

COUNCIL

Monday, 16 July 2012

Present:

The Mayor (Councillor Gerry Ellis) in the Chair
Deputy Mayor (Councillor Dave Mitchell)

Councillors	RL Abbey E Boult A Brighouse W Clements A Cox J Crabtree G Davies P Davies WJ Davies P Doughty D Elderton S Foulkes L Fraser P Gilchrist P Glasman JE Green R Gregson P Hackett J Hale T Harney	P Hayes S Hodrien A Hodson M Hornby P Johnson M Johnston AER Jones C Jones P Kearney S Kelly B Kenny A Leech A McArdle D McCubbin AR McLachlan M McLaughlin C Meaden B Mooney C Muspratt S Niblock	T Norbury C Povall L Rennie D Roberts L Rowlands J Salter H Smith W Smith J Stapleton M Sullivan A Sykes J Walsh G Watt S Whittingham J Williamson I Williams KJ Williams P Williams S Williams
<u>Apologies</u>	Councillors	C Blakeley D Dodd S Mountney	D Realey T Smith

15 DECLARATIONS OF INTEREST

Councillor J. Green declared a pecuniary interest in Agenda Items 10 (Matters for Noting) and 14 (Matters for Debate) by virtue of his appointment as a Director of Wirral Partnership Homes.

Councillors Harney, McCubbin, Roberts and Whittingham declared a non-pecuniary interest in Agenda Item 10 – (Matters for Noting) by virtue of their appointment to the Board of Wirral Partnership Homes.

Councillors Abbey and Leech declared a non-pecuniary interest, in Agenda Item 10 – (Matters for Noting) by virtue of their appointment to the Board of Leasowe Community Homes.

Councillor G. Davies declared a non - pecuniary interest in Agenda Item 10 – (Matters for Noting) by virtue of his appointment to the Liverpool City Region Board.

16 MAYOR'S COMMUNICATIONS

The Mayor's Chaplain, Revd Dr David Chester, led the Council in prayers.

The Mayor informed the Council of the sad news of the deaths of John Sidney Kellett, a former Birkenhead Labour Councillor and Bill Duffey, a former New Brighton Conservative Councillor.

The Council stood for one minute's silence, as a mark of respect.

The Mayor informed the Council that the Mercian Regiment was returning from Afghanistan next year and the soldiers had been invited to have a Homecoming march through Birkenhead. They will end the march at Birkenhead Town Hall, where the Mayor would present medals to soldiers from the borough. A similar event was held in November 2010, which was excellent and very well attended.

The Mayor reported that in December 1942, a local Birkenhead born man, Bert Laver, had been involved in Operation Frankton, a daring raid in Nazi occupied France.

Lord Ashdown, himself a former Special Forces Commando, has written to the Mayor asking if he would be appropriate for Birkenhead to honour this extraordinary citizen on or near to the 70th anniversary of the raid and had offered to make a presentation on the raid.

The Mayor indicated that he had discussed this with the Leader and had agreed to the request. Officers were working on a proposal in the new year which would involve a civic reception and the showing of the well known film 'The Cockle Shell Heroes' and a new film made by Lord Ashdown himself, to which all Councillors would be invited.

17 PETITIONS

In accordance with Standing Order 21, the Mayor received the following –

- A. A petition submitted by Councillor S Niblock on behalf of 244 signatories in support of the consideration to make New Ferry an alcohol free zone.
- B. A petition submitted by Councillor S Williams on behalf of 203 signatories in support of the conservation of an ash tree in Sandpiper Close, Upton.
- C. A petition submitted by Councillor T. Norbury on behalf of 44 signatories requesting an investigation into parking problems in Ben Nevis Road, Tranmere.
- D. A petition submitted by Councillor M Sullivan on behalf of 108 signatories requesting an investigation into the condition of the road within Thingwall estate (Hazel Dene Avenue, Torrington Drive, and Barnston Road), Thingwall.

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

18 MINUTES

The minutes of the meeting of the Council meeting held on 14 May 2012, having been circulated to all Members, it was:

Resolved – That the minutes be approved and adopted.

19 QUESTIONS

- A.** The Rt Hon Frank Field MP, having given the appropriate notice in accordance with Standing Order 11, submitted a question addressed to the Leader of the Council for an update on actions taken by him as a result of the Audit Commissions “HES Contract and Award Management”.

The Leader of the Council responded accordingly.

In accordance with Standing Order 11, The Rt Hon Frank Field MP asked a supplementary question and The Leader of the Council responded accordingly.

The Rt Hon Frank Field expressed his gratitude towards whistleblowers.

- B.** Mr J Brace, having given the appropriate notice in accordance with Standing Order 11, submitted a question on the Martin Smith, AKA (Anna Klonowski Associates Ltd) and HESPE reports.

In accordance with Standing Order 11, Mr J Brace asked a supplementary question and The Deputy Leader of the Council responded accordingly.

20 LEADER'S ANNOUNCEMENTS

The Leader of the Council, Councillor P. Davies, addressed the Council on the following matters:

- On the 5th July the Liverpool City Region Local Enterprise Partnership and partners signed a second City Deal with the Government which would bring further investment to the City Region. One of the key projects was a month-long International Business Festival to be hosted by Wirral and Liverpool in 2014. This would be an opportunity to showcase Wirral's many excellent businesses to the rest of the world and would deliver £100 million in investment.
- The Government had approved the Liverpool City Region as a Centre for Offshore Renewable Engineering. The City Region was the first on the west coast to be awarded this status.

The City Region was selected following a submission to Government by the LEP, supported by Cammell Laird, Peel Ports and Wirral, Liverpool and Sefton Councils.

Centres for Offshore Renewable Engineering were partnerships between central and local government and LEPs that ensured that businesses looking to invest in manufacturing for the offshore renewables industry received the most comprehensive support possible.

- An announcement had been made that a new University Technical College would be opening on the site of the former Rock Ferry High School. This would be a 500 place, 14-19 College, offering high quality vocational and employer-led training in marine engineering. Cammell Laird had been a key driving force behind the College. The sponsors had asked for government investment of some £9million. The College hoped to open for business from September 2013. The Leader congratulated all those involved in preparing the bid.

- The authority received a very positive peer review into Adult Social Services from the Local Government Association. A report on the matter was on the agenda for Cabinet on the 19th July. The Leader congratulated the Director and all staff from the Department of Adult Social Services.
- The Leader announced that Wirral's performance on recycling passed the 40% mark recently and this month saw Wirral's first Eco-School convention hosted by the pupils of Woodchurch High School and the Council's Eco school officer, Lynn Struve.
- The Leader expressed the excellence of the Council's work in promoting Wirral's heritage which was evidenced by the fact that the Council was holding 73 Heritage Open Days this year (compared to 60 last year). 12,000 brochures were in the process of being distributed. The Council ran one of the largest HODs programmes in the country. The Leader thanked Eileen Willshaw, Heritage Officer, and Councillor Jerry Williams, Heritage Champion.

21 APPOINTMENT OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

The Leader of the Council informed Members that an appointment had been made to appoint Graham Burgess as Wirral Council's Chief Executive on a two-year fixed-term contract.

He indicated that Graham was appointed for his proven track record in a career that had spanned 38 years in local government. Graham, who was from and lived in Liverpool, was currently the Chief Executive of Blackburn with Darwen Borough Council, which had consistently been recognised as one of the highest performing Councils in the UK. During his time there, the authority had twice received the prestigious Council of the Year title. Graham was also recognised nationally in 2011/12 when he was voted the 4th most influential person in Local Government.

Graham had significant experience in leading major regeneration projects and delivering excellent services, along with a strong influence at both a regional and national level. Since the beginning of the year, he had been a member of the Wirral Council Improvement Board, which was established with the Local Government Association to assist the authority in transforming how it operated. As one of only three people in the country to hold the dual role of Council and Primary Care Trust Chief Executive, his experience of leading the integration of local authority and health services will be of great benefit as responsibility for Public Health functions transfers to Wirral Council over the next year.

