



Regulatory and General Purposes Committee

Date:	Thursday, 20 January 2022
Time:	6.00 p.m.
Venue:	Floral Pavilion, Marine Promenade, New Brighton

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AGENDA

- 1. WELCOME AND INTRODUCTION**
- 2. APOLOGIES**
- 3. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee are asked to declare any disclosable pecuniary and non-pecuniary interests, in connection with any item on the agenda and state the nature of the interest.

4. MINUTES (Pages 1 - 4)

To approve the accuracy of the minutes of the meeting held on 15 September 2021.

5. MINUTES OF THE REGULATORY PANEL (Pages 5 - 30)

To approve the accuracy of the minutes of the meetings of the Regulatory Panel held on 17 September, 8 October, 13 October, 3 November, 12 November and 24 November 2021.

6. POLLING PLACE REVIEW: SCHOOLS (Pages 31 - 52)

7. CONFERMENT OF THE TITLE OF HONORARY ALDERMAN (Pages 53 - 56)

8. WIRRAL AWARD 2021 (Pages 57 - 62)

9. EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

10. WIRRAL AWARD 2021 - EXEMPT APPENDIX - RECOMMENDATIONS OF THE WIRRAL AWARD WORKING PARTY (Pages 63 - 84)

11. POLLING PLACES REVIEW: SCHOOLS - EXEMPT APPENDIX 2 (Pages 85 - 86)

REGULATORY AND GENERAL PURPOSES COMMITTEE

Wednesday, 15 September 2021

Present: Councillor A Hodson (Chair)

Councillors	C Jones D Mitchell J Bird D Burgess-Joyce M Collins D M Kenny C O'Hagan	C Spriggs I Williams KJ Williams S Williams A Wright M Booth
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Apologies Councillors E Gleaves

5 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with any item on the agenda and state the nature of the interest.

No such declarations were made.

6 MINUTES

Members were reminded of the resolution made at full Council on 6 September 2021 (minute 26a refers) which stated that the terms of reference of the Regulatory and General Purposes Committee be amended so as to provide that the sub-committees forming Licensing Panels (Regulatory) will be:

- (a) exempt from political balance requirements; but
- (b) not formed solely by members of one Group,

Resolved –

- (1) That the accuracy of the minutes of the meeting held on 17 June 2021 be approved.
- (2) That the resolution made at the Council meeting held on 6 September 2021, as outlined above, be noted.

7 MINUTES OF THE REGULATORY PANEL

Resolved – That the accuracy of the minutes of the meetings of the Regulatory Panel held on 11 June, 30 June, 9 July and 13 August 2021 be approved.

8 TAXI AND PRIVATE HIRE LICENSING POLICY

The Director of Law and Governance submitted a report for the Committee to adopt a single cohesive Taxi and Private Hire Licensing Policy.

The Licensing Manager reported that the term taxi was used in the report to refer to hackney carriages which could be hired immediately by hailing on the street or at a rank and that private hire vehicles must be pre booked via a licensed private hire vehicle operator.

Members of the Committee were advised that it was a recommendation of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards that all Licensing Authorities bring together all their policies on taxi and private hire licensing into one cohesive policy document and that this document be made publicly available. This should include, but not be limited to, policies on convictions, a fit and proper persons text, licence conditions and vehicle standards.

It was reported that on 23 March 2021 a report had been presented to this Committee which provided details of the full recommendations set out within the Statutory Taxi and Private Hire Vehicle Standards document and sought approval of proposed actions in response to the recommendations. It had been resolved at that meeting that there should be a single and cohesive taxi and private hire licensing policy document.

The Licensing Manager reported that she had subsequently brought together the separate policies, criteria and conditions relating to taxi and private hire licensing into one policy document which was attached at Appendix 1 to the report. A list of the existing separate policies, criteria and conditions relating to Hackney Carriage and Private Hire Licensing was attached at Appendix 3 of the report. The effect of the policy document attached at Appendix 1 of the report was to consolidate existing policy, criteria and conditions and it had not introduced any new requirements for the hackney carriage or private hire trade.

Councillor J Bird raised concerns in respect of the environmental impact in respect of harmful emissions from licensed vehicles and requested that the use of ultra low emission vehicles as licensed vehicles be investigated. Further to discussions by Members, the Chair made reference to the need to be sympathetic to environmental issues but also that consideration be given in respect of the livelihoods of taxi drivers and residents' accessibility to

transport and stressed the need for a pragmatic view on how this could be tackled.

The Licensing Manager advised that this work would be undertaken.

Councillor S Williams referred to paragraph 10.3 of the policy relating to the relevance of convictions when considering applications for hackney carriage and private hire licences and highlighted that this did not include any reference to a caution being issued in respect of a drug related offence.

The Licensing Manager advised that this would be reviewed.

Mr D Cummins, Unite the Union addressed the Committee in respect of the reference to a mandatory requirement for drivers to subscribe to the Disclosure and Barring Update Service set out within the Statutory Taxi and Private Hire Vehicle Standards. Mr Cummins was advised that this was not a matter under consideration at this meeting and that the Committee were not being asked to amend any current policies.

Mr Beck, proprietor of RB Travel and wished to address the Committee in respect of any policy change relating to the use of 'green' vehicles. It was reiterated that the matter for Members' consideration at this meeting was to adopt the single cohesive Policy and that no new requirements in respect of hackney carriage or private hire licences were being asked to be considered at this meeting.

On a motion by the Chair and seconded by Councillor C Jones it was -

Resolved – That the single cohesive Taxi and Private Hire Licensing Policy attached at Appendix 1 to the report be adopted.

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Public Document Pack Agenda Item 5

REGULATORY PANEL

Friday, 17 September 2021

Present: Councillors A Hodson (Chair)

J Bird

D Mitchell

C Spriggs

A Wright

41 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

42 PRIVATE HIRE VEHICLE LICENCE APPLICATION - BMW 320, REGISTRATION NUMBER RV11 ZDA

The Director of Law and Governance reported upon an application received to re-license a BMW 320, registration number RV11 ZDA, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 10 February 2020 until 9 August 2021 when the licence expired. The date of first registration of the vehicle was 22 March 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the BMW 320, registration number RV11 ZDA, as a Private Hire Vehicle be granted for six months.

43 PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD S MAX, REGISTRATION NUMBER EN11 FXA

The Director of Law and Governance reported upon an application received to re-license a Ford S Max, registration number EN11 FXA, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 10 September 2014 and the current licence was due to expire on 17 September 2021. The date of first registration of the vehicle was 27 June 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Ford S Max, registration number EN11 FXA, as a Private Hire Vehicle be granted for six months.

44 PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES E250, REGISTRATION NUMBER WB61 AGY

The Director of Law and Governance reported upon an application received to re-license a Mercedes E250, registration number WV61 AGY, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 17 February 2021 until 16 August 2021 when the licence expired. The date of first registration of the vehicle was 6 September 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Mercedes E250, registration number WV61 AGY, as a Private Hire Vehicle be granted for six months.

45 PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA AURIS, REGISTRATION NUMBER DG61 XVJ

The Director of Law and Governance reported upon an application received to re-license a Toyota Auris, registration number DG61 XVJ, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 6 May 2020 and the current licence was due to expire on 30 September 2021. The date of first registration of the vehicle was 30 September 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle did not attend the meeting.

