Principal Manager, CYP Participation and Inclusion Branch, her team and the officers for organising the event. The Mayor then explained the purpose of the evening and reported that this year's debate would focus on the proposed allocations for the

Youth Opportunity Fund (YOF). The intention was that the YOF Grant Panel would make its recommendations for each district's allocations to the Parliament. The Mayor then gave a brief outline of proceedings and invited the Executive Youth Board to present their proposals regarding the Birkenhead District.

The following proposal was put by the Grant Panel's Proposer for the Birkenhead District, Katie Lawrence:

**“The Grant Panels’ proposed priorities for Birkenhead are to use the Youth Opportunity Fund to provide activities which contribute to the following:**

- 1) Accredited outcomes**
- 2) Positive Activities**
- 3) Sex & Relationship Education**
- 4) Drugs and Alcohol Intervention**
- 5) Reducing ASB.”**

The Birkenhead District Opposing proposal was put by James Charteris.

The debate was then opened to Councillors and young people for their contributions.

The Grant Panel Seconder, Rikki Killen then closed the debate.

The proposal was put and lost (39:46) (4 abstentions).

The following proposal was put by the Grant Panel's Proposer for the South Wirral District, Will Laine:

**“The Grant Panels’ proposed priorities for South Wirral are to use the Youth Opportunity Fund to provide activities which contribute to the following:**

- 1) Accredited Outcomes**
- 2) Reducing N.E.E.T**
- 3) Anti-Bullying**
- 4) Reducing ASB**
- 5) Alcohol & Drug Intervention.”**

The South Wirral District Opposing proposal was put by Holly Smith.

The debate was then opened to Councillors and young people for their contributions.

The Grant Panel Seconder, Maria Kendall then closed the debate.

The proposal was put and carried (59:43).

The following proposal was put by the Grant Panel's Proposer for the Wallasey/New Brighton District, Rikki Killen:

**“The Grant Panels’ proposed priorities for Wallasey/New Brighton are to use the Youth Opportunity Fund to provide activities which contribute to the following:**

- 1) Reducing Teenage Pregnancy**
- 2) Reducing N.E.E.T**
- 3) Alcohol & Drug Intervention**
- 4) Healthy Lifestyles**
- 5) Accredited Outcomes.”**

The Wallasey/New Brighton District Opposing proposal was put by Charlie Tinken.

The debate was then opened to Councillors and young people for their contributions.

The Grant Panel Secunder, Will Laine then closed the debate.

The proposal was put and lost (14:84) (7 abstentions).

The following proposal was put by the Grant Panel’s Proposer for the West Wirral District, Mike Edwards:

**“The Grant Panels’ proposed priorities for West Wirral are to use the Youth Opportunity Fund to provide activities which contribute to the following:**

- 1) Healthy Lifestyles**
- 2) Reducing Teenage Pregnancy**
- 3) Positive Activities**
- 4) Alcohol interventions**
- 5) Accredited Outcomes.”**

The West Wirral District Opposing proposal was put by Lori Caine.

The debate was then opened to Councillors and young people for their contributions.

The Grant Panel Secunder, Katie Everson then closed the debate.

The proposal was put and lost (11:74) (9 abstentions).

The debate concluded with speeches from the three party groups (Councillors Harney, Lesley Rennie and Foulkes) who paid tribute to the young people and thanked them for the high standard of the debate.

The Mayor closed the meeting by thanking all those present for their participation. She thanked the party leaders, Maureen McDaid and the staff of the Youth Service for enabling this Parliament and the young people for their attendance and contributions to the debate.

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# COUNCIL

Monday, 17 October 2011

Present: The Mayor (Councillor Moira McLaughlin) in the Chair  
Deputy Mayor (Councillor Gerry Ellis)

Councillors	RL Abbey	T Harney	D Realey
	T Anderson	P Hayes	L Rennie
	C Blakeley	A Hodson	D Roberts
	E Boulton	M Hornby	L Rowlands
	A Brighthouse	P Johnson	J Salter
	S Clarke	M Johnston	H Smith
	W Clements	AER Jones	T Smith
	A Cox	C Jones	W Smith
	J Crabtree	P Kearney	J Stapleton
	G Davies	J Keeley	A Sykes
	P Davies	S Kelly	S Taylor
	WJ Davies	B Kenny	J Walsh
	D Dodd	I Lewis	G Watt
	P Doughty	A McArdle	S Whittingham
	D Elderton	D McCubbin	R Wilkins
	S Foulkes	AR McLachlan	I Williams
	P Gilchrist	C Meaden	KJ Williams
	P Glasman	D Mitchell	P Williams
	JE Green	B Mooney	S Williams
	P Hackett	S Niblock	K Wood
	J Hale	C Povall	

Apologies Councillors A Bridson S Mountney

## 39 MAYOR'S COMMUNICATIONS

The Mayor advised the Council that apologies for absence had been received from Councillors Ann Bridson and Simon Mountney. She referred also to the recent death of Mrs Iris Davies, former Labour Councillor for South Seacombe Ward 1972-75.

The Mayor referred also to Wirral's success in the Sefton/Wirral Golf Tournament and praised Councillors Kenny and J Williams who had recently undertaken the Liverpool Marathon.

In accordance with Standing Order 5(3), the Mayor announced her intention to exercise her discretion to vary the order of business. She proposed that item 9 (Questions) would be dealt with immediately following item 4 (Minutes), and the remainder of the business would be called in the order set out in the Council Summons.

## 40 DECLARATIONS OF INTEREST

Councillors R Abbey, J Crabtree, G Davies, P Davies, W Davies, D Dodd, P Doughty, S Foulkes, P Glasman, J Green, P Hackett, T Harney, A Jones, C Jones, B Kenny, A McArdle, A McLachlan, M McLaughlin, C Meaden, B Mooney, S Niblock, D Realey, J Salter, H Smith, T Smith, J Stapleton, J Walsh, S Whittingham, I Williams, and J Williams, declared their personal interest in Motion 5 (We Are All in This Together) (see minute 55 post) by virtue of their membership of a trade union.

Councillor D Roberts declared her personal interest in Motion 5 (We Are All in This Together) (see minute 55 post) by virtue of her being a member of the Merseyside Pension Fund.

Councillor P Davies declared his personal interest in the amendment to Motion 8 (Cancer Drugs Fund) (see minute 58 post) by virtue of him being a non-executive member of Wirral PCT.

Councillor M Johnston declared a prejudicial interest in agenda item 7(c) (Local Pay Award 2011/2012) (see minute 46 post) by virtue of his wife's employment, and left the chamber whilst the matter was considered.

#### 41 **PETITIONS**

In accordance with Standing Order 21, the Mayor received petitions submitted by –

Councillor D Dodd, on behalf of 12 signatories requesting action to address anti-social behaviour in the vicinity of Poole Road, Seabank Avenue, Edenhurst Avenue and the surrounding area, Wallasey.

Councillor P Doughty, on behalf of 42 signatories objecting to a planning application for the development of Ingleborough Playing Fields.

Councillor P Glasman, on behalf of 175 signatories objecting to the introduction of commercial cockling in New Brighton.

Councillor B Mooney, on behalf of 87 signatories requesting for a zebra crossing to be installed between St Albans Church, Liscard and the Cherry Tree Centre Car Park.

Councillor Mrs L Rennie, on behalf of 77 signatories, requesting an investigation into problems caused by parking at the junction of Beaufort Drive/Folly Lane/Buxton Road, Wallasey and to investigate appropriate road safety measures to reduce traffic speed in the area.

Councillor J Williams, on behalf of 63 signatories requesting road resurfacing works at Oakleigh Grove, Bebington.

**Resolved – That the petitions be noted and referred to the appropriate Chief Officer in accordance with Standing Order 34.**

#### 42 **MINUTES**

The minutes of the meeting of the Council held on 18 July 2011 had been circulated to Members and, it was –

**Resolved – That the minutes be approved and adopted as a correct record.**

#### 43 **QUESTIONS**

The Director of Law, HR and Asset Management advised that a question, having been received in accordance with Standing Order 11, from Mr J Birch, had subsequently been withdrawn, following correspondence with officers.

Councillor Mrs P Williams, having given the appropriate notice in accordance with Standing Order 11, submitted a question to Councillor B Kenny (Cabinet Member – Environment), with regard to Urban Foxes.

With the agreement of Councillor Mrs Williams, Councillor Kenny agreed to provide a detailed written response.

44 **LEADER OF THE COUNCIL**

**Motion moved in accordance with Article 7.3 (iii) (d)**

Proposed by Councillor Jeff Green  
Seconded by Councillor Lesley Rennie

Council notes

**(1)** That under Councillor Foulkes' leadership Wirral residents have had to endure:

Two Public Information Disclosure Act Reports  
A Secretary of State intervention leading to the Sue Charteris Library Report  
Audit Commission Red Flag  
A damning Care Quality Commission Report  
A number of issues raised by the Director of Finance in the Council's own Corporate Governance Statements  
District Audit qualification of the Council's ability to secure Value for Money from a contract let under his leadership

That under Councillor Foulkes' leadership extraordinary failings have become ordinary

The overt politicisation of the Council's administration, starting with the break up of the all party approach to Council governance and the dismissal of Conservative members from an all party Cabinet. Council believes this excluding tendency was compounded by his dismissal of Conservative members from the all party 'HESPE Council members working party'.

The erroneous claim by Councillor Foulkes himself that "the Martin Morton affair had proved that anyone within the council with a complaint - 'or a whistleblower, as the term has been used in this case' - would have their grievances properly investigated and acted upon." Leading Martin Morton himself to give the withering response that "This reinforced the experience repeated over the last few years of living in a parallel universe where wrong is right, bad is good and lies are truth".

The warnings from Council members following the SAR Libraries debacle of the damage his macho approach to leadership was doing to Wirral and that and that its culture, under his leadership, had become one of secrecy, fear and intimidation.

That in Councillor Foulkes' current role as Cabinet Member for Finance and Best Value he has refused to share any ideas or plans to meet the Council's reported £25m budget shortfall with the public or the Council's Scrutiny Committees

**(2)** Council believes the published elements of the AKA report highlight:

The leadership failings of Councillor Foulkes who by refusing members calls to order an independent inquiry himself into the Martin Morton affair attempted to sweep aside Council members genuine concerns.

Councillor Foulkes' assertion that Mr Morton's grievance (generated from his concerns for some of the most the most vulnerable people in Wirral) had been properly investigated and acted upon were nothing short of appalling and have now been shown to be, as members said at the time, breathtaking in their complacency, cruelty and incompetence.

He presided over a corrosive culture leading to back covering, secrecy, intimidation and machination

**(3)** Council further believes:

- A one party Labour Party Cabinet Committee to refresh and renew the Council's Governance is an inadequate response to what are extraordinary failings.
- The AKA report is shaming and means we cannot go on as we are and an extraordinary response is required from the Council to respond to the failings highlighted.
- The lack of action on the Council Notice of Motion recommendations calling for the reintroduction of an all party Committee system of governance demonstrates Cllr Foulkes unwillingness to adopt the inclusive approach to leadership now demanded.
- That accountability starts at the top.