On a motion by Councillor P. Davies, seconded by Councillor J. Green and endorsed by Councillor T. Harney, it was:

Resolved (unanimously) – That Council appoints Mr Graham Burgess as the Council's Chief Executive and Head of Paid Service for a period of two years.

Mr Burgess was then invited to join the meeting and was introduced and welcomed to the Council.

22 PROCEDURE

On a motion by Councillor W. Davies and seconded by Councillor B Kenny, it was:

Resolved (Unanimously) – That Standing Order 7 (8) be applied from either 8:30pm or after the closure of the third debate.

23 **PUBLIC INTEREST REPORT - HIGHWAYS AND ENGINEERING SERVICES CONTRACT**

The Council received and considered the Public Interest Report in relation to the Highways and Engineering Services Contract ('PIR') dated 8 June 2012.

The Leader of the Council made the following statement in relation to the PIR:

" This report details significant failings in the corporate governance surrounding the award of the Council's Highways and Engineering Services contract (HESPE) in 2008. I would like to begin by thanking the District Auditor for all the work that he and his team have carried out in concluding this report. It is rare for a Council Leader to welcome a Public Interest Report – particularly one that deals with concerns that go to the very heart of the Governance of Wirral Council, but I do. This Council has received a number of critical reports over the past few years – I will not detail them again. They are familiar to us all.

What is clear is that collectively we have failed to face up to our mistakes. We have not in the past viewed critical reports, or indeed concerns raised by whistleblowers, as opportunities to improve. We have produced detailed action plans that we have failed to implement properly, and have failed to ensure those who need to are held to account.

It is my duty, together with the other Party Leaders and every single member of this Council to ensure that this report is dealt with very differently. I take this opportunity to thank Jeff Green and Tom Harney for their co-operation and support in dealing with this matter.

This Council meeting is not 'business as usual'. It's important that the way in which we deal with this report sends a clear message that the culture of this organization is changing. In the future we will learn from our mistakes. We will put the interests of our residents at the very centre of all that we do. We will respect those who complain, treat them with respect and act on and learn from what they tell us. Item 8 on tonight's Agenda deals with how we will proceed to investigate further the role of our Statutory Officers in this matter. It is important however to remember that the action taken to suspend four senior officers in connection with issues raised by the PIR is a neutral act that will enable the Council to investigate matters fully and properly. It would not be appropriate to discuss this report at any length at this time given the rights of the individuals concerned. Suffice to say that those who should be held accountable will be. I therefore wish to move the following resolution which the Head of Legal & Member Services has circulated to all members:

Firstly, that Council acknowledges and accepts the findings and all the recommendations set out in the Public Interest Report. That we refer the report for further consideration to the Executive, appropriate committees and sub-committees of the Council and the Council's Improvement Board (or any other relevant body considered appropriate by the Executive).

That Council agrees to amend the terms of reference of the Improvement Board to include consideration of the Public Interest Report as part of our Improvement Plan, and assist the Council as necessary to address and deal with the findings and recommendations set out in the PIR.

That we note the actions already taken by the Council in relation to the PIR and our commitment to take all necessary steps to improve our corporate governance arrangements.

In closing, when I became Leader of the Council, I made it clear that in order to move the Council forward it was necessary to address honestly and openly where failings had occurred in the past. That is why, following discussions with Jeff Green and Tom Harney, I have already taken appropriate actions. These actions were difficult for me personally, but I took them because I believe they are in the interests of the Council and this Borough. As Leader, I am determined that, working in partnership with all elected members and the Improvement Board, our Improvement journey gathers pace. The appointment of Graham Burgess, our new Chief Executive, ratified earlier by Council, is a key step in this process. I know that the other two Leaders wish to make a statement, but I would commend this motion to Council and hope that it can be endorsed unanimously".

The following resolution was moved and agreed:

Resolved (unanimously) – That Council

- (1) acknowledges and accepts the findings and recommendations set out in the Report in the Public Interest: Highways and Engineering Services Contract;
- (2) refers the PIR for further consideration to the Executive and appropriate committees and sub-committees of the Council and to the Council's Improvement Board (or any other relevant body/group considered appropriate by the Executive);
- (3) agrees to the amendment of the terms of reference of the Improvement Board to include consideration of the PIR as part of the Improvement Plan, and assist the Council (as necessary) address/deal with the findings and recommendations set out in the PIR;
- (4) notes the actions already taken by the Council in relation to the PIR and the commitment of the Council to take all necessary steps to improve its corporate governance arrangements.

24 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

Resolved – That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business (Agenda Item 8 – Statutory Process) on the grounds that it involved the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act.

25 STATUTORY INVESTIGATION PROCESS

In connection with this item, an amended list of recommendations was circulated and Members of the Council adjourned for five minutes.

Prior to consideration of this item Surjit Tour, Acting Director of Law, HR and Asset Management and Monitoring Officer indicated that as the report affected his post, he had enlisted the assistance of an alternative Legal Advisor, Frances Woodhead, of Eversheds LLP to advise Council in respect of this item. At this point Surjit Tour and other affected officers left the Council Chamber.

On an amended motion moved by Councillor P. Davies, seconded by Councillor J. Green and endorsed by Councillor T. Harney, it was –

Resolved (unanimously) – That Council

- (1) given the concerns in the Public Interest Report considered at Item 7, concerning the statutory roles of the Chief Executive and Head of Paid Service, Director of Finance and Section 151 officer and Director of Law, HR and Asset Management and Monitoring Officer and the key roles they would need to play in responding on behalf of the Council to the Public Interest Report and the personal and professional difficulties in them continuing in their roles during an investigation, confirms that the three officers named should be suspended whilst investigation is undertaken. It is noted that the Council has taken legal advice on these matters;
- (2) notes the current position set out in the Public Interest report in relation to the three Statutory Chief Officers named below:

**Acting Chief Executive (Director of Finance)
Deputy Director of Finance and S151 Officer and
Director of Law, HR and Asset Management**

- (3) Notes that all matters arising from the potential action against council officers will be dealt with in strict confidence.
- (4) Agrees that an Investigation and Disciplinary Committee be established in accordance with the Terms of Reference set out in Appendix One of the report and that the Council's Constitution be amended accordingly; and that these matters be referred to the Committee henceforth.
- (5) Formally commissions a preliminary investigation in accordance with the Terms of Reference set out in Appendix Two of this report.
- (6) Authorises the Head of Human Resources and Organisational Development to appoint Mr Richard Penn to undertake the preliminary investigation, referred to in the Report which shall be considered by the Investigation and Disciplinary Committee.
- (7) Authorises the Acting Director of Law, HR and Asset Management to appoint Eversheds LLP as legal advisers to the Council in relation to all legal issues arising from the PIR and associated actions, including disciplinary action, upon such terms that are considered appropriate and necessary
- (8) Notes that David Armstrong remains as Acting Chief Executive and Head of the Paid Service until the Interim Chief Executive and Head of Paid Service is in post.
- (9) Appoints Kevin Adderley as Deputy Acting Chief Executive and Head of Paid Service in the absence of David Armstrong, Acting Chief Executive and Head of Paid Service.
- (10) Appoints the following Council Officers from 16th July 2012 until the first meeting of Council after the Interim Chief Executive and Head of Paid Service is in post as follows (unless otherwise stated):
 - (a) Surjit Tour as Acting Director of Law, HR and Asset Management and Monitoring Officer (noting and recommending that the designated Monitoring Officer designate a Deputy Monitoring Officer as soon as possible);

- (b) Surjit Tour as Returning Officer and Electoral Registration Officer until the Interim Chief Executive and Head of Paid Service is in post;
David Armstrong shall be the Deputy Returning Officer and Deputy Electoral Registration Officer in the absence of Surjit Tour.
 - (c) Tom Sault as Acting Director of Finance and Section 151 Officer;
Jenny Spick and Peter Molyneux as Deputy Section 151 Officers in the absence of Tom Sault for such periods as directed by Tom Sault.
 - (d) Julia Hassall as Acting Director of Children's Services until the Interim Chief Executive and Head of Paid Service is in post;
Graham Hodkinson as Deputy Acting Director of Children's Services in the absence of Julia Hassall; and
 - (e) Chris Hyams also as Proper Officer for the purposes of any employment related matters arising out of or in connection with the PIR
- (11) Notes the appointment of Chris McCarthy, as an external Interim Director of Technical Services, under Delegated Authority; and authorises Chris McCarthy to exercise all delegated powers of the Director of Technical Services.

