



Council

Town Hall
Wallasey

5 October 2012

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday, 15 October 2012** 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. DECLARATIONS OF INTEREST

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

2. MAYOR'S COMMUNICATIONS

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

3. PETITIONS

To receive petitions submitted in accordance with Standing Order 21.

4. MINUTES (Pages 1 - 34)

To receive as a correct record the minutes of the meeting of the Council held on 16 July 2012.

5. LEADER'S ANNOUNCEMENTS

6. MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 35 - 56)

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

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

A. Cabinet – 6 September 2012

Minute 74

Revenue Monitoring 2012/2013 – Month 3 (June 2012)

(See also the report of the Interim Director of Finance at E. below)

Minute 75

Capital Monitoring Report 2012/2013 – Period 3 (June 2012)

Minute 80

Local Development Framework

– Joint Waste Local Plan for Merseyside and Halton

B. Cabinet – 18 September 2012

Minute 83

Senior Management Restructure

C. Cabinet – 27 September 2012

Minute 90

The Flood and Water Act 2010

– Ordinary Watercourse Consenting and Enforcement

Minute 92

Local Development Framework for Wirral – Core Strategy

– Publication of Proposed Submission Draft

**D. Employment and Appointments Committee
– 24 September 2012**

Minute 29

Appeals Sub-Committee

E. Report of the Interim Director of Finance

Council Budget Decisions

F. Report of the Independent Remuneration Panel

Wirral Allowances 2012

7. MATTERS FOR NOTING

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

8. QUESTIONS

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

Note: Questions from members of the public must be submitted in writing or by email by no later than 5.00pm on Friday 5 October 2012.

9. MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES

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

10. NOTICES OF MOTION (Pages 57 - 68)

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

1. Extending Smoke Free Environments
2. Regeneration Reserves Take a Hit
3. Making Progress with 20MPH Zones
where they are Requested, Needed and Accepted
4. Libraries as Centres of Their Communities
5. A Moral Contract Broken
6. Pensions
7. Cuts to Fire and Rescue Service
8. Welfare Benefit Cuts
9. Meeting Our Budget Challenge
10. New Brighton
11. Police Cuts
12. Neighbourhood Funding Cuts
13. Making Work Pay and Reforming Welfare
14. Hillsborough Independent Panel Report

11. MATTERS FOR DEBATE

Pursuant to Standing Order 5(2)(n), and in accordance with Standing Order 5(4), to consider written comments, objections or amendments to minutes submitted under Standing Order 7(2), together with those motions, submitted under item 10 above, that the Council agrees to debate at this meeting and any minority reports submitted in accordance with Standing Order 35(4).

12. VACANCIES

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

13. ANY OTHER BUSINESS

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

A handwritten signature in black ink, consisting of several loops and a horizontal line at the bottom.

Acting Director of Law, HR and Asset Management

Public Document Pack Agenda Item 4

COUNCIL

Monday, 16 July 2012

Present:

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

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

Apologies

Councillors	C Blakeley	D Realey
	D Dodd	T Smith
	S Mountney	

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 in to 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.

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 Hodgkinson 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 Brighthouse

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 bullet 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.**

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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 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.

Amendment submitted in accordance with Standing Order 7 (2)

Proposed by Councillor Dave Mitchell
Seconded by Councillor Alan Brighthouse

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.

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REFERRALS TO COUNCIL – 15 OCTOBER 2012

A. Cabinet – 6 September 2012

74. REVENUE MONITORING 2012/13 - MONTH 3 (JUNE 2012)

A report by the Interim Director of Finance set out the revenue position for 2012/13 as at Month 3 (June 2012). It identified the latest financial projections and prioritised the risks for ongoing management actions, to ensure the year-end position would result in spend remaining within the budget allocated.

The Cabinet was told that this report was the first in a new format and had been separated from any other information. The Interim Director proposed to report monthly, therefore, reducing the time between reporting and remedial action. The Revenue Monitor tracked progress against the agreed budget decisions, on a risk basis, and forecasted anticipated significant variances, to enable corrective action to be taken.

A view had been taken on the likely impact of 'pressures' and the consequences for the General Fund balances. The concept of 'pressures' would be replaced by the more exact 'overspend/underspend' measures in the next monitor. The Cabinet was informed that the aim in the forthcoming months was to expand the report to include the cumulative information as the year progressed, being built-up by the monthly reporting. Appendix 1 to the report set out the timetable for reporting the revenue monitor during 2012/13. A Capital Monitoring report would also be presented to the Cabinet on a monthly basis.

The report included proposals including Management actions, the institution of a spending freeze, as a matter of prudence and actions to deliver £7m of savings in 2012/13 in order that the General Fund balance was £4m.

The Cabinet had agreed the Performance Management arrangements for 2012/13 at its meeting on 29 March 2012. These included the quarterly Performance and Financial Review reports to the Cabinet which incorporated summary financial information with the appendices, which were placed in the Library, containing more detailed Financial Monitoring and Capital Monitoring reports. All Members also received the monthly Financial Monitoring Statement which comprised a side of narrative and a side of more detailed information. It was recommended that the revised arrangements replace those previously agreed by Cabinet.

It was noted that the projected revenue forecast for the year, at Month 3 (to 30 June 2012), showed a potential overspend of £17m on the General Fund which could be partially offset by the proposed actions set out in paragraph 2.18 of the report. The Interim Director drew Members' attention to the risk that the overspending may be higher, for it had been calculated by reference to individual budgets that may turn out to be unsound. The Management Actions section of the report developed this matter further and, given these facts, it was proposed to institute a spending freeze, until there was a clearer view.

Councillor Phil Davies informed that the Council faced a big challenge over the next three years as it had to make £100m of savings and that the £17m potential

overspending added to this problem. Budget cuts had been imposed on the Council by the Government. Also, the Council had failed to address fundamental issues. Services had not been adjusted to match resources available. Councillor Phil Davies welcomed the report as it highlighted the issues. This was something that had not been done in the past.

Members agreed that it was necessary to take urgent actions to address this overspend and the Council's Administration and the Cabinet must take the lead on this. Councillor Phil Davies proposed that Political Assistant support would no longer be provided to Political Groups and changes to Members' support and the Council's Scrutiny function would be made to make savings.

RESOLVED: That

(1) the Cabinet notes the following: That

- (a) at Month 3 (30 June 2012), the full year forecast projects a potential General Fund overspend of £17m;**
- (b) the Dedicated Schools Grant (DSG) funded activities will have no impact on the General Fund, as it is ring fenced to services funded by the DSG;**
- (c) there are a number of risks and uncertainties that may impact adversely on the General Fund financial forecasts for the remainder of 2012/13;**
- (d) Management actions have been identified to begin to recover the Departmental overspends (as detailed in Appendix 5 to the report);**
- (e) a review of Earmarked Reserves be undertaken;**
- (f) the General Fund balance is currently £14m and the projected overspends total £17m which will exhaust the balances should the overspends materialise. Earmarked reserves are currently £86.2m; and**
- (g) the increase in the total budget is referred to full Council;**

(2) the Cabinet agrees to the following:

- (a) To institute a spending freeze on non critical expenditure until further notice;**
- (b) That this format of revenue monitoring report be presented on a monthly basis to the Cabinet, it be made available to all Members of the Council, and it replaces the previously produced Financial Monitoring Statement; and**
- (c) That actions be taken to taken to restore the general fund balance to £4m by implementing £7m of savings from those identified in Section 2.18 of the report, namely savings in the Members Support Service, the Finance Department savings for**

2012/13 identified in July and the release of an Earmarked Reserve;

and

- (3) As the Council is facing significant financial challenges, both in-year and over the next three years;**

As the Administration, we need to show leadership and demonstrate how we will also contribute to immediate savings, whilst ensuring that all Elected Members are equipped to deliver their roles with appropriate and integrated support;

Cabinet resolves: That

- (a) current arrangements for scrutiny support are revised to become a more integrated part of the Council's management structure to provide advice and support for all political groups;**
- (b) the Political Groups no longer be supported by Political Assistants funded by Council Tax payers and these posts be deleted accordingly with a view to realising savings in-year of up to £50k and a saving of £135k annually, which will be used to support front line services;**
- (c) all Elected Members and the Administration are supported by a Central Policy Unit and Member Services, which will include a new casework management system, as part of the improvements in political leadership and governance; and**
- (d) the Acting Director of Law, HR and Asset Management and Head of Human Resources and Organisational Development begin formal consultation with the staff directly affected by these proposals in accordance with the relevant Council policies.**

75. CAPITAL MONITORING REPORT 2012/13 - PERIOD 3 (JUNE 2012)

Councillor Chris Meaden declared a disclosable non – pecuniary interest in this item of business by virtue of her being a school governor.