**(4)** Council resolves -

- (i)** That Councillor Foulkes be removed from the office of leader of the Council with immediate effect.
- (ii)** That Council elect a new Leader in accordance with Council Procedure Rule 5B.
- (iii)** To take all necessary steps to establish and convene an all party Council Advisory Committee of 11 members (4:5:2) to oversee and guide the long term process of refreshing and renewing the Council's governance arrangements. The terms of reference for this Advisory Committee to be initially determined by the Director of Law, HR and Asset Management.
- (iv)** That with effect from the 1 November 2011 increase the size of the Employment and Appointments Committee by one to nine places (4:4:1) and decrease the size of the Planning Committee by one to 11 (4:5:2).

**(5)** That the next Leader of the Council is recommended to:

1. Adopt an inclusive approach to decision making, taking account of different points of view from across the Council and seeking all party engagement through an all party Cabinet/Executive Board.
2. Take immediate action, working with all political groups, to develop a committee system and supporting scheme of delegation to be completed

by December 2011 and submitted to Council for adoption as soon as practicable.

3. Take immediate action, working with all political groups, to reconfigure the existing Scrutiny arrangements to allow a shadow committee system to be implemented to advise the new Leader and, using current strong leader powers of delegation to facilitate this as necessary, to be in place and in use by January 2012 at the latest with reference to extraordinary meetings of the council, if required, prior to implementation.
4. Review and, where necessary, remove or amend current officer delegations given by the Leader of the Council (including those relating to the Strategic Change Programme) to ensure transparency, effective democratic oversight and good governance.

Councillor Foulkes responded to the Motion and, following a debate and Councillor Green having replied, Councillor Green along with five Conservative Members, asked that a 'card vote' be recorded.

The Council divided as follows –

For the Motion (26) Councillors T Anderson, C Blakeley, E Boulton, Mrs SL Clarke, W Clements, T Cox, DM Elderton, GJ Ellis, J Green, J Hale, P Hayes, AC Hodson, M Hornby, PSC Johnson, P Kearney, J Keeley, I Lewis, D McCubbin, Mrs C Povall, Mrs L Rennie, SL Rowlands, A Sykes, S Taylor, GCJ Watt, S Williams and Mrs K Wood.

Against the Motion (38) Councillors RL Abbey, A Brighthouse, J Crabtree, G Davies, P Davies, WJ Davies, D Dodd, P Doughty, S Foulkes, PN Gilchrist, P Glasman, P Hackett, T Harney, M Johnston, AER Jones, C Jones, SE Kelly, B Kenny, A McArdle, ARC McLachlan, M McLaughlin, Mrs C Meaden, GD Mitchell, B Mooney, S Niblock, D Realey, DE Roberts, J Salter, H Smith, PA Smith, W Smith, J Stapleton, J Walsh, S Whittingham, R Wilkins, I Williams, KJ Williams and Mrs P Williams.

**The Motion was, therefore, lost.**

#### 45 LEADER'S ANNOUNCEMENTS

The Leader of the Council, Councillor S Foulkes, addressed the Council on the following matters –

- The Leader referred to a number of issues which had been highlighted by Members of the Council and, in particular to matters identified in the published elements of the AKA report. He thanked the Council for its vote of confidence and, as a commitment to change, proposed to adopt a more inclusive approach to corporate governance, by way of the co-option of the Leaders of the Conservative and Liberal Democrat groups as non-voting members to the Cabinet Committee on Corporate Governance.
- The Leader referred also to the announcement of a multi-million pound contract awarded by RWE Npower Renewables (RWE NRL) to Cammell Laird to support the construction of Gwynt y Môr, one of the largest offshore wind farms under construction in Europe. He commented that the contract represented an exciting step forward in Wirral's ambitions to become a global leader in the renewable energy industry, which had the potential to create and secure significant numbers of jobs locally.

- The Leader referred to the official opening by His Royal Highness, The Prince Andrew, Duke of York of a new manufacturing facility at Teledyne CML in Bromborough, which will make wing and fuselage coverings for military and non-military aircraft. He offered the congratulations of the Council to all involved and commented that the presence of HRH Duke of York at the official opening was recognition of the company's excellence in advanced composite manufacturing and their commitment to Wirral.
- The Leader referred to the second anniversary of the hugely successful Apprenticeship Programme and was pleased to announce that Wirral had won a prestigious Equality and Diversity Award at last week's Northwest Employers Awards 2011.
- The Leader referred also to sweeping cuts that had been announced at Radio Merseyside as part of the BBC's plans to save 20% from its overall budget. He referred to the significant value of local radio and hoped to be able to agree a form of words with the Leaders of the Conservative and Liberal Democrat Groups in order for a letter of concern to be sent to Chris Patten, Chairman of the BBC Trust.
- The Leader congratulated Councillor Phil Davies who, on behalf of the Council, had recently signed a friendship agreement on the establishment of a sister-city relationship with Taicang City, Municipality of Suzhou, Jiangsu Province in the People's Republic of China. He outlined the terms of the agreement and commented particularly upon its importance in relation to the local economy. He praised Council Officers, and the former Leader of the Council, Councillor Jeff Green, for their diligence in working towards reaching the agreement.

#### 46 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

In accordance with Standing Order 7(1) a number of matters were submitted for approval by the Council. The Director of Law, HR and Asset Management reported upon a correction to minute 10 (Licensing, Health and Safety and General Purposes Committee – 21 September 2011) in relation to the Appointment of an Inspector to hold a Public Inquiry in relation to The Warrens Demonstration Area Village Green Application. The draft minute had erroneously referred to Upton Woods, Moreton and had now been corrected.

On a motion by Councillor S Foulkes and seconded by Councillor P Davies, it was –

**Resolved – That the following matters be approved:**

- (i) Minute 67 (Cabinet – 21/7/11) – Appointment of a Proper Officer (and others) for the Purposes of the National Assistance Act 1948 and 1951**
- (ii) Minute 76 (Cabinet – 21/7/11) – Local Development Framework – Liverpool City Region Overview Study**
- (iii) Minute 96 (Cabinet – 1/9/11) – Local Development Framework – Local Geological Sites Update**
- (iv) Minute 123 (Cabinet – 22/9/11) – Revision of the Council's Contract Procedure Rules**
- (v) Minute 125 (Cabinet – 22/9/11) – Local Development Framework – Joint Merseyside Waste Development Plan Document**

- (vi) Minute 132 (Cabinet – 22/9/11) – Cockling off the Leasowe to New Brighton Coast
- (vii) Minute 152 (Cabinet – 13/10/11) – Capitalisation of Statutory Redundancy Payments
- (viii) Minute 9 (Licensing, Health and Safety and General Purposes Committee – 21/9/11) – Upton Woods Village Green Application – Appointment of Inspector to Hold a Public Inquiry
- (ix) Minute 10 (Licensing, Health and Safety and General Purposes Committee – 21/9/11) – The Warrens Demonstration Area Village Green Application – Appointment of Inspector to Hold a Public Inquiry
- (x) The report and recommendations of the Independent Panel on Members' Allowances held on 27 September 2011
- (xi) The report and recommendations of the Director of Law, HR and Asset Management in relation to the Local Pay Award 2011-12 – Update, in response to the Cabinet decision of 21 July 2011 (minute 58 refers) –
  1. That Council agrees the arrangements that have been put in place for the payment of a non-consolidated Local Pay Award of £250 to Council employees earning below £21,000 per year.
  2. That this payment will be made to eligible employees in accordance with the key principles set out at Appendix One to this report.
  3. That Council agrees that a sum of £190,000 is transferred from the General Budget to the Schools Budget to assist in funding this payment.

47 **MATTERS FOR NOTING**

**Resolved – That, in compliance with Contract Procedure Rule 1.2.4, the following matter be noted:**

**Minute 80 (Cabinet – 21/7/11) – Local Development Framework for Wirral – Core Strategy Development Plan Document**

48 **MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES**

The Council was invited to consider amending to the Constitution to streamline the call-in process, as outlined in parts (2) and (3) of the resolution of the Scrutiny Programme Board held on 8 September 2011 (minute 12 refers).

**Resolved – That the following recommendations of the Scrutiny Programme Board in relation to the call-in process be approved –**

- (i) That the Council's Constitution and processes be amended to allow the Chief Executive or the Director of Law, HR and Asset Management, in consultation with the Chair and spokespersons of the Scrutiny Programme Board to allocate Call-In notices to the appropriate Overview and Scrutiny Committee, or to the Board, for consideration.

- (ii) That, if it is not possible for agreement to be reached by the group spokespersons, Call-In notices be referred to the Scrutiny Programme Board for a decision on allocation.

49 **MATTERS FOR DEBATE**

The matters listed for debate in accordance with Standing Order 5(2) (n) were dealt with as indicated in minutes 51 to 63 below.

50 **PROCEDURE**

**Resolved (unanimously) – That Standing Order 7(8) be applied from 9.00pm**

51 **MOTION: CORPORATE GOVERNANCE REPORT**

Proposed by Councillor Steve Foulkes

Seconded by Councillor Phil Davies

- (1) This Council recognises the seriousness of the criticisms contained within the Supplementary Report on Corporate Governance.
- (2) Council further recognises that these criticisms relate to a culture which is insular and inward looking and which has failed to realise the level of its failings, either through denial of the truth, or through a lack of understanding of best practice elsewhere in Corporate Governance and Wirral's shortcomings in relation to that best practice.
- (3) Council believes that this culture has grown up over a long period of time, covering many different political administrations, and the responsibility for a failure to change it lies jointly with all of us – with politicians of all parties, with Senior Officers and with our own staff.
- (4) Council also believes that the ability to change this culture transcends political differences and that it is essential that everyone works together to revitalise the Council's Corporate Governance Arrangements to ensure that Wirral has the opportunity to become the excellent council we know it can be.
- (5) Council also believes that it is the hard work and good will of many of its staff that has allowed good services to be delivered in many cases for the people of Wirral even where the structures and processes have been less than adequate, and believes that this hard work and goodwill will carry us forward to a much better position when the appropriate rigorous measures have been carried out and a sturdy framework created to underpin any future service delivery.
- (6) Council therefore welcomes this Corporate Governance Report as a necessary Wake Up call to us all, and agrees to implement its recommendations in full.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Steve Foulkes

Seconded by Councillor Phil Davies

**After final paragraph add:**

In order to facilitate a new political culture which allows for consensus on key issues and joint working as appropriate for the common good of Wirral, Council



recommends to the Leader of the Council that the Conservative and Liberal Democrat Leaders should be co-opted contributors to the Cabinet Committee on Corporate Governance with the right to speak but not vote.

Council further asks, in line with the Notice of Motion previously passed by all parties, and in line with pending legislation, that an all party working party comprising two members of each party be set up to seek to achieve consensus on the most appropriate form of democracy within the Council, taking into account the strengths and weaknesses both of the old Committee system and the current Cabinet system, and of any legislation and subsequent regulations as these become known.