26 MATTERS FOR NOTING

Councillor J Green, having declared a pecuniary interest in relation to Cabinet Minute 39, left the meeting prior to its consideration.

Resolved – That the following matters be approved:

- (i). Minute 4 – (Cabinet – 21/6/12)
Lease of Land at the Oval Leisure Centre
(Reason – Waiving of call-in)
- (ii). Minute 24 – (Cabinet - 21/6/12)
Portas Pilots Round 2
(Reason – Waiving of call-in)
- (iii). Minute 39 – (Cabinet 21/6/12)
Development of the Liverpool City Region Deal
(Reason – Waiving of call-in)

27 MATTERS REQUIRING APPROVAL BY THE COUNCIL

In accordance with Standing Order 7(1) a number of matters were submitted by the Council for approval.

The Acting Director of HR, Law and Asset Management advised the Council that in respect of agenda items (C), Employments and Appointments Committee Minute 10 – 7 June 2012 (Appeals Sub-Committee) and; (D) Standards Committee Minute 2 –

25 June 2012 (New Standards Regime), a nem con vote of the Council was required. He commented that the rules regarding political balance of Council Committees were fixed by the Local Government and Housing Act 1989 and subordinate legislation contained in the Local Authorities (Committees and Political Groups) Regulations 1990. Departures from the normal rules were only possible on a 'nem con' vote basis, where no member voted against the motion. The proposed allocation of seats did not accord with strict political balance requirements and therefore required a nem con vote of the Council

Resolved –

(1) That the following matters be approved:

- (i). **Minute 8 (Cabinet – 21 June 2012)
Financial Out –Turn 2011/12**
- (ii). **Minute 9 (Cabinet – 21 June 2012)
Capital Out-Turn and Financing 2011/12**
- (iii). **Minute 11 (Cabinet – 21 June 2012)
Treasury Management Annual Report 2011/12**
- (iv). **Minute 12 (Cabinet – 21 June 2012)
Insurance Fund Annual Report**
- (v). **Minute 44 (Cabinet – 10 July 2012)
2012/13 Updated Corporate Plan**

(2) That as votes in relation to the following matters were not unanimous, neither were approved:

- (i). **Employment and Appointments Committee – 7 June 2012
Minute 10 – Appeals Sub-Committee
(41:19) (One abstention)**
- (ii). **Standards Committee – 25 June 2012
Minute 2 – New Standards Regime
(26:34) (One abstention)**

28 MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES

No matters had been referred from Overview and Scrutiny Committees.

29 MATTERS FOR DEBATE

The matters listed for debate in accordance with Standing Order 5 (2) (n) were dealt with as indicated in minutes 30 to 42 below.

30 MOTION: WIRRAL'S IMPROVEMENT PLAN

Proposed by Councillor Ann McLachlan
Seconded by Councillor Phil Davies

Council:

- (1) notes the progress being made on developing an Improvement Plan for Wirral as a blueprint for driving forward change and transforming Wirral's Corporate Governance arrangements; and**
- (2) recognises that we are at the beginning of a journey with many challenges ahead but welcomes the cross party support in working with the Improvement**

Board to deliver the priorities agreed to achieve our ambition to deliver excellence in all areas of our work and outstanding services to the residents of Wirral.

Following a debate and Councillor McLachlan having replied to the motion it was –

Resolved – (60:0) (one abstention) That the motion be approved.

31 **MOTION: FREEDOM OF INFORMATION REQUESTS**

Proposed by Councillor Jeff Green
Seconded by Councillor Lesley Rennie

Council:

- (1) notes that year on year the number of Freedom of Information (FOI) requests submitted to the Council keeps on rising; from 241 requests in 2007 to 1139 in 2011;
- (2) sincerely thanks the public for their continued interest in finding out about how the Council operates;
- (3) further notes that information obtained via FOI requests was pertinent in proving that Martin Morton was right and that the Council did, wrongly, overcharge vulnerable adults;
- (4) believes that one of the ways we can start rebuilding public confidence is by enshrining a culture of openness and transparency in everything that we do;
- (5) is disappointed to note that Officers are currently attempting to overturn a decision notice from the Information Commissioner's Office granting access to information requested under the Freedom of Information Act by an elected Member;
- (6) Without a change in approach Council understands that the resources required to service the ever rising level of FOI requests in Wirral will continue to grow. Therefore Council believes a new approach to Freedom of Information needs to be designed based on a culture of openness and transparency; and
- (7) Council therefore instructs Officers to investigate best practice across a range of public sector organisations and report back to an early meeting of Council Excellence OSC with a view to establishing an all party (1:1:1) Working Group to scrutinise options available and make recommendations to Cabinet on a new approach to FOI requests.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Phil Davies
Seconded by Councillor Adrian Jones

Delete everything after paragraph (2) and insert the following:

- (3) Council believes that it is important that we enshrine a culture of openness and transparency in everything that we do;

- (4) Council is open to reviewing the way we deal with Freedom of Information requests and exploring all options for reducing the number of such requests and the work required to service them;
- (5) Council therefore instructs officers to investigate best practice across a range of public sector organisations and report back to an early meeting of Council Excellence OSC.

The amendment was put and carried (34:26) (one abstention)

The substantive motion was put and carried (60:0) (one abstention)

Resolved (60:0) (One abstention) –

Council:

- (1) notes that year on year the number of Freedom of Information (FOI) requests submitted to the Council keeps on rising; from 241 requests in 2007 to 1139 in 2011;
- (2) sincerely thanks the public for their continued interest in finding out about how the Council operates;
- (3) Council believes that it is important that we enshrine a culture of openness and transparency in everything that we do;
- (4) Council is open to reviewing the way we deal with Freedom of Information requests and exploring all options for reducing the number of such requests and the work required to service them; and
- (5) Council therefore instructs officers to investigate best practice across a range of public sector organisations and report back to an early meeting of Council Excellence OSC.

32 MOTION: LIBRARY OPENING TIMES

Proposed by Councillor Mark Johnston
Seconded by Councillor Stuart Kelly

Council:

- (1) notes that branch library opening times have been a topic of concern for local residents at the Heswall, Pensby, Thingwall neighbourhood forum;
- (2) notes the Libraries Strategy (Cabinet 8th December 2011 minute 219 refers), in which only the four 'main libraries' at Birkenhead, Wallasey, Bebington and West Kirby are to be open weekday evenings;
- (3) also notes the Libraries Strategy trial of opening on Wednesdays (instead of evenings) being carried out at Heswall and Eastham libraries with a view to this pattern of opening being rolled out at all libraries;
- (4) has regard to feedback from these trials, which point out the lack of an evening option can unacceptably exclude anyone in work, education or training from making use of these much valued community facilities;

- (5) believes that the best way to determine a response to conflicting pressures of customer demands and budgetary constraints is to consult, engage and listen to library users about what they want from their local library service and how they wish to see the allocated opening hours applied to their local library;
- (6) rejects the view that 'one size fits all' in each local circumstance, as this is incompatible with Localism principles and aspirations and the Notice of Motion agreed by Council 16th April entitled 'Delivering Services with Empathy, Compassion and Common Sense' (minute 148 refers) which sought to ensure services were provided for our services users, rather than at the convenience of the Council and other providers;
- (7) believes that Cabinet should amend the Library Strategy's policy on opening times to allow neighbourhood forums, in consultation with their local community, library user groups and library staff to determine the most appropriate spread of opening hours through the week to best suit the needs of their communities, with the costs of any additional hours required to be met from existing devolved budgets; and
- (8) requests an update on these matters be provided to an appropriate meeting of Sustainable Communities OSC.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Chris Meaden
Seconded by Councillor Denise Roberts

Delete all and Replace with:

- (1) Council notes that the authority will shortly be undertaking a detailed consultation exercise with the public and library users regarding library opening times.
- (2) We propose to consult users in every library during late July and August to see if local needs for opening hours differ from a 'one size fits all' approach to the service. We will ask members of the public what they think about the proposed opening hours planned for their library. We will ask users when they currently access the library and would they consider accessing the library at a different time. The views of Neighbourhood Forums will also be taken into account; and
- (3) The results of this consultation will be reported to the appropriate Scrutiny Committee and to Cabinet and will inform the Library Strategy.