A report by the Interim Director of Finance informed the Cabinet of the current position regarding the Council's 2012-13 to 2014-15 capital monitoring programme, taking into account the latest monitoring information on the progress of the schemes, any budget increases/decreases and the reprofiling of budgets during 2012-13 and future years. The report reflected:

- The re-profiled 2012-13 capital programme budget;
- The expenditure to date, which was less than it should be;
- The projected outturn figures for 2012-13, which suggested a slippage of £10m; and
- The current funding of the programme and its future affordability which, in the light of the Revenue monitor, required review.

Councillor Phil Davies referred to the Council's high level of unsupported borrowing and agreed that it was imperative that capital schemes spend across the Council were reviewed on a monthly basis.

RESOLVED: That

- (1) the Period 3 net decrease of £381k, to the latest 2012-13 Capital Programme, to produce a revised Capital Programme of £75.586m be agreed;
- (2) the pause for two months in the start to new unsupported capital schemes be agreed;
- (3) the re-profiled capital budgets of £28.273m for 2013-14 and £12.424m for 2014-15 be approved;
- (4) the spend to date of £5.72m, which represents 7.6% of the revised capital budget, with 25% of the financial year having elapsed be noted;
- (5) the implementation of Capital Programme Group be noted;
- (6) the £48.8m of new unsupported borrowing included over the next three years, which will result in approximately a £3.5m additional revenue costs be noted; and
- (7) the work to detail the schedule of sites to validate the estimate of capital receipts be noted.

**80. LOCAL DEVELOPMENT FRAMEWORK
- JOINT WASTE LOCAL PLAN FOR MERSEYSIDE AND HALTON**

A report by the Director of Regeneration, Housing and Planning informed the Cabinet that the Joint Waste Local Plan for Merseyside and Halton was submitted to independent public examination in February 2012. The Planning Inspector who undertook the examination identified the need for further modifications before the Plan could be found to be legally compliant and sound. These further modifications required the approval of the Council in accordance with the Council's Constitution, to allow additional public consultation to take place to comply with procedural requirements and to complete the examination process.

Appendix 1 to the report set out the modifications arising from Public Examination whilst Appendix 2 contained a Schedule of Requested Main Modifications and Additional Modifications for Merseyside and Halton Waste Local Plan.

RESOLVED: That

- (1) the Cabinet recommends to the Council that the proposed modifications to the Joint Waste Local Plan for Merseyside and

Halton set out in Appendix 2 to this report be approved and that the proposed modifications be approved for public consultation

- (2) **the Cabinet recommends to the Council that delegated authority be given to the Director of Regeneration, Housing and Planning to make any necessary further minor and typographical changes to the Waste Local Plan before Council approval is sought for the adoption of the final Plan.**

B. Cabinet - 18 September 2012

83. SENIOR MANAGEMENT RESTRUCTURE

A report by the Chief Executive set out proposals for the first stage of a restructuring of the management of the Council.

The Chief Executive introduced his report and informed that a major concern of the Improvement Board was that the Council had lacked a strategic and co-ordinated focus and the proposals detailed in the report would address this.

The report set out the current management arrangements, proposed the creation of three Strategic Director posts, as follows, and detailed their proposed roles and areas of responsibility:

- Strategic Director: Families and Wellbeing
- Strategic Director: Transformation and Resources
- Strategic Director: Regeneration and Environment

The report also proposed a new recruitment procedure. In addition to these three new posts the existing posts of Head of Communication and Community Engagement and the Director of Public Health would report directly the Chief Executive. The Director of Public Health had already assumed responsibility for performance and commissioning, and it was proposed that she would also assume responsibility for Policy. The role would be re-named as the Director of Policy, Performance and Public Health.

It was proposed that the Strategic Directors would deputise for the Chief Executive on a rotational basis in his absence, and that the grade for the posts would be equivalent to the current Deputy Chief Executive (DCE) grade: £109,626 - £121,807. It was proposed that this grade would be re-designated to Strategic Director grade (SD). These grades had been benchmarked against comparable grades elsewhere in the region.

The additional cost of £365,421 would be met by reducing costs via the restructuring of the overall management function. This would be met in full by reducing costs via the restructuring of the overall management function, a further report in relation to the review of senior management structures; financial savings implications arising and any other possible associated savings would be produced within the next three months.

In addition, the report sought approval to extend and confirm the current acting and interim senior management arrangements.

The report also sought approval to amend the Council's Scheme of Delegation to Officers to include the proposed Strategic Director posts, and extend and confirm the current acting and interim senior management arrangements, as required.

Councillor Ann McLachlan welcomed the report and the proposal within because it would ensure that the Council delivered on its Improvement Plan. She considered that restructuring was over due and a leaner organisation would deliver value for money for the Council Tax Payers of Wirral.

Councillor Phil Davies told the Cabinet that he was pleased to receive this report early in the Chief Executive's tenure of office. It had been made clear that the Council must create strategic leadership capacity, address its corporate governance issues and break down departmental silos, whilst continuing to review senior management costs. He welcomed the model being put forward to do this. It was one that had been tried and tested and found to be effective in other local authorities. The Cabinet now had an evidence base that the proposals would address the Council's shortcomings which had been highlighted and would improve the Council's policies and performance.

Councillor Phil Davies welcomed the proposal to establish a robust Policy Unit to provide capacity for horizon scanning and to support the extension of the current management arrangements as set out in section 3 of the report.

Councillor Phil Davies informed that agreeing these proposals was the first stage and he was looking for substantial savings at the end of the senior management restructuring process.

RESOLVED: That the Cabinet

- (1) endorses the report;**
- (2) refers and recommends the following proposals to the Employment and Appointments Committee, and the Council for consideration and decision:**
 - **The extension and/or confirmation of the following current senior management arrangements:**
 - **Surjit Tour as Acting Director of Law, HR and Asset Management and as Monitoring Officer.**
 - **Peter Timmins as Interim Director of Finance and Section 151 Officer.**
 - **Tom Sault as Deputy Section 151 Officer.**
- (3) refers and recommends the following proposals to the Employment and Appointments Committee, for consideration and decision:**
 - **David Armstrong be assigned to the post of Deputy Director: Planning, Resources and Schools, within the Children and Young People's Department (agreed by the Employment and Appointments Committee on 29 September 2011, Minute No. 33**

- refers), and to be appointed as Deputy Chief Executive to provide support and handover to the new Chief Executive;
- Julia Hassall to continue as Acting Director of Children's Services until a permanent appointment is made; and
 - Chris McCarthy to continue as Interim Director of Technical Services.
- (4) refer and recommend the following proposals to the Employment and Appointments Committee for consideration and decision:
- the creation of the three Strategic Director level posts:
 - Families and Wellbeing
 - Transformation and Resources
 - Regeneration and Environment
 - the grade for the Strategic Director posts and the re-designation of the Deputy Chief Executive's grade (SD), and to amend the Council's Pay Policy accordingly;
 - that the Director of Public Health assumes responsibility for Policy, and the post is re-named as The Director of Policy, Performance and Public Health;
 - that the post of Head of Policy at EPO12 grade be established and the recruitment process commences;
 - that the two Officers working directly on the Council's Improvement Plan, as detailed in section 6.5 of the report, move to the Policy, Performance and Public Health area, and be re-designated as the Improvement Team with amended job descriptions to be determined, and that the Business and Performance Manager be seconded to work with the Improvement Team on a part-time basis;
 - the service re-organisations as detailed within the report;
 - that the permanent recruitment processes for the Strategic Director: Families and Wellbeing and the Director of Children's Services commence in September, and that a proportionate Sub - Committee of the Employment and Appointments Committee be established to appoint to the positions; and
 - that the posts of Strategic Director: Transformation and Resources and Strategic Director: Regeneration and Environment, be filled on an interim or acting up basis, until the outcomes of the Chief Officer investigations are known.
- (5) approves the re-alignment of services across departments as detailed in the report;
- (6) receives at the next Cabinet meeting, the appropriate virement of financial resources to meet the structure changes;

- (7) recommends to the Council for approval the amendments to the Council's Scheme of Delegation to Officers as set out in Appendix 7 to the report, subject to approval of the relevant senior management structure proposals outlined in the report by the Employment and Appointments Committee; and
- (8) that the Chief Executive provides a further report in relation to the further senior management restructure, including details of financial savings.