Council asks that any new system meeting all party approval be prepared ready for adoption at the Council's AGM, in May 2012 or as soon thereafter that the enactment of the Localism Bill and any subsequent regulations allow.

Council recognises that this is a separate issue from the need to strengthen Corporate Governance in the Council, but believes that a successful outcome would, none the less, contribute to a less antagonistic and more co-operative form of politics, building on the individual strengths of each member.

Council further agrees, again in the light of a move towards more consensus, to increase the size of the Employment and Appointments Committee by one to nine places (4:4:1) and decrease the size of the Planning Committee by one to 11 (4:5:2) on the understanding that the current Chairs of the Employment and Appointments Committee and Planning Committee will remain in post, and that any moves by the current administration to set a budget requiring agreement or implementation through the Employment and Appointments Committee will not be unreasonably obstructed. This decision to take effect from 1 November 2011.

#### **Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

#### **Delete all after paragraph (1) and insert:**

- (2)** Council believes that we all have a part to play in mending our 'Broken Council'. Members, Staff and Officers all have a vital part to play and we acknowledge the wonderful work undertaken by many of our much valued and loyal members of staff.
- (3)** In order to begin to mend our 'Broken Council' Council resolves:
  - (a)** To take all necessary steps to establish and convene an all party Council Advisory Committee of 11 members (4:5:2) to oversee and guide the long term process of refreshing and renewing the Council's governance arrangements. The terms of reference for this Advisory Committee to be initially determined by the Director of Law
  - (b)** That with effect from the 1 November 2011 that the size of the Employment and Appointments Committee be increased by one to nine places (4:4:1) and decrease the size of the Planning Committee by one to 11 (4:5:2)
  - (c)** To adopt an inclusive approach to decision making, taking account of different points of view from across the Council and seeking all party engagement through an all party Cabinet/Executive Board.

- (d) To take immediate action, working with all political groups, to develop a committee system and supporting scheme of delegation to be completed by December 2011 and submitted to Council for adoption as soon as practicable.
- (e) To take immediate action, working with all political groups, to reconfigure the existing Scrutiny arrangements to allow a shadow committee system to be implemented to advise the Leader and, using current strong leader powers of delegation to facilitate this as necessary, to be in place and in use by January 2012 at the latest with reference to extraordinary meetings of the council, if required, prior to implementation.
- (f) To review and, where necessary, remove or amend current officer delegations given by the Leader of the Council (including those relating to the Strategic Change Programme) to ensure transparency, effective democratic oversight and good governance.

**An amendment submitted by Councillor Harney in accordance with Standing Order 7(2) was withdrawn**

Following a debate and Councillor Foulkes having replied, the amendment proposed by Councillor Green was put and lost (26:37) (One abstention). The amendment proposed by Councillor Foulkes was put and carried (37:26) (One abstention).

The substantive motion, as amended, was put and carried (37:26) (One abstention).

**Resolved (37:26) (One abstention) Councillors T Anderson, C Blakeley, E Boulton, Mrs SL Clarke, W Clements, T Cox, DM Elderton, GJ Ellis, J Green, J Hale, P Hayes, AC Hodson, M Hornby, PSC Johnson, P Kearney, J Keeley, I Lewis, D McCubbin, Mrs C Povall, Mrs L Rennie, SL Rowlands, A Sykes, S Taylor, GCJ Watt, S Williams and Mrs K Wood voting against –**

- (1) **This Council recognises the seriousness of the criticisms contained within the Supplementary Report on Corporate Governance.**
- (2) **Council further recognises that these criticisms relate to a culture which is insular and inward looking and which has failed to realise the level of its failings, either through denial of the truth, or through a lack of understanding of best practice elsewhere in Corporate Governance and Wirral's shortcomings in relation to that best practice.**
- (3) **Council believes that this culture has grown up over a long period of time, covering many different political administrations, and the responsibility for a failure to change it lies jointly with all of us – with politicians of all parties, with Senior Officers and with our own staff.**
- (4) **Council also believes that the ability to change this culture transcends political differences and that it is essential that everyone works together to revitalise the Council's Corporate Governance Arrangements to ensure that Wirral has the opportunity to become the excellent council we know it can be.**
- (5) **Council also believes that it is the hard work and good will of many of its staff that has allowed good services to be delivered in many cases for the people of Wirral even where the structures and processes have been less than adequate, and believes that this hard work and goodwill will carry us**

forward to a much better position when the appropriate rigorous measures have been carried out and a sturdy framework created to underpin any future service delivery.

- (6) Council therefore welcomes this Corporate Governance Report as a necessary Wake Up call to us all, and agrees to implement its recommendations in full.

In order to facilitate a new political culture which allows for consensus on key issues and joint working as appropriate for the common good of Wirral, Council recommends to the Leader of the Council that the Conservative and Liberal Democrat Leaders should be co-opted contributors to the Cabinet Committee on Corporate Governance with the right to speak but not vote.

Council further asks, in line with the Notice of Motion previously passed by all parties, and in line with pending legislation, that an all party working party comprising two members of each party be set up to seek to achieve consensus on the most appropriate form of democracy within the Council, taking into account the strengths and weaknesses both of the old Committee system and the current Cabinet system, and of any legislation and subsequent regulations as these become known.

Council asks that any new system meeting all party approval be prepared ready for adoption at the Council's AGM, in May 2012 or as soon thereafter that the enactment of the Localism Bill and any subsequent regulations allow.

Council recognises that this is a separate issue from the need to strengthen Corporate Governance in the Council, but believes that a successful outcome would, none the less, contribute to a less antagonistic and more co-operative form of politics, building on the individual strengths of each member.

Council further agrees, again in the light of a move towards more consensus, to increase the size of the Employment and Appointments Committee by one to nine places (4:4:1) (name to be submitted to the Director of Law, HR and Asset Management) and decrease the size of the Planning Committee by one to 11 (4:5:2) on the understanding that the current Chairs of the Employment and Appointments Committee and Planning Committee will remain in post, and that any moves by the current administration to set a budget requiring agreement or implementation through the Employment and Appointments Committee will not be unreasonably obstructed. This decision to take effect from 1 November 2011.

## 52 **MOTION: A SURE START FOR EVERY CHILD IN WIRRAL**

Proposed by Councillor Sheila Clarke  
Seconded by Councillor Wendy Clements

- (1) Council believes that the creation of Sure Start Centres was one of the outstanding successes of the previous Government and that all parties support the principle of targeted, early intervention to ensure that no child is left behind.
- (2) Council welcomes the action taken by the previous Administration to protect the budget for Wirral's Children's Centres and the provision of a new grant, direct to each centre, to be invested as local circumstances required.

- (3) Council welcomes the commitment of the Coalition Government to recruit 4,200 qualified Health Visitors to work with Children's Centres to further enhance the service provided to the most vulnerable parents in our communities.
- (4) Council, however, notes with concern the intention of the administration to reduce the Children's Centres budget by £1.2m without consultation.
- (5) Council therefore requests that parents, staff and partner organisations, and the wider public, are consulted on the proposed changes and a report be brought to a meeting of the Overview and Scrutiny Committee with the results of that consultation before any changes are implemented.

**An amendment submitted by Councillor McLachlan in accordance with Standing Order 7(2) was withdrawn**

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Phil Gilchrist  
Seconded by Councillor Alan Brighthouse

**Delete paragraph (4) and insert:**

Council recognises that Children's Centre surplus income has been carried forward over a number of years where there has been slippage in Centre budgets, or where income targets have exceeded estimates. There is an accumulated £1.2m 'one off' balance, dating back to when the Centres first opened, which has no impact on service delivery or budgets in the current year. Council considers that the accrued surplus can be used to support the current budgets covered by the Children's and Young People's Department, without detriment to the Centres. However, for the avoidance of doubt, the detail of this surplus and its proposed use should be reported to the relevant overview and scrutiny committee.

**Delete paragraph (5)**

Having applied the guillotine in accordance with Standing Order 7(8), the Council did not debate this matter.

The amendment was put and carried (37:26) (One abstention)

The substantive motion was then put and carried (37:26) (One abstention)

**Resolved (37:26) (One abstention) Councillors T Anderson, C Blakeley, E Boulton, Mrs SL Clarke, W Clements, T Cox, DM Elderton, GJ Ellis, J Green, J Hale, P Hayes, AC Hodson, M Hornby, PSC Johnson, P Kearney, J Keeley, I Lewis, D McCubbin, Mrs C Povall, Mrs L Rennie, SL Rowlands, A Sykes, S Taylor, GCJ Watt, S Williams and Mrs K Wood voting against –**

- (1) **Council believes that the creation of Sure Start Centres was one of the outstanding successes of the previous Government and that all parties support the principle of targeted, early intervention to ensure that no child is left behind.**
- (2) **Council welcomes the action taken by the previous Administration to protect the budget for Wirral's Children's Centres and the provision of a new grant, direct to each centre, to be invested as local circumstances required.**

- (3) Council welcomes the commitment of the Coalition Government to recruit 4,200 qualified Health Visitors to work with Children's Centres to further enhance the service provided to the most vulnerable parents in our communities.**
- (4) Council recognises that Children's Centre surplus income has been carried forward over a number of years where there has been slippage in Centre budgets, or where income targets have exceeded estimates. There is an accumulated £1.2m 'one off' balance, dating back to when the Centres first opened, which has no impact on service delivery or budgets in the current year. Council considers that the accrued surplus can be used to support the current budgets covered by the Children's and Young People's Department, without detriment to the Centres. However, for the avoidance of doubt, the detail of this surplus and its proposed use should be reported to the relevant overview and scrutiny committee.**

53 **MOTION: INTERNATIONAL TRADE CENTRE**

**Proposed** by Councillor Pat Williams

**Seconded** by Councillor Mark Johnston

- (1) This Council:**
  - (i)** Is delighted that the Peel International Trade Centre is to be opened in the Borough and recognises that there is widespread support for the project in Wirral.
  - (ii)** Places on record its appreciation of the co-ordinated action to get people into work
  - (iii)** Believes that the opening of the Centre will give an opportunity to get many more people into work.
  - (iv)** Views this project as the first step in the development of the areas of derelict docklands.
  - (v)** Recognises the need for the council to act as the community leader so that the public, private and voluntary sectors work together to ensure we are ready to welcome new businesses into Wirral.
- (2) Council considers that the economic benefit of this and subsequent developments will only be maximised if the community of Wirral work together to prepare the ground during the next three years.**
- (3) Therefore, having regard to the need to involve the communities in the area around the new development and working closely with Peel, Council resolves to recommend that the Leader:**
  - (a)** Instructs officers to identify the groups which should be involved and to draw up an initial action plan designed to prepare unemployed and the young to work in the development and businesses which will service it.
  - (b)** Instructs officers to ensure that contact is made with business and other organisations to co-ordinate the work that is being planned.