Resolved – That the proprietor of the Toyota Auris, registration number DG61 XVJ, be invited to attend the next scheduled meeting of the Licensing Panel on 8 October 2021 should he wish to pursue his application.

46 SCHOOL CONTRACT PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT BOXER MINIBUS, REGISTRATION NUMBER WX61 BZD

The Director of Law and Governance reported upon an application received to re-license a Peugeot Boxer Minibus, registration number WX61 BZD, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle would be used exclusively to transport children to and from educational establishments. The vehicle had been licensed as a Private Hire Vehicle since 11 December 2018 until 7 September 2021 when the licence expired. The date of first registration of the vehicle was 7 September 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to re-license the Peugeot Boxer Minibus, registration number WX61 BZD as a Private Hire Vehicle be granted for six months.

47 SCHOOL CONTRACT PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT MASTER, REGISTRATION NUMBER EX59 GNK

The Director of Law and Governance reported upon an application received to re-license a Renault Master, registration number EX59 GNK, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle would be used exclusively to transport children to and from educational establishments. The vehicle had been licensed as a Private Hire Vehicle since 21 March 2019 until 24 August 2021 when the licence expired. The date of first registration of the vehicle was 21 September 2009. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to re-license the Renault Master, registration number EX59 GNK as a Private Hire Vehicle be granted for six months subject to the following:

- Evidence be provided to the Licensing Authority that work has been carried out to repair the suspension arm ball joint referenced as an advisory on the MOT certificate.
- Paintwork be carried out on and around the lift attached to the vehicle.

48 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

49 **HACKNEY CARRIAGE DRIVER LICENCE (TB)**

The Director of Law and Governance submitted a report for Members to consider whether TB should continue to hold a Hackney Carriage Driver Licence.

TB did not attend the meeting.

Resolved – That TB be instructed to attend the next meeting of the Regulatory Panel on 8 October 2021 and be advised that should he not attend, the matter would be considered in his absence.

50 **PRIVATE HIRE DRIVER LICENCE (SJMCC)**

The Director of Law and Governance submitted a report for Members to consider whether SJMcC should continue to hold a Private Hire Driver Licence.

SJMcC did not attend the meeting.

Resolved – That SJMcC be instructed to attend the next meeting of the Regulatory Panel on 8 October 2021 and be advised that should he not attend, the matter would be considered in his absence.

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REGULATORY PANEL

Friday, 8 October 2021

Present:

Councillors	D Burgess-Joyce C Jones D Mitchell	C O'Hagan A Wright
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51 APPOINTMENT OF CHAIR

In the absence of the Chair it was –

Resolved – That Councillor D Burgess-Joyce be appointed Chair for this meeting.

52 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

53 PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD FOCUS, REGISTRATION NUMBER EF11 GXC

The Director of Law and Governance reported upon an application received to re-license a Ford Focus, registration number EF11 GXC, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle from 15 September 2017 until 18 September 2021 when the licence expired. The date of first registration of the vehicle was 20 June 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle did not attend the meeting.

Resolved – That the proprietor of the Ford Focus, registration number EF11 GXC, be advised to attend the next meeting of the Regulatory Panel should he wish to pursue his application.

54 PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER YH61 KLL

The Director of Law and Governance reported upon an application received to re-license a Ford Mondeo, registration number YH61 KLL, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 4 October 2018 and the current licence was due to expire on 18 October 2021. The date of first registration of the vehicle was 18 October 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Ford Mondeo, registration number YH61 KLL, as a Private Hire Vehicle be granted for six months.

55 PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA AURIS, REGISTRATION NUMBER DG61 XVJ

The Director of Law and Governance reported upon an application received to re-license a Toyota Auris, registration number DG61 XVJ, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 6 May 2020 and the current licence was due to expire on 8 October 2021. The date of first registration of the vehicle was 30 September 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Toyota Auris, registration number DG61 XVJ, as a Private Hire Vehicle be granted for six months.

56 PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER DA60 GLK

The Director of Law and Governance reported upon an application received to re-license a Ford Mondeo, registration number DA60 GLK, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle from 15 October 2018 until 11 September 2021 when the licence expired. The date of first registration of the vehicle was 31 December 2010. A six month licence had been granted by the Regulatory Panel on 5 March 2021. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved (4:1) (Councillor D Burgess-Joyce dissenting) – That the application to license the Ford Mondeo, registration number DA60 GLK, as a Private Hire Vehicle be granted for six months subject to:

- the advisories on the MOT being carried out satisfactorily and evidence of this be provided to a Licensing Officer; and
- a further MOT being undertaken to demonstrate these works have been carried out.

57 APPLICATION TO LICENSE THE SEAT IBIZA AS A PRIVATE HIRE VEHICLE

The Director of Law and Governance reported upon an application received to license the Seat Ibiza as a Private Hire Vehicle and whether to license the diesel fuelled Seat Ibiza, registration number FY63 ZZP.

Prior to the meeting the proprietor of the vehicle advised that he had returned the vehicle and wished to withdraw this application.

Resolved – That this application be withdrawn.

58 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

59 PRIVATE HIRE DRIVER LICENCE (LH)

The Director of Law and Governance submitted a report for Members to consider whether Mr LH should be granted a Private Hire Driver Licence.

Mr LH attended the meeting and made representations in respect of his application.

Members questioned Mr LH.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved (4:1) (Councillor D Burgess-Joyce dissenting) – That Mr LH's application for a Private Hire Driver Licence be granted.

60 **HACKNEY CARRIAGE DRIVER LICENCE (TB)**

The Director of Law and Governance submitted a report for Members to consider whether Mr TB should continue to hold a Hackney Carriage Driver Licence.

Mr TB attended the meeting and made representations. Members questioned Mr TB.

Members considered carefully the representations made by Mr TB.

Members gave due consideration to all of the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That Mr TB be allowed to continue to hold a Hackney Carriage Driver Licence and that he be given a written warning as to his future conduct.

61 **PRIVATE HIRE DRIVER LICENCE (SJMCC)**

The Director of Law and Governance submitted a report for Members to consider whether Mr SJMcC should continue to hold a Private Hire Driver Licence.

Mr SJMcC attended the meeting and made representations. Members questioned Mr SJMcC.

Members considered carefully the representations made by Mr SJMcC.

Members gave due consideration to all of the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved (4:1) (Councillor D Burgess-Joyce dissenting) –

- (1) That Mr SJMcC be allowed to continue to hold a Private Hire Driver Licence subject to successfully completing a Driver Awareness Course by a date to be confirmed by the Licensing Team Leader and should this not be completed by the specified date he be instructed to attend a further Regulatory Panel.**
- (2) That Mr SJMcC be given a written warning as to his future conduct.**

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REGULATORY PANEL

Wednesday, 13 October 2021

Present:

Councillors	C Jones D Mitchell C O'Hagan	S Williams A Wright
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62 APPOINTMENT OF CHAIR

In the absence of the Chair, it was –

Resolved – That Councillor S Williams be appointed Chair for this meeting.

63 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

64 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

65 PRIVATE HIRE DRIVER LICENCE (LAT)

The Director of Law and Governance submitted a report for Members to consider whether Mr LAT should continue to hold a Private Hire Driver Licence.

Mr LAT attended the meeting and made representations. Members questioned Mr LAT and considered other evidence provided.

