



Regulatory and General Purposes Committee

Date:	Wednesday, 23 March 2022
Time:	6.00 p.m.
Venue:	Floral Pavilion, Marine Promenade, New Brighton

Members of the public are encouraged to view the meeting via the webcast (see below), but for anyone who would like to attend in person, seating is limited therefore please contact us in advance of the meeting if you would like to reserve a seat. All those attending will be asked to wear a face covering (unless exempt) and are encouraged to take a Lateral Flow Test before attending. You should not attend if you have tested positive for Coronavirus or if you have any symptoms of Coronavirus.

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This meeting will be webcast at
<https://wirral.public-i.tv/core/portal/home>

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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 - 6)

To approve the accuracy of the minutes of the meeting held on 20 January 2022.

5. MINUTES OF THE REGULATORY PANEL (Pages 7 - 36)

To approve the accuracy of the minutes of the meetings of the Regulatory Panel held on 15 December 2021, 22 December 2021, 14 January 2022, 21 January 2022, 9 February 2022, 11 February 2022, 23 February 2022 and 4 March 2022.

6. CONFERMENT OF THE TITLE OF HONORARY ALDERMAN (Pages 37 - 40)

7. BOROUGH ELECTION FEES AND CHARGES (Pages 41 - 48)

REGULATORY AND GENERAL PURPOSES COMMITTEE

Thursday, 20 January 2022

<u>Present:</u>	Councillor	A Hodson (Chair)	
	Councillors	C Jones D Mitchell D Burgess-Joyce M Collins	Kenny KJ Williams A Wright M Booth
<u>Deputies:</u>	Councillors	A Jones (for Cllr I Williams) K Greaney (for Cllr C O'Hagan) J Walsh (for Cllr E Gleaves)	
<u>Apologies:</u>	Councillors	S Williams J Bird	

9 WELCOME AND INTRODUCTION

The Chair welcomed everyone to the meeting and those watching the webcast.

10 APOLOGIES

The Chair confirmed the apologies of Councillors Jo Bird and Steve Williams, also Councillor Clare O'Hagan, with Councillor Karl Greaney deputising for her, Councillor Emily Gleaves, with Jason Walsh deputising for her and Councillor Irene Williams, with Adrian Jones deputising for her.

11 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.

12 MINUTES

Resolved – That the accuracy of the minutes of the meeting held on 15 September 2021 be approved.

13 MINUTES OF THE REGULATORY PANEL

Resolved – That 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 be approved.

14 **POLLING PLACE REVIEW: SCHOOLS**

The Director of Law and Governance submitted a report which set out the findings following a review undertaken in respect of the use of schools which were currently used as polling places within Wirral for the purposes of Local Authority, Parliamentary and other elections.

The Head of Democratic and Member Services informed Members that the report provided guidance on selecting polling places, the number of schools currently used in the Borough as well as outlining alternative polling places which had been identified by the Returning Officer. He reported that local Ward Members had been consulted in respect of options and costs associated with the hire of alternative venues which were detailed within the exempt Appendix 2 to the report. Members were directed to paragraph 5.2 of the report in which it stated that currently 45 of the designated polling places are schools. However, this number was corrected as it should have stated 41 schools (as confirmed within paragraph 3.2 of the report).

Members of the Committee were asked 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.

It was reported that Wirral has 103 polling places of which 41 are schools and that 28 utilise an In-Service Training (INSET) day for the allocated election day. The use of an INSET day is agreed well in advance with headteachers. The remaining 13 schools can stay open to pupils.

The Head of Democratic Services referred to the objective criteria that are used when considering the overall suitability of a polling place or polling station and advised Members of the Committee that if all the proposals outlined within the report were implemented, the anticipated additional cost would be £3,299.08 which would result in the overall cost of polling stations being £30,299.08 which could be met within the existing budget. He further reported that the views of Ward Councillors had been sought on the proposals and from the responses received all supported those proposals outlined within the report. The Director for Children and Young People and the Assistant Director for Education had also been consulted.

Councillor Mitchell queried the need for Heygarth Primary School to be used as a polling place as parents had raised concerns in respect of this when the

other schools in this Ward remained open as they were not used as polling stations.