The amendment was put and carried (34:26) (one abstention)

The Substantive Motion was put and carried (34:26) (one abstention)

Resolved (34:26) (one abstention) –

Council:

- (1) **notes that the authority will shortly be undertaking a detailed consultation exercise with the public and library users regarding library opening times;**

- (2) propose to consult users in every library during late July and August to see if local needs for opening hours differ from a ‘one size fits all’ approach to the service. We will ask members of the public what they think about the proposed opening hours planned for their library. We will ask users when they currently access the library and would they consider accessing the library at a different time. The views of Neighbourhood Forums will also be taken into account; and
- (3) The results of this consultation will be reported to the appropriate Scrutiny Committee and to Cabinet and will inform the Library Strategy.

33 MOTION: COLLABORATION GOVERNMENT'S EDUCATION POLICY CONFUSION

Proposed by Councillor Adrian Jones
Seconded by Councillor Bernie Mooney

Council:

- (1) views with concern the approach to examinations demonstrated by Education Minister Michael Gove. Council notes, in particular, publication of his plan to ‘modernise’ through turning the clock back to the 1950s by replacing GCSEs with a two-tier exam system modelled on O-levels and CSEs. His ‘leaked’ proposal that the present exams would be scrapped was particularly regrettable; Timed as it was by design or default students presently awaiting their exam results would perceive their achievements to be second class as they were to be superseded in 2015 by an antiquated model scrapped a quarter of a century ago;
- (2) sympathises with Coalition Deputy Prime Minister Nick Clegg’s robust denunciation, from Brazil, of the Tory minister’s proposals as neither he nor Coalition LibDem Education Minister Sarah Teather, were consulted about the plans before they were published in the ‘Daily Mail’. Further, Council applauds the comments of Graham Stuart, Conservative chairman of the Commons education select committee who said he was sceptical and suggested the plans were designed just to help the elite; and
- (3) given this further example of ideological incompatibility between the two wings of the Tory-led parliamentary collaboration, and the apparent contempt with which the senior partner regards the junior, Council calls on the Prime Minister to have the courage to face the country in an early general election.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Wendy Clements
Seconded by Councillor Cherry Povall

Delete all and insert:

- (1) Research recently published by the Sutton Trust shows England ranked 26th out of 34 countries in terms of proportions of pupils reaching the highest standards in mathematics. In England only 1.7% of children reached the highest level in maths compared with 7.8% in Switzerland and 5.8% in Belgium, with an average of 3.1% across all OECD countries;
- (2) Council therefore welcomes initiatives taken by the Secretary of State for Education to raise standards in Britain’s schools and believes that after years of

Labour Government they are long overdue. The above study shows that few bright non-privileged students reach their academic potential which is unfair and a tragedy for them and the country as a whole. Council further recognises that all children are entitled to and must receive a high quality education which equips them for life and employment in the 21st century; and

- (3) Council welcomes the diversity in educational provision, demonstrated by the development of the Academy programme begun under Labour (which sees 1957 academies open as of 1st July 2012) and the increasing number of Free Schools in progress (including the Everton in the Community Free School Trust), together with the development of UTCs, including Birkenhead University Technical College supported by Frank Field MP.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Pat Williams
Seconded by Councillor Stuart Kelly

In the title, replace “Collaboration Government’s” with “Michael Gove’s”.

At paragraph (1), replace “the 1950’s” with “the pre 1986 exams system”.

At paragraph (2), replace “sympathises with” with “supports”.

Delete paragraph (3) and insert:

- (3) Council does, however, support the suggestion that the separate examination boards should be abolished and replaced with a single board responsible for setting robust examinations, and believes this will restore faith in the testing nature of British exams.

Add additional paragraph (4):

- (4) Council congratulates all Wirral students on their examination results over the years.

Add additional paragraph (5):

- (5) Further, Council welcomes any changes in the education system that will help to prepare young people to be work ready. In particular, Council welcomes the creation of the University Technical College.

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

The amendment proposed by Councillor Clements was put and lost (19:41) (one abstention).

The amendment proposed by Councillor Williams was put and lost (7:53) (one abstention)

The motion was put and carried (34:26) (one abstention)

Resolved (34:26) (one abstention) –

That Council:

- (1) views with concern the approach to examinations demonstrated by Education Minister Michael Gove. Council notes, in particular, publication of his plan to ‘modernise’ through turning the clock back to the 1950s by replacing GCSEs with a two-tier exam system modelled on O-levels and CSEs. His ‘leaked’ proposal that the present exams would be scrapped was particularly regrettable; Timed as it was by design or default students presently awaiting their exam results would perceive their achievements to be second class as they were to be superseded in 2015 by an antiquated model scrapped a quarter of a century ago;
- (2) sympathises with Coalition Deputy Prime Minister Nick Clegg’s robust denunciation, from Brazil, of the Tory minister’s proposals as neither he nor Coalition LibDem Education Minister Sarah Teather, were consulted about the plans before they were published in the ‘Daily Mail’. Further, Council applauds the comments of Graham Stuart, Conservative chairman of the Commons education select committee who said he was sceptical and suggested the plans were designed just to help the elite; and
- (3) given this further example of ideological incompatibility between the two wings of the Tory-led parliamentary collaboration, and the apparent contempt with which the senior partner regards the junior, Council calls on the Prime Minister to have the courage to face the country in an early general election.

34 MOTION: JOBS AND INVESTMENT

Proposed by Councillor Jeff Green
 Seconded by Councillor Lesley Rennie

- (1) Council welcomes:
 - (a) the historic signing in China of an agreement to deliver record investment in the proposed International Trade Centre.
 - (b) Government support for the automotive industries at Jaguar Landrover and the announcement that Vauxhall’s Ellesmere Port plant will produce the new generation Astra.
 - (c) the extra investment and new jobs that will be created at the historic home of Unilever in Port Sunlight.
 - (d) the unprecedented success of ‘The Contact Company’ and the other Small and Medium sized Enterprises brought into or developed and growing in Wirral.
 - (e) the granting of the turnaround cruise liner terminal in Liverpool and the continued success of the tourism industry in Wirral.
- (2) that this has been achieved in times of considerable economic difficulty and recognises the role partnership and cooperation between all parties and administrations in Wirral, Government and business has played in this success;
- (3) and thanks the Government and local businesses for their continued support and expresses our pride in the Council’s own role in bringing investment to Wirral and for doing so much to expand private enterprise in Wirral and the

wider Liverpool City Region which will not only protect existing jobs but will also create thousands of new opportunities for work and investment.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Pat Hackett

Seconded by Councillor Jean Stapleton

Delete paragraph (3) and insert the following:

- (3) the latest Job Seekers Allowance claimant count for Wirral is 8,783 or 4.6% of the working age population (compared with 3.9% for England);
- (4) Council is concerned that in overall terms the economy is still flat-lining with little evidence of sustained growth;
- (5) Council believes that the government is cutting too far and too fast and that an economic policy based on austerity will not help Wirral or the country; and
- (6) Council therefore calls on the government to change course as a matter of urgency and adopt measures which will stimulate the economy and produce growth.