- (c) Instructs officers to discuss with head teachers the ways in which schools can be involved.
- (d) Instructs officers to work with local communities to ensure that the new businesses are welcomed. Council recognises the importance of local councillors in this, and in particular the Area Forum system.
- (e) Works with the other party leaders to lobby the government for financial and other support as the various projects develop. In addition, the importance of local MPs is recognised therefore, it is essential that they be kept informed.

Having applied the guillotine in accordance with Standing Order 7(8), the Council did not debate this matter.

**Resolved (unanimously) – That the Motion be approved.**

54 **MOTION: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

Proposed by Councillor Brian Kenny  
Seconded by Councillor George Davies

- (1) This Council expresses its real concern that the Coalition Government's draft National Planning Policy Framework, as it currently stands, could create a major threat to Wirral's highly valued Green Belt and countryside.
- (2) Council recognises that Wirral residents are fiercely protective of these areas and believes that the Government's decision to advocate a "presumption in favour of sustainable development" fails totally to strike the right balance between growth and the protection of our natural environment, and ensuring the rights of local people to have a real say in what happens where they live.
- (3) Council further expresses its real concern about the apparent removal of the priority to build on Brown Field sites first, which will add further pressure on Green Belt land which is more attractive to builders and developers.
- (4) Council believes that this policy is fundamentally flawed and, if it is not addressed, could lead to a wrecking of Britain's countryside and heritage in the interests of big businesses and property developers, without leading to an increase in affordable housing which is badly needed.
- (5) Council therefore urges this Government to think again, before it is too late.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor David Elderton  
Seconded by Councillor James Keeley

**Delete all and insert:**

- (1) Council notes the Coalition Government's Draft proposals for the new National Planning Policy Framework (NPPF) which is currently out for consultation.
- (2) Council supports the intention of simplifying the Planning system and recognises the importance of a Planning system that encourages economic development and job creation to the country.

- (3) Council notes that the new planning guidance safeguards valued national protection such as Green Belt, Areas of Outstanding Natural Beauty, National Parks and Sites of Special Scientific Interest, as well as ensuring measures which protect wildlife, biodiversity and cultural heritage. By contrast, the previous Government's Regional Strategies were planning to delete the Green Belt, which would have meant more urban sprawl and less protection for the countryside
- (4) Council also notes that as well as protecting the Green Belt, the Framework provides a new designation for councils to protect valued green space which is outside nationally protected areas. The Government's proposals directly state that local plans should minimise adverse effects on the natural environment, meaning there will be no free reign for developers to build wherever they like.
- (5) Therefore Council welcomes the fact that ultimately, local communities will be the driving seat by being able to influence the shape of their local communities, supported by the innovation of neighbourhood planning and increasing the involvement of local residents across our local areas

Having applied the guillotine in accordance with Standing Order 7(8), the Council did not debate this matter.

The amendment was put and carried (34:29) (One abstention)

The substantive motion was then put and carried (34:29) (One abstention)

**Resolved (34:29) (One abstention) –**

- (1) Council notes the Coalition Government's Draft proposals for the new National Planning Policy Framework (NPPF) which is currently out for consultation.**
- (2) Council supports the intention of simplifying the Planning system and recognises the importance of a Planning system that encourages economic development and job creation to the country.**
- (3) Council notes that the new planning guidance safeguards valued national protection such as Green Belt, Areas of Outstanding Natural Beauty, National Parks and Sites of Special Scientific Interest, as well as ensuring measures which protect wildlife, biodiversity and cultural heritage. By contrast, the previous Government's Regional Strategies were planning to delete the Green Belt, which would have meant more urban sprawl and less protection for the countryside**
- (4) Council also notes that as well as protecting the Green Belt, the Framework provides a new designation for councils to protect valued green space which is outside nationally protected areas. The Government's proposals directly state that local plans should minimise adverse effects on the natural environment, meaning there will be no free reign for developers to build wherever they like.**
- (5) Therefore Council welcomes the fact that ultimately, local communities will be the driving seat by being able to influence the shape of their local communities, supported by the innovation of neighbourhood planning and increasing the involvement of local residents across our local areas.**

55 **MOTION: WE ARE ALL IN THIS TOGETHER**

Proposed by Councillor Geoffrey Watt  
Seconded by Councillor Cherry Povall

- (1) Council believes trade unions play a vital part in a functioning democracy and believes they have an important role in a market economy.
- (2) Council notes that some trade union leaders are calling for further industrial action in response to the Coalition Government's reform of public services and the pensions provided to public sector workers.
- (3) Council urges trade union leaders to recognise that:
  - Following the debts left by the previous Government, all parties would have been forced to make cuts to public spending, as recognised by the Labour Leader during his Party's Conference.
  - The independent review into the future of public sector pensions, by Labour's former Work and Pensions Secretary, concluded that change was unavoidable.
  - The Coalition Government is working constructively with public sector unions on taking forward future reforms and ministers are meeting unions regularly as part of ongoing engagement on the Government's plans to increase employee pension contributions.
  - The Leader of the Labour Party has refused to back the strikes and has welcomed the trade union reforms introduced by previous Governments.
- (4) Council therefore believes that it is premature to strike while the discussions - set up at the request of the TUC - are ongoing and believes that, in the absence of support from any of the three Party leaders, the union leaders should remain at the negotiating table to seek the best possible deal for their members and the taxpayer.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Brian Kenny  
Seconded by Councillor George Davies

**Delete all after (1)**

**Insert:**

- (2) Council notes the analysis published by the TUC on 5 September 2011 which found that women's unemployment is set to rise as a result of the Conservative-led Government's public sector jobs cuts.
- (3) Council further notes the TUC resolution on 14 September to defend public sector pensions and campaign for decent pensions for all, recognising everyone deserves dignity in retirement.



- (4) Public sector workers have suffered an on-going pay freeze and cuts to public services and closures of many vital services our communities rely on.
- (5) Now the Government has launched an unprecedented attack on public service pensions. This is not only an injustice but could undermine the viability of some pension schemes.
- (6) Council expresses concern at the Conservative-led Government's mishandling of changes to public sector pensions and the provocative manner of ministers during negotiations.
- (7) Council recognises that the Labour Government took tough decisions on public sector pensions to cap the taxpayers' liability and introduce reformed pensions schemes. Council acknowledges that these decisions were taken in consultation with public sector unions.
- (8) Council agrees that the UK's ageing population means that some public sector pensions will need to change. However Council believes that the approach taken by the government so far has been unfair, is not a genuine attempt to make the schemes more sustainable and is a cash grab by the Treasury imposing an additional tax on workers already facing a pay freeze. The increased contributions are not being used to strengthen the schemes, but are going to the Treasury to pay debts caused by the banking crisis.
- (9) Ministers have failed to engage properly with the millions of public sector workers who will be affected by the changes and take on board their legitimate concerns. Despite lengthy negotiations, the Government has refused to listen or move, leading to union members being balloted on taking strike action as a last resort to show their opposition.
- (10) Council commends the work of public sector workers up and down the country, including Wirral, who provide vital services to everyone and calls for meaningful negotiations to reach satisfactory agreements.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment was put and lost (29:34) (One abstention)

The motion was put and carried (34:29) (One abstention)

**Resolved (34:29) (One abstention) –**

- (1) Council believes trade unions play a vital part in a functioning democracy and believes they have an important role in a market economy.**
- (2) Council notes that some trade union leaders are calling for further industrial action in response to the Coalition Government's reform of public services and the pensions provided to public sector workers.**
- (3) Council urges trade union leaders to recognise that:**
  - **Following the debts left by the previous Government, all parties would have been forced to make cuts to public spending, as recognised by the Labour Leader during his Party's Conference.**

- The independent review into the future of public sector pensions, by Labour's former Work and Pensions Secretary, concluded that change was unavoidable.
  - The Coalition Government is working constructively with public sector unions on taking forward future reforms and ministers are meeting unions regularly as part of ongoing engagement on the Government's plans to increase employee pension contributions.
  - The Leader of the Labour Party has refused to back the strikes and has welcomed the trade union reforms introduced by previous Governments.
- (4) Council therefore believes that it is premature to strike while the discussions - set up at the request of the TUC - are ongoing and believes that, in the absence of support from any of the three Party leaders, the union leaders should remain at the negotiating table to seek the best possible deal for their members and the taxpayer.

56 **MOTION: CORPORATE GOVERNANCE CRISIS**

In accordance with Standing Order 8(3) a Notice of Motion submitted by Councillor T Harney was withdrawn.

57 **MOTION: SUCCESS OF BIRKENHEAD BUSINESSES**

Proposed by Councillor Phil Davies  
Seconded by Councillor Jean Stapleton

- (1) This Council welcomes the recent report from the National Endowment for Science, Technology and the Arts (NESTA) which shows that Birkenhead has the highest number of fast growing companies in England, as measured by businesses that have increased by over 20% in each year for the previous three years.
- (2) Council also thanks all Officers who have assisted companies in Wirral to continue trading and in many cases expand their activities.
- (3) Council recognises that the results of the NESTA report are a remarkable achievement in the context of the current difficult economic climate.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Mark Johnston  
Seconded by Councillor Stuart Kelly

**Add additional paragraph**

- (4) Council requests that the Interim Director of Corporate Services present a report to the Economy and Regeneration Overview and Scrutiny Committee exploring the detail of the NESTA report and the reasons for the success of these businesses, with a view to applying these lessons more widely to support job creation and growth in the private sector and the re-balancing of the local economy.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment was put and carried unanimously.

The substantive motion was put and carried unanimously.

**Resolved (unanimously) –**

- (1) This Council welcomes the recent report from the National Endowment for Science, Technology and the Arts (NESTA) which shows that Birkenhead has the highest number of fast growing companies in England, as measured by businesses that have increased by over 20% in each year for the previous three years.**
- (2) Council also thanks all Officers who have assisted companies in Wirral to continue trading and in many cases expand their activities.**
- (3) Council recognises that the results of the NESTA report are a remarkable achievement in the context of the current difficult economic climate.**
- (4) Council requests that the Interim Director of Corporate Services present a report to the Economy and Regeneration Overview and Scrutiny Committee exploring the detail of the NESTA report and the reasons for the success of these businesses, with a view to applying these lessons more widely to support job creation and growth in the private sector and the re-balancing of the local economy.**

**58 MOTION: CANCER DRUGS FUND**

Proposed by Councillor Cherry Povall

Seconded by Councillor James Keeley

- (1) Council has long been concerned with health inequalities in Wirral and has previously debated survival rates for prostate cancer sufferers in Wirral.**
- (2) Council therefore welcomes:**
  - The creation by the Coalition Government of a new £200m Cancer Drugs Fund to enable patients to be given the treatment they need.
  - Reform of the National Institute for Clinical Excellence and the introduction of value-based pricing to enable all patients to access the drugs and treatments their doctors think they need.
  - The decision by the Clatterbridge Centre for Oncology and Primary Care Trust to make available to patients a new drug to extend the life of those suffering from skin cancer.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Anne McArdle

Seconded by Councillor Pat Glasman

**Delete all after paragraph (1) and replace with the following:**

- (2) Council welcomes the £200m Cancer Drugs Fund to enable patients to be given the treatment they need.
- (3) Council notes that symptom awareness, early referral, diagnosis and early treatment for cancer are essential in improving survival rates and to reduce health inequalities across the Wirral.

