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COUNCIL

Monday, 16 December 2013

Present: The Mayor (Councillor Dave Mitchell) in the Chair
Deputy Mayor (Councillor Steve Foulkes)

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

Apologies Councillor I Lewis

50 DECLARATIONS OF INTEREST

The Members of the Council were invited to consider whether they had any disclosable pecuniary and/or any other relevant interests in connection with any matters to be determined at this meeting and, if so, to declare it and state the nature of such interest.

Councillor L Rennie declared a non-pecuniary interest in agenda item 7 'Leader's, Executive Members and Chairs' Reports' in respect of the Cabinet Member for Neighbourhood, Housing and Engagement's report by virtue of her membership of the Merseyside Fire Support Network.

Responding to questions from some Members, the Head of Legal and Member Services advised Members that with regard to the matter within the

budget options minute on Council Tax discount for the over 70s this was not a disclosable pecuniary interest and they could vote on this matter.

51 **MAYOR'S ANNOUNCEMENTS**

The Mayor referred to the sad news of the recent death of Peter Alexander Wilson, JP, former Conservative Councillor for Heswall Ward 1978-86.

The Council stood in silence, as a mark of respect.

Apologies for absence were received from Councillor Ian Lewis.

The Mayor announced that Christopher Johnston, HM Coroner for Wirral, would be officially retiring on 31 December, 2013 and expressed his thanks on behalf of the Council for his 25 years of service to the Wirral.

The Mayor read out a letter of thanks he had received from the Consulate General of the People's Republic of China following his recent visit to Wirral.

52 **PETITIONS**

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

Councillor Chris Meaden on behalf of 2000 signatories from the Birkenhead and Wirral Ladies Bowling League regarding the maintenance of bowling greens.

Councillor Moira McLaughlin on behalf of 38 signatories from residents of Alexandra Drive, Rock Ferry, requesting a resident in their road brings their property up to the required standard.

Councillor Stuart Whittingham on behalf of 410 signatories on the Woodchurch Estate requesting various improvements to the road network on the Woodchurch Estate.

Councillor Mike Sullivan on behalf of 30 signatories objecting to the proposed construction of houses on land to the rear of 1 – 4 Mill Road, Thingwall.

Councillor Alan Brighouse, one on behalf of 124 signatories objecting to the transfer of the cost of school crossing patrols to schools and another on behalf of 139 signatories objecting to the cutting of street lighting in Woodchurch Road.

Councillor Mike Hornby on behalf of 68 signatories from Dawpool School objecting to the transfer of the cost of school crossing patrols to schools.

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

53 **PUBLIC QUESTIONS**

No questions had been received from members of the public.

54 **MINUTES**

The minutes of the Council meetings held on 14 October, 12 November and 2 December, 2013 had been circulated to Members and, it was –

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

55 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

In accordance with Standing Order 5(2), four matters were submitted for approval by the Council (see minutes 56 to 59 post).

Prior to consideration of these matters Councillor Blakeley raised the matter of an email which had been sent to all Councillors from the Head of Legal and Member Services regarding the requirements of Section 106 of the Local Government Finance Act 1992 as this notice was only usually sent prior to Budget Council.

In response the Head of Legal and Member Services stated that Section 106 did have a wider application other than at Budget Council and it was appropriate at this time for Members to have been advised of its requirements.

Councillor Gilchrist asked that further information on the matter be provided in writing and suggested that Members should contact the Local Government Association to see what they were advising.

The Leader of the Council then suggested that to enable consideration of the recently circulated Conservative amendments, the meeting should be adjourned for 15 minutes.

The Mayor adjourned the meeting at 6.30pm for 15 minutes

The meeting resumed at 6.45pm

56 **BUDGET OPTIONS**

The first matter requiring approval related to budget options following feedback on the budget consultation and the recommendations from minute 115, Cabinet of 10 December, 2013.

It was moved by Councillor Phil Davies and seconded by Councillor Ann McLachlan –

That the recommendations contained within Cabinet minute 115 of 10 December, 2013 be approved.

It was moved as an amendment by Councillor Gilchrist and seconded by Councillor Brighouse, that –

“Add to end of paragraph 1 with the following exceptions -

“Council believes that:

- a) The cost of living remains a key factor for Wirral’s people and that the Council tax remains a substantial sum for them.