In response, the Head of Democratic Services advised that the overarching ambition was for the polling place to be located within the polling district which imposed some restrictions, however, he advised he would undertake to ensure that all options had been explored.

James, Backhouse, Assistant Director for Education addressed Members of the Committee and reported that all schools have 190 school days with 5 INSET days also allocated within the academic year. Therefore, if the INSET day is not on the election day it would be arranged for another day. As such the education for all schools remained the same, however this year would be slightly different as there will be 189 school days due to the Queen's Jubilee.

Resolved –

- (1) That the report be noted.**
- (2) That the recommendations outlining the proposed polling stations to be moved from schools outlined within Appendix 1 of the report be implemented.**

15 **CONFIRMATION OF THE TITLE OF HONORARY ALDERMAN**

The Director of Law and Governance submitted a report requesting that Members of the Committee give consideration as to whether to recommend to Council that the title of Honorary Alderwoman be conferred on former Councillor Jean Stapleton.

The Head of Democratic Services reported that former Councillor Jean Stapleton had been a Member of the Council from 4 May 2000 and had represented Birkenhead and Tranmere Ward as a Labour Party Member until 6 May 2021. The Council had previously determined that former Members who had served twenty years on the Council or a predecessor Council were eligible for nomination to this award and therefore former Councillor Jean Stapleton is eligible to have the title of Honorary Alderwoman conferred upon her.

Members were informed that Section 249 of the Local Government Act 1972 provides that the title of Honorary Alderman or Honorary Alderwoman may be conferred by the Council on persons who are persons of distinction and/or who have, in its opinion, rendered eminent service to the place or area. The title is to be conferred by a resolution passed by not less than two thirds of the Members voting on it at a meeting of the Council specially convened for the purpose.

It was reported that successful nominees for the office of Honorary Aldermen and Alderwoman of this Council had previously been awarded a suitable badge at a special ceremony. Currently, former Councillor Jean Stapleton was the only former Councillor eligible to be appointed as an Honorary Alderwoman based on the Council's criteria.

Members were further informed that the intention would be to present former Councillor Jean Stapleton with a badge of office, the total cost of which would be approximately £682.75 and there would also be the small cost of inscribing her name on the Roll of Honour board which could be met from existing budgets.

Resolved – That the conferment of the title of Honorary Alderwoman on former Councillor Jean Stapleton be recommended to Council in accordance with Section 249(1) of the Local Government Act 1972.

16 **WIRRAL AWARD 2021**

The Director of Law and Governance submitted a report requesting agreement from the Committee that the Wirral Award be conferred on the nominees as recommended by the Wirral Award Working Party held on 15 December 2021. 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.

It was reported that once nominations were agreed, certificates would be awarded to the successful nominees at a special ceremony to be held at a suitable venue or if this was not possible due to the current pandemic, certificates and a gift would be distributed to the successful nominees.

Members considered the recommendations of the Wirral Award Working Party and the nominations which were attached to the report as an exempt appendix.

Resolved –

- (1) That the Wirral Award 2021 be conferred upon those recipients recommended by the Wirral Award Working Party.**
- (2) That appropriate arrangements be made 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.**

17 **EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE 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.

18 **WIRRAL AWARD 2021 - EXEMPT APPENDIX - RECOMMENDATIONS OF THE WIRRAL AWARD WORKING PARTY**

Resolved – That the appendix attached to the report containing the nomination forms for the Wirral Award 2021 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 had been given to the Public Interest Test.

19 **POLLING PLACES REVIEW: SCHOOLS - EXEMPT APPENDIX 2**

Resolved – That Appendix 2 attached to the report which contained cost implications is exempt under Section 100 (A)(4) of the Local Government Act 1972, Paragraph 3 of Part 1 of Schedule 12A (as amended) to that Act on the grounds that it involves the likely disclosure of exempt information. Consideration had been given to the Public Interest Test.

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REGULATORY PANEL

Wednesday, 15 December 2021

Present: Councillor A Hodson (Chair)
Councillors M Booth D Mitchell
C Jones C O'Hagan

89 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.