C. Cabinet – 27 September 2012

90. THE FLOOD AND WATER ACT 2010 – ORDINARY WATERCOURSE CONSENTING AND ENFORCEMENT

A report by the Interim Director of Technical Services informed that the Flood and Water Management Act 2010 ("the Act") and the Flood Risk Regulations 2009 established the Council as a Lead Local Flood Authority ("LLFA"). LLFAs were required to lead the strategic management of local flood risk arising from surface water, ground water and ordinary watercourses.

The Interim Director informed that the statutory responsibilities attached to the LLFA role, placed substantial new duties on the Council in managing flood risk and from 6 April 2012 this had included Ordinary Watercourse Consenting and Enforcement which had been formerly and Environment Agency ("EA") function.

The report covered the transfer of these regulatory powers of consenting and enforcement from the EA to the LLFA. Together, ordinary watercourse consenting and enforcement were referred to as "regulation". The Cabinet was informed that the purpose of ordinary watercourse regulation was to control certain activities that might have an adverse flooding effect.

In order to manage this new duty efficiently, the Cabinet was informed that it would be necessary to establish administration processes and ensure appropriate and necessary delegated authority had been granted to relevant Council Officers.

Councillor Harry Smith informed that appropriate training for enforcement would be provided internally following some external liaison.

RESOLVED: That the Cabinet:

- (1) notes the content of the report;
- (2) authorises the Director of Technical Services to establish and implement the necessary auditable process to ensure compliance with the legislative framework and other requirements detailed within the report; and
- (3) recommends to Council that the Scheme of Delegation to Officers be amended to include as follows:

- (a) **the Director of Technical Services to undertake all requisite and necessary consent and enforcement measures/action under the Flood & Water Management Act 2010, Land Drainage Act 1991 and associated secondary legislation as deemed necessary to ensure the Council (as Lead Local Flood Authority) discharged its enforcement/regulation obligations, duties and responsibilities and.**
- (b) **the Director of Law, HR and Asset Management (in consultation with the Director of Technical Services as necessary) to undertake any necessary formal litigation action in connection with the Council's (as Lead Local Flood Authority) enforcement/regulation obligation, duties and responsibilities under the Flood & Water Management Act 2010, Land Drainage Act 1991 and associated secondary legislation.**

92. LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – CORE STRATEGY – PUBLICATION OF PROPOSED SUBMISSION DRAFT

A report by the Director of Regeneration, Housing and Planning sought approval for a Draft Core Strategy to be published for public comment. The Cabinet was informed that the comments received would be reported back to it before the Core Strategy was submitted to the Secretary of State for public examination by an Independent Planning Inspector. The Cabinet noted that the Council's Constitution required both the publication and submission of the Draft Core Strategy to be approved by the Council.

The Director informed that the Core Strategy would assist in the delivery of corporate priorities related to Your Neighbourhood and Your Economy. The Cabinet noted that once adopted, the Core Strategy would replace the strategic policies contained within the Unitary Development Plan that had been adopted in February 2000.

Councillor Pat Hackett raised concerns that planning policy was being revoked which could have implications on greenbelt land. He asked Officers to take all necessary steps to try to ensure that the greenbelt was not eroded.

The Cabinet turned its attention to the proposed Wirral Waters development noting that, ideally, it would be helpful for Peel Holdings to begin work on the residential development within the next five years. Members agreed to encourage and support Peel with this in anyway that it could.

The Cabinet noted, in particular, that the Council's Housing Strategy Team had advised that the relaxation of restrictions on development outside regeneration priority areas could have a detrimental affect on the attractiveness of existing, cleared sites within Wirral's former HMRI boundary where the market for new housing was already weak. This would represent a major risk to the delivery of Wirral's new-build housing programme with Lovell and Keepmoat, with implications for the funding agreement with the Homes and Communities Agency (HCA), which was based on pre-agreed outputs for new-build starts and completions.

Councillor Phil Davies asked how Members could ensure that HMRI sites could be regenerated in the future and if they could put any measures in place.

The Head of Regeneration and Planning who had presented the Director's report informed that regeneration had been focused on HMRI areas and this would continue through the Council's ongoing work. Finance was the problem in terms of building houses and providing mortgages. If the Council was able to put financial support mechanisms in place it would be helpful. The Council wanted to see appropriate sites developed to create the right environment to assist the provision of housing on those sites. The Council was in challenging circumstances at present and wanted to see the east of the borough and Wirral as a whole prosper.

The Cabinet noted from the Director's report that the 2011 Census, had shown the first recorded growth in Wirral's population since 1971. In Wirral's case, this had meant that there were 13,100 additional people and 5,000 additional households within the Borough than were previously projected for mid-2011. Given this unexpected increase in population and households, there was currently no reliable alternative basis for projecting future household needs until revised national projections were published during 2013.

Councillor Tony Cox queried whether the Head of Regulation and Planning was aware of where the additional people had come from. The Head of Regeneration and Planning agreed to provide him with the detail at a later date but commented that it was an encouraging sign and that he would break down the figures and ascertain the demographics.

Councillor Phil Davies told the Cabinet that he hoped that the growth in Wirral's population would have a positive impact as Central Government's funding was based on the size of the population.

RESOLVED: That the Cabinet

- (1) notes the Director's comments on strategic choices;**
- (2) recommends to the Council that the Proposed Submission Draft Core Strategy and its supporting documents contained within the Document Library be approved for publication and as a material consideration for the purposes of development control;**
- (3) recommends to the Council that the following documents contained within the Document Library be approved as factual evidence for the Core Strategy and be adopted as material considerations for the purposes of development control:**
 - Wirral Employment Land and Premises Study Update (BE Group, 2012)**
 - Wirral Strategic Housing Land Availability Assessment Update 2012 (Wirral Council and A.P.Sheehan 2012)**
 - Wirral Retail Strategy Update 2012 (GVA, March 2012)**
 - Wirral Open Space Assessment (Wirral Council and Strategic Leisure, 2012)**
 - Assessment of Wirral Core Strategy Transport Impacts (Mott McDonald, July 2012)**

- (4) recommends to the Council that the Interim Planning Policy be revoked, to allow decisions to be determined in accordance with the Unitary Development Plan, the Regional Spatial Strategy (until it is revoked) and the National Planning Policy Framework and to allow sites within the previously restricted areas to contribute towards the ongoing housing land supply;
- (5) recommends to the Council that the Director of Regeneration, Housing and Planning be given delegated authority to prepare and amend the supporting documents necessary to accompany the publication of the Proposed Submission Draft and the supporting documents, provided that they do not materially alter the policy direction set out in the Proposed Submission Draft;
- (6) the Portfolio Holder for Regeneration and Planning Strategy be given authority to approve the final content of the Proposed Submission Draft Habitats Regulations Assessment Report and the Statement of Consultation referred to in paragraph 2.6 of the report, so that they can also be formally approved for publication by the Council at its meeting on 15 October 2012;
- (7) the comments received on the Proposed Submission Draft and its supporting documents be reported back to the Cabinet before the Core Strategy is submitted to the Secretary of State for public examination.
- (8) the review of the Council's Strategic Housing Needs Assessment; assessment of accommodation needs for Gypsies and Travellers; future standards for open space and recreation; Core Strategy viability assessment; and work to identify a solution to the future provision of appropriate wastewater treatment capacity in Birkenhead; are undertaken as soon as practicable, before the Core Strategy is submitted to the Secretary of State; and
- (9) Cheshire West and Chester Council be advised that it is not possible for Wirral to accommodate additional housing to make up any short-term shortage of deliverable supply in Cheshire West and Chester.