- b) Freezing the Council Tax for the financial year 2014/15 needs more detailed consideration once the ‘settlement’ grant levels and value of the Government’s offer of freeze grant are known. It would be unreasonable to turn the grant down yet again if it can be taken.

Council welcomes

- The Cabinet’s recognition that the savings in winter gritting, beach cleaning and highway maintenance caused public concern and have been abandoned.

- The rejection of car parking charges in the country parks and coastal areas

Council believes that the following proposals should be abandoned:

1. The suggested saving in Street Lighting (£85k) is not acceptable since the opportunity to invest in more efficient lighting and control systems has not yet been seized.

2. It is unreasonable to shift the cost of School Crossing Patrols (£415k) to the schools own budgets which are there for education, not for the Council to take.

Council recognises the assurances given to the Policy and Performance Committees about the ability to achieve the savings. However, in the case of the Children’s Centres, wishes further detailed information to be given on the

programme of services so that Members can be clear that the continuing needs are met.

Council endorses the desire for fair funding expressed in Clause 3. However, Council believes that Wirral's case is not strengthened by comparisons with North Dorset, a small district Council with a budget of around £8m, where spending on all services is less than the financial support given to Wirral's sport and leisure centres.

Council asks Cabinet when drawing up the capital programme for 2014/15 for consideration in February to ensure resources are made available to invest in:

- 20mph zones in residential areas
- Enhanced highway maintenance works
- Energy efficiency schemes including street lighting

Delete paragraph 2(b)(ii) and insert:

2(b)(ii) The final payment using the statutory calculation (at a capped salary level) will be multiplied by 1.2 to a maximum of 36 weeks. Council recognises that the effects of this will need to be properly taken into account in the preparation of future budgets.”

Before the amendment was debated, Councillor Green suggested that Standing Order 12 (10) be suspended in order that two amendments could be debated together with a vote on each at the end of the two debates.

Resolved – That Standing Order 12 (10) be suspended for the duration of this item.

It was then moved as an amendment by Councillor Green and seconded by Councillor Rennie, that –

“Council notes:

1. £295.51 is a vast increase in the cost of living for the hardworking people of Wirral and this increase is due to Labour approved, locally determined measures.
2. the Administration is now proposing a further 2% increase in Council Tax and the cutting or removal of Pensioners' discount.
3. that the proposals before us tonight will heap yet more Labour approved, locally determined extra costs, burdens and misery on Wirral residents.

Council further notes that the Council's 'transformational projects' which the Administration is relying upon for considerable savings appear to be uncontrolled and lacking in anything that could be described as a project plan.

Council is concerned that the current approach to projects and programmes is expected to deliver over £5 million worth of savings but the method of delivery outlined can at best only be described as aspirational.

Council therefore calls on the Administration to produce the business cases, project initiation documents and project plans required to give Council confidence that this much vaunted Council 'transformational programmes and projects' will be successfully delivered.

Council therefore rejects the Administration's recommendations before us and refers them back to Cabinet to take appropriate action to remove those elements they have included that increase the cost of living burden on hard working Wirral people."

Following a debate on both amendments and Councillor Phil Davies having replied, the amendment proposed by Councillor Gilchrist was put and lost (5:58) (One abstention).

The amendment proposed by Councillor Green was then put and lost (26:37) (One abstention).

There being no further amendments, the substantive motion was put and carried (37:26) (One abstention)

Resolved (37:26) (One abstention) - That the recommendations contained within Cabinet minute 115 of 10 December, 2013, be approved.

57 COUNCIL TAX BASE INFORMATION

The second matter requiring approval related to the Council Tax Base and the recommendations of minute 117 of Cabinet, 10 December, 2013.

It was moved by Councillor Phil Davies and seconded by Councillor Ann McLachlan –

That the recommendations contained within Cabinet minute 117 of 10 December, 2013 be approved.

It was moved as an amendment by Councillor Green and seconded by Councillor Rennie, that –

"Delete paragraph 4 of part (2) of the recommendation and replace with:

That the current Pensioner Household discount be maintained at 7.76% for those households where all residents are aged 70 or over."

The amendment was put and lost (21:42) (One abstention).

