

Council

Town Hall
Wallasey
24 October 2008

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday, 3 November 2008** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects : -

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AGENDA

1. MAYOR'S COMMUNICATIONS

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

2. IAN FRASER VC

The Council is requested to mark the recent death of Lt Commander Ian Edward Fraser VC, DSC, RD and Bar, JP, RNR (Rtd).

3. 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.

4. PETITIONS

To receive petitions submitted in accordance with Standing Order 21.

5. MINUTES

To receive as a correct record the minutes of the meetings of the Council held on 14 July and 20 October 2008.

6. PROCEEDINGS OF CABINET AND COMMITTEES

To receive the proceedings, resolutions, recommendations and reports of the Cabinet and committees, meeting on the dates indicated below, subject to any amendments approved by the Council.

Cabinet	9 and 23 July, 4 and 25 September, 16 October
Audit and Risk Management Committee	30 September
Employment and Appointments Committee	18 July, 24 September
Licensing Act 2003 Committee	29 September
Licensing, Health & Safety and General Purposes Committee	15 September
Pensions Committee	29 September
Planning Committee	15 and 31 July, 21 August, 18 September, 9 October
Standards Committee	30 September
Children's Services and Lifelong Learning Overview and Scrutiny Committee	16 September, 28 October
Community and Customer Engagement Overview and Scrutiny Committee	6 and 30 October
Corporate Services Overview and Scrutiny Committee	3 September, 27 October
Culture, Tourism and Leisure Overview and Scrutiny Committee	25 September
Environment Overview and Scrutiny Committee	24 September, 28 October
Finance and Best Value Overview and Scrutiny Committee	22 September, 28 October
Housing and Community Safety Overview and Scrutiny Committee	8 and 25 September
Regeneration and Planning Strategy Overview and Scrutiny Committee	10 September
Social Care, Health and Inclusion Overview and Scrutiny Committee	2 September, 2 October
Streetscene and Transport Services Overview and Scrutiny Committee	8 September, 28 October

7. QUESTIONS

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

8. MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES

To consider and determine any references from overview and scrutiny committees. The Council's attention is drawn to the minutes from the following meetings that respond to Cabinet minute 219 (16 October):

Children's Services and Lifelong Learning – 28 October
Community and Customer Engagement – 30 October
Corporate Services – 27 October
Environment – 28 October
Finance and Best Value – 28 October
Streetscene and Transport Services – 28 October

8.1 ANNUAL REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES

9. NOTICES OF MOTION

To consider the following motions, submitted in accordance with the notice required by Standing Order 8(1) and listed in accordance with Standing Order 8(2).

9.1 BICYCLE RECYCLING SCHEME

Proposed by Councillor Jean Quinn
Seconded by Councillor Gilchrist

(1) This Council notes:

(i) the urgent need to step up our efforts to combat climate change through increased recycling and reduction in car use;

(ii) the need to address the serious socio-economic and health inequalities in Wirral;

(iii) the need to provide activities and employment and training opportunities for disaffected young people; those not engaged in education, employment or training (NEETS), and those involved with anti-social behaviour.

(2) This Council believes that cycling can provide a means of cheap and sustainable travel and improve health and well-being, and has the potential to provide disaffected young people with rewarding and enjoyable activities, as well as skills and training.

(3) This Council also believes that access to cheap bicycles is essential if those who can most benefit from cycling are to be encouraged to become involved.

(4) This Council notes the growing number of bicycle recycling schemes throughout the country providing access both to affordable bikes and employment and training opportunities for disadvantaged people.

(5) This Council therefore requests officers to investigate bicycle recycling schemes elsewhere, together with sources of funding, with a view to establishing a Wirral Bicycle Recycling Scheme.

9.2 MERSEYSIDE POLICE AUTHORITY ESTATES STRATEGY

Proposed by Councillor Holbrook

Seconded by Councillor Harney

(1) This Council notes the Merseyside Police Authority Estate Strategy proposals for the modernisation of its estate in Wirral.

(2) This Council notes in particular that:

- the modernisation is intended to provide buildings that are fit for purpose to deliver policing in the 21st century for the benefit of the people of Wirral;
- the proposals include investment in a new Area Command Centre in Birkenhead, replacing Mortimer Street and Laird Street Police Stations;
- the network of neighbourhood stations will be maintained;
- there is a commitment to maintaining current response times.