90 PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES C220, REGISTRATION NUMBER DA10 PDV

The Director of Law and Governance reported upon an application received to re-license a Mercedes C220, registration number DA10 PDV, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle from 10 April 2019 and the current licence was due to expire on 15 December 2021. The date of first registration of the vehicle was 8 July 2010. On expiry of a previous licence on 28 August 2020 a six month licence was granted under delegated authority and on expiry of that licence on 11 June 2021 a further six month licence was granted by the Regulatory Panel. 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 C220, registration number DA10 PDV, as a Private Hire Vehicle be granted for six months.

91 APPLICATION TO LICENSE A MERCEDES T1 EUROCAR AS A HACKNEY CARRIAGE VEHICLE

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.

The Licensing Manager advised that this application had been withdrawn.

Resolved – That the application to licence the Mercedes T1 Eurocab, registration number BN07 UBO be withdrawn.

92 **PRIVATE HIRE VEHICLE LICENCE - MERCEDES E220, REGISTRATION NUMBER KN18 GVJ**

The Director of Law and Governance reported upon an application received to exempt a Mercedes E220, registration number KN18 GVJ, from displaying Private Hire Vehicle Licence plates and doorsigns.

The vehicle was currently licensed as a Private Hire Vehicle and was therefore subject to the conditions attached to that licence. The proprietor of the vehicle attended the meeting and outlined his business model to Members of the Panel. He advised that a large proportion of his clients wanted discretion when travelling and considered that potential customers would be

discouraged from using his service due to the display of doorsigns and licence plates on his vehicle.

Resolved – That the proprietor of the vehicle registration number KN18 GVJ be provided with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates and doorsigns on the vehicle 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, the above conditions also apply in respect of drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

93 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO FORD DAILY, REGISTRATION NUMBER GN09 MUP**

The Director of Law and Governance reported upon an application received to re-license a Iveco Ford Daily, registration number GN09 MUP, 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 24 January 2019 and the current licence was due to expire on 5 January 2022. The date of first registration of the vehicle was 29 July 2009. On expiry of a previous licence on 11 June 2021 a six month licence was granted by the Regulatory Panel. 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 Iveco Ford Daily, registration number GN09 MUP, as a Private Hire Vehicle be granted for six months.

94 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER GY61 VLL**

The Director of Law and Governance reported upon an application received to re-license a Ford Transit, registration number GY61 VLL, 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 3 September 2020 and the current licence was due to expire on 30 December 2021. The date of first registration of the vehicle was 30 December 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 Transit, registration number GY61 VLL, as a Private Hire Vehicle be granted for six months.

95 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO FORD DAILY, REGISTRATION NUMBER WA60 EWB**

The Director of Law and Governance reported upon an application received to re-license a Iveco Ford Daily, registration number WA60 EWB, 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 31 October 2018 and the current licence was due to expire on 22 December 2021. The date of first registration of the vehicle was 15 December 2010. On expiry of a previous licence on 11 June 2021 a six month licence was granted by the Regulatory Panel. 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 Iveco Ford Daily, registration number WA60 EWB, as a Private Hire Vehicle be granted for six months.

96 **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.

97 **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES (SPA)**

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

SPA attended the meeting and made representations in respect of the application.

Members of the Panel and the legal advisor to the Panel questioned SPA.

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 SPA’s application for a Private Hire and a Hackney Carriage Driver Licence be granted.

98 **PRIVATE HIRE DRIVER LICENCE (CJP)**

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 attended the meeting together with his legal representative and made representations. CJP and his legal representative responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the responses made by CJP and his legal representative.

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 CJP be allowed to continue to hold a Private Hire Driver Licence.

99 **PRIVATE HIRE DRIVER LICENCE (BPS)**

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

BPS attended the meeting and made representations in support of the application.

BPS responded to questions from Members of the Panel and their legal advisor.

Members considered carefully the responses made by BPS.

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 –

(1) That BPS be allowed to continue to hold a Private Hire Driver Licence subject to a condition that he must complete a Driver Awareness Course no later than 31 January 2022.

(2) That BPS be given a written warning as to his future conduct.

100 **PRIVATE HIRE DRIVER LICENCE (JAFS)**

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

JAFS attended the meeting and made representations in respect of the application.

JAFS responded to questions from Members of the Panel and their legal advisor.

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 JAFS's application for a Private Hire Driver Licence be granted.