Members considered carefully the representations made by Mr LAT.

In determining the matter Members also gave serious consideration to their overriding responsibility in respect of the protection and safety of the public. The Panel applied the principle of proportionality enshrined within the Human Rights Act 1998 and considered that in seeking to ensure the legitimate aim of the protection and safety of the public, a revocation of the licence with immediate effect was justified in the circumstances.

Resolved – That, in the interests of public safety, Mr LAT's Private Hire Driver Licence be revoked with immediate effect.

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REGULATORY PANEL

Wednesday, 3 November 2021

Present: Councillor A Hodson (Chair)

Councillors M Booth D Mitchell
C Jones C O'Hagan

66 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

Councillor A Hodson declared a personal interest in Item 10 – Private Hire Driver Licence (minute 75 refers) by virtue of having attended the same youth club as the applicant.

67 APPLICATION TO LICENSE AN LTI TX4 AS A HACKNEY CARRIAGE VEHICLE, REGISTRATION NUMBER DE02 PLZ

The Director of Law and Governance reported upon an application received to license an LTI TXII, registration number DE02 PLZ, as a Hackney Carriage Vehicle.

The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence includes the following:

- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

The vehicle had been licensed as a Hackney Carriage Vehicle since before 2008 and the licence expired on 17 October 2021. The date of first registration of the vehicle was 26 April 2002 and the vehicle is 19 years old. It therefore does not meet the criteria that every vehicle must be three years old or less. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with his vehicle which Members of the Panel inspected.

Resolved – That, further to the paintwork on the sill being renewed and this being verified by a Licensing Officer, the application to license an LTI TXII, registration number DE02 PLZ, as a Hackney Carriage Vehicle be granted.

68 APPLICATION TO LICENSE AN LTI TX4 AS A HACKNEY CARRIAGE VEHICLE, REGISTRATION NUMBER D18 SMC

The Director of Law and Governance reported upon an application received to license a LTI TXII, registration number D18 SMC, as a Hackney Carriage Vehicle.

The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence includes the following:

- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

The vehicle had been licensed as a Hackney Carriage Vehicle from 1 October 2015 until 30 September 2021 when the licence expired. The date of first registration of the vehicle was 1 September 2015 and the vehicle is 6 years old. It therefore does not meet the criteria that every vehicle must be three

years old or less. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with his vehicle which Members of the Panel inspected.

Resolved – That, subject to the advisories on the MOT certificate being carried out and this being verified by a Licensing Officer, the application to license an LTI TXII, registration number D18 SMC, as a Hackney Carriage Vehicle be granted.

69 **APPLICATION TO LICENSE A MERCEDES T1 EUROCAB AS A HACKNEY CARRIAGE VEHICLE, REGISTRATION NUMBER WN68 ZYM**

The Director of Law and Governance reported upon an application received to license a Mercedes Vito, registration number WN68 ZYM, as a Hackney Carriage Vehicle.

The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence includes the following:

- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

The date of first registration of the vehicle was 5 October 2018 and the vehicle is over 3 years old. It therefore does not meet the criteria that every vehicle must be three years old or less. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

A driver for the proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license a Mercedes Vito, registration number WN68 ZYM, as a Hackney Carriage Vehicle be granted.

70 APPLICATION TO LICENSE A MERCEDES T1 EUROCAB AS A HACKNEY CARRIAGE VEHICLE, REGISTRATION NUMBER BN07 UBO

The Director of Law and Governance reported upon an application received to license a Mercedes T1 Eurocab, registration number BN07 UBO, as a Hackney Carriage Vehicle.

The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence includes the following:

- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

The vehicle had been licensed as a Hackney Carriage Vehicle since before 2008 and the licence expired on 25 October 2021. The date of first registration of the vehicle was 2 March 2007 and the vehicle is 14 years old. It therefore does not meet the criteria that every vehicle must be three years old or less. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle did not attend the meeting.

Resolved – That the proprietor of the Mercedes T1 Eurocab, registration number BN07 UBO be advised to attend a future meeting of the Regulatory Panel should he wish to pursue his application.

71 PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TOURNEO, REGISTRATION NUMBER BN71 ZTO

The Director of Law and Governance reported upon an application received to license a Ford Tourneo, registration number BN71 ZTO, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

In September 2017 Members of the Licensing Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles. A copy of the criteria was attached at Appendix 1 to the report.

Paragraph 36 of the criteria states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

The applicant attended the meeting together with the proprietor of the vehicle. The applicant stated that he had ordered this vehicle as he intends to obtain his own Private Hire Operator Licence and carry out executive transportation work. The applicant further advised that he wished to also work through another Private Hire Operator to support his new business venture.

Resolved – That the application to license the Ford Tourneo, Registration Number BN71 ZTO, as a Private Hire Vehicle outside the current criteria be refused.

72 PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL INSIGNIA, REGISTRATION NUMBER SE16 CJJ

The Director of Law and Governance reported upon an application received to license a Vauxhall Insignia, registration number SE16 CJJ, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

In September 2017 Members of the Licensing Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles. A copy of the criteria was attached at Appendix 1 to the report.

Paragraph 36 of the criteria states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

The proprietor of the vehicle attended the meeting with the vehicle which was inspected by Members. The vehicle had been licensed as a Private Hire Vehicle from 1 November 2016 until 31 October 2019 when the licence expired. The date of first registration of the vehicle was 1 September 2015. The vehicle had been examined at one of the Council's authorised testing stations and the test certificates had been provided to Members.

Resolved – That the application to license the Vauxhall Insignia, Registration Number SE16 CJJ, as a Private Hire Vehicle outside the current criteria be refused.

73 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

74 PRIVATE HIRE DRIVER LICENCE

The Director of Law and Governance submitted a report for Members to consider whether LH should be granted a Private Hire Driver Licence.

JL attended the meeting made representations in respect of the application.

Members questioned JL.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That JL's application for a Private Hire Driver Licence be granted.

75 PRIVATE HIRE DRIVER LICENCE

Councillor A Hodson declared a personal interest in this matter (minute 66 refers).

The Director of Law and Governance reported upon an application received by CBD for the grant of a Private Hire Driver Licence. CBD attended the meeting together with an acquaintance and made representations in respect of the application.

Members gave due consideration to the representations made and exercised their right to consider each case on its individual merits in light of the representations made.

In determining the matter Members also gave serious consideration to their overriding responsibility in respect of the protection and safety of the public. The Panel applied the principle of proportionality enshrined within the Human Rights Act 1998.

Resolved – That CBD's application for the grant of a Private Hire Driver Licence be refused.

76 **PRIVATE HIRE DRIVER LICENCE**

The Director of Law and Governance submitted a report for Members to consider whether NRPJ should continue to hold a Private Hire Driver Licence.

NRPJ did not attend the meeting.

Resolved – That NRPJ be instructed to attend the next meeting of the Regulatory Panel on 12 November 2021 and be advised that should he not attend, the matter would be considered in his absence.

77 **PRIVATE HIRE DRIVER LICENCE**

The Director of Law and Governance submitted a report for Members to consider whether CJP should continue to hold a Private Hire Driver Licence.

CJP did not attend the meeting.

Resolved – That CJP be instructed to attend a future meeting of the Regulatory Panel and be advised that should he not attend, the matter would be considered in his absence.