D. Employment and Appointments Committee – 24 September 2012

29. APPEALS SUB-COMMITTEE

The Acting Director of Law, HR and Asset Management invited the Committee to review the position in respect of the Appeals Sub-Committee's membership following the Council decision on 16 July, 2012 not to approve minute 10 of the Committee on 7 June, 2012. The Committee decided that the matter be referred back to Council and it was -

Resolved (unanimously) – That this Committee recommends to Council:

- (1) That a pool of 21 Members be appointed, in the ratio 12:7:2, from which an Appeals Sub-Committee of any 3 Members, preferably in the ratio 1:1:1,

whenever possible, will be drawn as and when required, with the Chair being appointed at each meeting, for the municipal year 2012/13 and until such time as a new Appeals Sub-Committee is appointed.

The membership of the pool be as follows:

Conservative (7 Members)

Councillors Lesley Rennie, Andrew Hodson, John Hale, David Elderton, Eddie Boulton, Cherry Povall and Mike Hornby

Labour (12 Members)

Councillors George Davies, Paul Doughty, Adrian Jones, Ann McLachlan, Brian Kenny, Anne McArdle, Moira McLaughlin, Chris Meaden, Denise Roberts, John Salter, Harry Smith and Jean Stapleton

Liberal Democrat (2 Members)

Councillors Mark Johnston and Dave Mitchell

WIRRAL COUNCIL

COUNCIL

15 OCTOBER 2012

SUBJECT	COUNCIL BUDGET DECISIONS
WARD/S AFFECTED	ALL
REPORT OF	DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER	COUNCILLOR PHIL DAVIES
KEY DECISION	YES

1 EXECUTIVE SUMMARY

- 1.1 The Council is faced with a considerable financial challenge. The overall purpose of this report is to improve the way we work so that we can concentrate on meeting the financial challenge of 2012/13 and the subsequent years.
- 1.2 The Cabinet report of September 2012 "Revenue Monitoring 2012/13 Month 3" recommended that the increase in the budget of £677,000 be referred to Council for agreement.
- 1.3 In addition, primary legislation – Section 28 of the Local Government Act 2003 - requires a Council to take remedial action to avoid budget shortfalls. This is recognised in the Council's Constitution, at Part 4, Rules of Procedure of the Budget and Policy Framework, part 6a, in-year changes necessary to ensure compliance with the law.
- 1.4 To maximise the level of savings for next year, it is proposed that the budget process is improved. When considering the budget proposals, Overview & Scrutiny Committees should meet before Cabinet. In this way the challenge function of Scrutiny would be fulfilled and concerns would be considered at the subsequent Cabinet meeting. By fulfilling the challenge function prior to the Cabinet, a call-in process is minimised, which reduces any delay in implementing savings.

2 BACKGROUND AND KEY ISSUES**Increase in Budget**

- 2.1 Cabinet on 29 March 2012 agreed the following increases to the budget, to be funded from Balances. Additional costs in respect of the Pacific Road Theatre / Floral Pavilion of £677,000 which included the transfer of a revenue saving from the Department of Law, HR & Asset Management to Technical Services:-
- Law, HR & Asset Management £250,000
 - Technical Services £427,000
 - Total £677,000

There are two matters to consider. Firstly there is the increase in expenditure and secondly the use of General Fund Balances to fund this expenditure.

a) Increase in expenditure

Section 32 of the Local Government Finance Act 1992 sets out the requirement for local authorities to balance their budgets in each separate year. ‘In-year’ balancing is a fundamental tenet of local government finance at present, a function not only of the statutory parameters in which councils have been allowed to exist by Parliament, but also provisions used as a safeguard against irregularities and abuses.

This decision (on the balanced budget) is reserved to Council and cannot be taken by Cabinet, although Cabinet has to recommend a budget to the Council. It follows that any increase in the budget requires the agreement of Council. This is sought.

b) Use of General Fund Balances

Because the funding source for the increased expenditure of £677,000 is Balances we have to consider the legislative issues around their use. Guidance on Reserves and Balances is provided in Local Authority Accounting Practice Bulletin 55 (February 2003), and the Code of Practice on Local Authority Accounting, which lean on:

- the 1992 Act, which notes Balances can be a funding source;
- The Local Government Finance Act 1988, which considers situations where ‘reserves are seriously depleted’; and,
- The Local Government Act 2003 (Section 27), which requires each local authority’s Chief Finance Officer to report to the authority if it appears likely that the authority’s reserves will fall below the prescribed minimum level, and to explain why this is likely to happen and what action should be taken.

2.2 The M4 monitor notes that the Reserves are sufficient to fund the £667,000 as set out in the following table. The agreed level of £6 million in General Fund Balances was set as part of the Council’s 2012/13 budget.

Table: Summary of the projected General Fund Balances

	£m	£m
Projected balance 31 March 2013 when setting the Budget 2012/13		8.8
Add : Increase following completion of 2011/12 accounts	+2.0	
Add : Council Tax re-imburement met 2011/12 rather than budget 2012/13	+3.9	+5.9
Less : Cabinet decisions since the 2012/13 Budget was agreed	-0.7	
Add Cabinet decision September 6, release of Earmarked Reserve	+7.0	+6.3
Less : Potential overspends, at M4		-14.4
Projected balance 31 March 2013		6.6

In-year budget shortfalls

- 2.3 Section 28 of the Local Government Act 2003 requires local authorities to monitor their budgets during the financial year, and to take remedial action if this is necessary because of potential overspendings and/or potential shortfalls in income. Further, the Council Standing Orders and Financial Regulations include under The Budget & Policy Framework Procedure Rules *In-year changes to the policy framework* (6b) state that a change to policy can be made by bodies or individuals that are “necessary to ensure compliance with the law”.
- 2.4 The Month 3 monitor predicted an overspend of £17 million (M4 £14.4million) if there was no policy response to reduce the overspend. A further dimension to the mid-year revision was the necessity to keep the General Fund Balances at the agreed level of £6 million, and certainly, to stop them going negative so that the Council did not slip into illegality.
- 2.5 In order to prevent illegality it was fortunate that it was possible to re-deploy an Earmarked Reserve that was no longer required for its original purpose. This related to the reserve set aside for Broadband improvements as the provision of such improvements is being delivered by BT through the upgrading of their infrastructure estate.
- 2.6 Further, to take account of possibility that individual budgets may turn out to be unsound, and to recover the overspend, a freeze on non-essential spending has been put in place from 6 September 2012.
- 2.7 Finally, local government has observed that the level of risk in 2013/14 will be higher than in 2012/13 as a result of legislation that has passed risk from the national level, to the local level. Local Authorities have responded by increasing, or by planning to increase, the level of Balances. This Council should respond in the same way.

Improved Scrutiny process

- 2.8 The planned budget process, during December 2012 to March 2013, proposes that ‘special’ Overview & Scrutiny Committees meet before the relevant Cabinet to consider the Cabinet proposal. The Cabinet will then be able to take into account the views of Scrutiny in coming to recommendations on the 2013/14 budget and Medium Term Financial Strategy. A draft timetable setting this out is attached as an Appendix.

3 RELEVANT RISKS

- 3.1 The risks to the financial stability of the Council are the subject of this report.