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

The amendment was put and carried (34:26) (one abstention)

The substantive motion was put and carried (34:26) (one abstention)

Resolved (34:26) (one abstention) –

- (1) **Council welcomes:**
 - (a) the historic signing in China of an agreement to deliver record investment in the proposed International Trade Centre;
 - (b) Government support for the automotive industries at Jaguar Landrover and the announcement that Vauxhall's Ellesmere Port plant will produce the new generation Astra;
 - (c) the extra investment and new jobs that will be created at the historic home of Unilever in Port Sunlight;
 - (d) the unprecedented success of 'The Contact Company' and the other Small and Medium sized Enterprises brought into or developed and growing in Wirral;
 - (e) the granting of the turnaround cruise liner terminal in Liverpool and the continued success of the tourism industry in Wirral;
- (2) that this has been achieved in times of considerable economic difficulty and recognises the role partnership and cooperation between all parties and administrations in Wirral, Government and business has played in this success;

- (3) the latest Job Seekers Allowance claimant count for Wirral is 8,783 or 4.6% of the working age population (compared with 3.9% for England);
- (4) Council is concerned that in overall terms the economy is still flat-lining with little evidence of sustained growth;
- (5) Council believes that the government is cutting too far and too fast and that an economic policy based on austerity will not help Wirral or the country; and
- (6) Council therefore calls on the government to change course as a matter of urgency and adopt measures which will stimulate the economy and produce growth.

35 **MOTION: VALUING OUR SAFEGUARDING EMPLOYEES**

Proposed by Councillor Mark Johnston
Seconded by Councillor Pat Williams

The Council:

- (1) is firmly committed to safeguarding vulnerable children in our care. Council notes that, at present, almost 700 children are looked after in Wirral, and according to the Wirral Children and Young People's Plan 2012-13, over 2,200 children have been allocated a social worker and around 360 have a child protection plan. Average caseloads for social workers in Wirral are between 25-30 children;
- (2) believes that one of the key ways to secure the best possible outcomes for these children is to affirm its commitment to maintaining a highly skilled, professional, well motivated and caring workforce and providing a working environment and terms and conditions in which they can consistently give their best;
- (3) In particular, welcomes the partnership work across Cheshire and Merseyside to deliver the 'Step up to Social Work' scheme to deliver Masters level social work training in Children's Social Care (Cabinet minute 198, 1st September 2011 refers);
- (4) notes the recent extension of short term market rate supplement payments to Children's Social Care Posts to improve recruitment and retention, agreed at Employment and Appointments Committee 23rd April 2012 (minute 90 refers);
- (5) also notes that agreement to these payments is subject to the outcomes of job evaluation, which ought to be resolving these issues. Council expresses concern that the job evaluation process, as well as being years overdue, is also taking far longer than initially promised to staff and is concerned that confidence in the process could be undermined if these delays are allowed to continue and urges the Council Leader to explain the reasons for the delay;
- (6) believes that, in order to further demonstrate its commitment to valuing our safeguarding employees and attracting high quality new recruits, the organisation should ensure that terms and conditions of employment for these posts, including pay and grade, are competitive with those of neighbouring authorities for similar work in order to reduce turnover of social care staff. At present, minimum pay for social workers is, on average, 17% lower than for

comparator authorities, with staff turnover at 9.2%, compared with 5% across the rest of the Council;

- (7) recognises that competitive terms and conditions and training can also help to minimise vacant posts and the need for expensive agency workers, but that agency fees are still a significant cost to the organisation, totalling £1.4m last year and expected to rise this year. In order to help to reduce this, the Acting Director of Children's Services is requested to investigate whether a peripatetic 'pool' of social workers across Cheshire and Wirral might be an innovative way of sharing some services to cover short staffed areas;
- (8) Further, Council requests that the Director of Children's Services consults with Wirral's Children's Social Care Workers, including, where possible, with those who have left the authority to work elsewhere, to establish whether there are any other factors that are leading social care workers to seek employment elsewhere; and
- (9) Council requests that responses to these matters be presented in a report to the Children and Young People OSC at the earliest opportunity.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Ann McLachlan

Seconded by Councillor Phil Davies

Delete Paragraphs (5), (6), (7) & (8) and replace with the following, and paragraph (9) to become (10):

- (5) It is incorrect that market rate supplement payments have been delayed pending the outcome of the job evaluation exercise. Where applicable, market supplement rates have been paid to social workers who qualify for such a payment since June 2012. The job evaluation report is due towards the end of this year and will clarify the position with regard to salaries for our social work staff;
- (6) Council accepts the principle that social workers in Wirral should enjoy pay and conditions on a par with comparable authorities. However, this may have significant budgetary implications which should be clearly quantified and considered as part of the budget-making process;
- (7) Wirral has recently joined the "Learn together Partnership" and is committed to exploring all avenues including the idea of a shared pool of peripatetic workers as a way of increasing capacity and resources;
- (8) Wirral is working towards a significant reduction in the use of agency social workers and to that end has recently employed nine social workers on temporary contracts. This will begin the process of reducing agency staff costs; and
- (9) Exit interviews are undertaken for social work staff leaving the service of the Department and the Borough. Whilst any specific issues are addressed directly, the production of aggregate reports to capture trends/themes would be useful

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

The amendment was put and carried (53:7) (one abstention)

The substantive motion was put and carried (53:7) (one abstention)

Resolved (53:7) (one abstention)-

The Council

- (1) is firmly committed to safeguarding vulnerable children in our care. Council notes that, at present, almost 700 children are looked after in Wirral, and according to the Wirral Children and Young People's Plan 2012-13, over 2,200 children have been allocated a social worker and around 360 have a child protection plan. Average caseloads for social workers in Wirral are between 25-30 children;
- (2) believes that one of the key ways to secure the best possible outcomes for these children is to affirm its commitment to maintaining a highly skilled, professional, well motivated and caring workforce and providing a working environment and terms and conditions in which they can consistently give their best;
- (3) In particular, welcomes the partnership work across Cheshire and Merseyside to deliver the 'Step up to Social Work' scheme to deliver Masters level social work training in Children's Social Care (Cabinet minute 198, 1st September 2011 refers);
- (4) notes the recent extension of short term market rate supplement payments to Children's Social Care Posts to improve recruitment and retention, agreed at Employment and Appointments Committee 23rd April 2012 (minute 90 refers);
- (5) notes that it was incorrect that market rate supplement payments have been delayed pending the outcome of the job evaluation exercise. Where applicable, market supplement rates have been paid to social workers who qualify for such a payment since June 2012. The job evaluation report is due towards the end of this year and will clarify the position with regard to salaries for our social work staff;
- (6) accepts the principle that social workers in Wirral should enjoy pay and conditions on a par with comparable authorities. However, this may have significant budgetary implications which should be clearly quantified and considered as part of the budget-making process;
- (7) notes that Wirral has recently joined the "Learn together Partnership" and is committed to exploring all avenues including the idea of a shared pool of peripatetic workers as a way of increasing capacity and resources;
- (8) notes that Wirral is working towards a significant reduction in the use of agency social workers and to that end has recently employed nine social workers on temporary contracts. This will begin the process of reducing agency staff costs;
- (9) notes that Exit interviews are undertaken for social work staff leaving the service of the Department and the Borough. Whilst any specific issues are addressed directly, the production of aggregate reports to capture trends/themes would be useful; and

(10) requests that responses to these matters be presented in a report to the Children and Young People OSC at the earliest opportunity.

