

Council

Town Hall
Wallasey

5 December 2008

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.20 pm on Monday, 15 December 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. 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 - 20)

To receive as a correct record the minutes of the meeting of the Council held on 3 November 2008.

5. PROCEEDINGS OF CABINET AND COMMITTEES

To consider the following matters referred to the Council for decision (copies of the relevant reports are available on request):

5.1 Cabinet minute 254

Projected Budgets 2009-2011 (6 November)

Recommendation -

(1) In the light of the continued urgent need to close Wirral's £21million budget gap and avoid placing an unreasonable burden on Wirral's council tax payers, and in the light of the recommendations on Item 4 (Progress towards the Transformation of Adult Social Services) and Item 8 (Procurement Efficiencies), Cabinet recommends the following to Council:

ADULT SOCIAL SERVICES	
	£
In line with Cabinet report on item 4, paragraph 13.2, adopt the Fair Price model of Supported Living with Independent Supported Living Providers.	650,000
In line with Cabinet report item 4 paragraph 13.3 put in house Supported Living Services out to tender. This is a half year saving from September 09 to allow time for process.	347,000
In line with Cabinet report item 4 paragraph 7.2 put all Adult Social Services Transport services out to tender. This is a part year saving to allow time for the process.	180,000
In line with Cabinet report item 4 paragraph 14.1.d) fund the cost of Individualised Budgets from Reform Care Grant	1,500,000
Fund the Reform Team directly from the Efficiency Investment Budget in 2008/9	360,000
Fund Reform Team from Efficiency Investment Budget in 2009/10	518,000
FINANCE	
	£
Fund Change team from Efficiency Investment Fund in 2008/9	635,000
Fund Change team from Efficiency Investment Fund in 2009/10	635,000

Fund Procurement and Creditors from Efficiency Investment Fund in 2008/9	1,022,000
Fund Procurement and Creditors from Efficiency Investment Fund in 2009/10	1,022,000
Fund Customer Services Development from Efficiency Investment Fund	183,000
Fund Customer Services Development from Efficiency Investment Fund	183,000
Corporate Procurement Efficiencies	1,500,000
REGENERATION.	
	£
Conference and Seminar Attendance	10,000
Reduction in Training	28,000
Maximising external grant	107,000
Reduction in advertising as a consequence of Wirral Homes' decision to stop advertising in the Globe (Council's contribution no longer required).	10,000
Review of administration.	138,000

5.2 Cabinet minute 267

Projected Budgets 2009-2011 (27 November)

Recommendation – That

(1) Cabinet recognises that the recession is having an impact on many of Wirral's families and it is essential to do everything possible to ensure that Wirral's council tax payers are not faced with the additional burden of high council tax increases. In order to further reduce Wirral's budget gap, and in the light of the reports and Cabinet recommendations on the Insurance Budget (Item 15), the Highway and Engineering Services Procurement Exercise (Item 9), and the Reconfiguration of Youth Services (Item 16), Cabinet recommends the following:

CHILDREN'S SERVICES	
	£
The Schools budget be charged with the full cost of insurance, reflecting the risks assessed by the	400,000

insurer and that the mechanism for doing this is agreed with the Schools' Forum.	
The Reconfiguration of the Youth Service is agreed in line with the report and consequential savings accepted as outlined in the recommendation.	150,000
TECHNICAL SERVICES	
	£
The revenue savings of £320,000 arising from the HESPE exercise as outlined in the report be accepted.	320,000
FINANCE.	
	£
The sum of £140,000 of increased income from Wirral Partnership Homes following the closure of their cash offices be accepted.	140,000

(2) Cabinet asks that the efficiencies contained within this motion be referred to the relevant Scrutiny Committees * for urgent consideration before Council meets on December 15th. Should this prove impossible in any instance, then, because it is considered to be in the Council's best interests to implement proposed savings as early as possible, Cabinet asks Council to approve those items which have not been considered by scrutiny committees where there is all party support and, in so doing, to suspend paragraph 2(a) of the Budget and Policy Framework Procedure Rules and to deal with the proposals in accordance with paragraph 2(b), i.e. where there is no such agreement, absence of which should be indicated by the lodging of an objection within the timescale set by Standing Order 7(2), Council is asked to refer the relevant item to the appropriate overview and scrutiny committee for discussion and subsequent referral to the next Council meeting. Items already discussed by the relevant Scrutiny Committee will be dealt with in the normal way; and

(3) this motion is subject to any statutory requirements on staffing issues.