78 **PRIVATE HIRE DRIVER LICENCE**

The Director of Law and Governance submitted a report for Members to consider whether JDD should continue to hold a Private Hire Driver Licence.

JDD attended the meeting and made representations. Members questioned JDD.

Members considered carefully the representations made by JDD.

Members gave due consideration to all of the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That JDD be allowed to continue to hold a Private Hire Driver Licence and that he be given a written warning as to his future conduct.

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REGULATORY PANEL

Friday, 12 November 2021

Present:

Councillors D Burgess-Joyce
D Mitchell
C O'Hagan

79 APPOINTMENT OF CHAIR

Resolved – That Councillor D Burgess-Joyce be appointed Chair for this meeting.

80 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

81 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

82 PRIVATE HIRE DRIVER LICENCE (NJ)

The Director of Law and Governance submitted a report for Members to consider whether NJ should continue to hold a Private Hire Driver Licence.

NJ attended the meeting and made representations. NJ responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the responses made by NJ.

Members gave due consideration to all of the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That NJ be allowed to continue to hold a Private Hire Driver Licence and that he be given a final written warning as to his future conduct.

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REGULATORY PANEL

Wednesday, 24 November 2021

Present: Councillors A Hodson (Chair)
D Burgess-Joyce
D Mitchell
C O'Hagan
S Williams

83 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

Councillor A Hodson declared a personal interest in Item 3 – Private Hire Vehicle Licence Application – Volvo V50, Registration Number GJ61 RVP (minute 84 refers) by virtue of being acquainted with the applicant's representative.

Councillor A Hodson declared a personal interest in Item 4 – Private Hire Vehicle Licence Application – Mercedes Benz E Class, Registration Number V60 RCR (minute 85 refers) by virtue of having attended the same youth club as the applicant.

84 PRIVATE HIRE VEHICLE LICENCE APPLICATION - VOLVO V50, REGISTRATION NUMBER GJ61 RVP

The Chair declared a personal interest in this matter (minute 83 refers).

The Director of Law and Governance reported upon an application received to re-license a Volvo V50, registration number GJ61 RVP, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle from 20 January 2015 until 18 October 2021 when the licence expired. The date of first registration of the vehicle was 18 October 2011. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was represented by her partner at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That subject to the front registration plate being renewed and a full valet of the vehicle being carried out and being verified by a Licensing Officer, the application to license the Volvo V50, registration number GJ61 RVP, as a Private Hire Vehicle be granted for six months.

85 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES BENZ E CLASS, REGISTRATION NUMBER V60 RCR**

The Director of Law and Governance reported upon an application received to license a Mercedes Benz E Class, registration number V60 RCR, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

In September 2017 Members of the Licensing Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles. A copy of the criteria was attached at Appendix 1 to the report.

Paragraph 36 of the criteria states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

The applicant attended the meeting with his vehicle which was inspected by Members. The applicant stated that he had previously undertaken executive transportation work in another vehicle and intended to operate the same model of business with this vehicle.

Resolved – That the application to license the Mercedes Benz E Class, Registration Number V60 RCR, as a Private Hire Vehicle outside the current criteria be granted with the following conditions to be applied to the Private Hire Vehicle Licence and the Private Hire Operator Licence:

- All bookings must be made at least 24 hours in advance.
- Payment for all bookings must be requested through an invoicing system.
- The operator must communicate with customers for each booking taken, by text or email, with the following information:
 - Private Hire Driver name
 - Private Hire Driver photograph
 - Private Hire Driver badge number
 - Private Hire Vehicle registration number
- For the avoidance of doubt, this includes drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

86 **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 items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

87 **PRIVATE HIRE DRIVER LICENCE (JDE)**

The Director of Law and Governance submitted a report for Members to consider whether JDE should be granted a Private Hire Driver Licence.

JDE attended the meeting made representations in respect of the application.

Members questioned JDE.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That JDE be required to provide further supporting information in respect of his application for a Private Hire Driver Licence and the representations he made.

88 **PRIVATE HIRE DRIVER LICENCE (MAL)**

The Director of Law and Governance submitted a report for Members to consider whether MAL should be granted a Private Hire Driver Licence.

MAL attended the meeting made representations in respect of the application.

Members questioned MAL.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That MAL's application for a Private Hire Driver Licence be granted.

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REGULATORY AND GENERAL PURPOSES COMMITTEE

20 JANUARY 2022

REPORT TITLE:	POLLING PLACES REVIEW: SCHOOLS
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report sets out the findings following a review undertaken in respect to the use of Schools which are currently used as polling places within Wirral for the purposes of Local Authority, Parliamentary and other elections.

The report details guidance on selecting polling places, the number of Schools currently used in the borough and outlines alternative polling places which have been identified by the Returning Officer. Local ward members have been consulted in respect to options and costs associated with the hire of alternative venues are detailed in the exempt appendix 2 to the report.

RECOMMENDATION/S

The Regulatory and General Purposes Committee is recommended to Consider and comment on the report; and determine which polling places (if any) should be moved to an alternative venue to enable implementation for the May 2022 Local Authority Elections.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 A full review of those schools within Wirral which are used as Polling Places has been undertaken by the Returning Officer. It is good practice to regularly review polling places and following the elections held in May 2021, the Returning Officer has carried out a comprehensive programme of area inspections and visits. Options, associated costs, and member consultation responses are presented for consideration as detailed in appendix 1 of the report.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 An option would be to continue to use all those Schools which are currently used as Polling Places. Alternative options are presented to the Committee for consideration and discussion. Where no alternative or viable options for alternatives to the use of Schools, this has been clearly identified in the report.

3.0 BACKGROUND INFORMATION

- 3.1 All Local Authorities in Great Britain must review their polling districts and places every four years. Wirral completed a statutory review of all polling districts and places in 2019. This review has been requested by the Returning Officer and is in addition to the statutory review.

When considering the overall suitability of a polling place or polling station the following criteria are considered:

External areas access and facilities:

Location:

- Is it reasonably accessible within the polling district?
- Is the building clearly identifiable?
- Does it avoid barriers for the voter such as steep hills, major roads, rivers, etc.?
- Does the building have level access or an alternative disabled route?
- Are the doors wide enough, and light enough, to be opened by someone using a motorised scooter / wheelchair?
- Are there convenient transport links?
- Are there adequate parking facilities for disabled people and polling station staff?

Internal areas access and facilities:

Entrance doors & Corridors:

- Are all external and internal doors easy to open?
- Are there any internal steps or hazards?
- Is the floor covering nonslip?
- Is there adequate heating and lighting?
- Are there toilet facilities for staff?
- Are there kitchen facilities for staff?

Size:

- Is there sufficient space inside to comfortably accommodate staff, voters, polling agents and observers?
- Is there suitable furniture available for staff and voters, where required?
- Can it accommodate more than one polling station if required?
- If multiple polling stations are required, is the polling place capable of accommodating all voters going into and out of the polling stations, even where there is a high turnout?

Availability:

- Is the building readily available in the event of any unscheduled elections?
- Is there any possibility that the building may be demolished as part of a new development?

Accessibility:

- Is the building accessible to all those entitled to attend the polling place?