(3) This Council also notes that its own Strategic Asset Review is under way.

(4) This Council therefore welcomes the Merseyside Police Authority's commitment to the modernisation of its estate and the considerable investment in Wirral, and looks forward to working with the Merseyside Police Authority to determine the most mutually beneficial use of the assets of both authorities in the Borough including the use of community rooms in Police Authority or Council buildings.

9.3 ADULT SOCIAL CARE - PUBLIC INTEREST DISCLOSURE

Proposed by Councillor Mountney
Seconded by Councillor Watt

(1) This Council recognises that a number of concerns were raised by a Council 'whistleblower' in October 2007 under the Public Interest Disclosure Act 1998, which in turn has resulted in the Audit Commission issuing Wirral Council with a Public Information Disclosure report.

(2) Council notes the findings of the report:

- Although 30 accredited providers are used by the Council only 12 contracts have been signed and returned by providers.
- No formal arrangements have been established for the contract monitoring of supported living providers.
- There are no arrangements at present for feedback from service users where there is dissatisfaction with services or where quality standards have not been met.
- There remains a substantial risk that users receiving services from one of the Council's service providers are being charged unfairly.
- The Council does not always know the actual contributions that the provider requires service users to contribute for services they provide. Consequently the Council is not in a position to know whether the aggregate of charges levied on service users by the Council and contributions required by the provider are in compliance with the guidance of fairer charging. It is not clear who is currently ensuring that these service users are receiving adequate protection for the risk of financial abuse.

(3) Council notes the fact that these findings had previously been raised with officers of the Council by the whistleblower and, whilst thanking the Audit Commission for the production of this report and bringing the matter out into the open, condemns the fact that the Council's own procedures are so defective as to have needed the Audit Commission's intervention to bring them to the notice of the Council and the public.

(4) Council believes that this PIDA report and the Department's unwillingness to bring to the Council's attention the whistleblower's concerns regarding the treatment of those in our care demonstrates a lack of effective governance, management and leadership within the Department.

(5) Therefore this Council instructs the Chief Executive to appoint an independent person of sufficient standing and experience to investigate these matters fully, speedily and rigorously and to bring their findings to the Council's attention, including any disciplinary action, if required, at the earliest possible occasion.

9.4 SUSTAINABLE COMMUNITIES ACT 2007

Proposed by Councillor Green
Seconded by Councillor Mrs Rennie

(1) This Council welcomes the Sustainable Communities Act 2007, giving central government a duty to assist local authorities with new powers and opportunities to promote sustainable and successful local communities and neighbourhoods.

(2) Furthermore, Council welcomes the cross-party support for the Act in the House of Commons and supports Nick Hurd MP in his concerns that “the decline and loss of local services is having a clear and serious impact on the prosperity of local communities”. Locally, in Wirral, this can be seen over many years, under all Governments, in the decisions by a variety of agencies, quangos, public sector organisations and Government departments to reduce or remove local services such as:

- Over half of Wirral post offices closed
- Wards 6 & 7 at Victoria Central Hospital closed
- Remploy’s CCU closed
- Closure of Withens Lane College

(3) This Council recognises the duty for Government to produce a local spending plan that details the overall spending of taxes in an area and welcomes the ‘local policy proposal’ of the Act giving local communities the opportunity, through their council, to put forward ambitious local policy proposals within the overall spending limits.

(4) This Council therefore requests that Cabinet ‘opts in’ to the Sustainable Communities Act and requests from the Community and Customer Engagement Overview and Scrutiny Committee a detailed plan and recommendation for Cabinet on how Wirral will move forward to determine the nature and level of assistance from Central Government.

9.5 NATIONAL MINIMUM WAGE

Proposed by Councillor Stapleton
Seconded by Councillor McLachlan

- (1) This Council notes that:
- 2008 marks the tenth anniversary of this Labour Government's passing of the National Minimum Wage Act;
 - around one million workers across the UK have benefited thanks to a raise in the National Minimum Wage. Workers aged 22 and over will now be paid a minimum of £5.73 an hour; those aged 18-21 will be paid a minimum of £4.77 an hour and those aged 16 and 17 will be paid a minimum of £3.53 an hour;
 - the Government is also proposing a further clampdown on bosses who fail to pay the minimum wage, with tough new penalties set to come into force next April;
 - when David Cameron campaigned against the National Minimum Wage, wages of as little as £1.20 an hour were common and legal. He said that the minimum wage "would send unemployment straight back up". Contrary to his prediction, this Labour Government has delivered a rising minimum wage and more people in work than ever before.
- (2) This Council therefore wishes to recognise and celebrate 10 years of the National Minimum Wage as landmark legislation which has helped thousands of Wirral residents and millions of British citizens to maintain a decent standard of living.