The motion was put and carried (42:21) (One abstention).

Resolved (42:21) (One abstention) - That the recommendations contained within Cabinet minute 117 of 10 December, 2013 be approved.

58 **REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBERS' ALLOWANCES**

The third matter requiring approval related to the report of the Independent Panel on Members' Allowances and its recommendations from its meeting on 7 October, 2013.

On a motion by Councillor Phil Davies, seconded by Councillor Ann McLachlan, it was –

Resolved (unanimously) - That the recommendations contained within the Independent Panel on Members' Allowances report from its meeting on 7 October, 2013, be approved.

59 **REVISIONS TO THE COUNCIL'S CONSTITUTION**

The fourth matter requiring approval related to revisions to the Council's Constitution and part two (Schedule 2) of the recommendations of minute 8 of the Standards and Constitutional Oversight Committee of 26 November, 2013.

The Leader of the Council stated that he was mindful of the concerns expressed in amendments which had been circulated by both the Conservative and Liberal Democrat Groups and he was happy for these matters to be looked at again. A draft questionnaire was currently being prepared to survey all Members and it was likely that a special meeting of the Standards and Constitutional Oversight Committee would need to meet in the New Year to approve the contents of the survey before it was circulated to all Members.

On amendments moved by Councillors Gilchrist and Fraser, seconded respectively by Councillors Harney and Blakeley, it was –

Resolved (unanimously) –

Council considers that it is not in a position to accept the amendments suggested in Schedule 2.

The schedule of items set out on pages 45-49 of the Summons fails to clarify the concerns raised at the meeting of the Standards and Constitutional Oversight Committee held on 26 November.

Given the confusion and conflicting opinions expressed and evident at that meeting, Council believes that the matter be deferred. In order to restore confidence in the process, all Members should have full opportunity to see and consider the changes set out more clearly. There has to be ample time for further study and potential agreement.

To aid this consideration, the various issues shall be set out on these suggested lines:

- (i) The original wording, with the full paragraph;**
- (ii) The wording that is the subject of suggested change;**
- (iii) The revised wording in context;**
- (iv) A reasoned argument setting out the background and comment explaining the proposed change.**

Individual Members should be invited to comment by a date to be agreed so that their views on the issues can be considered at the next meeting of the Committee on 5 February 2014.

That the date for consulting with Members on potential changes to the Constitution as indicated in the report from the Cabinet Member for Governance is moved from 18 December 2013 to 7 January 2014 to commence 13 January 2014 and end 24 January 2014 to give Members more time to input any suggestions in revising the Constitution.

60 LEADER'S, EXECUTIVE MEMBERS' AND CHAIRS' REPORTS

The Leader of the Council presented his summary report upon matters relevant to his portfolio. He responded to questions from Councillor Green, Glasman, Stapleton, Johnston and Blakeley and made a number of comments including –

- He would need to take legal advice on the matter raised by Councillor Green as he was not in a position to comment on unsubstantiated rumours and he would write to Councillor Green with a response.
(Subsequent to the meeting the Leader had responded to this question in writing, this response had been circulated to all Members and was appended to these minutes).
- The Leader joined in congratulating staff of the Merseyside Pension Fund for their Local Government Chronicle Best Environmentally Sustainable Investment Award. It was the latest in a long line of awards won by the MPF. He thanked Councillor Glasman for the excellent way in which she was steering the Pensions Committee.

- He concurred that the SIGOMA figures were shocking and did illustrate the disparity in the effect of cuts in different parts of the country. He quoted the instance of Birmingham City Council having to save £840m between 2010 and 2018.
- He stated that the scrutiny review, which reported in April, 2013 had made 18 recommendations in respect of welfare reforms. The Cabinet had received the report in June and agreed with the recommendations. The Scrutiny Committee had asked for a further report and this would be provided in Spring 2014. He praised Councillors Gilchrist and Lewis for their work on how to assist those affected by the “bedroom tax” and a further meeting would be taking place later in the week at which it was hoped to agree an action plan. It was important that scrutiny recommendations were tracked and to make sure that the Council did not lose sight of the recommendations in the review.
- He commented that it was good practice in local government to lend to other Councils, at preferential interest rates and that Wirral was not alone in doing this. Wirral had made money from these arrangements and had been complimented in the Municipal Journal.