* **see item 8 below**

5.3 Cabinet minute 270

Calculation of Council Tax Base (27 November)

Recommendation:

That the Council be recommended that:

- (1) the Council Tax Base for 2009/10 be approved; and
- (2) in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the figure calculated by this Authority as

its Council Tax Base for the year 2009/10 shall be 104,276.

6. QUESTIONS

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

7. MATTERS FOR NOTING

The following matters are drawn to the Council's attention, as required by the Constitution:

- (i) Cabinet minute 278 (27 November) – Chancellor's pre-Budget Statement – Change in VAT (Reason: waiving of call-in);
- (ii) Cabinet minute 282 (27 November) – Update on Contractual Position in respect of Nursing Homes (Reason: waiving of call-in).

8. MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES

To consider and determine any references from overview and scrutiny committees.

- (a) The following references set out committees' comments on the Cabinet's savings proposals in minutes 254 and 267:

Regeneration and Planning Strategy (12 November) – minute 21

Resolved (4:3) (Councillors Keeley, Mountney and Rowlands dissenting in respect of savings items (i), (iii) and (iv)) That this Committee endorse the following budget savings:

- (i) Conference and Seminar Attendance - £10,000
- (ii) Reduction in Training - £28,000
- (iii) Maximising external grant - £107,000
- (iv) Review of administration - £138,000"

Finance and Best Value (26 November) – minute 37

Resolved – That the budget saving proposed by the Cabinet be endorsed.

Social Care, Health and Inclusion (4 December) – minute 63

Resolved (4:3) - That the savings proposals be endorsed.

- (b) References on the same Cabinet minutes from the following meetings will be reported separately:

Children's Services and Lifelong Learning (10 December)
Community and Customer Engagement (4 December)

9. NOTICES OF MOTION

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 motion on School Crossing Patrols was also submitted in accordance with Standing Order 17.

9.1 Decline in bee population

DECLINE IN BEE POPULATION

Proposed by Councillor Gilchrist
Seconded by Councillor Mitchell

(1) This Council expresses its thanks to Wirral's Environmental Health staff and to the Call Centre for its established and enlightened policy of assisting householders to understand the importance of bees.

(2) Council applauds the fact that enquirers are encouraged to contact local beekeepers for advice and are discouraged from thinking of bees as 'pests' in any way.

(3) Council notes that a series of written questions were asked in the House of Commons in May and July 2008 about declining bee numbers, colony losses and the funding of research into this serious situation.

(4) Council recognises that the British Bee Keepers Association organised a lobby of Parliament in November 2008 urging an increase in funding for research into the diseases which have led to the decline in the bee population.
http://www.britishbee.org.uk/bbka_research_campaign.php

(5) In view of this, Council asks that all Wirral's Members of Parliament be requested to pursue increasing this funding in view of the vital contribution that bees make to pollination and to sustainable agriculture.

9.2 Borderlands electrification

BORDERLANDS ELECTRIFICATION

Proposed by Councillor Holbrook
Seconded by Councillor Mitchell

- (1) This Council notes:
- its consistent support for the electrification of the Bidston to Wrexham Borderlands rail line;
 - the importance of the Borderlands rail line to the Wirral economy by linking the industries of Deeside with North Birkenhead, where greater employment opportunities are required;

- recent Government statements on the economic downturn, particularly the need to fund public works now, in order to get people back into work when the downturn is over.

(2) Council is dismayed at the recent Network Rail estimate for the electrification and upgrade of the line of £207m and notes this is more than three times the cost estimated for this work by Merseytravel. Council is perplexed at such wildly different estimates, and requests that an independent review of costs is jointly commissioned by Network Rail and Merseytravel to establish the true cost.

(3) Council also notes the application made by Merseytravel to take control of the track of the Merseyrail Network from Network Rail. Council believes by integrating management of the infrastructure with service delivery, greater efficiencies and investment can be secured for the benefit of local people and therefore supports this proposal.

(4) Council therefore:

(i) requests that Merseytravel should now widen these discussions to include the Welsh Assembly Government and seek agreement to take ownership of the Borderlands line as part of these proposals, so that its operation can be fully integrated into the Merseyrail network;

(ii) supports the electrification of the Bidston to Wrexham Borderlands rail line being undertaken by Merseytravel, with the possibility of a 25Kw overhead electrified line being considered as an alternative;

(iii) calls upon Wirral's MPs and North West MEPs to lobby the Government on these proposals on the Council's behalf.