36 MOTION: PROTECTING YOUNG PEOPLE FROM TOBACCO MARKETING

Proposed by Councillor Anne McArdle
Seconded by Councillor Pat Glasman

This Council notes that:

- smoking tobacco can cause serious and fatal disease and that the only way to reduce that risk is not to smoke
- smoking is an addiction that starts in childhood with the vast majority of smokers starting before they are 18 years old
- 693 people in Wirral die from a smoking related disease every year
- with advertising bans in place, tobacco manufacturers have increasingly focused on packaging design to make their products more appealing
- published peer reviewed scientific research is clear that plain packs are less attractive especially to young people, strengthen the impact of health warnings and make packs less misleading to consumers

This Council believes that it is the responsibility of all levels of government to ensure good public health in the population.

This Council therefore resolves:

- (1) to request the Interim Chief Executive to write to the Secretary of State for Health, expressing these views and asking him to bring forward legislation to introduce standardised packaging of tobacco products to protect children and young people from aggressive tobacco marketing; and**
- (2) to continue to promote good health in our Borough, by supporting initiatives designed to reduce local rates of smoking and to protect children and young adults from tobacco harm.**

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Pat Williams
Seconded by Councillor Alan Brighouse

After, “It is the responsibility of all levels of government to ensure good public health in the population.” Add: “Therefore, Council welcomes, and urges a response, to the recent Government consultation, which runs until 10th August 2012, on standardised tobacco packaging, exploring whether action on tobacco packaging has the potential to bring public health benefits over and above those from current initiatives.”

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

The amendment was put and carried (60:0) (one abstention)

The substantive motion was put and carried (60:0) (one abstention)

Resolved (60:0) (one abstention) –

Council notes that:

- smoking tobacco can cause serious and fatal disease and that the only way to reduce that risk is not to smoke;
- smoking is an addiction that starts in childhood with the vast majority of smokers starting before they are 18 years old;
- 693 people in Wirral die from a smoking related disease every year;
- with advertising bans in place, tobacco manufacturers have increasingly focused on packaging design to make their products more appealing;
- published peer reviewed scientific research is clear that plain packs are less attractive especially to young people, strengthen the impact of health warnings and make packs less misleading to consumers.

This Council believes that:

It is the responsibility of all levels of government to ensure good public health in the population. Therefore, Council welcomes, and urges a response, to the recent Government consultation, which runs until 10th August 2012, on standardised tobacco packaging, exploring whether action on tobacco packaging has the potential to bring public health benefits over and above those from current initiatives.

This Council therefore resolves:

- (1) to request the Interim Chief Executive to write to the Secretary of State for Health, expressing these views and asking him to bring forward legislation to introduce standardised packaging of tobacco products to protect children and young people from aggressive tobacco marketing; and
- (2) to continue to promote good health in our Borough, by supporting initiatives designed to reduce local rates of smoking and to protect children and young adults from tobacco harm.

37 MOTION: CORPORATE PARENTING

Proposed by Councillor Wendy Clements
Seconded by Councillor Cherry Povall

(1) Council recognises that:

- (a) It is the Corporate Parent of all the Looked After Children in Wirral and that looking after other people's children is one of the most important things that councils do;
- (b) there are currently over 600 children in the care of Wirral Borough Council; and
- (c) all Councillors must ask themselves "are we providing the best care possible to our looked after children and care leavers"

(2) Therefore Council:

- (a) calls on the Cabinet to ensure sufficient funds are available to achieve this "best possible care" as well as to continue to fund preventative and Early Intervention Strategies which may in time reduce the number of children who have to be taken into care;

- (b) recognises that recent concerns raised by the All-Party Parliamentary Groups for Runaway and Missing Children & Looked After Children and Care Leavers “Children missing from care” cannot be ignored and local data on runaways needs to be examined and requests all relevant information be reported to an early meeting of the Council’s CYPD Overview & Scrutiny Committee; and
- (c) salutes the Children in Care Council as a dedicated group of young people who provide a voice for Looked After Children and Care-Leavers and congratulates them for their input into local initiatives such as “therightsideofcare” website and information pack for children and young people when they first come into care.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Adrian Jones
Seconded by Councillor Ann McLachlan

*Amend Paragraph (2) (a) with the following:
Replace ‘Cabinet’ with ‘Government’*

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

The amendment was put and carried (60:0) (One abstention)

The substantive motion was put and carried (60:0) (One abstention)

Resolved (60:0) (one abstention) –

(1) That Council recognises that:

- (a) **It is the Corporate Parent of all the Looked After Children in Wirral and that looking after other people’s children is one of the most important things that councils do;**
- (b) **there are currently over 600 children in the care of Wirral Borough Council; and**
- (c) **all councillors must ask themselves “are we providing the best care possible to our looked after children and care leavers”;**

(2) Therefore Council:

- (a) **calls on the Government to ensure sufficient funds are available to achieve this “best possible care” as well as to continue to fund preventative and Early Intervention Strategies which may in time reduce the number of children who have to be taken into care;**
- (b) **recognises that recent concerns raised by the All-Party Parliamentary Groups for Runaway and Missing Children & Looked After Children and Care Leavers “Children missing from care” cannot be ignored and local data on runaways needs to be examined and requests all relevant information be reported to an**

early meeting of the Council's CYPD Overview & Scrutiny Committee; and

- (c) **salutes The Children in Care Council as a dedicated group of young people who provide a voice for Looked After Children and Care-Leavers and congratulates them for their input into local initiatives such as “therightsideofcare” website and information pack for children and young people when they first come into care.**

38 MOTION: PROTECTING BEES AND POLLINATORS

Proposed by Councillor Phil Gilchrist
Seconded by Councillor Dave Mitchell

The Council:

- (1) Believes that it has an important part to play in retaining and creating an environment in which pollinating insects can survive and thrive. This involves the Council directly; as the guardian of parks and open spaces and as the planning authority and indirectly; through its advice and encouragement to residents who can play their part in saving the bee population. Council recognises growing concern about the health of the bee population across the country;
- (2) Recalls that: On 15 Dec 2008 (Minute 92) it expressed 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. On 13 July 2009 (Minute 29) it considered that, 'Many of Wirral's management plans already recognise the need for sensitive management but that there is a pressing need to respond to the decline in the bee population.' and went on to request that, 'Wirral's existing practices in managing open spaces and verges should be reviewed and updated to take account of this concern:
- (3) In order to ensure that these issues are addressed Council:
- (i). Notes the recent publication of research commissioned by Friends of the Earth by the University of Reading, entitled 'The decline of England's bees'
 - (ii). Welcomes Friends of the Earth's campaign for a National Bee Action Plan which seeks 'to ensure that a comprehensive set of measures is put in place to reverse bee decline and avoid rising costs to farmers and consumers
- (4) In so doing, Council recognises that the Friends of the Earth briefing sets out the following concerns:
- (i). That 'We need bees to pollinate many important food crops, including most fruit and vegetables'
 - (ii). That 'areas that bees and other pollinators rely on will be vulnerable to development pressures' and that strong Local Plan policies should protect areas important to bees;
- (5) In particular, the briefing makes it clear that 'new developments (should) create areas for nature, including green roofs and other natural spaces'; and

- (6)** Accordingly, Council requests officers to study the concerns raised by Friends of the Earth and to take these into account when framing and updating local policies;

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

Resolved (60:0) (one abstention) – That the Motion be approved

39 MOTION: REGIONAL AND LOCAL PUBLIC SECTOR PAY

Proposed by Councillor Joe Walsh
Seconded by Councillor Brian Kenny

Council notes:

- The Chancellor of the Exchequer announced in the 2012 Budget the Government's desire to introduce 'more market facing' public sector pay. This could mean regional or local public sector pay.
- This recommendation has come in advance of the Pay Review Bodies reporting on the issue in July and September 2012.
- There has been no independent assessment of the impact and consequences this policy could have for public services or the economies of low pay regions.