Resolved – That the report of Councillor Phil Davies be noted.

Questions were then invited for Councillor Chris Jones on her report. No questions were posed, and it was then –

Resolved – That the report of Councillor Chris Jones be noted.

Questions were then invited for Councillor Adrian Jones on his report and he responded to questions from Councillors Brightmore, Leech, Williamson and Norbury. A question from Councillor Watts was ruled out of order by the Mayor as it did not relate to the contents of Councillor Jones’ report. His responses included the following comments:

- He referred to item 4 of his summary report, ‘Human Resources and Organisational Development Update’ and asked that the Council note a correction in that, ‘The Council.... reducing its workforce by nearly 25% in the past year’, should read, ‘.... by nearly 25% in the past three years’.
- He stated that, in 2010, Labour had voted for the Council’s ICT to be refreshed but the then incoming administration had done nothing to progress this. Since then, several senior staff, including the Head of ICT, had left the Council. Microsoft were withdrawing support for XP and the Windows 7 rollout would now proceed.
- The power outage a few months ago had left IT equipment disabled. Scottish Power had assured the Council it was most unlikely there would be a similar occurrence in the future. Elected Members would have their IT equipment replaced in the near future.
- No advice had been received from the Conservative and Liberal Democrat Groups to help with the impact of Welfare Reform.

- He stated that Wirral had long recognised the value of collective bargaining and the importance of paid elected representatives for Trades Unions relations commensurate with the reduced size of the workforce. The Council would continue to negotiate with the trade unions because it was the sensible approach.
- He commented upon the example of a local man who had fallen foul of the “Bedroom Tax”, and over the man’s experience of ATOS. The man had experienced extreme hardship due to illness. ATOS had examined him and judged that he was a “fit and agile young man”. Although the man had gone to hospital and had been in intensive care with a serious condition.
- He stated that he could not respond to Councillor Watt although he praised council staff for all their hard work during and following the recent storm and the flooding which had occurred in New Brighton, Hoylake and West Kirby.

Resolved – That the report of Councillor Adrian Jones be noted.

Questions were then invited for Councillor Tony Smith on his report and his responses to questions from Councillors Clements, Doughty, Kelly and Whittingham included the following comments:

- He stated that he was delighted with the extra funding of £43m between 2011-2015 from the Pupil Premium which was an outstanding success. The money was ringfenced but differed from how local government had been treated and that was why schools were being asked to help in funding schools’ crossing patrols.
- The Youth Voice conference theme this year had been “respect” and he thanked Councillor Gilchrist and John Martin, of Merseyside Police for their attendance and the 71 young people who had attended. 49 young people had attended the Youth Parliament from 8 secondary schools and 7 youth groups. The “What Really Matters” consultation had seen extensive youth involvement, via schools, teenwirral.com website, various youth agencies, focus groups and the Children in Care Council. He praised officers for their work.
- With regard to the Youth Zone in Birkenhead he wanted young people to have all the facts as not all the information had been available at the time of the Youth Parliament. No satellite Youth Hubs would close and he invited young people to look at the Youth Hubs. He had also spoken to Merseytravel regarding travel to the Youth Zone in Birkenhead and he believed this would be a fantastic facility.
- He stated that the Wirral Youth Offending Service had been inspected between 13 September and 2 October, regarding the quality and effectiveness of casework. Overall the inspectorate had found a very positive picture; the previous inspection 4 years ago had called for substantial improvement. He congratulated all staff involved in this area.

The Mayor also joined in praise for the Youth Parliament and for all those who had taken part.

Resolved – That the report of Councillor Tony Smith be noted.

Questions were then invited for Councillor Pat Hackett on his report and his responses to questions from Councillors Fraser, Hale, Gregson, Blakeley and Glasman included the following comments:

- He stated that experts had concluded that there was not much wrong with the sea defences and the recent storms had not deterred investors, businesses in New Brighton had reopened in record time. The Marine Point development was now at 92% occupancy with 950 jobs having been created for local people. He had been misquoted in the newspaper with regard to the dips and what he had said was that additional parking would be required along the railway embankment near to Smugglers Way.
- The procurement process had begun for the proposed Hoylake Golf Resort development. The land for the resort was close to Royal Liverpool Golf Club. A shortlist of possible developers was being created and he was confident that a top class golf resort would be delivered.
- He stated that all constituencies would be involved in the International Festival of Business and a report would be coming to Cabinet.
- The Mersey Dee Alliance had identified strategic transport issues as key priorities. The Borderlands Railway was the most important priority for the Council.