- 3.2 Wirral has 103 polling places of which 41 are schools. Of those 41 schools, 28 utilise an In-Service Training (INSET) day for the poll. The use of an INSET day is agreed well in advance with Head teachers. The remaining 13 schools can stay open to pupils.
- 3.3 The Returning Officer has a statutory right to use, free of charge, schools maintained or assisted by the Council as well as those schools that receive grants made out of moneys provided by Parliament. The decision to close a school, due to use of the school or part thereof as a polling place, falls on the headteacher and this will usually depend upon whether arrangements can be made for voting to take place separately from the rest of the school premises. Where possible, the Returning Officer and the school will make such arrangements for the school to remain open, however, pupil safety must always be considered as paramount and if the school decides to close on the day of the poll and it is not reasonably practicable to arrange an alternative day to try and make up the lost education, the school will be treated as if it had met the requisite 190 days for the purposes of the school year regulations.
- 3.4 Clear guidance is provided to schools on this matter so there should be no misunderstanding about the legal position and the need for schools to co-operate in making rooms available as a polling place. Any reluctance to use schools as polling places despite the statutory position would lead to an increase in the use of private buildings or mobile units even where the most reasonable facilities could be provided within a school which would then incur additional costs.
- 3.5 Ideally, there would be the choice of a range of fully accessible buildings, conveniently located for electors in the area. In practice, however, the choice of polling place will often be very limited, and a school deemed the only suitable venue that complies with the Returning Officer's obligations.
- 3.6 The Government's; guidance is set out in the document "The Government's approach to elections and referendums during COVID-19: additional information for electoral administrators, candidates, campaigners and voters". This states as follows

"Use of schools as elections venues

The Government is working with partners to help to ensure that any disruption to children's education is kept to an absolute minimum whilst allowing Returning Officers to run polls effectively. Given the importance of avoiding any further disruption to education, schools should not be used where alternative venues are available. The use of schools is particularly discouraged where it would result in closure, and the Government has asked that Returning Officers work together with Head Teachers to explore all possibilities that would allow the school to remain open, such as by using only part of the premises, and taking adequate COVID-secure and safeguarding measures to allow pupils to remain on-site.

The Government is providing support to Returning Officers to explore the use of other community or commercial facilities, and to minimise disruption to schools where they are the only available option.

The Government appreciates however that in some cases the use of schools as polling stations is unavoidable.”

- 3.7 At the request of the Returning Officer a full review has been undertaken to see if there are any opportunities to reduce the number of schools used as polling stations. The Returning Officer has undertaken this review by initially contacting all the schools, that currently utilise an INSET day, to ascertain if there were any suitable venues within the vicinity of the schools. Relevant Ward Councillors have been consulted and offered suggestions for venues. Ward maps and google maps have been used to plan visits to polling districts to assess the suitability of venues. 26 potential alternative buildings have been identified. There were no suitable alternative buildings identified in 5 of the polling districts.
- 3.8 Further visits have been made to polling districts by election officers to investigate if any other buildings, such as parish centres, public houses, or commercial halls could be identified. Site visits have been conducted at the 26 alternative venues. Of the 26 visits it was determined that 7 venues could be suitable alternatives. The other 19 venues were either unsuitable as polling places, outside of the specific polling district / ward, the owners did not want to be used as a polling place or were the subject of objections by Ward Councillors.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The annual budget set for Elections is £341,400 (2021/2022).
- 4.2 Polling stations costs in 2021 were £27,000. The cost of polling stations increased from £21,000 to £27,000 in May 2021 due to changing 8 venues: 6 schools and 2 council venues (no longer in use) to private venues. Although an element of the increase can be attributed to Covid costs this must remain as a consideration for future elections. Covid cleaning may continue to form part of the hire charge. The hire cost for a school is between £0- £100. The hire charge for a private venue can be anywhere between £200- £1000.
- 4.3 If all proposals are implemented the anticipated additional cost will be an additional £3299.08, taking the cost of polling stations up to £30,299.08. Savings will have to

be made from other elements of the election budget. No external grants or Covid grants are expected from Central government for 2022 elections.

- 4.4 See appendix 2 for costs of additional hire charges. Appendix 2 is exempt information under Schedule 12A of the Local Government Act 1972.

5.0 LEGAL IMPLICATIONS

- 5.1 In accordance with the Representation of the People Act 1983 Wirral Borough is divided into Polling Districts and it has designated Polling Places for each Polling District. The term 'Polling District' refers to the area created by the division of a constituency, ward, or division into smaller parts, within which a polling place can be determined which is convenient to electors. The term 'Polling Place' refers to the building or area in which polling stations will be selected by the Returning Officer. The term 'Polling Station' refers to the room or building where the poll takes place for each election
- 5.2 In relation to using schools as polling places, the rules that govern the conduct of elections (Representation of the People Act 1983, Chapter 2, Schedule 1, Part III, paragraph 22) give the Returning Officer a statutory right to use, free of charge, schools maintained or assisted by a Council as well as those schools that receive grants made out of moneys provided by Parliament. This includes academies and free schools. Currently, forty-five of the one hundred and three designated polling places are schools. Therefore, schools must comply with any request for use of a school or part thereof for the purpose of a polling station.
- 5.3 Planned elections do not have an impact on the 190 statutory days of education (189 days for –2022) as the 28 schools that do not open to pupils set a planned INSET day. Education (School Day and School Year) (England) Regulations 1999.
- 5.4 In the exception of an unexpected school closure due to unscheduled elections, a school can mitigate by a move to online virtual learning where an INSET day has not been planned.
- 5.5 Polling stations must be accessible to all. The Returning Officer has a duty, under Section 20 (4) of the Equality Act 2010 to make adjustments where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage. Under Section 29 (1) of the Equality Act 2010 -The provision of a service to the public or a section of the public (for payment or not) must not discriminate against a person requiring the service by not providing the person with the service.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no direct resource implications arising from this report.

7.0 RELEVANT RISKS

- 7.1 If a certain school or room is deemed to be the most suitable venue by the Returning Officer, then the school cannot refuse to allow it to be used. The benefit to the Returning Officer of designating a school (or part therefor) as a polling station ensures that the venue can be used, free of charge, for scheduled and unscheduled elections. All schools have appropriate disabled access. Schools can allocate an INSET day if they choose to close on polling day. Unscheduled elections, for schools that close, may cause disruption to staff, parents, and pupils.
- 7.2 There are several risks associated with moving from schools to private venues. Private venues have no legal responsibility for allowing electoral services to require the use of the venue for scheduled or unscheduled elections. Private venues can refuse the use of the room without explanation. Any access requirements that electoral services identify must be paid for by the Council. Buildings can be sold, renovated, or demolished without any prior notice being given to electoral services. The general upkeep and suitability of the building is only checked once a year by the elections team. Private venues dictate the hire charge and can increase the charge as they see fit.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Schools are not used as polling stations in the Hoylake & Meols, Liscard, or Moreton West & Saughall Massie wards. The ward Councillors representing these wards have not been consulted on the proposals within this report.
- 8.2 All ward councillors for the remaining 19 wards have been consulted by email and asked for comments, their comments are summarised within this report along with an officer response.
- 8.3 The Director, and the Assistant Director of Education have been consulted. They fully support the recommendations of this report.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has an ongoing responsibility under the Equality Act 2010 and the Public Sector Equality Duty (S149) to take equality implications into consideration in policy decision, implementation, and day to day activities. The impact on those with protected characteristics under the Act were taken into consideration during this exercise when assessing the overall suitability of a venue. Any changes to venues and or arrangements will be assessed with equality impacts in mind and other voting practices such as proxy and postal voting remains in place for those who wish to use it.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are no significant environmental or climate implications arising from this report.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 The use of privately owned venues benefits local businesses financially, but it also promotes and enhances the social network in the local area. Furthermore, it redirects wealth back into the local community.