Council believes:

- The Government's case is based on the claim that public sector pay is 'crowding out' the private sector. This is not supported by evidence, particularly at a time of high unemployment. There are currently over 8 JSA claimants for every job vacancy in the Wirral.
- This approach also ignores the real reasons for the differences between public and private sector pay. For instance, there are more high skilled workers in the public sector (such as teachers and nurses), and a smaller pay gap between top and bottom earners and a smaller gender pay gap.
- Public sector employers already have some flexibility to adjust pay in response to local conditions, and higher rates are paid in London and the South East.
- All other English regions and devolved nations stand to be affected by this, with the possibility of years of pay falling behind the cost of living.
- Workers in the Wirral are paid £18 less per week than the national average.
- 65% of public sector workers are female.
- Regional pay is likely to increase differential pay rates between regions and may make it more difficult for the North West to attract staff from other regions.

Council further believes:

- Regional or local public sector pay would have a harmful effect on the Wirral.

- It will make it harder for schools and other public services to recruit and retain good quality professionals who could earn more for doing the same job elsewhere.
- There are 35,000 public sector workers across the Wirral and reducing their real terms pay each and every year will dramatically reduce spending power and have a negative impact on the private sector.
- This policy will not improve the pay of private sector workers but instead could encourage further depression of wages in all sectors.
- We do not want to be forever defined as a ‘low pay’ region.
- This policy is therefore counter to our area’s vision and ambitions for the future.

Council resolves:

- (1) to write to the Chancellor of the Exchequer and Chief Secretary to the Treasury stating this council’s opposition to plans for regional and localised public sector pay;
- (2) to write to all local MPs within the next month outlining concerns about the impact that this policy would have on services and the local economy; and
- (3) to sign up to the Pay Fair campaign and raise awareness of the implications and risks of this policy locally, regionally and nationally.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Andrew Hodson
Seconded by Councillor Adam Sykes

Delete all and insert:

- (1) Council welcomes the Chancellor of the Exchequer’s position, as set out in the 2011 Autumn Statement, that there is a case for considering how public sector pay could better reflect local labour markets, providing a significant step towards creating a more balanced economy in the regions of our country that does not squeeze out the private sector;
- (2) the Government is asking the independent Pay Review Bodies to consider the case for greater local pay flexibility in the wider public sector and has asked them to report back by July this year. This is happening and it has always been the case that there will be no change unless there is evidence to support it. We should not pre-empt the pay review bodies;
- (3) Council welcomes the Government’s position that supporting private sector growth is at the heart of its economic and growth strategies and that strong, sustainable and balanced growth must be more evenly shared across the country; and
- (4) Council believes that genuinely competitive and local labour markets are a key element in achieving fairness between the public and private sectors, encouraging growth, job creation and prosperity and addressing the problems of high long-term unemployment and inactivity, often in areas which suffer from multiple disadvantages.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Tom Harney
Seconded by Councillor Phil Gilchrist

Add to title “AND BENEFITS”

At the end of the first bullet point under ‘Council notes’ add: “and localised benefits”

Insert additional bullets points under ‘Council notes’:

- Council notes the opposition of Deputy PM Nick Clegg, BIS secretary Vince Cable and Chief Secretary Danny Alexander, on behalf of the Liberal Democrats, to the idea of regional pay, making the statement an issue of Conservative Party policy for the next parliament, rather than one for the current parliament.
- Council also expresses its opposition to a localised benefits system, an idea supported by Shadow Work and Pensions Secretary Liam Byrne and many Labour members in the South of England.

In the final bullet point under ‘Council believes’, add after ‘Regional pay’: “and localised benefits”

In the first bullet point under ‘Council further believes’, add after ‘Regional or local public sector pay’: “and benefits”

Add to the end of paragraph (1): “and benefits”

Add additional paragraph (4):

“This Council reaffirms its commitment to Living Wage required for a worker to provide their family with the essentials of life and currently set at £7.20 per hour.”

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

The amendment proposed by Councillor Hodson was put and lost (19:41) (one abstention)

The amendment proposed by Councillor Harney was put and lost (7:53) (one abstention)

The motion was put and carried (41:19) (one abstention)

Resolved (41:19) (one abstention) –

Council notes:

- The Chancellor of the Exchequer announced in the 2012 Budget the Government’s desire to introduce ‘more market facing’ public sector pay. This could mean regional or local public sector pay.
- This recommendation has come in advance of the Pay Review Bodies reporting on the issue in July and September 2012.

- There has been no independent assessment of the impact and consequences this policy could have for public services or the economies of low pay regions.

Council believes:

- The Government's case is based on the claim that public sector pay is 'crowding out' the private sector. This is not supported by evidence, particularly at a time of high unemployment. There are currently over 8 JSA claimants for every job vacancy in the Wirral.
- This approach also ignores the real reasons for the differences between public and private sector pay. For instance, there are more high skilled workers in the public sector (such as teachers and nurses), and a smaller pay gap between top and bottom earners and a smaller gender pay gap.
- Public sector employers already have some flexibility to adjust pay in response to local conditions, and higher rates are paid in London and the South East.
- All other English regions and devolved nations stand to be affected by this, with the possibility of years of pay falling behind the cost of living.
- Workers in the Wirral are paid £18 less per week than the national average.
- 65% of public sector workers are female.
- Regional pay is likely to increase differential pay rates between regions and may make it more difficult for the North West to attract staff from other regions.

Council further believes:

- Regional or local public sector pay would have a harmful effect on the Wirral.
- It will make it harder for schools and other public services to recruit and retain good quality professionals who could earn more for doing the same job elsewhere.
- There are 35,000 public sector workers across the Wirral and reducing their real terms pay each and every year will dramatically reduce spending power and have a negative impact on the private sector.
- This policy will not improve the pay of private sector workers but instead could encourage further depression of wages in all sectors.
- We do not want to be forever defined as a 'low pay' region.
- This policy is therefore counter to our area's vision and ambitions for the future.

Council resolves:

- (1) To write to the Chancellor of the Exchequer and Chief Secretary to the Treasury stating this council's opposition to plans for regional and localised public sector pay;
- (2) To write to all local MPs within the next month outlining concerns about the impact that this policy would have on services and the local economy.
- (3) To sign up to the Pay Fair campaign and raise awareness of the implications and risks of this policy locally, regionally and nationally.

40 **MOTION:EMPTY HOMES**

Proposed by Councillor Tony Cox

Seconded by Councillor Don McCubbin

Council

- (1) notes that empty houses blight communities and are also a haven for anti-social behaviour and vandalism;
- (2) recognises the good work carried out within the Regeneration Department through the Empty Property Team, in bringing unused properties back to occupancy and believes more can be done; and
- (3) therefore, instructs Officers as a matter of urgency to carry out a study into the issues raised in the Channel 4 Television documentary 'The Great British Property Scandal' and work with the Government's empty homes advisor, George Clarke, to create a low cost empty homes loan scheme for people willing to refurbish older properties for rent at affordable levels.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor George Davies

Seconded by Councillor Brian Kenny

Delete after paragraph (1) and insert:

- (2) Council recognises the important work carried out within the Regeneration Department through the Empty Property Team in bringing unused properties back to occupancy and supports the year on year improvement in meeting targets for empty homes brought back into use through Council interventions; and
- (3) in response to the issues raised on the Channel 4 programme, we ask that the Empty Property Team, in consultation with George Clark, the Government's empty homes advisor, further develop their approaches to encourage more private investment into empty homes, to reflect current Council budgetary pressures, such as accredited leasing schemes and expanding private sector leasing with Registered Providers for affordable rents. These would be in addition to the wide range of initiatives already being utilised by the Empty Property Team.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Stuart Kelly
Seconded by Councillor Mark Johnston

Add additional paragraph (4):

The details of such a scheme to be reported to Economy and Regeneration OSC for development and onward recommendation to Cabinet.