9.3 The Economy

THE ECONOMY

Proposed by Councillor Mountney
Seconded by Councillor Rowlands

(1) This Council notes the impact the current economic climate is having, and will continue to have, on Wirral businesses and residents alike.

(2) Council further notes that National Government has provided little effective direct support to local businesses and residents of the Wirral.

(3) Council requests that the Chief Executive reports to the Cabinet and relevant scrutiny committees at the earliest possible opportunity, following urgent discussions with his senior officers and Wirral businesses, on the feasibility of introducing the following measures on Wirral:

(i) Merseyside Special Investment Fund to be requested to make emergency loans available to support businesses for cash-flow

purposes and not just capital or revenue expansion plans;

(ii) support for businesses on how to take up business rate relief;

(iii) that Council run a campaign to highlight the poor uptake of benefits across the Wirral, and that this Council should work with the Department of Work and Pensions to encourage the uptake of benefits, including pensions credits and income support, through the better use of our housing and council tax records;

(iv) that this Council further investigate the formation and support of a wider network of Credit Unions, the benefit of which would bring longer-term stability to both the businesses and residents of the Wirral;

(v) the establishment of a Winter Warmth Partnership (Wirral MBC, Social Care, PCT, Health Service, Fire Service). An emergency fund should be established that should step in when an individual's health is at risk. This partnership should also make referrals for benefit checks and fire safety checks through its partner members;

(vi) establish a website that promotes and advertises council contracts and encourages local companies to tender for them;

(vii) from 1 January 2009, this Council revising its payment terms from 30 days to 10 days for all small businesses that provide goods and services to the Council;

(viii) the Council consider the removal or reduction of parking charges at our shopping centres.

(4) Council further requests that officers work with local businesses and employers to ensure their needs are effectively communicated to central Government.

9.4 **Adult Social Care - Public Interest Disclosure**

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 Councils 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.

9.5 Strategic Asset Review

STRATEGIC ASSET REVIEW

Proposed by Councillor Green
Seconded by Councillor Mrs Rennie

(1) Council believes:

that the mark of a just and fair society is how it treats its most vulnerable citizens and that local authorities have an important role to play in encouraging aspiration, healthy living and community spirit.

(2) Council notes:

(a) that 2008 is the National Year of Reading, a year-long celebration of reading, in all its forms, to increase awareness of the many values of reading – anything, any time, any place – for children, families and adult learners alike;

(b) that wards such as Upton, Seacombe, Bidston & St James and Leasowe & Moreton East, have below-average numbers of pupils who achieve L2 or better at Key Stage 1 for reading compared with the national average;

(c) that remarks by Andy Burnham [Secretary of State for Culture, Media and Sport] in July that the Government wishes local authorities to expand participation in swimming, in particular for the over-60s and under-16s, in their local communities and that £35 million was made available to modernise public swimming pool provision;

(d) that many leisure centres offer valuable alternative activities for young people to shine and achieve their full potential;

(e) that the programmes offered by local libraries and community and leisure centres reduce the likelihood of anti-social behaviour in areas and communities that have no other source of activity;

(f) that many community centres rely on a small and dedicated team of volunteers who in turn rely on the Council to provide and oversee professional support for maintenance, insurance, budgets, personnel and health and safety.

(3) Council welcomes:

the enactment of the Sustainable Communities Act in October 2008 to reverse the decline in local communities and neighbourhoods affected by the large-scale withdrawal of services and amenities.

(4) Council therefore:

(a) does not support the approval of the Cabinet to close libraries, leisure centres, museums and theatres;

(b) does not support the proposal to withdraw Council funding from community centres forcing their closure or demolition if they cannot find alternative funding within two years;

© believes that fundamental changes to the Wirral wide provision of services by the Council should have electoral support and, as such support for these proposals has not been demonstrated at the ballot box, a Wirral-wide referendum should be held before any decision for the wholesale closure of libraries, leisure centres, community centres, museums and theatres is implemented;

(d) believes that, if our local services are as derelict and starved of investment as the Leader of the Council claims, he is accountable and should accept his responsibility for this by submitting his resignation to the Council.