Therefore:

- Council expresses concern that the reform of the National Council for Clinical Excellence is a smokescreen for cuts to waiting and treatment time directives which were introduced under the previous Labour Government.
  - That any decisions by CCO, the PCT and the newly established GP Consortia to fund new cancer treatment drugs are made in an open and equal way that does not allow for age discrimination and other undisclosed factors.
- (4) That Wirral Council resists any move to relocate Cancer Services from the present Clatterbridge site to Liverpool.

#### **Amendment moved without notice in accordance with Standing Order 9**

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

That the amendment moved by Councillor McArdle be amended by the deletion of the first bullet point of paragraph (3).

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment proposed by Councillor Green was put and lost (26:29) (Nine abstentions)

The amendment proposed by Councillor McArdle was put and carried (37:26) (One abstention)

The substantive motion was put and carried (37:26) (One abstention)

#### **Resolved (37:26) (One abstention) –**

- (1) Council has long been concerned with health inequalities in Wirral and has previously debated survival rates for prostate cancer sufferers in Wirral.**
- (2) Council welcomes the £200m Cancer Drugs Fund to enable patients to be given the treatment they need.**
- (3) Council notes that symptom awareness, early referral, diagnosis and early treatment for cancer are essential in improving survival rates and to reduce health inequalities across the Wirral.**

**Therefore:**

- **Council expresses concern that the reform of the National Council for Clinical Excellence is a smokescreen for cuts to waiting and treatment time directives which were introduced under the previous Labour Government.**
  - **That any decisions by CCO, the PCT and the newly established GP Consortia to fund new cancer treatment drugs are made in an open and equal way that does not allow for age discrimination and other undisclosed factors.**
- (4) That Wirral Council resists any move to relocate Cancer Services from the present Clatterbridge site to Liverpool.**

**59 MOTION: RESPONSE TO CIVIL DISORDER - BREAKING THE CYCLE**

Proposed by Councillor Mark Johnston

Seconded by Councillor Pat Williams

- (1)** Council notes with concern and distress the disturbances that took place in Birkenhead on 9 August 2011 and across the country during the same week.
- (2)** Council condemns and deplores the behaviour of all those who participated in disorder and other illegal activity, bringing disruption, fear and violence to our streets. The criminal behaviour of a tiny minority of our citizens cannot be excused or tolerated.
- (3)** Council congratulates and expresses its sincere thanks to Merseyside Police, Fire and Rescue Service and other emergency services who dealt with matters in a highly professional and dedicated manner. Council also thanks the Courts for their swift response and robust approach to dealing with those found guilty of criminal acts.
- (4)** Council praises the resilience, restraint and community spirit demonstrated by the overwhelming majority of residents of the Borough.
- (5)** Council believes that the community response to the disorder more accurately reflects the state of our communities than the disturbances themselves, but further believes that it is important that the causes of the disorder are identified, understood and dealt with through long term measures and thoughtful consideration of the issues.
- (6)** Whilst there can be no excuses for the behaviour of those involved in the disorder, Council recognises the damaging affects of poverty and worklessness and its role in creating social exclusion and therefore welcomes the draft child poverty strategy report to Cabinet. Council welcomes the contribution to its development from the Wirral Child and Family Poverty Working Group and thanks the voluntary and faith sector representatives, officers and councillors who have served on it.
- (7)** In particular, Council believes the following issues identified in the draft strategy are crucial to ensuring that that no young people are left behind or excluded from our society and that action in these areas should help contribute to ensuring the August disturbances are never repeated:

- Targeting efforts to make work the best route out of poverty
  - Improving life chances for children through early interventions such as: support for effective parenting, promoting social and emotional development through greater emphasis on the early years and closing the gap in educational attainment
  - Supporting neighbourhoods by building on community assets
- (8) Council requests the Leader to ensure that the recommendations in the report form the basis of a robust and properly resourced action plan that is embedded into the work programme of the authority. The cycle of child and family poverty is a generational blight on some of our communities and breaking into this damaging pattern must be a priority of this Council. Council requests that regular updates of progress in implementing the recommendations are provided to the Children and Young People and Economy & Regeneration Scrutiny Committees.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Pat Hackett  
 Seconded by Councillor Tony Smith

**Insert after paragraph (5) and renumber accordingly:**

Council notes the report just published by the independent Institute for Fiscal Studies which shows that the next two years will be “dominated by a large decline” in incomes, pushing an extra 600,000 children and 800,000 adults of working age into absolute poverty by 2012/13, and creating a situation by 2013 where 2.5m working age parents and 4m working age adults without children will be in absolute poverty.

Council further notes that the consequences of actions taken by this government mean that targets set in 2010 for the reduction of child poverty will be missed by up to 23%.

Council recognises that the public perception is that savage public spending cuts are being inflicted on ordinary people, while the bankers who caused the original problems continue to flourish and enjoy high bonuses, and while rich corporations successfully avoid paying billions in tax which could have been used instead to help reduce the deficit and mitigate the consequences of damaging cuts.

Council also notes that by 2015 Merseyside Police will have been forced to cut their budget by £66m as a consequence of this Coalition government’s policies and expresses its concern that their ability to maintain the level of protection which helped protect lives and properties during the disorder in Birkenhead on 9 August could be affected.

Council believes that these issues create a climate where future disorder is increasingly likely.

*Continue with former paragraph 6 “Whilst there can be no excuses for the behaviour etc.”*

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment was put and lost (29:34) (One abstention)

The Motion was put and carried unanimously.

**Resolved (unanimously) –**

- (1) Council notes with concern and distress the disturbances that took place in Birkenhead on 9 August 2011 and across the country during the same week.**
- (2) Council condemns and deplores the behaviour of all those who participated in disorder and other illegal activity, bringing disruption, fear and violence to our streets. The criminal behaviour of a tiny minority of our citizens cannot be excused or tolerated.**
- (3) Council congratulates and expresses its sincere thanks to Merseyside Police, Fire and Rescue Service and other emergency services who dealt with matters in a highly professional and dedicated manner. Council also thanks the Courts for their swift response and robust approach to dealing with those found guilty of criminal acts.**
- (4) Council praises the resilience, restraint and community spirit demonstrated by the overwhelming majority of residents of the Borough.**
- (5) Council believes that the community response to the disorder more accurately reflects the state of our communities than the disturbances themselves, but further believes that it is important that the causes of the disorder are identified, understood and dealt with through long term measures and thoughtful consideration of the issues.**
- (6) Whilst there can be no excuses for the behaviour of those involved in the disorder, Council recognises the damaging affects of poverty and worklessness and its role in creating social exclusion and therefore welcomes the draft child poverty strategy report to Cabinet. Council welcomes the contribution to its development from the Wirral Child and Family Poverty Working Group and thanks the voluntary and faith sector representatives, officers and councillors who have served on it.**
- (7) In particular, Council believes the following issues identified in the draft strategy are crucial to ensuring that that no young people are left behind or excluded from our society and that action in these areas should help contribute to ensuring the August disturbances are never repeated:**
  - Targeting efforts to make work the best route out of poverty**
  - Improving life chances for children through early interventions such as: support for effective parenting, promoting social and emotional development through greater emphasis on the early years and closing the gap in educational attainment**
  - Supporting neighbourhoods by building on community assets**
- (8) Council requests the Leader to ensure that the recommendations in the report form the basis of a robust and properly resourced action plan that is embedded into the work programme of the authority. The cycle of child and family poverty is a generational blight on some of our communities**

**and breaking into this damaging pattern must be a priority of this Council. Council requests that regular updates of progress in implementing the recommendations are provided to the Children and Young People and Economy & Regeneration Scrutiny Committees.**

**60 MOTION: LINKS WITH CHINA**

Proposed by Councillor Phil Davies  
Seconded by Councillor Steve Foulkes

- (1)** This Council recognises the significant potential of investment by Chinese businesses to contribute to the future economic prosperity of Wirral, including the creation of substantial numbers of new employment opportunities for local residents.
- (2)** Council acknowledges the importance of the recent visit to China by a joint delegation from Wirral Council and Peel Holdings to discuss the proposed International Trade Centre at Wirral Waters with representatives of businesses and government from the cities of Suzhou, Taicang and Jiang Yin. These discussions indicated a high level of interest by Chinese businesses in investing in the Trade Centre and will be followed up with more detailed conversations with a view to securing contracts.
- (3)** Council also recognises the importance of the Sister City Agreement signed by the Mayor of Taicang and the Deputy Leader of the Council on the 29th of September.
- (4)** This will facilitate the development of important links between Wirral and Taicang on a range of issues including economic development, port related activities, tourism, education, culture and heritage. These links will be further developed during 2012 when a delegation from Taicang will visit Wirral.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

**Resolved (unanimously) – That the Motion be approved.**

**61 MOTION: FAIRER, SAFER VOTING**

Proposed by Councillor Ian Lewis  
Seconded by Councillor Chris Blakeley

- (1)** Council welcomes the commitment by the Coalition Government to reduce electoral fraud by the introduction of Individual Voter Registration.
- (2)** Council therefore requests a report on how this will be implemented by the Council to be brought to a meeting of the Licensing, Health and Safety and General Purposes Committee.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Stuart Whittingham  
Seconded by Councillor Darren Dodd

**Replace all text with the following:**



- (1) Council notes with concern the view of the Chair of The Electoral Commission that up to 10 million voters could fall off the register if voluntary Individual Voter Registration is introduced.
- (2) Council is also concerned that the proposal to remove the compulsion to register will result in further disenfranchisement from the political process for many people.
- (3) Council therefore calls upon the Coalition Government to rethink the proposals to introduce voluntary Individual Voter Registration and ensure that everyone that is eligible to vote is on the electoral register.

**Amendment submitted in accordance with Standing Order 7(2)**

Proposed by Councillor Dave Mitchell  
Seconded by Councillor Bob Wilkins

**Add to the end of paragraph (2):**

This report to include recommendations on ways to increase voter registration and ensure that everyone who is entitled to vote is registered to vote.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

The amendment proposed by Councillor Whittingham was put and lost (29:34) (One abstention)

The amendment proposed by Councillor Mitchell was put and carried (34:29) (One abstention)

The motion, as amended, was put and carried (34:29) (One abstention)

**Resolved (34:29) (One abstention) –**

- (1) **Council welcomes the commitment by the Coalition Government to reduce electoral fraud by the introduction of Individual Voter Registration.**
- (2) **Council therefore requests a report on how this will be implemented by the Council to be brought to a meeting of the Licensing, Health and Safety and General Purposes Committee. This report to include recommendations on ways to increase voter registration and ensure that everyone who is entitled to vote is registered to vote.**

62 **MOTION:SMOKING BAN IN OUTDOOR PLAY AREAS**

Proposed by Councillor Pat Williams  
Seconded by Councillor Dave Mitchell

This Council:

- A.** Notes that other local authorities within the UK, such as Inverclyde and Pendle, have or are in the process of implementing smoking bans in children's play areas and that many other areas are considering it.