4 OTHER OPTIONS CONSIDERED

- 4.1 The only alternative option is not to agree the recommendations which potentially places the Council in an adverse financial position and makes the resolution of any issues more problematical.

5 CONSULTATION

- 5.1 There has been no specific consultation in respect of this report.

6 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 There are no specific recommendations arising directly from this report. However, the actions taken in respect of the spending freeze could affect all users of Council Services, including the VCF Groups.

7 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 The report is about ensuring the financial stability of the Council.
- 7.2 There are no IT, staffing or asset implications arising directly from this report.

8 LEGAL IMPLICATIONS

- 8.1 As stated above the Local Government Act 2003 requires a Council to take remedial action to avoid budget shortfalls. Within the Council Constitution the Rules of Procedure of the Budget and Policy Framework refer to the in-year changes necessary to ensure compliance with the law.

9 EQUALITIES IMPLICATIONS

- 9.1 There are no implications relating to equalities arising directly out of this report so an Equality Impact Assessment (EIA) is not required.

10 CARBON REDUCTION IMPLICATIONS

- 10.1 There are no implications arising directly out of this report.

11 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 11.1 There are no implications arising directly out of this report.

12 RECOMMENDATIONS

12.1 That Council:

- a Agree the increase in the 2012/13 revenue budget of £677,000;
- b Note that the provision of broadband improvements is being delivered by BT, through the upgrading of their infrastructure estate;
- c Note that in the light of (2), the Broadband earmarked reserve of £7 million is no longer required for that purpose;
- d Agree the re-deployment of the Broadband earmarked reserve of £7 million to General Fund Balances;
- e Agree that revenue savings resulting from the spending freeze will increase the level of General Fund Balances, in preparation for the rise in the level of risk in 2013/14.

13 REASON FOR RECOMMENDATION

13.1 The Council having set a Budget at the start of the year needs to ensure that the delivery of this Budget is achieved. This has to be within the allocated and available resources to ensure the ongoing financial viability of the Council. The regular monitoring identifies actions to be taken which require the approval of Council to comply with legislation and the Council Constitution. In respect of the Constitution, itself, this sets the Framework under which the Council operates and if improvements can be identified these need to be considered and implemented.

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APPENDIX

Appendix Timeline for the Council Budget 2013/16.

SUBJECT HISTORY

Council Meeting	Date

TIMELINE FOR THE COUNCIL BUDGET 2013/16

Annex		2012-13 Timeline for budget 2013-16; 3 Cabinet meetings +1										Detail
2012	Bank Hols	Event descriptor	ET Meeting	Scrutiny 4 Spec	Cabinet Meeting	Council Meeting	Webcasts All Membr	Public Questns				
Vision, preparation	June	18-22										
		25-29										
	July	02-06										
		9-13										
		16-20										
		23-27										
	August	30- 3										
		6-10										
		13-17										
		20-24										
		27 27-31										
	Sept	3- 7										
10-14		Decide Priorities/timescale: Awayday 15th. ET 1st lists 13th 15										
	17-21	ET revised 1st lists										
	24-28											
Oct	1- 5											
	8-12											
	15-19	ET 2nd lists 18th										
	22-26											
Nov	29- 2											
	5- 9	Report 0: B Consultation/Scene setting										
	12-16	Govt - Autumn Statement										
	19-23											
	26-30											
Dec	3- 7	Govt - RSG & other Grants announcement										
	10-14	Report 1 - 1st savings lists										
	17-21											
	25 26 24-28	FALLOW WEEK										
Decision making	### Jan	1 31- 4										
		7-11										
		14-18	2 Reports Cab 17th: Collection Fund, Tax Base									
		21-25	Final Govt RSG									
	Feb	28- 1										
		4- 8	4 Reports Cab 7th: Estimates S25 Statement, Capital; MTFS; Balances risk; Report 2 - 2nd savings lists									
		11-15										
		18-22	Report 3 Budget only Cabinet - Final figures + Prudential Indicators; Treasury Management									
	March	25- 1										
		4- 8	Budget Council - Reports: 1 Budget Revenue, 2 Council Tax Resolution 3 Budget Capital									
120910												
Reports:				Man Tea	Scrutiny	Cabinet	Council					
	Tax Base between	Dec 1 & Jan 31 - Jan 17			Dec 20	Jan 28/F1	Jan 17					
	Collection Fund as @	Jan 15			Dec 20	Jan 28/F1	Jan 17					
	Balances - the Risk calculation of what level they should be				Jan 17	Jan 28/F1	Feb 7	Mar 5				
	S 25 Statement - robustness of the estimates & the adequacy of the proposed reserves				Jan 17	Jan 28/F1	Feb 7	Mar 5				
	Medium Term Financial Strategy (MTFS)				Jan 17	Jan 28/F1	Feb 7	Mar 5				
	Capital				Jan 17	Jan 28/F1	Feb 7	Mar 5				
	Prudential Indicators - the financial boundaries of the budget					11/15Feb	Feb 18	Mar 5				
	Treasury Management - statement on the cashflow and borrowing required					11/15Feb	Feb 18	Mar 5				
	Final Budget reports/Council Tax setting				Jan 31	11/15Feb	Feb 18	Mar 5				
	The Council is required to set its Council Tax before March 11 th .											

WIRRAL METROPOLITAN BOROUGH COUNCIL

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES

August 2012

Introduction

1. The Independent Panel on Members' Allowances met on 3 December 2007 and recommended a new scheme of Members' Allowances which was endorsed by the Council at its meeting on 18th February 2008 and came into force on 1 April 2008.
2. The Panel met again on 27th September 2011 and considered what changes should be made to the scheme as the climate surrounding the payment of allowances to Elected Members had changed. We were and are still in a period of austerity and it is very important to ensure that public money is well spent and that all allowances are justified and merited. Members were very aware of this and some had personally elected to take a 5% reduction in basic and special responsibility allowances (SRAs) whilst others had been very clear that in times of financial difficulty, it was only right that they should share the burden and were more than willing to play their part in this, so long as the Independent Panel was convened to advise the Council on the best way forward.
3. The Panel recommended that in order to achieve a 5% reduction in allowances the basic allowance be reduced from £9,171 to £8,700. Consequently the Panel drew up a report and the recommendations were approved by the Council at its meeting on 17th October 2011.
4. There is a requirement to review the Scheme of Members' Allowances after four years and this was the purpose of the Panel meeting held on the 23rd July 2012. We were made aware of the published material and comparisons with other councils similar to Wirral Metropolitan Borough Council concerning remuneration of councillors including independent studies undertaken for other authorities. We reviewed the National Census of Local Authority Councillors 2010 and also took into consideration the requirements of Government Regulations on Member Allowances.
5. The Independent Panel comprised:
 - Don Latham, Private Local Government Consultant (Chairman)
 - Nunzia Bertali, Italian Consul
 - Pauline Brown, Eclipse Executive Ltd
 - Ray Allan, Solicitor (Retired)
6. Shirley Hudspeth, Democratic Services Manager, supported the Panel throughout the review. We would like to record our thanks to her together with the Leader of the Council - Councillor Phil Davies, Leader of the Conservative Group – Councillor Jeff Green, and Leader of the Liberal Democrat Group – Councillor Tom Harney, who presented a jointly agreed statement to the Panel and offered personal evidence in response to our questions.

Summary of findings

7. The Panel's recommendations are as follows:

- That in the light of the difficult economic climate no change is made to the basic allowance and special responsibility allowance in the current Scheme of Members' Allowances.
- That the special responsibility allowance paid to the Mayor (£10,700) and Deputy Mayor (£1,500) be included in the scheme.
- That a separate special responsibility allowance be paid to the Deputy Leader of the largest Group where he/she is not the Deputy Leader of the Council.
- That members should continue to be restricted to one SRA.
- That the option to allow members to participate in the local government pensions scheme be reconsidered at a future meeting of the Panel.
- That a payment of £25 per meeting and travelling expenses be paid to the four Independent Persons appointed by the Council to advise the Standards Committee.
- That there be no change in the basis of payments for travel and subsistence.
- That the Caring Allowance continue to be kept in line with the minimum wage.