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APPENDICES

Appendix 1 – Summary findings doc

Appendix 2 – Cost implications (contains exempt financial information) Schedule 12A Local Government Act 1972- Access to Information: Exempt information

BACKGROUND PAPERS

Representation of the People Act 1983

Equality Act 2010

The Local Elections (Principal Areas) (England and Wales) Rules 2006.

Education Act 1996

Polling Place visit reports

The Government's approach to elections and referendums during COVID-19: additional information for electoral administrators, candidates, campaigners and voters".

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Health and Safety and General Purposes Committee	23 January 2019
Licensing Health and Safety and General Purposes Committee	20 November 2019

Appendix 1 – Summary Findings

Proposed Polling Stations to be moved from schools				
Ward	Polling District	School	Alternative Venue	Recommendation
Bidston & St James	AB	Bidston Village C of E Primary School Ballantyne Drive, Bidston, Wirral, CH43 7XG	St. Oswald Parish Church	<p>Suitable alternative venue. All ward Councillors support.</p> <p>Recommend St Oswald's as most suitable venue for polling district AB.</p>
Bromborough	HB	Church Drive Primary School, Church Drive, Port Sunlight, CH62 5EF	Hulme Hall	<p>Suitable alternative venue. One ward Councillor supports.</p> <p>No comments received from other ward Councillors.</p> <p>Recommend Hulme Hall as polling place for HB.</p>
Clatterbridge	KC	Brookhurst Primary School Brookhurst Road, Clatterbridge , Wirral, CH63 0EH	Chapel of Saint Peters Brookhurst Close.	<p>Suitable alternative venue. Two ward Councillor's support.</p> <p>Recommend Chapel of Saint Peter as polling place for KC.</p>
Greasby	PD	Irby Primary School, Coombe Road, Irby, CH61 4UR	St Chads Church Hall	<p>Suitable alternative venue. All ward Councillors support.</p> <p>Recommend St Chad's as polling place for PD.</p>

Seacombe	SA	Riverside Primary School Brighton Street, Seacombe, Wirral, CH44 6QW	Royal Naval Association (RNA)	<p>Suitable alternative.</p> <p>One ward Councillor supports the recommendation. No comments received from other ward Councillors.</p> <p>Recommend RNA as polling place for SA.</p>
Seacombe	SC	St Joseph's Catholic Primary School Wheatland Lane, Seacombe, Wirral, CH44 7ED	St Joseph's Parish Centre. Wheatland Lane.	<p>Suitable alternative.</p> <p>One ward Councillor supports the recommendation. No comments received from other ward Councillors.</p> <p>Recommend St Joseph's parish centre as polling place for SC</p>
Wallasey	VE	Greenleas Primary School Green Lane, Wallasey, Wirral, CH45 8LZ	St Nicholas Church Harrison Hall	<p>The school is a superior venue to the church however, the church is suitable as a polling place. Ward Councillors support.</p> <p>Suitable alternative but it is in polling district VC. Ward Councillor comments: Access, by car, to Harrison Hall for residents in polling district VE, is complicated by the one way</p>

				<p>system in the vicinity of Harrison Hall (Groveland Road), which would require residents to take alternative, longer trips. St Nicholas Church is an easier location to reach</p> <p>Recommend St Nicholas Church as polling place for VE. Ward Councillors support.</p>
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Polling Stations to remain in schools

Ward	Polling District	School	Alternative Venue	Recommendation
Birkenhead & Tranmere	BF	Mersey Park Primary School Elm Road, Tranmere, Wirral, CH42 0PH	Beehive Public House	<p>No separate entrance/exit to pub. Pub would remain open during poll so unsuitable as a venue.</p> <p>Recommend that the school remains as the most suitable polling place. Ward Councillors emailed 15.12.2021. I have not received any comments from ward councillors.</p>
Claughton	CA	St Peter's Catholic Primary School St Peters Way, Claughton,	Church Hall, St Peters Way	Very small car park that is shared with the school. No elector or disabled parking if school remains open

		Wirral, CH43 9QR		<p>to pupils. No on-site toilet facilities for staff.</p> <p>Recommend that the school remains as the most suitable polling place. Ward Councillors support my recommendation.</p>
Claughton	CC	Bidston Avenue Primary School, Bidston Avenue, Claughton, CH41 0DQ	St Beads, Claughton Village	<p>The church is situated on a busy main road. There is very limited timed street parking, and no venue carpark. There is no dropped kerb to the venue, and no disabled parking. Poor disabled access.</p> <p>Recommend that the school remains as most suitable polling place. Ward Councillors support my recommendation.</p>
Oxton	DB	Oxton St Saviours C of E Primary School Holm Lane, Oxton, Wirral, CH43 2HT	Old Parkonians Rugby Club	<p>Pedestrian access is poor. Venue has a very long uneven and steep path. There is no handrail along the path, and no external lighting. Works are being carried out February 2022.</p> <p>Recommend that the school remains as the most suitable polling place. Ward Councillors have been consulted by email on</p>

				17.12.2021. I have not received any comments from ward councillors
Oxton	DC	<p>St Joseph's Catholic Primary School Fairview Road, Oxton, Wirral, CH43 5UT</p> <p>Tixall Bowling Club</p>	<p>St Joseph's Parish Centre, Greenbank Road.</p>	<p>The venue is outside of polling district (LD) and in the Prenton ward.</p> <p>This venue has a very steep pedestrian access, and the area is poorly lit at night.</p> <p>Recommend that the school remains as the most suitable polling place.</p> <p>Ward Councillors have been consulted by email on 17.12.2021. I have not received any comments from ward councillors.</p>
Rock Ferry	EA	<p>Bedford Drive Primary School Bedford Drive, Rock Ferry, Wirral, CH42 6RT</p>	<p>HealthWorks Occupational Health Building</p>	<p>The car park is quite far from the venue and the road outside is very busy. Internally all available rooms are too small and there is no separate access for electors and patients.</p> <p>Recommend that the school remains as the most suitable polling place. Two ward</p>

				Councillors support my recommendation.
Pensby & Thingwall	FA	Thingwall Primary School Pensby Road, Thingwall, Wirral, CH61 7UG	Warren Medical Centre	<p>The car park is extremely busy. Parking for electors and polling staff could not be guaranteed. The venue would remain open to patients attending medical centre. Internally, the rooms are not big enough to accommodate a polling station. It would not be possible to display election notices clearly.</p> <p>Recommend that the school remains as the most suitable polling place.</p> <p>Ward Councillors have been consulted by email on 17.12.2021.</p> <p>I have not received any comments from ward councillors.</p>
Bebington	GC	St Andrews C of E Primary School Townfield Lane, Bebington, Wirral, CH63 7NL	No potential alternatives identified within polling district	<p>Recommend that the school remains as the most suitable polling place.</p> <p>One ward supports the recommendation . I have not received any comments from two ward Councillors</p>