Resolved – That the report of Councillor Pat Hackett be noted.

Questions were then invited for Councillor Brian Kenny on his report and his responses to questions from Councillors Bill Davies, Sullivan, Gilchrist, Blakeley and Walter Smith included the following comments:

- He stated that there had been lots of complaints regarding dumping of waste in alleyways. There was a need to educate people about the effects on their neighbourhoods and the “Love Wirral” campaign was aimed at getting this message across. A report would be taken to Cabinet in the New Year on the issue and a pilot scheme would be set up in two or three areas to try and resolve this.
- Since the introduction of the garden waste charge the amount of fly tipping had actually fallen.
- The amount of complaints regarding leaves on pavements and roads was less than in previous years and he would be happy to circulate a breakdown on these figures to all Members.
- He stated that a balance between encouraging business and health and safety was required in respect of the new byelaws for skin piercing activities.

- He was pleased with the successful home composting promotion so far, with over 500 bins having been bought in recent weeks and he would encourage as many people as possible to home compost.

Resolved – That the report of Councillor Brian Kenny be noted.

Questions were then invited for Councillor Ann McLachlan on her report and her response to a question from Councillor Mooney included the following comments:

- The Improvement Board would come back in March 2014 and a series of “Next Steps” had been set out by the Board. The Council would continue to maintain progress particularly regarding finance and encouraging the change in culture. The Council would continue to look outward and be a learning organisation keeping up the pace of delivery. She looked forward to the Constitution review early in the New Year.

Resolved – That the report of Councillor Ann McLachlan be noted.

Questions were then invited for Councillor Chris Meaden on her report and her responses to questions from Councillors Brighouse, Cox, Elderton, Hodson and Mooney included the following comments:

- The process with regard to greater community involvement in the Williamson Art Galley was complex and involved and yes she would look at other ways to achieve the saving, if required.
- There were no plans to close the Frankby Cemetery site office.
- With regard to the Wirral Transport Museum and tramway the final business plan was awaited and she would let everyone know the outcome of this.
- The NHS had no funding left to roll out to West Wirral the placement of outdoor fitness equipment in parks.
- She outlined a range of diverse options with regard to dealing with people with drug and alcohol problems and reported that she had recently attended an excellent Alcohol Recovery Day.

Resolved – That the report of Councillor Chris Meaden be noted.

Questions were then invited for Councillor Harry Smith on his report and his response to a question from Councillor Hornby included the following comment:

- He stated that the Christmas tree lighting programme was not part of his portfolio and had been decided at area level for a number of years now. Constituency Committees could allocate funds in future years or they could appeal to local businesses to help with funding.

Resolved – That the report of Councillor Harry Smith be noted.

Questions were then invited for Councillor George Davies on his report and his response to a question from Councillor Blakeley included the following comment:

- The New Homes Bonus of £1.76m from the Government was welcomed and although the money was not ringfenced his view was that the money should always be used to ensure Wirral could develop and build more homes.

Resolved – That the report of Councillor George Davies be noted.

Questions were then invited for the Policy and Performance Committee Chairs, Councillors Whittingham, Clements, and Brighthouse on their report. No questions were posed and it was then –

Resolved – That the report of the Policy and Performance Committee Chairs be noted.

61 **MATTERS FOR NOTING**

On a motion by Councillor Phil Davies, seconded by Councillor McLachlan, it was –

Resolved – That minutes 67 and 68 (Cabinet – 10 October 2013) – Financial Monitoring 2013/2014, and minute 85 (Cabinet – 7 November 2013) – Financial Monitoring 2013/2014 be noted.

62 **MEMBERS' QUESTIONS**

In accordance with Standing Order 10 (2)(b), notice had been given of a question from Councillor Stuart Kelly to the Leader of the Council in respect of Collective Energy Switching.

Councillor Phil Davies responded accordingly.