9.6 GLOBAL FINANCIAL CRISIS

Proposed by Councillor PL Davies

Seconded by Councillor Kenny

(1) This Council congratulates Gordon Brown on the decisive action he has taken in the current financial crisis and his role in bringing governments together in Europe, and America, to set up the appropriate government intervention and recapitalisation of banks needed to stabilise markets and prevent a financial meltdown that would have devastated the lives of everyone.

(2) Council notes that the EU Commission President, Jose Manuel Barroso, recognised his contribution when he said “I want to pay a very sincere tribute to the role that Prime Minister Brown has played and is playing in these matters. He has acted as an impetus to the action that we have been taking collectively. He has been very clear from the beginning that he was developing a British response, but also seeking to contribute to a Europe-wide solution and also to a global solution.”

(3) Council further endorses his actions in seeking a new, global regulatory and warning system that will prevent any such financial collapse again in the future.

(4) Council notes that the Conservative Party Leader, David Cameron, has been conspicuous by his silence and refusal to condemn the irresponsible actions of bankers and hedge fund managers.

(5) Council also notes that a number of key donors to Tory Funds, as outlined in Channel 4's Dispatches programme “Cameron's money men” are hedge fund managers or bankers, including Lord Ashcroft, and that some donors to Tory funds were linked to the short-selling of Bradford and Bingley shares before the practice was banned.

(6) Council condemns the Conservative policy over the past decades, both here in Britain and through the Republican party in the States, which has seen an almost fundamentalist crusade for total de-regulation, followed by irresponsible short-term ‘get rich quick’ behaviour by the banks and money men, followed by a collapse in the system requiring taxpayers money as a bail out.

(7) Council further condemns the Conservatives for their outrageous behaviour in attempting to blame Labour while refusing to condemn those closer to home who are really to blame.

9.7 **CAMPAIGN FOR GURKHA RIGHTS**

Proposed by Councillor Harry Smith
Seconded by Councillor Walter Smith

(1) This Council notes that Gurkhas have played an active front line part in the British Army's activities in times of war and peace for nearly 200 years. In this period approximately 300,000 have fought alongside United Kingdom soldiers, with 45,000 of them being either killed or wounded.

(2) Council notes that the Government announced in September 2004 a change in immigration rules that allowed Gurkhas who had served in the British Army to settle in the United Kingdom with their families.

(3) Council notes with concern, however, that this offer has only been extended to cover those Gurkhas who had served at least four years and who had been discharged after 1 July 1997.

(4) Council believes that, given the exceptional service that they have given to the United Kingdom, Gurkhas and their families should be given fast track eligibility for either the right to remain or citizenship.

(5) Council agrees to send this motion to Wirral's MPs to ask for their support and instructs the Chief Executive to write to the Local Government Association asking them to lobby the Government on this matter.

10. MATTERS FOR DEBATE (Pages 19 - 28)

In accordance with Standing Order 5(3), to consider written comments, objections or amendments to minutes submitted under Standing Order 7(2), together with those motions, submitted under item 8 above, that the Council agrees to debate at this meeting and any minority reports submitted in accordance with Standing Order 35(4).

11. CONSTITUTION - AMENDMENTS

Further to the review of the Constitution, the results of which were reported to the meeting in July, the Cabinet has proposed some more amendments, which require approval by the Council.

12. VACANCIES

To receive nominations, in accordance with Standing Order 25(5), in respect of changes (if any) in the membership of the Cabinet and committees, and to approve nominations for appointments to outside organisations.

A list of any necessary changes will be circulated before the meeting.

13. ANY OTHER BUSINESS

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

A handwritten signature in black ink, consisting of a stylized first letter followed by several loops and a long horizontal stroke extending to the right.

Director of Law, HR and Asset Management