- B. Notes that Cheshire and Merseyside Tobacco Control Alliance, in partnership with Heart of Mersey are campaigning to implement a voluntary smoke-free code within playground areas on council owned land across the North West sub-region.
- C. Notes that research suggests public support for smoke-free play areas is high: A YouGov survey undertaken by ASH in March 2010 found that 73% of the general population backed a smoking ban in children's play areas.
- D. Believes that, in the long term, smoke-free play areas will assist in decreasing the number of young people who start smoking and will also help to reduce levels of unsightly cigarette litter such as cigarette butts, matches, empty packets and wrappers in children's play areas.

Therefore, Council:

- (1) States support for the principle of a voluntary smoking ban in children's play areas within Wirral.
- (2) Welcomes preparatory work undertaken to date to gauge local support for smoking bans in play areas and in parks and urges consultation with playground users to assess support for this initiative.
- (3) Requests the Leader to instruct officers to continue work, in partnership with the Cheshire and Merseyside Tobacco Control Alliance, to bring forward implementation plans for a voluntary smoke-free code for play areas in Wirral, with a view to introduction from early 2012 (subject to the outcome of consultations). Plans to include a smoke-free policy statement, training and enforcement programme, public awareness raising and a timetable for evaluation of the effectiveness of the smoke-free code.
- (4) Instructs the Director of Law, HR and Asset Management to prepare a report for the Health and Wellbeing, Children and Young People and Sustainable Communities Overview and Scrutiny Committees as to how powers contained in the Localism Bill may facilitate the introduction of legally enforceable bans.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

**Resolved (unanimously) – That the motion be approved.**

63 **MOTION: APPOINTMENT OF METROPOLITAN POLICE COMMISSIONER**

Proposed by Councillor Bob Wilkins  
 Seconded by Councillor Stuart Kelly

This Council congratulates former Merseyside Police chief Bernard Hogan-Howe on his recent appointment as Metropolitan Police Commissioner and instructs the Chief Executive to write him a letter of congratulations and thanks on behalf of the Council.

Having applied the guillotine in accordance with Standing Order 7(8) the Council did not debate this matter.

**Resolved (unanimously) – That the motion be approved.**

64 **VACANCIES**

The Council was requested to deal with the following appointments:

**COUNCIL COMMITTEES**

**Health and Well Being O&S Committee**

Councillor Mrs P M Williams to replace Councillor Dave Mitchell

**OUTSIDE BODIES**

**HOUSING AND COMMUNITY SAFETY**

**Leasowe Community Homes Management Board**

Vacancy to replace Councillor Ian Lewis

**SOCIAL CARE AND INCLUSION**

**Joint Scrutiny Committee for Cheshire & Wirral NHS Partnership Trust**

Councillor Darren Dodd to replace Councillor Tony Smith  
(Deputy Councillor Bernie Mooney)

**Resolved – That the appointments be approved.**

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## REFERRALS TO COUNCIL

### CABINET – 3 NOVEMBER 2011

#### **MINUTE 175 - PROVISION FOR INFLATION 2012-13**

The Deputy Chief Executive/Director of Finance reported that a decision was required on the provision for inflation to be included in the budget for 2012-13.

The Government had indicated that the provision being made for public service pay awards for 2012-13 would be £250 per annum for those employees earning less than £21,000 per annum and nothing for those employees earning above £21,000. The estimated cost to the Council of this provision was £1m.

The Deputy Chief Executive/Director of Finance set out the options which could be considered for price inflation:

- (a) Zero – Following reductions in Government grants the financial position of the Authority is such that any provision for inflation will only result in additional reductions in service provision and employment. Chief Officers would be required to contain expenditure within the existing budget. For the reasons stated, this was the recommendation for 2012-13.
- (b) Government long term inflation assumption of 2% - This was the assumption used to date in the budget projections and would cost £4.2m.
- (c) Consumer Price Index (CPI) of 5.2% - This would cost £10.9m.
- (d) Retail Price Index (RPI) of 5.6% - This would cost £11.8m.

The Deputy Chief Executive/Director of Finance reported that income from fees and charges had traditionally been increased by 3% per annum, except where the Cabinet had agreed a variation. This increase equated to £1m.

There were a number of current issues in relation to income from fees and charges:

- (a) Following issues raised in the Social Services Public Interest Disclosure Act (PIDA) report relating to the agreement and application of fees and charges, Internal Audit is reviewing all fees and charges.
- (b) A review of fees and charges income is being undertaken across Merseyside.
- (c) A number of income budgets are proving difficult to sustain in the current economic climate.

Therefore, the Cabinet was recommended to agree to a full review of fees and charges being undertaken in 2012, to take account of the outcome of the reviews outlined above.

On a Motion proposed by Councillor S Foulkes, seconded by Councillor P Davies and carried unanimously, it was

**RESOLVED: That**

- (1) provision be made for pay awards in line with the Government recommendation;**
- (2) no provision be made for price inflation;**
- (3) income budgets be increased by 3%;**
- (4) a full review of all fees and charges be undertaken in 2012; and**
- (5) the Cabinet asks Chief Officers to contain any price inflation costs within their existing budgets, as it notes that the long term Government assumption of inflation costs is set at 2% which is the amount contained within the projected budget, and that this will equate to a savings of £4.2m at a time when the Council is facing serious financial pressures.**

**CABINET – 24 NOVEMBER 2011**

**MINUTE 198 – INSURANCE FUND BUDGET 2012-13**

A report by the Director of Finance set out the elements which made up the Insurance Fund, the cost of running the Risk and Insurance Section and the Budget for 2012/13. The Insurance Fund Budget was one element of the Council Budget setting process.

**RESOLVED: That**

- (1) the Insurance Fund Budget 2012/13 be agreed;**
- (2) the Budget Surplus Reserve of £136,030 be used to limit the increase in cost to the General Fund for 2012/13; and**
- (3) savings to schools (subject to Academy transfers) of £226,000 and increased costs to the General Fund of £20,000 for 2012/13 be agreed.**

## Council – 12 December, 2011

### Motions

The following motions have been submitted in accordance with the notice required by Standing Order 8(1) and are listed in the order received. The actual order in which they are debated will be determined by the party groups in accordance with Standing Order 5(3).

#### 1. ADOPTION - BEING THE BEST CORPORATE PARENTS

**Proposed** by Councillor Mark Johnston

**Seconded** by Councillor Pat Williams

Council:

- (1) Congratulates the Acting Director of Children's Services and his staff on the achievement of the "performing excellently" rating from Ofsted in relation to the quality of children's services in Wirral and believes that this is fair recognition for the work undertaken over the past few years to ensure that the council provides the highest level of service possible for children and young people in our community.
- (2) Notes that Wirral Council currently looks after 679 children (102 children per 100,000 population - the 5th highest in the North West). The recent release of the Children in Care Performance tables from DfE show that, as an average for the 3 year period 2008-2010, Wirral Council is ranked 105th out of 143 authorities in terms of percentage of children (69%) who are adopted within 12 months of the decision being taken that adoption is the best route.
- (3) Recognises that there can be many complex and different reasons why adoption placements can sometimes take longer than 12 months, such as large sibling groups or complex health needs. In these circumstances the stability of placement is critical and Wirral has a good record in this area with just 1 unplanned ending out of 24 placements in the year to May 2011. Ofsted's Adoption inspection report of June 2011 noted, "The very low disruption rate indicates that children are appropriately matched with their adoptive parents".
- (4) Welcomes the recommendations of the Government's recent Family Justice Review, particularly those that focus on tackling delays in the family justice system.
- (5) Believes that, in those circumstances where the risk to a child is too great for that child to remain in the care of his or her natural family, adoption is normally the best opportunity of securing positive life chances for that child, particularly if the adoption can happen in the child's first few years.

- (6) Further, believes that the current system can be too slow to recognise where adoption is the preferred option and then take swift action to ensure that adoption is speedy and suitable in those cases.
- (7) Therefore, instructs the Acting Director of Children's Services to bring forward a report to the Children and Young People OSC setting out:
- (i) How decisions around the adoption system are made (including the approval processes for prospective adoptive parents) and how they might be speeded up and improved for those children in care where adoption is likely to be the best outcome for providing a stable, permanent home.
  - (ii) An explanation of the relational link between the Fostering and Adoption team, the support provided by foster carers when children move from foster care to adoption and any weaknesses in process highlighted, with recommendations to improve any issues.
  - (iii) An explanation of the impact of the Family Courts on the adoption process, with suggestions given as to how to better work with and strengthen the existing approach by the Merseyside Family Court Justice Council to improve the likelihood of appropriate and timely adoptions, taking account of the recommendations and proposals set out in the Family Justice Review.
  - (iv) The potential for further development of a peer mentoring scheme for new adoptive parents to provide more support in the early days of adoption and further reduce the risk of placement failure.

## **2. AFFORDABLE HOMES**

**Proposed** by Councillor Alan Brighthouse

**Seconded** by Councillor Stuart Kelly

- (1) Council welcomes the recent Coalition Government announcement to support first time buyers through the introduction of government supported 95% mortgages as part of a strategy to tackle housing shortage, boost the economy, create jobs and get more people on to the housing ladder.
- (2) Council notes that, under this new mortgage indemnity scheme, the Government will underwrite a percentage of each loan on newly built property, meaning buyers will not have to raise as much towards a deposit.
- (3) Council also notes that this scheme sounds very similar to the 'Lend a Hand' local authority mortgage scheme referenced in the Notice of Motion "Mortgage Support for First Time Buyers", aimed at first time buyers finding it difficult to raise the 20-25% deposit needed to obtain an affordable mortgage interest rate and agreed unanimously at Full Council on 18th April 2011 (Minute 118).
- (4) Council agreed that this scheme had the potential to support housing markets in areas at risk of housing market failure, stimulating the local housing market and benefiting the wider local economy



- (5) Council is reminded that the Director of Finance was instructed to bring forward a report reviewing the impact of the 'Lend a Hand' local authority mortgage scheme and any lessons that would need to be learnt prior to the implementation of such a scheme in Wirral.
- (6) Given that the Government continues to endorse the principle of public sector backed top up mortgages, the Economy and Regeneration OSC is urged to request a report from the Acting Director of Regeneration, Housing and Planning on how Wirral can be at the vanguard of any implementation plan of the Government's scheme.