	GD	Brackenwood Junior School Norbury Avenue, Bebington, Wirral, CH63 2HH	United Reform Church Higher Bebbington Road	<p>The church did not wish to hire the venue as a polling station.</p> <p>Recommend that the school remains as the most suitable polling place.</p> <p>Ward Councillors have been consulted by email on 17.12.2021. One ward Councillor supports the recommendation. I have not received any comments from two ward Councillors.</p>
Eastham	JC	Heygarth Primary School Heygarth Road, Eastham, Wirral, CH62 8AG	Argyle Public House, Plymyard Avenue CH62 8EH	<p>Unsuitable alternative. There is no separate entrance for the function room. The pub would remain open during 11am – 10pm. The disabled access is poor.</p> <p>Recommend that the school remains as the most suitable polling place.</p> <p>One ward Councillor has expressed disappointment that no suitable alternative could be identified.</p>

				Two ward Councillors have not commented.
Prenton	LB	Prenton Primary School Bramwell Avenue, Prenton, Wirral, CH43 0RQ	Saddle Club - Roman Road	<p>Internally the venue floor is uneven. Parking space is limited. The venue is located on a busy dangerous road on a bend. The owner was unable to guarantee availability for scheduled or unscheduled elections.</p> <p>Recommend that the school remains as the most suitable polling place. Ward Councillors have been consulted by email on 17.12.2021. Ward Councillors have not submitted any comments.</p>
	LD	Devonshire Park Primary School Temple Road, Prenton, Wirral, CH42 9JX	No suitable alternatives within the polling district.	<p>Recommend that the school remains as the most suitable polling place. Ward Councillors have been consulted by email on 17.12.2021. Ward Councillors have not submitted any comments.</p>
Upton	MC	Gilbrook School Off Glebe Hey Road, Woodchurch, Wirral, CH49 8HE	No suitable alternatives within the polling district.	<p>Recommend that the school remains as the most suitable polling place. Ward Councillors have been consulted by email on 13.12.2021. Ward Councillors have not submitted any comments.</p>

	MD	Fender Primary School New Hey Road, Woodchurch, Wirral, CH49 8HB	Woodchurch public house. Hoole Road Hub Ganney Meadow Nursery	Woodchurch PH was considered as suitable by electoral services, and all ward councillors opposed the move. Hoole Road Hub inspected. It is unsuitable as a polling station due to the lack of parking outside of the venue, and only limited parking available at opposite side of the road. It is located on a busy cut through route. The space available within the venue would not be adequate to accommodate a polling station set up. This is a private nursery provider. It is situated in the building attached to Fender Primary School. The nursery is not interested in hiring the venue to elections. Recommend that the school remains as the most suitable polling place. Ward
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				Councillors support the recommendation
Greasby	PA	Greasby Infant School Hall Drive, Greasby, Wirral, CH49 3NX	No suitable alternatives within polling district.	Recommend that the school remains as the most suitable polling place. Ward Councillors support the recommendation
West Kirby & Thurstanston	QD	Dawpool C of E Primary School, School Lane, Thurstaston, Wirral, CH61 0HH	No suitable alternatives within polling district.	Recommend that the school remains as the most suitable polling place. One ward Councillor supports the recommendation. No comments received two ward Councillors
Heswall	RA	Barnston Primary School Sandham Grove, Heswall, Wirral, CH60 1XW	Heswall Spaces	Unable to make contact to confirm appointment for site visit. Emailed and called several times. Recommend that the school remains as the most suitable polling place. Ward Councillors emailed 21.12.2021. Ward Councillors have

				not submitted any comments.
	RB	Gayton Primary School Gayton Road, Heswall, Wirral, CH60 8PZ	Heswall Golf Club -	<p>Unable to make contact to confirm appointment for site visit. Emailed and called several times.</p> <p>Recommend that the school remains as the most suitable polling place.</p> <p>Ward Councillors emailed 21.12.2021. Ward Councillors have not submitted any comments.</p>
	SB	Somerville Primary School Northbrook Road, Seacombe, Wirral, CH44 9AR	Young Peoples Home Poulton Road.	<p>Unable to make contact to conduct site visit.</p> <p>Recommend that the school remains as the most suitable polling place.</p> <p>One ward Councillor supports the recommendation. No comments received from two ward Councillors</p>
Leasowe & Moreton East	TC	Eastway Family Centre (within Eastway Primary) Eastway,	No suitable alternatives within polling district.	<p>Recommend that the school remains as the most suitable polling place.</p> <p>Ward Councillors</p>

		Moreton, Wirral CH46		informed by email 21.12.2021. Ward Councillors have not submitted any comments.
New Brighton	UA	SS Peter & Paul Catholic Primary School Atherton Street, New Brighton, Wirral, CH45 9JD	St Peter & Pauls Church.	<p>St Peter & Pauls Church will not act as a polling place as they have daily worship. There are no other suitable venues in polling district.</p> <p>Recommend that the school remains as most suitable polling place. One ward Councillor supports recommendation . No comments received from two ward Councillors</p>
	UD	Liscard Primary School Withens Lane, Wallasey, Wirral, CH45 7NQ	Saddle Inn Withens Lane	<p>Unsuitable venue. The function room has a separate entrance from car park but also has a door to / from the main pub which would stay open during the poll.</p> <p>Recommend that the school remains as the most suitable polling place.</p> <p>One ward Councillor</p>

				supports recommendation . No comments received from two ward Councillors
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REGULATORY AND GENERAL PURPOSES COMMITTEE

Thursday, 20 January 2022

REPORT TITLE:	CONFERMENT OF THE TITLE OF HONORARY ALDERWOMAN
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE (MONITORING OFFICER)

REPORT SUMMARY

This report requests that Committee gives consideration to whether to recommend to Council that the title of Honorary Alderwoman be conferred on former Councillor Jean Stapleton.

The Wirral Plan 2021 - 2026 sets out the Council's vision to secure the best possible future for the Council's residents and covers the following five themes:

- A thriving and inclusive economy, creating jobs and opportunities for all;
- A clean-energy, sustainable borough, leading the way in tackling the environment crisis;
- Brighter futures for all regardless of their background;
- Safe and pleasant communities that our residents are proud of; and
- Healthy and active lives for all, with the right care, at the right time.

By recommending the recognition of eminent service to the community, the proposals within this report align with the theme of safe and pleasant communities that our residents are proud of.

This matter affects all Wards within the Borough.

RECOMMENDATION/S

The Regulatory and General Purposes Committee is requested to recommend to Council the conferment of the title of Honorary Alderwoman on former Councillor Jean Stapleton in accordance with Section 249(1) of the Local Government Act 1972.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 Former Councillor Jean Stapleton was a Member of the Council from 4 May 2000, representing Birkenhead and Tranmere Ward as Labour Party Member until 6 May 2021.
- 1.2 The Council has previously determined that former Members who have served twenty years on the Council or a predecessor Council are eligible for nomination to this award.
- 1.3 Former Councillor Jean Stapleton is therefore eligible to have the title of Honorary Alderwoman conferred upon her. The recommendation provides the committee with the opportunity to give consideration to this and put forward a subsequent proposal to the Council.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The alternative option is not to recommend Jean Stapleton for the position of Honorary Alderwoman.