63 **MATTERS REFERRED FROM POLICY AND PERFORMANCE COMMITTEES**

No matters had been referred from Policy and Performance Committees.

64 **NOTICES OF MOTION**

Notices of Motion submitted in accordance with Standing Order 7(1) were reported to the Council. The Mayor, having considered each Motion, in

accordance with Standing Order 7(4) had decided that the Motions would be dealt with as follows –

- (i) Wirral Council Improvement Board - to be debated
- (ii) Local Government Declaration on Tobacco Control – to be referred to the Families and Wellbeing Policy and Performance Committee
- (iii) Wirral Labour's Cost Of Living Rises - to be debated

Resolved – That the Notice of Motion, 'Local Government Declaration on Tobacco Control, be referred to the Families and Wellbeing Policy and Performance Committee.

65 **MOTION - WIRRAL COUNCIL IMPROVEMENT BOARD**

Proposed by Councillor Ann McLachlan

Seconded by Councillor Phil Davies

- (1) Council welcomes the decision by the Improvement Board at its meeting held on 29th November, that Wirral has now reached a position where we can manage our own improvement process.
- (2) We are proud of what has been the quickest improvement of any Council in the country. However we recognise that there is still a great deal left to do and we are not complacent.
- (3) We remain committed to working with all Councillors, staff, partners and residents to continue our Improvement Journey towards becoming the outstanding Council we aspire to be.
- (4) Council would want to thank all employees of the Authority who have contributed to the enormous amount of work involved in addressing the priority areas set by the Board and who are now diligently working to continue our progress towards a transformed Authority. Further, that all elected Members will continue to be fully engaged via the Policy and Performance Committees and future Visioning events.
- (5) Council would like to record our thanks to Joyce Redfearn, Chair of the Improvement Board and other Members of the Board for the hard work, commitment and support that they have provided over the past twenty months.

An amendment which had been circulated in advance of the meeting was submitted in accordance with Standing Order 12(1) and (9), as follows:

Proposed by Councillor Phil Gilchrist

Seconded by Councillor Pat Williams

“Delete paragraph (2) and replace with:

We note the improvements that have been achieved. However, we recognise that there is still a great deal left to do and we are not complacent. The Improvement Board remained of the view that *‘there is still significant risk going forward’* (para 198) and that their Chair was clear that the Council...*must now maintain this momentum and focus on making continued improvements.”*.

In particular, paragraph 166 of the Report stated that *“embedding the culture is vitally important”* and that the Board felt *“There is still a residual sense that some members are unwilling to embrace change.”*

Delete from paragraph 4:

‘Further, that all elected Members will continue to be fully engaged via the Policy and Performance Committees and future Visioning events.’

Insert new paragraph (5):

It is important that Members, regardless of their status, experience or party, are enabled to influence decisions and develop policy in a way that works to the benefit of the people of Wirral. This must include timely access to information, the distribution of supporting papers in good time and structures that ensure sufficient opportunity for discussion and debate.

Renumber original para (5) as para (6).”

It was then agreed that Standing Order 9 be suspended and only the movers and seconders of the first motion be invited to speak prior to the remaining business being disposed of by being formally moved and seconded and put to the vote.

The Mayor then requested the movers of the motion and amendment to speak to their proposals followed by the seconders. Councillor McLachlan having waived her right of reply, the amendment was then put and lost (26:37) (One abstention).

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

Resolved (37:26) (One abstention) -

(1) Council welcomes the decision by the Improvement Board at its meeting held on 29th November, that Wirral has now reached a position where we can manage our own improvement process.

- (2) **We are proud of what has been the quickest improvement of any Council in the country. However we recognise that there is still a great deal left to do and we are not complacent.**
- (3) **We remain committed to working with all Councillors, staff, partners and residents to continue our Improvement Journey towards becoming the outstanding Council we aspire to be.**
- (4) **Council would want to thank all employees of the Authority who have contributed to the enormous amount of work involved in addressing the priority areas set by the Board and who are now diligently working to continue our progress towards a transformed Authority. Further, that all elected Members will continue to be fully engaged via the Policy and Performance Committees and future Visioning events.**
- (5) **Council would like to record our thanks to Joyce Redfearn, Chair of the Improvement Board and other Members of the Board for the hard work, commitment and support that they have provided over the past twenty months.**