101 **PRIVATE HIRE DRIVER LICENCE (MFSG)**

The Director of Law and Governance reported upon an application received by MFSG for the grant of a Private Hire Driver Licence.

MFSG attended the meeting and made representations in respect of the application.

MFSG responded to questions from Members of the Panel and their legal advisor.

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 MFSG’s application for the grant of a Private Hire Driver Licence be refused.

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REGULATORY PANEL

Wednesday, 22 December 2021

Present: Councillor A Hodson (Chair)

Councillors M Booth
D Mitchell

102 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.

103 APPLICATION TO LICENSE THE TESLA MODEL-3 AS A PRIVATE HIRE VEHICLE

The Director of Law and Governance reported upon an application received to determine whether the Tesla Model-3 meets the Council's criteria for licensing Private Hire Vehicles.

In September 2017 Members of the Licensing, Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles. The criteria were set out within Appendix 1 attached to the report and state that:

- Wirral Council must be satisfied that vehicles licensed as private hire vehicles are suitable in type, size and design for use as private hire vehicles, that it is in a suitable mechanical condition and is safe and comfortable.
- Although the criteria set out in this document may have been met, approval for the issuing of a licence may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for use as a private hire vehicle to transport members of the public for hire and reward.
- A vehicle that meets the criteria to be licensed as a private hire vehicle must have passed the MOT and Compliance Test in accordance with the Licensing Authority's procedure for testing vehicles before it can be licensed and before each renewal of that licence.

Members of the Regulatory Panel were asked to consider whether they were satisfied that the Tesla Model-3 complied with the Council's criteria for

licensing Private Hire Vehicles and whether it was a suitable vehicle to be licensed. Should this be the case Members were further asked to consider whether to license the Tesla Model-3, registration number MW71 DHF as a Private Hire Vehicle. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The proprietor of the vehicle attended the meeting and Members of the Panel inspected the vehicle.

Resolved –

- (1) That the Tesla Model-3 meets the criteria for licensing Private Hire Vehicles.**
- (2) That the application to licence the Tesla Model-3, registration number MW71 DHF as a Private Hire Vehicle be granted subject to the following condition:**
 - A sign must be clearly displayed on the door handles of the vehicles to instruct passengers in the opening of the doors.**
- (3) The back seat must be measured prior to the issue of the Licence to ascertain if the vehicle should be licensed to carry 3 or 4 passengers.**

104 **APPLICATION TO LICENSE THE IONIQ 5 AS A PRIVATE HIRE VEHICLE**

The Director of Law and Governance reported upon an application received to determine whether the Hyundai Ioniq 5 meets the Council's criteria for licensing Private Hire Vehicles.

In September 2017 Members of the Licensing, Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles. The criteria were set out within Appendix 1 attached to the report and state that:

- Wirral Council must be satisfied that vehicles licensed as private hire vehicles are suitable in type, size and design for use as private hire vehicles, that it is in a suitable mechanical condition and is safe and comfortable.
- Although the criteria set out in this document may have been met, approval for the issuing of a licence may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for use as a private hire vehicle to transport members of the public for hire and reward.

- A vehicle that meets the criteria to be licensed as a private hire vehicle must have passed the MOT and Compliance Test in accordance with the Licensing Authority's procedure for testing vehicles before it can be licensed and before each renewal of that licence.

Members of the Regulatory Panel were asked to consider whether they were satisfied that the Hyundai Ioniq 5 complied with the Council's criteria for licensing Private Hire Vehicles and whether it was a suitable vehicle to be licensed. Should this be the case Members were further asked to consider whether to license the Hyundai Ioniq 5, registration number KY71 THZ as a Private Hire Vehicle. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The proprietor of the vehicle attended the meeting and Members of the Panel inspected the vehicle.

Resolved –

- (1) That the Hyundai Ioniq 5 meets the criteria for licensing Private Hire Vehicles.**
- (2) That the application to licence the Hyundai Ioniq 5, registration number KY71 THZ as a Private Hire Vehicle be granted subject to the following condition:**
 - **A sign must be clearly displayed on the door handles of the vehicles to instruct passengers in the opening of the doors.**

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REGULATORY PANEL

Friday, 14 January 2022

Present: Councillor A Hodson (Chair)
Councillors D Burgess-Joyce D Mitchell
C Jones A Wright

105 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.