### **3. CASHLESS SCRAP METAL TRADE**

**Proposed** by Councillor Dave Mitchell

**Seconded** by Councillor Ann Bridson

- (1) This Council notes with great concern the level of metal theft across our Borough, and the effect of this crime on our community, including on homeowners, businesses, places of worship, community buildings, heritage assets, war memorials and infrastructure providers. According to Merseyside Police, almost 6 crimes per day (5.8) are related to theft of metal. This equates to 2.1% (more than one in 50) of all recorded crimes.
- (2) Council welcomes the e-petition launched (by Walsall Council <http://epetitions.direct.gov.uk/petitions/406>) on the official Government website calling for a change to the Scrap Metal Merchants Act 1964, to prohibit cash transactions, and make payment by cheque or bank transfer mandatory, providing an audit trail when thefts are detected or stolen or suspect materials are recovered.
- (3) Council welcomes the proposal of the Metal Theft (Prevention) Bill to Parliament by Hyndburn MP Graham Jones, aimed at establishing a robust licensing scheme for scrap metal dealers coupled with greater police and judicial powers to close scrap yards found flouting the law.
- (4) Council also welcomes the Government review into what else needs to be done to tackle the issue of metal theft.
- (5) Therefore, Council calls on the Leader to request:
  - (i) That the Chief Executive contact Wirral's four Members of Parliament, and the Home Secretary, to inform them of Wirral Council's support for this legal change, and to request their support;
  - (ii) That the e-petition be publicised on the Council's website, along with advice on preventing such thefts, or on measures which may help to identify thieves such as the use of smart water, in partnership with the local Police and other partners, as appropriate.

- (6) Further, Council instructs the Director of Law, HR and Asset Management to prepare a report for the next Sustainable Communities OSC on current levels of metal thefts, the steps that are being taken to prevent them and to bring those responsible to justice, with the opportunity for members to contribute suggestions and comments, to ensure that Wirral's response to metal theft is as robust as possible.

#### **4. INCREASING RECYCLING**

**Proposed** by Councillor Alan Brighthouse

**Seconded** by Councillor Bob Wilkins

Council:

- (1) Is reminded of its support of The Joint Recycling and Waste Management Strategy for Merseyside which includes a commitment to recycle 50% of household waste by 2020.
- (2) Believes that it can reach and should exceed this target much sooner, helping to reduce the borough's carbon footprint and reduce the amount paid out for waste disposal.
- (3) Is reminded that it agreed unanimously (Council, 12th July 2010, Minute 22) "to request that the Director of Technical Services continues to examine new ways to reduce waste to landfill, such as through the introduction of food waste collections (taking account of existing work undertaken to date), the collection of recyclable material from businesses, increasing the range of recyclable material that can be taken to the council's recycling collection points and working with MWDA to increase the range of materials that can be placed in grey bins".
- (4) Instructs the Director of Technical Services to present a report to the next available Sustainable Communities OSC, and calls on the Leader to request a Cabinet report, setting out the contribution and progress Wirral has made since 12th July 2010. This report shall also include, but not be limited to, options for;
- (i) increasing the range and proportion of materials that are recycled;
  - (ii) supporting the development of improved facilities and services for the recycling of trade and commercial wastes, recognising that a local green infrastructure will support the development of local businesses;
- (5) Instructs the Director of Technical Services to present a report to the Sustainable Communities OSC, and invites the Leader to request a Cabinet report, before the end of the municipal year proposing a Wirral Council Action Plan that clearly sets out the mechanism by which Wirral will achieve the objectives included in The Joint Recycling and Waste Management Strategy for Merseyside.
- (6) Also calls on the Leader to instruct the Director of Technical Services to work with the MWDA to modernise the levy mechanism and design a new system

which more accurately reflects the benefits of recycling and the disposal costs of non recyclable waste.

## **5. PUBLIC CONSULTATION AND SHARED SERVICES**

**Proposed** by Councillor Phil Gilchrist

**Seconded** by Councillor Tom Harney

- (1) Council notes with interest Liverpool City Council's Budget consultation with residents, stakeholders and service users on quantified options for cost savings, which includes savings arising from the sharing of services between the five Merseyside authorities (including Wirral).
- (2) Council further notes with dismay that whilst Liverpool residents were being consulted at an early stage on sharing services with Wirral, Wirral residents were not given the opportunity of being consulted on sharing services with Liverpool or any other of the Merseyside authorities.
- (3) Therefore, Council instructs the Chief Executive to make publicly available all material relating to discussions and negotiations that have taken place with the other Merseyside districts in relation to sharing services, including any assessment of the implications for services and service users as well as quantifying the level of savings that can be achieved.
- (4) This Council believes that the current Labour Administration;
  - (i) has, to date, failed to comply with the Council's own unanimously agreed policy (Council, 15th Feb 2010, Minute 103) "to ensure that major policy decisions include more robust processes of public consultation, as appropriate, before decisions are taken";
  - (ii) has, despite stating they would set out to use You Choose and build on last year's detailed 'Wirral's Future' consultation, done too little and may have left it too late to carry out any meaningful consultation on next year's budget, leaving the authority at risk of legal challenge, and;
  - (iii) has, despite the willingness of overview and scrutiny committees to engage with the process, failed to provide any information or set out a single option or proposal in relation to next year's Budget for members to scrutinise.
- (5) Council, therefore, calls on the Leader to publish, as a matter of urgency, his draft Budget proposals, so that what little time which remains can usefully be applied to public consultation to mitigate the risk of legal challenge.

## **6. POLICIES AFFECTING WOMEN**

**Proposed** by Councillor Bernie Mooney

**Seconded** by Councillor Chris Jones

- (1) This Council calls on the coalition government to reconsider a number of policies which are disproportionately affecting women. These policies appear to have been developed without any form of equality assessment of risk to women, these include:
  - (i) Job cuts in the public sector
  - (ii) Female unemployment at a 23-year-high
  - (iii) Changes to the benefit system affecting childcare
  - (iv) Changes to the NHS
  - (v) The appalling state of care for the elderly
  - (vi) Education and student fees
  - (vii) Food price inflation
  - (viii) Price of petrol
  - (ix) Changes to pensions
  - (x) The whole direction of the deficit reduction programme and its effect on day to day life
- (2) Council calls on David Cameron to stop trying to simply appeal to women voters with populist policies such as offering caesarean section to all who want it.
- (3) Council believes that if the coalition puts women's rights and issues at the heart of policy formation and development they may not look so arrogant and out of touch with the needs of female voters.

## **7. EMPLOYMENT RIGHTS**

**Proposed** by Councillor Brian Kenny

**Seconded** by Councillor Adrian Jones

- (1) This Council is extremely concerned that the Government has announced its intention to give companies greater freedom to sack employees as part of an overhaul of employment laws, to boost economic recovery.
- (2) Council is also concerned at plans to double the qualifying period for unfair dismissal claims and to introduce a fee for lodging an employment tribunal claim for unfair dismissal.
- (3) Council believes that it is typical of this Government to claim that the only way to bring unemployment down is to make it easier to sack people and reduce their employment rights.
- (4) Instead of attacking these rights, Council believes that the Government should reverse its disastrous economic policies, which have produced near-record levels of unemployment, and to produce a plan to restore much-needed growth.

## **8. BYE-LAW BANNING DOGS FROM CHILDREN'S PLAY AREAS**

**Proposed** by Councillor Jean Stapleton

**Seconded** by Councillor Brian Kenny

- (1) Council is concerned about irresponsible dog walkers who allow their dogs to enter enclosed children's play areas.
- (2) Council asks for the Director of Law, HR and Asset Management to report back to Cabinet on the process for producing a new bye-law or other appropriate measures to give the Council powers to impose sanctions on dog walkers who deliberately allow their animals to enter enclosed children's play areas.
- (3) Council also asks the Director of Law to report back to Cabinet on a new bye-law obliging all dog walkers to carry an appropriate bag at all times when walking their dog.

## **9. CORPORATE GOVERNANCE**

**Proposed** by Councillor Steve Foulkes

**Seconded** by Councillor Phil Davies

This Council:

- (1) Welcomes the recommendations in the AKA report regarding corporate governance.
- (2) Supports the steps which have been taken by the administration to begin to implement these recommendations, i.e.
  - (i) Setting up a Cabinet Committee including the Leaders of the opposition groups;
  - (ii) developing a work programme including ten key lines of enquiries based on the AKA report;
  - (iii) inviting all members of the Council to get involved in contributing to the work programme;
  - (iv) Setting up a dedicated Change Team to drive this forward;
  - (v) holding an initial meeting with the Local Government Association to explore external support which is available.
- (3) Records its appreciation to Ms Anna Klonowski for agreeing to provide additional support to enable the Council to put the necessary measures in place to improve our corporate governance and for providing a helpful presentation at the recent members' seminar.

- (4) Re-iterates the importance of elected members putting aside political differences and working together with staff, the public and other key stakeholders to deliver good corporate governance.

## **10. CUTS TO LOCAL TRANSPORT PLAN**

**Proposed** by Councillor Harry Smith

**Seconded** by Councillor Ron Abbey

- (1) This Council condemns the coalition government's decision to cut Wirral's Local Transport Plan transport capital programme by £2.3 million.
- (2) This cut has hit a number of key areas which contribute to residents' health and quality of life, i.e. highway maintenance, reducing congestion, road safety, the promotion of walking and cycling, breaking down the barriers to people using public transport and schemes to improve access to jobs, healthcare, education and job opportunities.
- (3) Council asks the government to re-consider these damaging cuts and to restore these budgets.

## **11. ANNUAL CHILDREN'S SERVICES ASSESSMENT**

**Proposed** by Councillor Ann McLachlan

**Seconded** by Councillor Tony Smith

- (1) This Council notes that Wirral Council's Children's Services has been awarded an excellent rating in the Annual Children's Services Assessment by Ofsted. Wirral was one of only 28 authorities across the country providing excellent services for children in their area. The rating is an improvement on last year's score, and recognises sustained and further improvement in a number of areas.
- (2) During the inspection Ofsted looked at 22 types of services and settings including schools, nurseries and colleges, fostering and adoption services, children's homes, and childminders and childcare. Inspectors also took into account a recent inspection of safeguarding and looked after children which judged services to be 'good with good capacity to improve with some outstanding features,' and recent good inspections of adoption and fostering services.
- (3) The inspection team said that the very large majority of services, settings and institutions are 'good or better' and most provision helps children and young people to learn and stay safe.
- (4) Positive strengths they highlighted included educational standards and progress, the development of five-year-olds, (and in particular a reduction in the gap between the achievements of those from low income families and other children

of the same age), and the proportion of primary and secondary schools that are now 'good' or 'outstanding.'

- (5) There was also special praise for the fact that more children with special educational needs achieve good GCSE's than elsewhere, with provision for special educational needs being 'good' or 'outstanding.'
- (6) Elsewhere, there was special mention of the quality of post-16 education and training, children's homes, fostering and adoption, and services for safeguarding and looked after children where leadership and management are outstanding, as are partnership agreements.'
- (7) Two areas of improvement were identified, and moves are now underway to improve the performance of some childcare provision and reduce the gap in achievement between young people from low income families and other young people of the same age.
- (8) Council records its congratulations to the Acting Director and all the staff, both in the department and in schools, for their dedication and commitment to the young people of Wirral.