66 **MOTION - WIRRAL LABOUR'S COST OF LIVING RISES**

Proposed by Councillor Jeff Green
Seconded by Councillor Adam Sykes

Council notes that this Labour administration has presided over a series of astronomical cost of living increases including:

1. the raising of Council Tax and the rejection of £1.3 million of Government money to freeze Council Tax;
2. a 900% increase in charges for car parking in parts of the Borough with the standardisation of hourly tariffs and the abolition of the Free after 3pm scheme;
3. the introduction of a Brown Bin Tax;
4. an inflation busting 33% increase in the charge of the ERIC service

Council further notes that in total these Labour approved, locally determined measures have resulted in a whacking 624% increase in the cost of living for Wirral residents since 2011-2012.

Council is therefore shocked that Wirral's Labour Councillors will again be rejecting Government money to freeze Council Tax in 2014 -2015.

Council calls on Labour Councillors to accept responsibility for their decisions, change direction and put the reduction of the cost of living for hard pressed Wirral residents at the centre of their plans.

Having applied the guillotine in accordance with Standing Order 9 the Council did not debate this matter.

The motion was put and lost (21:37) (One abstention).

67 **VACANCIES**

Resolved – That the appointment of Mr Damian Cunningham as the Roman Catholic Diocesan representative (as from 1 January, 2014) on the Families and Wellbeing Policy and Performance Committee, be noted.

APPENDIX TO MINUTE 60 - Letter of response from the Leader of the Council to Councillor Green

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Please reply to:

Councillor Phillip L Davies
Leader of Wirral Council

Town Hall, Brighton Street
Wallasey, Wirral
Merseyside, CH44 8ED
Telephone: 0151-691 8539
Fax: 0151-691-2887
Email: phildavies@wirral.gov.uk

Councillor J Green
Leader of the Conservative Group
Wallasey Town Hall
Brighton Street
Wallasey
WIRRAL CH44 8ED

Date : 17 December 2013

my ref PD0012/DLK

Dear Jeff,

I write in response to your question at Council. I will also copy this response to all Members and ask for it to be published as an appendix to the Council minutes.

A group of individuals approached me about this matter. The individuals did not wish to make a formal complaint regarding the comments allegedly made by one of my Senior Members regarding a Senior Council Officer. However I am absolutely committed to ensuring that all matters of concern are properly investigated and so chose to immediately refer the matter to the Chief Executive.

The Chief Executive instructed the Strategic Director for Transformation and Resources, in his position as Deputy Monitoring Officer, to conduct an investigation and an Independent Investigator was appointed.

The Senior Officer concerned does not wish the investigation report to be made public, and I intend to respect their wishes. However, if you would like to see a copy I will ask the Chief Executive to make it available to you. I intend to make the same offer to the Leader of the Liberal Democrats. I have been informed that you have been briefed previously regarding the outcome of that investigation however for clarity I will again outline the conclusions.

The Independent Investigator wrote on two occasions to the individuals who had brought this matter to my attention, however they refused to cooperate. All other concerned parties were interviewed, with external legal advisors present. No evidence was made available to the investigation to substantiate a serious allegation regarding inappropriate language.

The Senior Member concerned did make clear that he had made adverse comment regarding a Senior Officer, comments that he regrets. The Investigation therefore found that there had been a breach of the Council's Code of Conduct. It concluded

that an apology to the Officer concerned and a conciliation process was appropriate. At the request of the Senior Officer the matter has been dealt with in a confidential manner.

We have discussed the issue of improving the culture of this Council and I believe that both myself as Leader, and you as Leader of the Opposition have a crucial role to play in this. I have stated publicly, at Improvement Board and elsewhere, that the number one priority for this Council over the coming months must be to address this for once and for all. I do not believe this is a matter for party politics, our staff and the residents of Wirral deserve and expect us to take a lead.

I would therefore again urge you that if you have any evidence of wrong doing, or can encourage others to supply any evidence that exists of wrongdoing, that you work with me to bring this to light. I promise that if this happens that a further robust investigation will take place.

Yours sincerely

A handwritten signature in black ink on a light grey background. The signature reads "P.L. James" with a flourish underneath the name.

Councillor Phil Davies