General Commentary and Findings

8. The Panel reviewed the National Census of Local Authority Councillors 2010 and noted that Councillors have various differing roles and work to carry out i.e. Cabinet Member, Committee Chair, backbencher, appointees on outside bodies etc. Also, Councils have different decision making structures. We considered the census information on the changing context in which local government works, with economic and social pressures, and increasing public expectation in a time of austerity.
9. There is now an increasing focus on councillors as community leaders and the main findings of the census showed that councillors as individuals are dedicated people who devote a great deal of their own time to serving their communities. Councillors spend on average 23 hours per week on Council business and this is consistent with surveys previously undertaken in both 2004 and 2006. The Panel believes that the situation in Wirral reflects this national position.

Basic allowance

10. The Panel recognise that had the normal inflationary factors (e.g. the ALG daily rate) been applied that the basic rate could have risen to £9,500. But that the Cabinet had recognised the need to show restraint in the public finances in these difficult times and had determined not to increase the allowance for inflation. The result is that the current basic rate is now in the lower quartile of comparator authorities. Having discussed the situation with Group Leaders in the light of the challenges being currently faced by the Council the Panel propose that at this time no change is made to the basic allowance of £8,700.

Special Responsibility Allowances

11. The only issue the Panel were asked to review was to consider the awarding of a separate special responsibility allowance to the Deputy Leader of the largest Group where he/she is not the Deputy Leader of the Council. We consider this to be a valid request and recommend an allowance equivalent to 50% of the Leader of the largest group. The three Political Group Leaders were agreeable to this proposal which could be backdated to 21st May 2012 and would increase the Members' Allowances Budget by £2,292 per annum.
12. We were made aware of possible changes that could be made to the governance arrangements of the Council and in the meantime we believe that SRAs are soundly based and need not be reviewed until any changes are made and/or implemented. We recommend, in line with good practice, that the use of the basic allowance as a multiplier for SRA calculations should continue and we consider that SRAs are currently set at an appropriate level. The Panel recommends, in line with current practice, that an individual councillor is restricted from claiming more than one allowance.

Standards Committee

13. We recommend that four Independent Persons appointed by the Council to advise the Standards Committee should be paid an allowance of £25 per meeting and travel expenses.

Updating

14. In the past we recommend that allowances should be increased each year by the use of the LGA daily rate. This is no longer available and the Panel recommend the use of the NJC award for staff pay. The decision to use the inflation calculator is a matter for the Council to determine each year.

Pensions

15. Strong representations were made to the Panel that members should be allowed to join the Local Government Pensions Scheme. We particularly noted the fact that as the administrator of the Pension Fund, Wirral Metropolitan Borough Council is the only Merseyside Authority whose members are not allowed to participate. Nevertheless the views of the Panel remain unchanged that it is not appropriate to introduce pension provision at this time as it was felt that the overall package of allowances was sufficient and that the addition of a small pension, at quite considerable potential cost to the Council and taxpayers, would not particularly encourage younger people to stand as Councillors. Panel members expressed concern that the provision of pensions also implied employment rather than public service where a large voluntary component is integral to the role of the Councillor.
16. Nevertheless because of the strength of the arguments made to the Panel we would be happy to meet again to consider if we could be provided with greater evidence and an estimate of potential cost. The Panel was also mindful of the Council's need for financial prudence and that nationally only a minority of

members are participating. If the option to allow members to participate in the local government pensions scheme is to be reconsidered at a future meeting of the Panel a concerted effort will be made to try to establish how many Merseyside members are in the scheme.

Travel and subsistence

17. The Panel fully endorse the Councils arrangements for travel and subsistence especially the use of 40p for member mileage. Consideration could be given to raising the mileage rate from 40p to 45p otherwise we propose no change in the basis of the allowances other than that they should be increased appropriately each year for inflation.

Caring Allowance

18. The Panel recommends that the hourly rate be kept in line with the minimum wage.

Council – 15 October 2012

Motions

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

1. EXTENDING SMOKE FREE ENVIRONMENTS

Proposed by Councillor Stuart Kelly

Seconded by Councillor Phil Gilchrist

- (1) Council notes that the Part One of the Health Act 2006 prohibits smoking in enclosed areas.
(www.legislation.gov.uk/ukpga/2006/28/part/1)
- (2) Council further notes that Section Four of the Act allows the Secretary of State to designate additional areas as smoke free places for the purposes of the Act. (www.legislation.gov.uk/ukpga/2006/28/section/4)
- (3) Council therefore calls upon the Secretary of State for Health to use the powers available to him under Section Four of the Health Act 2006 to designate the areas near and around doorways and main entrances to the following public places as designated areas for the purposes of the Act;
 - Schools and other places of compulsory education
 - Children's play areas
 - Sports and Leisure centres including swimming pools
 - Hospitals and buildings in the ownership of, or contracted, to provide NHS services.
- (4) The terms of this motion to be brought to the attention of Wirral's Members of Parliament and the Secretary of Health, and their response to be reported back to the Council.

2. REGENERATION RESERVES TAKE A HIT

Proposed by Councillor Mark Johnston

Seconded by Councillor Dave Mitchell

- (1) Council recognises we live in unprecedented times given UK and global financial pressures. Council is fully aware that significant spending cuts are a reality and that Council services will need to adapt.

- (2) Council welcomes the fact that in the “What really matters to Wirral” consultation documents, the Leadership of Council has identified three key areas of priority of service delivery:
- protecting our vulnerable adults and children
 - tackling poverty and inequalities in health
 - creating jobs and attracting investment.
- (3) Council welcomes the forthcoming round of public consultation and Members involvement in helping debate and discuss budget implications. Given the Council is committing to consultation, it seems ironic that Cabinet have recently made a decision to raid £7million of regeneration funding from the Working Neighbourhood Fund to prop up a “potential” over spend of £17million. Council question the wisdom of a transfer of reserves from such a critical area of priority.
- (4) Sensible stewardship would dictate that transfers of reserves should take place at the year end, once a true financial picture is confirmed. The next half of the year will see remedial actions and stronger financial reporting. Therefore Council would request that any significant reserve transfers must wait until after these processes give us a true picture.
- (5) Sensible stewardship would also dictate that we don’t withdraw a reserve committed to one of the three key pillar areas of Council delivery. Regenerating our communities, job creation and job security all have a huge impact and affect on child poverty, crime, health, inward investment, benefit dependence, future wealth creation and almost every other sphere of our resident’s living standards.
- (6) Council therefore challenges the Cabinets decision to raid £7million of critical regeneration funding and requests any decision to raid this vital reserve is held off until after the public consultation and until a truer picture of the potential overspend is known at the financial year end.
- (7) Council also asks Cabinet to consider how the £7million regeneration funding could be used for its original purpose; regeneration and employment projects, taking account of the public consultation process and hearing the views of the Economy and Regeneration Overview and Scrutiny Committee.

Ideas for consideration should include:

- Additional funding for apprenticeships
- Renovation of the Council’s commercial stock and incentives for new rentals
- Using funding to kick start a First Time Buyers Mortgage scheme preferably linked to a stalled housing scheme in the East of the Borough.

3. MAKING PROGRESS WITH 20MPH ZONES WHERE THEY ARE REQUESTED, NEEDED AND ACCEPTED

Proposed by Councillor Phil Gilchrist
Seconded by Councillor Tom Harney

Council welcomes the progress being made on the introduction of 20mph zones in Wirral.

This progress has included the budgetary provision first made in March 2010, the Council's clear instruction of July 2011 regarding the need for progress and the subsequent consultation process that took place with Neighbourhood Forums in the Summer of 2012.

Council is concerned that the detailed consultation work has not yet commenced. It is required to establish zones where they are requested, needed and accepted.