3.0 BACKGROUND INFORMATION

- 3.1 Section 249 of the Local Government Act 1972 (as amended) provides that the title of Honorary Alderman or Honorary Alderwoman may be conferred by the Council on persons who are:
 - (a) persons of distinction; and/or
 - (b) who have, in its opinion, rendered eminent service to the place or area.

A full Council resolution to this effect must be passed by not less than two-thirds of the Members voting thereon at a specially convened meeting.

- 3.2 Honorary Aldermen and Alderwoman are invited to attend Council Meetings in a non-participating capacity. They do not receive any allowances or payments under section 173 – 176 of the Local Government Act 1972. Honorary Aldermen and Alderwomen are also invited to attend and take part in civic ceremonies such as Civic Sundays and Remembrance Sundays and other appropriate Civic events. The names of Honorary Alderman and Alderwoman are inscribed on a Roll of Honour Board on the first-floor landing of Wallasey Town Hall.
- 3.3 Successful nominees for the office of Honorary Aldermen and Alderwoman of this Council have previously been awarded a suitable badge at a special ceremony. Currently, former Councillor Jean Stapleton is the only former Councillor eligible to be appointed as an Honorary Alderwoman, based on the Council's criteria.

4.0 FINANCIAL IMPLICATIONS

- 4.1 It would be the intention to present Jean Stapleton with a badge of office, the total cost of which is approximately £682.75. There will also be the small cost of inscribing her name on the Roll of Honour board which can be met from existing budgets.

5.0 LEGAL IMPLICATIONS

- 5.1 The formal decision to confer the status of Honorary Alderman/Alderwoman must be ratified by an Extraordinary Meeting of the Council. It is proposed that the Extraordinary Meeting will be scheduled at an appropriate date in the future. A full Council resolution to this effect must be passed by not less than two-thirds of the Members voting thereon at a specially convened meeting.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 It is also customary for the Council to cover the cost of hospitality provided for the newly appointed Honorary Aldermen and Alderwomen and a select number of guests. Arrangements for such an event, that could be held on the rise of an Extraordinary Council meeting. (convened to confer the status of Honorary Alderwoman), would be made in consultation with the mayor. There is no specific budget head for this but the funding required can be allocated from the Civic Services catering budget. Consideration will be given to the current Covid-19 pandemic.

7.0 RELEVANT RISKS

- 7.1 There are no risks associated with this report, other than referred to in paragraph 6.1 above, namely those directly arising from any hospitality arrangements that may be considered during the current Covid-19 pandemic

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Political Group Leaders be consulted on these proposals and an update will be provided at the January meeting of Regulatory and General Purposes Committee.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity. Measuring the impact of equality implications and mitigating any negative impact where possible is embedded into the core principles of good governance. There are no equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 This report is for information purposes and as such, there are no direct Environment and Climate Implications

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 This report is for information purposes and as such, there are no direct Community Wealth Implications

REPORT AUTHOR: **Anna Perret**
Senior Democratic Services Officer
email: annaperret@wirral.gov.uk

APPENDICES

None

BACKGROUND PAPERS

Section 249 Local Government Act 1972

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Not applicable	



REGULATORY AND GENERAL PURPOSES COMMITTEE

20 JANUARY 2022

REPORT TITLE:	WIRRAL AWARD 2021
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to request agreement from the Committee that the Wirral Award be conferred on the nominees as recommended by the Wirral Award Working Party.

The Wirral Award is intended to confer civic recognition upon individuals or organisations resident or located in Wirral, for an outstanding achievement (within the previous 12 months) or distinguished service to the Borough (over a period of 20 years or more, unless there are exceptional circumstances).

As a general rule the Council would prefer to consider individuals rather than organisations unless the circumstances are exceptional.

All nominations are considered annually by a working party of senior Councillors, and the Working Party's recommendations with regard to possible recipients of the Wirral Award are submitted to the Regulatory and General Purposes Committee for approval.

A formal Award certificate will then be awarded to the successful nominees at a special ceremony to be held at a suitable venue or if this is not possible due to the current pandemic certificates and a gift will be distributed to the successful nominees.

This matter affects all Wards within the Borough.

This is not a key decision.

The appendix attached to the report is exempt under Section 100 (A)(4) of the Local Government Act 1972, Paragraph 1 of Part 1 of Schedule 12A (as amended) to that Act on the grounds that it involves the likely disclosure of exempt information. Consideration has been given to the Public Interest Test.

RECOMMENDATIONS

That the Regulatory and General Purposes Committee be recommended to:

- (1) agree to confer the Wirral Award upon the four nominees recommended by the Wirral Award Working Party; and

(2) make appropriate arrangements for the recipients of the Award to be invited to a special ceremony or should this not be possible due to the pandemic, that they be presented with a certificate and gift as set out in paragraph 3.0 of this report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Wirral Award is intended to confer civic recognition upon individuals or organisations resident or located in Wirral for an outstanding achievement within the previous twelve months, or for distinguished service to the Borough over a period of twenty years or more.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Another option would be not to confer the Wirral Award upon the nominations received.

3.0 BACKGROUND INFORMATION

3.1 Nominations sought

Four nominations were received and considered by the Wirral Award Working Party.

3.2 Wirral Award Working Party

The Wirral Award Working Party, comprising the representatives of the political groups by way of the Chair and spokespersons of the Regulatory and General Purposes Committee, met on 15 December 2021 to consider the nominations submitted. Their recommendations are attached as an exempt appendix to this report for consideration.

3.3 Presentation Ceremony

Once nominations are agreed, a presentation ceremony will usually be arranged to be attended by:

- (i) The Mayor of Wirral
- (ii) Leader of the Council
- (iii) Group Leaders
- (iv) Chair of the Licensing, Health and Safety and General Purposes Committee
- (v) Chief Executive
- (vi) Nominees and one guest each

Should this not be possible due to the current pandemic, certificates and a gift will be distributed to the successful nominees.

4.0 FINANCIAL IMPLICATIONS

- 4.1 As in previous years, the costs associated with the Wirral Award would be accommodated within the existing approved Mayoral budget.

5.0 LEGAL IMPLICATIONS

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

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 It is customary for the Council to cover the cost of any hospitality that may be provided for the Wirral Award. There is no specific budget head for this but the funding required can be allocated from the Civic Services catering budget. Consideration will be given to the current Covid-19 pandemic.

7.0 RELEVANT RISKS

- 7.1 There are none arising directly from this report, other than those referred to in paragraph 6.1 above, namely those directly arising from any hospitality arrangements that may be considered during the current Covid-19 pandemic.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Nominations are sought and accepted from all areas of the local community.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

There are no equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The recommendations contained within this report are expected to have no impact on emissions of Greenhouse Gases.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 There are none arising directly from the content of this report.

REPORT AUTHOR: Anne Beauchamp

Anne Beauchamp Democratic Services Officer

Democratic Services Office

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APPENDICES

Appendix 1 – Nomination forms for consideration (Exempt)

BACKGROUND PAPERS

Wirral Award application form.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing, Health and Safety and General Purposes Committee – Wirral Award 2018	23 January 2019
Licensing, Health and Safety and General Purposes Committee – Wirral Award 2019	22 January 2020
Regulatory and General Purposes Committee – Wirral Award 2020	19 January 2021

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Agenda Item 10

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 11

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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