9.6 **School Crossing Patrols**

SCHOOL CROSSING PATROLS

Proposed by Councillor Leah Fraser
Seconded Councillor Anderson

(1) This Council recognizes and applauds the invaluable work carried out by school crossing patrols, and which they continue to do, to keep our primary school children safe from accidents and death when crossing the road outside schools.

(2) This Council recognizes that the criteria for deciding whether to provide a school crossing patrol are advisory only.

(3) This Council recognizes that, if 18 school crossing patrols are removed, 23 schools will be affected and road safety around them will worsen.

(4) Council is disappointed with the lack of consultation with schools over the removal of school crossing patrols.

(5) Council believes school budgets should be spent on services within school and not used to subsidise Council responsibilities.

(6) That Council, therefore, recognizes the need for the current number of school crossing patrols to be maintained for the safety of our primary school children.

9.7 **Transforming Wirral**

TRANSFORMING WIRRAL

Proposed by Councillor Foulkes
Seconded by Councillor Phil Davies

(1) Council welcomes the proposal in the Strategic Asset Report to invest £20m in new or modernised multi-purpose buildings which are fit for the 21st Century.

(2) Council notes that this will be in addition to the opening on 5 December of the Floral Pavilion, as part of a £60m development in New Brighton; the opening of the Council's new, state-of-the-art, Archive Centre; the brand new secondary school to be built in Woodchurch; the major waterfront development planned by Peel Holdings; Wirral PCT's proposed new Community Health facilities at the St. Catherine's site in Birkenhead and the new primary care centre at Victoria Central Hospital in Wallasey; Wirral Metropolitan College's proposed new campus and the potential for the creation of further Higher Education facilities under the University Challenge programme.

(3) Council welcomes this progress towards the regeneration of Wirral, and the plan to use Council assets in Seacombe to kick-start regeneration in one of Wirral's poorest wards, which is in accord with the aims of the Vision for Wirral within the Corporate Plan and which will help create a more prosperous and equal Wirral that we can all take pride in.

9.8 **Road to Damascus Conversion**

ROAD TO DAMASCUS CONVERSION

Proposed by Councillor Moira McLaughlin
Seconded by Councillor Harry Smith

(1) This Council notes with amazement the road to Damascus conversion of the Conservative Parliamentary Candidate for Wallasey to the cause of the Unions in their fight against privatisation and in the call to develop public service alternatives, as reflected in the call-in of minute 251 to the Social Care, Health and Inclusion Overview and Scrutiny Committee, which she signed.

(2) Cabinet further notes that this dramatic abandonment of Conservative Party ideology extended to an opposition to the open

tendering of transport provision, an area of privatisation previously dear to Conservative hearts, and is accompanied by a total disregard for the financial consequences to the Council, which included an estimated 20% reduction in transport costs at a saving of £360,000 in a full year.

(3) Cabinet further notes that declared Conservative opposition to Cabinet measures which would reduce council tax levels has now reached £8.5m, which, on its own, is the equivalent of an additional 7% increase in council tax, or £96 a year on a band D property, without taking into account any potential savings from the Strategic Asset Review.

(4) Council waits with fascination to see where the Conservative policy of total opposition to all Cabinet decisions will take them next and how high they are prepared to let council tax climb for the hard pressed residents of Wirral.

9.9 Illegal drugs - Apparatus

ILLEGAL DRUGS - APPARATUS

Proposed by Councillor Kenny
Seconded by Councillor Knowles

Council notes that the ready availability in retail outlets in Wirral and Merseyside generally of apparatus for the inhalation, ingestion and injection of illegal drugs may be hampering the national drive to reduce drug dependency and addiction. The Chief Executive is requested to investigate, in co-operation with the Borough's crime prevention partners, the feasibility of introducing local by-laws prohibiting the sale of such apparatus.

10. MATTERS FOR DEBATE

Pursuant to Standing Order 5(1)(m), and in accordance with Standing Order 5(3), to consider written comments on or objections or amendments to minutes, submitted under Standing Order 7(2), together with those motions, submitted under item 8 above or in accordance with Standing Order 17, that the Council agrees to debate at this meeting and any minority reports submitted in accordance with Standing Order 35(4).

11. 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.

12. ANY OTHER BUSINESS

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

A handwritten signature in black ink, appearing to be 'B. M.', with a long horizontal flourish extending to the right.

Director of Law, HR and Asset Management