In order that as much progress can be made as possible with the programme, Council considers that resources should be released to enable the consultation process to proceed, for the results to be considered and for sufficient resources required for the 20mph schemes to be released.

Council believes that the Neighbourhood Forums are ideally placed to consider the results of this consultation process and move the schemes forward.

Council recognises that the delay in the consultation may require a re-phasing of the project but, for areas adversely affected by traffic and which have expressed a long-standing desire for action, the original aims of increasing safety and reducing accidents remain as important here as in any other authority and that sufficient resources should be allocated to enable progress.

Therefore, Council resolves that:

- (1) each Neighbourhood Forum should be made aware of the considerations that emerge in the light of the consultation;
- (2) each Neighbourhood Forum should have an opportunity to ensure that the funding available for their area is used to maximum effect;
- (3) each Neighbourhood Forum should have the ability to recommend the transfer of funding associated with any zone where progress is not supported by residents into measures to improve road safety and reduce accidents in their area;

- (4) Neighbourhood Forums should be provided with sufficient information to assess the cost of 20mph areas and the power to vire the maximum possible money available to them to 20mph zones.

4. LIBRARIES AS CENTRES OF THEIR COMMUNITIES

Proposed by Councillor Tom Harney
Seconded by Councillor Pat Williams

Council recognises the high regard in which libraries are held by the people of Wirral.

It believes that they are the centres of their communities, and believes this should be built upon.

It therefore resolves –

- (1) that each Neighbourhood Forum should be asked to work with the Library service to include in their area plan developments which will enhance the role of the library in their community.
- (2) that information about the contribution volunteers are making in libraries in various parts of the country should be made available to the Neighbourhood Forums.
- (3) that the Neighbourhood Forums need to be aware of the particular needs of various groups such as children, older people, people with special needs, and asked to investigate the ways in which their needs can be better catered for in the library.
- (4) that they be asked to ensure that all groups in the community have a chance to give their views.
- (5) that an action plan be drawn up with a timetable so that the results can be reported back to the Overview and Scrutiny Committee and thence to Cabinet with concrete recommendations.

5. A MORAL CONTRACT BROKEN

Proposed by Councillor Mark Johnston
Seconded by Councillor Stuart Kelly

- (1) Council fully recognises the unprecedented financial challenge that Wirral faces and believes our energy and resource must be given to creating solutions and Council recognises that all Members, Officers and the Public are a valuable source of ideas.

- (2) Council recognises that the Labour Group has secured a majority of seats and, therefore, has a mandate to lead and that such times require sensible opposition, high levels of co-operation and political maturity from all three parties.
- (3) Council is rightly alarmed that a “potential” £17m deficit has been identified for this financial year and recognises that remedial action is required. Council is encouraged by the new style and energy of Officer leadership and is especially encouraged by new monthly finance reporting systems and senior officers now feeling accountable for budgets, aided by stronger information.
- (4) Whilst recognising the need for immediate action to remedy the “potential” deficit, Council calls on the Administration to immediately overturn its decision to freeze the Neighbourhood Fund grants of £735,350.
- (5) The Chief Executive has called for the “**urgent not to crowd out the important**”, an excellent value by which we should all measure our decision making. Council feels this last minute funding freeze to our vital and vibrant Voluntary & Faith Groups sector fails to meet this value test.
- (6) Council believes we entered a Moral Contract with our Communities when we offered this funding, started an application process and set a decision making process.
- (7) Council believes that breaking this Moral Contract carries with it a huge reputational risk – **181** vital community activities planned and ready to deliver that will now not take place.
- (8) We, therefore, call on Council to re-establish this vital community focused funding and, by doing so, support the community life of our Wards, encourage grassroots volunteering and stand by our vibrant and vital Voluntary Sector.

6. PENSIONS

Proposed by Councillor Adrian Jones
Seconded by Councillor Pat Glasman

Council notes with profound concern the deepening problems for retired people in Wirral under the Tory/LibDem Collaboration government’s dogma-driven austerity burdens.

The TUC's tenth annual PensionsWatch survey has revealed that directors of the UK's top companies have built up pension pots worth an average of £4.3million. But most people who have worked for a life-time in low or

middle-income occupations will experience increasing hardship during retirement.

TUC analysis of official labour market data reveals that for half a million people approaching state pension age, who are in any case because of disability or poor health too ill to work, the future is especially bleak. The research shows that employment rates for those approaching the current statutory pension age are low, with just 54 per cent of men aged 60-64 and 62 per cent of women aged 56-60 in work. Council is concerned that in Wirral the government's policy of accelerating the rise in the state pension age will simply push ever more of our citizens into poverty. This will drive many of Wirral's older people into a new "limbo zone" where those in their mid-60s will be too young for a pension, but too old to have any realistic chance of a job. With a benefits system that gets meaner and tougher each year, even 66 year olds who have worked for decades before stopping work, will be treated as work-shy scroungers.

Council calls on all Wirral MPs and councillors to recognise that protection for the rich, and poverty for the many, was not honestly stated in any party's election promises and to support this motion calling for an early general election.

7. CUTS TO FIRE AND RESCUE SERVICE

Proposed by Councillor Darren Dodd

Seconded by Councillor Steve Niblock

Council notes that Merseyside Fire and Rescue Service have made tough choices in the past two years to freeze firefighters pay and reduce back office spending. This has made MFRS one of the most cost efficient fire authorities in the country.

Council notes that the Merseyside Fire and Rescue Service is bracing itself for 27% budget cuts for the financial years 2013-2015, one of the largest cuts for any fire authority in the country. Council also notes the words of the Merseyside Chief Fire Officer that 'The grant cut will lead to more fires, fire deaths and injuries on Merseyside. Reductions in stations, appliances and firefighters will have a significant impact on our frontline emergency response and prevention work'.

Council believes that these cuts will have a devastating effect on Wirral and will put lives at risk with the most vulnerable in society expected to be most at risk.

Council puts on record its thanks for firefighters in Wirral who put their lives at risk everyday to keep us safe.

Council condemns the cuts that will endanger lives here in Wirral and urges the Government to think again.

8. WELFARE BENEFIT CUTS

Proposed by Councillor George Davies

Seconded by Councillor Steve Foulkes

This Council condemns the decision by the Conservative/LibDem Government to cut spending on welfare benefits by £7billion in 2014/2015 at the same time as cutting income tax for the very richest.

Cuts in benefits such as Incapacity Benefit, Council Tax Benefit, Housing Benefit and Disability Living Allowance, and Crisis Loans will hit the poor the hardest.

Universal Credit, the flagship of the government's welfare reforms, according to former Welfare Reform Minister, Frank Field, is 'practically unachievable' and heading for disaster.

Furthermore, according to a leaked account of a briefing to senior civil servants, Chancellor of the Exchequer, George Osborne, is drawing up plans to announce up to £10bn of extra cuts in welfare spending next year.

In view of the fact that the government appears unwilling to reverse these disastrous reforms, it is incumbent on the Council to take steps to mitigate the impact of benefit cuts on Wirral residents.

One practical measure would be to assemble a team of officers with expertise in this area from the local authority and other partners such as Registered Social Landlords and the Citizens Advice Bureau to provide advice and guidance to local residents who are likely to be affected by these changes.

Council therefore asks the Chief Executive to report to Cabinet on this proposal together with any other practical measures which may assist benefit recipients and any adjustments which may be required to assist Council staff in One Stop Shops etc to deal with the impact of these changes.

9. MEETING OUR BUDGET CHALLENGE

Proposed by Councillor Phil Davies

Seconded by Councillor Ann McLachlan

- (1) This Council is facing a huge budgetary challenge with a potential overspend in 2012/2013 of £17million and the need to save around £100million over the next three years. This equates to around one-third of the net Council budget.