## **12. COUNCIL PROCESSES AND PURPOSE**

**Proposed** by Councillor Jeff Green

**Seconded** by Councillor Lesley Rennie

- (1) Council notes the ongoing activity to improve the Council's Corporate Governance processes.
- (2) Council believes that as the activity to improve its processes continues it becomes even more important to restate our purpose.
- (3) Council therefore commits itself to the following principles:
  - A commitment to making Wirral a bigger and stronger society.
  - Creating the environment and developing the skills needed to make Wirral a place where local employers succeed and businesses choose to invest – an economy with high levels of private sector employment, which retains and attracts our young people and provides the job opportunities for all to realise their full potential.
  - Placing the views of Wirral, residents, employers, Community and Voluntary groups at the heart of all we do, providing opportunities for people to improve their neighbourhoods, lives and those of their families, ensuring that no part of Wirral is ignored.
  - Actively supporting the Coalition Government's commitment to ending child poverty by 2020, providing support services to children, young people and

their families that help to alleviate the effects of poverty and, in the long term, break inter-generational cycles of deprivation.

- Providing services that meet the needs and aspirations of all Wirral people, fostering a real pride in the borough, ensuring high standards of cleanliness, environmental protection and public safety, creating a clean, safe and sustainable environment.
- Working everyday to keep children and vulnerable people safe and tackle the gross inequalities in health and education outcomes experienced by our residents. Services provided for our most vulnerable, disadvantaged or excluded citizens, wherever they may live, should be founded on fairness, raise aspirations, promote choice and improve quality of life.

### **13. PARKS AND COUNTRYSIDE SERVICE PROCUREMENT EXERCISE (PACSPE)**

**Proposed** by Councillor David Elderton

**Seconded** by Councillor Tom Anderson

- (1) Council notes with disappointment Cabinet's decision to ignore the views of the Council's Sustainable Communities Overview and Scrutiny Committee and abandon the Parks & Countryside Procurement Exercise
- (2) Council notes that this abandonment will result in the following Corporate Plan target not being met: 'Successfully deliver the Parks and Countryside Services Procurement Exercise to enable proposed contract benefits to be achieved by January / February 2012.'
- (3) Council expresses its serious concern that when reviewing the Cabinet's decision, the Council's Sustainable Communities Overview and Scrutiny Committee found:
  - 'No mention or discussion took place regarding stakeholder management or the views of key stakeholders about the benefits of clear quality improvements that were built into the procurement exercise. In fact, other than the views of the Council Trades Unions, the results of consultation and the views of park users and user groups were not even mentioned by a single Cabinet Member at the meeting'.
  - 'No mention was made of the training and development programme for staff and volunteers or the three to six new apprentices to be created as part of PACSPE'.
  - 'Insufficient account appeared to be taken of the reduction from costs of £8.1 million per year to £7.4 million per year already achieved by the PACSPE process with the potential to reduce costs by a further very large sum'.



- And that it was 'hard to understand how the Leader of the Council characterised the potential savings as marginal'.
- (4) Council is therefore drawn to sharing the conclusions of the Sustainable Communities Overview and Scrutiny Committee that 'the decision to refuse to award the PACSPE contract will see the ever decreasing quality of a service starved of investment by this administration which is already characterised by going for the quick fix instead of making the difficult but necessary strategic decisions in the interests of Wirral residents.

#### **14. DUTY TO INVOLVE, INFORM AND CONSULT**

**Proposed** by Councillor Jeff Green

**Seconded** by Councillor Lesley Rennie

Council notes that at its meeting 18th July 2011 Council agreed the following resolution:

(1) This Council:

- (i) Reaffirms its commitment to enhanced community engagement to ensure that major policy decisions include more robust processes of public consultation, as appropriate, before decisions are taken, as agreed unanimously by Notice of Motion at Council on 15 February 2010.
- (ii) Believes that last year's Wirral's Future consultation, using the task force model and public questionnaire, followed the principles set out in that Notice of Motion to:
  - Share the problem or issue and develop broad support on the need for change before progressing on to possible solutions;
  - Develop a 'green paper' approach to setting out options and possible solutions within the operational, policy and financial constraints with genuine opportunity for people to influence decision making, and;
  - Improve the use of the Council's website as a consultation portal, with a list of active consultations in progress and with the relevant supporting documents available as downloads.
- (iii) Acknowledges the need for consultation to include a strong independent element and recognises the crucial work of the independent task forces - comprised of experts in their thematic fields - and thanks them again for their work.
- (iv) Also believes that this approach played a substantial and legitimate role in achieving a balanced Budget for 2011/12 whilst protecting services, cutting the cost of running the Council and ensuring no compulsory redundancies.
- (v) Calls on the Leader to:

- Confirm the venues and dates at which the public will have the opportunity to take part and notes that, at this stage of the successful 'Wirral's Future' consultation in 2010, the main programme had already circulated.
- Confirm which organisations, employers, service users and partners are involved in the consultation, noting that, at this stage of the successful 'Wirral's Future' consultation in 2010, this information was already available.
- Publish the names of the individuals who have written the questionnaire and the names of those who will consider the responses from the public and notes that, at this stage of the successful 'Wirral's Future' consultation in 2010, this information had already been circulated.
- State how many contacts and how many qualitative responses will be considered a 'success', noting his Party's criticism of the contact with more than 40,000 people and 5,500 completed questionnaires in the successful 'Wirral's Future' consultation in 2010.

(2) Council notes that five months on from passing this resolution the Leader of the Council has still not complied with the content of this resolution.

(3) Therefore Council calls on the Leader of the Council:

- to apologise to Council for ignoring its democratically expressed wishes
- to write to all members of the Council explaining the Council's legal responsibilities to involve, inform and consult on its services with residents and stakeholders and how robust processes of public consultation, before budget decisions are taken, is to be achieved prior to introducing its 2012 – 2013 budget.

## **15. LOSS OF GAS SUPPLY IN LEASOWE AND MORETON**

**Proposed** by Councillor Ian Lewis

**Seconded** by Councillor Chris Blakeley

Council is concerned that 3,000 homes and employers in Leasowe and Moreton were without mains gas supply for up to eight days during November, caused by a leaking water main.

- (1) Council thanks members of the local community, including Leasowe Estate Tenants Association and the Autumn Club who immediately gave support to their more vulnerable neighbours, including the delivery of portable electric heaters and hotplates and those residents who worked to provide hot meals at the Leasowe Community Centre and Leasowe Millennium Centre for those who were unable to cook.
- (2) Council also expresses its gratitude to the engineers from National Grid who worked throughout this period to restore supply; the engineers from Scottish Power who responded quickly to loss of electricity supply in some roads; staff from the Council's Emergency Planning Team and Social Services Department and staff from Leasowe Community Homes, who all responded quickly to support residents.

- (3) Council while welcoming compensation payments of £30 per day, confirmed by National Grid on the first day of the loss of supply, is concerned that payment arrangements do not recognise the difficulties caused to people on prepayment meters or that many people do not hold a current account.

Council requests that the Chief Executive of the Council write to National Grid to thank his engineers for their work and outline the concerns expressed in this motion.

## **16. AKA REPORT**

**Proposed** by Councillor Jeff Green

**Seconded** by Councillor Simon Mountney

- (1) Council notes it has been seven months since the former leader of the Council requested Officers to contact Mr Martin Morton to offer him a position back with the Authority following the report of Mr Martin Smith, Independent Associate Consultant, North West Employers and that to date, due to a lack of urgency by the new administration, this matter has still not been resolved.
- (2) Council further notes it has been over two months since the Leader of the Council received the two AKA reports, commissioned by the then leader of the Council, into the circumstances surrounding the Martin Morton 'scandal.'
- (3) Council believes that justice delayed is justice denied and calls for the immediate publication of the additional two AKA reports (Executive Summary & Full Report) into this matter.

## **17. MOTION: LIGHTS, CAMERA, ACTION**

**Proposed** by Councillor Chris Blakeley

**Seconded** by Councillor Ian Lewis

Council:

- (1) Welcomes public engagement in the democratic process. Council notes the growing use of blogs and microblogs by members of the public and notes that many sites now also include video and audio recorded at Council meetings.
- (2) Reaffirms its commitment, made last year by the previous Conservative Liberal Democrat administration, to ensure that any member of the public who wishes to film or broadcast from a public Council meeting is encouraged to do so.

## **18. EDUCATION, EDUCATION, EDUCATION**

**Proposed** by Councillor Sheila Clarke

**Seconded** by Councillor James Keeley

Council:

- (1) Welcomes the decision of the Coalition Government to increase the Pupil Premium by a further £58 per pupil this year, thereby eliminating the deficits at many schools in recent years. Council believes further increases in the Pupil Premium will enable schools in Wirral to make further, welcome progress in raising the achievement and attainment of all pupils in the Borough, regardless of background.
- (2) Also notes that many existing schools have benefited from the Council's budget this year, including improvements to school buildings, such as:
  - £75,000 toilet refurbishment at St Andrew's Primary School, Bebington
  - £60,000 replacement windows at Greasby Junior School
  - £27,000 kitchen improvements at Thingwall Primary School
  - £93,000 safer playground at Christchurch School, Moreton
  - £450,000 mobile classroom replacement at St George's Primary School, Wallasey
- (3) Is pleased to note that the Deputy Prime Minister has announced the introduction of free nursery school provision approximately 140,000 children from the most deprived families and looks forward to working with schools to ensure that children in Wirral benefit from this extra investment.

## **19. FAIRNESS, NOT FAVOURS**

**Proposed** by Councillor Cherry Povall

**Seconded** by Councillor Tony Cox

- (1) Council recognises the valuable role played by trade unions in ensuring effective industrial relations, their role in consultation and involvement in matters concerning health and safety and the unpaid hours of service given by many trade union members to wider issues affecting their colleagues.
- (2) However, Council believes that trade unions must, wherever possible, remain impartial and not be dependent on an employer for favours. Council also notes that taxpayers in Wirral are subsidising trade union activity at Wirral Council and this activity is costing £360,000 per annum.
- (3) Council notes this includes eight full time union officials, employed by Wirral Borough Council, for the sole purpose of promoting trade unions and carrying out union activity. Council notes that a further 112 trade union stewards in the Council are given 8,458 hours of Council time to conduct union business.

- (4) Council believes that, given the state of the public finances, it is no longer fair for the taxpayer to subsidise trade unions in this way and that responsibility for funding trade union activity should rest with trade union members and trade union leaders.

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## **COUNCIL VACANCIES – 12 December**

### Outside Bodies

#### **Licensing, Health & Safety and General Purposes**

##### **North Western Inshore Fisheries and Conservation Authority**

Councillor Pat Glasman to replace Brian Kenny

#### **Housing and Community Safety**

**Wirral Council and Riverside Challenge Fund Working Group** (See Cabinet minute 179 – 3/11/11)

Councillor George Davies (Cabinet Member for Housing & Community Safety)  
Mr K Adderley (Acting Director of Regeneration, Housing and Planning) or deputy  
Mr B Norman (Director of Law, HR and Asset Management) or deputy

##### **Leasowe Community Homes Management Board**

Vacancy to replace Councillor Ian Lewis

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