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

The amendment proposed by Councillor Davies was put and carried (60:0) (one abstention)

The amendment proposed by Councillor Kelly was put and carried (60:0) (one abstention)

The substantive motion was put and carried (60:0) (one abstention)

Resolved - (60:0) (one abstention) –

Council

- (1) notes that empty houses blight communities and are also a haven for anti-social behaviour and vandalism;
- (2) recognises the important work carried out within the Regeneration Department through the Empty Property Team in bringing unused properties back to occupancy and supports the year on year improvement in meeting targets for empty homes brought back into use through Council interventions;
- (3) in response to the issues raised on the Channel 4 programme, we ask that the Empty Property Team, in consultation with George Clark, the Government's empty homes advisor, further develop their approaches to encourage more private investment into empty homes, to reflect current Council budgetary pressures, such as accredited leasing schemes and expanding private sector leasing with Registered Providers for affordable rents. These should be in addition to the wide range of initiatives already being utilised by the Empty Property Team; and
- (4) requests the details of such a scheme to be reported to Economy and Regeneration OSC for development and onward recommendation to Cabinet.

41 MOTION: DANGEROUS DOGS

Proposed by Councillor Brian Kenny
Seconded by Councillor Jean Stapleton

- (1) All dogs are potentially dangerous. The risk varies according to size, breed characteristics, and conditioning by owners. Present legislation has largely failed as every year cases occur in which other pets, and in many cases children, are attacked and injured, maimed, or even killed. Present legislation is concerned insufficiently with owner control. Enforcement of controls on breed

types is difficult to enforce both because it is easily ignored and because breed variation and cross breeding produces difficulty of identification.

- (2) Members of the public wishing to take ownership of a dog from charitable organisations are first interviewed, and their homes are inspected to establish through a highly responsible process whether they are suitable for dog ownership. However, dog ownership is not controlled in the 'market place' and it is a simple matter to acquire almost any breed of dog. This leads not only to irresponsible persons acquiring potentially dangerous animals but also to irresponsible care and behaviour of the animals resulting in fouling in public places.
- (3) Council notes that the former dog-license regime was little more than a form of taxation and its restoration would be of no value. Council calls on the government to consider, in consultation with the RSPCA and other responsible animal care organisations, the phased introduction of a modern licensing system such that persons are licensed to become dog owners on lines similar to the inspection regimes used by charitable dog rescue organisations.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Dave Mitchell
Seconded by Councillor Alan Brighouse

Delete all and insert:

- (1) Council notes that keeping a dog brings great pleasure and companionship to many pet owners and their families, and that most dog owners take their responsibilities very seriously with regard to ensuring their animals are well behaved and well looked after.
- (2) Council notes that irresponsible dog ownership leads to irresponsible dog behaviour.
- (3) Council supports the efforts of the RSPCA in its animal welfare work and supports their prosecution of people who mistreat their pets.
- (4) Council supports the increased dog warden service and welcomes the work being done to reduce irresponsible dog and dog owner behaviour in our streets and parks.
- (5) Council believes the previous dog licensing scheme had no effect on these issues and can see no benefit in introducing a new scheme of licensing of dogs or their owners.
- (6) Council would rather resources are spent improving the current welfare arrangements for animals than on a new bureaucratic and expensive licensing regime and notes that Government consultation has already taken place this year on "Tackling irresponsible dog ownership". Council looks forward to the outcome of this consultation.

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

The amendment was put and lost (7:53) (one abstention)

Resolved (53:7) (one abstention) –

- (1) All dogs are potentially dangerous. The risk varies according to size, breed characteristics, and conditioning by owners. Present legislation has largely failed as every year cases occur in which other pets, and in many cases children, are attacked and injured, maimed, or even killed. Present legislation is concerned insufficiently with owner control. Enforcement of controls on breed types is difficult to enforce both because it is easily ignored and because breed variation and cross breeding produces difficulty of identification;
- (2) Members of the public wishing to take ownership of a dog from charitable organisations are first interviewed, and their homes are inspected to establish through a highly responsible process whether they are suitable for dog-ownership. However, dog ownership is not controlled in the ‘market place’ and it is a simple matter to acquire almost any breed of dog. This leads not only to irresponsible persons acquiring potentially dangerous animals but also to irresponsible care and behaviour of the animals resulting in fouling in public places; and
- (3) Council notes that the former dog-license regime was little more than a form or taxation and its restoration would be of no value. Council calls on the government to consider, in consultation with the RSPCA and other responsible animal care organisations, the phased introduction of a modern licensing system such that persons are licensed to become dog owners on lines similar to the inspection regimes used by charitable dog rescue organisations.

42 MOTION: DIAMOND JUBILEE

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

Council congratulates Her Majesty, Queen Elizabeth II on the occasion of her Diamond Jubilee and expresses its gratitude for Her Majesty's exceptional public service and unwavering dedication to duty over six decades.

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

The motion was put and carried (60:0) (one abstention)

Resolved (60:0) (one abstention) – That the Motion be approved

43 VACANCIES

The Council was requested to deal with the following appointments:

A. COUNCIL COMMITTEES

(i). Standards Committee

Appointment of Independent Persons

Professor R S Jones

Mr C Jones

Mr D Burgess-Jones

Mr B Cummings

In respect of the above appointments, Council is recommended to approve an amendment to Article 9 of the Constitution, in section 9.2 (a) as follows:

- Four persons who are not Members or officers of the Council (independent persons)

The appointment is for a four year term, subject to the receipt of satisfactory references (but may be terminated by a resolution of the Council's Standards Committee).

(ii). Health and Well Being Overview and Scrutiny Committee

Councillor Denise Roberts to replace Councillor Pat Glasman and Councillor Moira McLaughlin to become spokesperson

Brian Donaldson to replace Simon Wagener as co-opted member representing Carers

B. OUTSIDE BODIES

(iii). Children's Services and Lifelong Learning

- Wirral Metropolitan College Governing Body (Nomination)
Vacancy to replace Mr J Wilkie (former Chief Executive)
(appointed for 4 year term to 19.12.2014)

It was moved by Councillor P. Davies and seconded by Councillor J. Green that the Council recommends that Mr David Armstrong be appointed.

(iv). Environment

- Liverpool Airport Consultative Committee
Councillor Rob Gregson to replace Councillor John Salter

(v). Finance and Best Value

- Strategic Partnership Assembly
Vacancy to replace Mr J Wilkie (former Chief Executive)
- Local Strategic Partnership Executive Board
Vacancy to replace Mr J Wilkie (former Chief Executive)

It was moved by Councillor P. Davies and seconded by Councillor J. Green that the Council recommends that Mr David Armstrong be appointed.

(vi). Housing and Community Safety

Merseyside Police and Crime Panel – Nominations

The City Region Cabinet at its meeting on 22 June, 2012 considered a report to outline requirements around the establishment of a Police and Crime Panel at which it was agreed that –

- (a)** the lead host for the (Merseyside) Police and Crime Panel be Knowsley Metropolitan Borough Council;

- (b) the membership of the Police and Crime Panel be set at 10 members (with Independent and Co-opted members to be appointed in due course) on the basis of the Mayor of Liverpool, 7 Labour Members, 1 Conservative Member and 1 Liberal Democrat Member, with the additional seat allocated to St. Helens Metropolitan Borough Council, and being drawn from the Merseyside Local Authorities as follows –
- Knowsley MBC: 1 Labour Member
 - Liverpool City Council: The Mayor and 2 Labour Members
 - St. Helens MBC: 2 Labour Members
 - Sefton MBC: 1 Labour Member and 1 Liberal Democrat Member
 - Wirral MBC: 1 Conservative Member and 1 Labour Member

This Council's nominees are Councillors C Blakeley and M McLaughlin.

(vii). Regeneration and Planning Strategy

- Mersey / Dee Alliance
Councillor Pat Hackett to replace Councillor Phil Davies

Resolved –

- (1) That the appointment of Independent Persons to the Standards Committee and the amendment to Article 9 of the Constitution be approved.
- (2) That the appointment of David Armstrong to replace Mr J Wilkie as the Council's representative on the following outside bodies be approved –
 - Wirral Metropolitan College Governing Body
 - Strategic Partnership Assembly
 - Local Strategic Partnership Executive Board
- (3) That the appointments of (ii), (iv), (vi) and (vii) above be approved.