- (2) Council notes that achieving budget and financial stability is one of the key priorities in the Improvement Plan agreed between the Council and the Local Government Association.
- (3) Council welcomes the new approach to budget-setting which aims to introduce more rigour, openness and transparency into the process.
- (4) Council supports the measures which have been taken to address our budget challenge, i.e.
 - (a) A freeze on all non-essential services and recruitment and the moving of unallocated reserves to help bridge the gap in this year's budget.
 - (b) A review of the Capital Programme involving a pause on spending whilst each scheme is reviewed.
 - (c) Monthly budget monitoring reports produced by the Interim Director of Finance to ensure Members are fully informed as to progress in controlling the potential overspend.
 - (d) An urgent re-structuring of senior management by the Chief Executive with the aim of establishing a strong corporate management function and achieving significant savings.
 - (e) A major consultation initiative to inform the 2013/2015 budget linked to a new Corporate Plan, involving the public, key partners and elected members.
 - (f) The production of a clear budget timetable by the Interim Director of Finance including special Scrutiny Committee meetings before Cabinet reach its final decisions on next year's budget.
- (5) Council welcomes the responsible approach taken by all parties to this budget challenge and recognises the importance of ensuring that all members can contribute to the budget process. This will lead to greater transparency in decision-making and will help to improve the culture within the organisation.

10. NEW BRIGHTON

Proposed by Councillor Pat Glasman

Seconded by Councillor Harry Smith

This Council welcomes the successful work carried out by staff of the Waste Management section of Technical Services and the Biffa Contractors in New Brighton during the summer period 2012.

New Brighton brings a lot of visitors and spending to Wirral and following a period of adjustment we now have a system in place to cope with the large numbers of people and the ensuing waste which is generated as a result.

This Council thanks all the staff concerned who rose to the challenges in the press and other media.

11. POLICE CUTS

Proposed by Councillor Moira McLaughlin

Seconded by Councillor George Davies

This Council deplores the fact that more than 16,000 police officers in England and Wales are to be cut over the next four years. These job losses would be a consequence of cutting the police budget by a fifth by 2014/2015. Far from protecting frontline policing as David Cameron promised at the last election there will be 16,000 fewer police officers fighting crime, solving serious cases, or keeping our country safe. Cutting so fast and so deep into police budgets is crazy. It is completely out of touch with communities across the country, who want to keep bobbies on the beat.

On Merseyside, the Comprehensive Spending Review announced in 2010 presented Merseyside Police Authority with two very significant financial challenges, the estimated requirement of £61.4m of revenue savings over the review period 2011/2012 to 2014/2015 and the front loading of the savings requiring £38.5m to be saved over the initial two year period. By the end of 2012/2013 it is anticipated that the Force will have lost 624 Police Officers posts, and 178 Police Staff posts.

On Merseyside the police performance, between 2006-2011, showed 50% reduction in anti-social behaviour, vehicle crime down by 55%, household burglary down by 28%, robbery by 39% and all crime by 30%. In January, figures from the British Crime Survey showed that personal crime, including theft, robbery and violence, had gone up by 11% over the last year, the steepest increase for more than a decade.

Council condemns the depth of these cuts, and believes that without the officers to carry out foot patrols, the coalition's aims on policing cannot be realised.

12. NEIGHBOURHOOD FUNDING CUTS

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

- (1) Council notes the reported potential overspend for this financial year of £17million and believes the first act of the Labour Administration in

May, to abolish the plans proposed by the Conservative and Liberal Democrat Groups to establish all party Business Delivery and Strategic Change Programme Boards to ensure delivery of promised savings and service delivery performance, has been demonstrated to be particularly short sighted and foolish.

- (2) Council disagrees with the Labour Administration that supporting local communities to identify their own priorities and plan, with Council support, to achieve them is non essential spending, noting that this decision will impact directly on local communities priorities to
 - Improve road safety through 20 mph zones
 - Tackle fly tipping
 - Improve street cleanliness and reduce dog fouling
 - Improve community safety
 - Clean up children's play areas
 - Improve winter resilience through provision of additional grit bins
 - Improve pavements, provide drop kerbs and fix pot holes
 - Support to local organisations that do so much to develop and improve their communities
- (3) Council expresses its alarm that the decision to cut the resources intended for local community priorities was made by the Labour administration behind closed doors and does not believe that local communities should pay the price of the Labour administration's failure to control departmental spending or achieve the savings it agreed and placed in its own Special Cabinet A.O.B Strategic Change Programme.
- (4) In conclusion, Council believes that despite the complete lack of transparency regarding what or how the administration determine 'appeals' against the secret decisions it takes, if it believes there are the resources available to spend £200,000 on expanding its HR Dept and an extra £300,000 on new Executive Directors, the administration should take this opportunity to think again and reverse its decision to cut neighbourhood funding for local communities

13. MAKING WORK PAY AND REFORMING WELFARE

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

- (1) Council believes British people are overwhelmingly in favour of having a welfare state. Opinion polls for BBC News and the British Attitudes Survey confirm that more than 90% agreed there was a need for a benefits system that provides a safety net for everyone who needs it.
- (2) Council notes that, on housing benefit alone, the UK now spends £114billion and that the Coalition is implementing changes that will cut

£7bn from welfare spending, including changes to housing benefit, through the Welfare Reform Act.

- (3) In particular, Council welcomes the overall cap on a family's benefits of £26,000 so that, from April 2013, this limit will be put on the amount of benefit that people aged 16 to 64 can get. The benefit cap means that people should not get more in benefit payments than the average wage paid to people in work.
- (4) The benefit cap will limit the total income a claimant can receive from benefits including Housing Benefit, Income Support and Jobseeker's Allowance.
- (5) The cap does not, however, apply if a person qualifies for Working Tax Credit, or receives Disability Living Allowance, Personal Independence Payment (from April 2013), Attendance Allowance, Industrial Injuries Benefits or War Widow's or War Widower's Pension.
- (6) Council does however, have concern, that the Labour Party's response to the cap on benefits is, at best, confused. Council notes that the Shadow Secretary for Work and Pensions, Liam Byrne, has welcomed a cap on benefits but wants the level to be regionalised but Council is concerned that this would not be possible without also regionalising levels of the benefits listed above.

14. HILLSBOROUGH INDEPENDENT PANEL REPORT

Proposed by Councillor Paul Hayes

Seconded by Councillor Jeff Green

- (1) This Council remembers the death of the 96 who lost their lives going to a football match in Sheffield's Hillsborough stadium on April 15 1989, including twelve citizens of this borough.
- (2) Council welcomes the full and unambiguous apology from the Prime Minister on behalf of the Government for the length of time it has taken to discover the truth of how those who should have protected our citizens actually behaved and commends the tenacity, dignity and courage of the friends and family of those who lost their lives. They have tirelessly pursued a campaign for truth and justice whilst the burden of grief lays heavy on their hearts, their bravery and determination serves as an example to us all.
- (3) Council welcomes the publication of the report by the Hillsborough Independent Panel, and on behalf of the people of Wirral, Council thanks all members of the Panel for finally succeeding in what previous enquiries have failed to do: uncovering the truth.

- (4) Council believes that after truth justice must follow. Council urges all prosecuting authorities to consider the findings of the Hillsborough Independent Panel and asks them to relentlessly pursue those culpable for the deaths of so many and the subsequent attempt to evade justice by repeated lies in a concerted attempt to lay the blame with brave survivors and fans.
- (5) Council again repudiates the views of those who have peddled lies about Liverpool fan's involvement in this tragedy. We hope those guilty of this horrendous slander are now silenced by their shame.
- (6) Council therefore resolves:
 - (i). To ask that the Chief Executive, on behalf of the Council, writes to the Hillsborough Families Support Group, the Hillsborough Justice Campaign and Hope for Hillsborough to express our continued support for their campaigns for justice and thanking them for their steadfast examples of courage and dignity.
 - (ii). To ask that the Acting Director of Children's Services, following the recent example of certain Liverpool Schools, seeks to facilitate a discussion between the Head Teachers of Wirral's Schools on how learning about the Hillsborough Stadium disaster can be incorporated into their school's curriculum; ensuring that all future generations know the truth of what happened on that day.