Councillors A Hodson, D Burgess-Joyce and A Wright declared a personal interest in item 4 – Private Hire Driver Licence (SNA) (minute 107 refers) by virtue of the witness being known to them therefore the Panel was not quorate and the hearing was deferred.

106 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.

107 PRIVATE HIRE DRIVER LICENCE (SNA)

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

SNA attended the meeting together with his wife, however further to the witness being known to all Members of the Conservative Group (minute 105 refers), the Panel was not quorate and the hearing could not proceed.

Resolved – That this matter be deferred to a future date of the Regulatory Panel.

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REGULATORY PANEL

Friday, 21 January 2022

Present:

Councillors	M Booth	D Mitchell
	D Burgess-Joyce	C O'Hagan

108 **APPOINTMENT OF CHAIR**

In the absence of the Chair it was –

Resolved – That Councillor M Booth be appointed Chair for this meeting.

109 **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.

110 **APPLICATION TO LICENSE THE NISSAN QASHQAI AS A PRIVATE HIRE VEHICLE - NISSAN QASHQAI REGISTRATION NUMBER NJ16 BYF**

The Director of Law and Governance reported upon an application received to determine whether the Nissan Qashqai meets the Council's criteria for licensing Private Hire Vehicles.

In September 2017 Members of the Licensing, Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles. The criteria were set out within Appendix 1 attached to the report and state that:

- Wirral Council must be satisfied that vehicles licensed as private hire vehicles are suitable in type, size and design for use as private hire vehicles, that it is in a suitable mechanical condition and is safe and comfortable.
- Although the criteria set out in this document may have been met, approval for the issuing of a licence may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for use as a private hire vehicle to transport members of the public for hire and reward.
- A vehicle that meets the criteria to be licensed as a private hire vehicle must have passed the MOT and Compliance Test in accordance with

the Licensing Authority's procedure for testing vehicles before it can be licensed and before each renewal of that licence.

Members of the Regulatory Panel were asked to consider whether they were satisfied that the Nissan Qashqai complied with the Council's criteria for licensing Private Hire Vehicles and whether it was a suitable vehicle to be licensed. Should this be the case Members were further asked to consider whether to license the Nissan Qashqai, registration number NJ16 BYF as a Private Hire Vehicle. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The proprietor of the vehicle attended the meeting together with his Union representative and Members of the Panel inspected the vehicle.

Resolved –

- (1) That the Nissan Qashqai Visia DCI meets the criteria for licensing Private Hire Vehicles.**
- (2) That the application to license the Nissan Qashqai Visia DCI, registration number NJ16 BYF as a Private Hire Vehicle be granted subject to a full valet of the vehicle being carried out.**

111 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN RELAY, REGISTRATION NUMBER NJ60 OAE**

The Director of Law and Governance reported upon an application received to re-license a Citroen Relay, registration number NJ60 OAE, beyond the normal overage date for a licensed Private Hire Vehicle.

The vehicle had been licensed as a Private Hire Vehicle since 6 August 2018 and the current licence was due to expire on 5 February 2022. The date of first registration of the vehicle was 17 September 2010. On expiry of a previous licence on 5 August 2020 a six month licence was granted under delegated authority and on expiry of previous licences on 5 February 2021 and 5 August 2021 six month licences were granted by the Regulatory Panel. It was reported that the vehicle is used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. 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 Citroen Relay, registration number NJ60 OAE, as a Private Hire Vehicle be granted for six months.

112 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VW PASSAT, REGISTRATION NUMBER WN11 VUE**

The Director of Law and Governance reported upon an application received to re-license a VW Passat, registration number WN11 VUE, beyond the normal overage date for a licensed Private Hire Vehicle.

The vehicle had been licensed as a Private Hire Vehicle since 6 June 2018 and the current licence was due to expire on 21 January 2022. The date of first registration of the vehicle was 13 May 2011. On expiry of a previous licence on 9 July 2021 a six month licence was granted by the Regulatory Panel. 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 VW Passat, registration number WN11 VUE, as a Private Hire Vehicle be granted for six months subject to work required to address the advisories referred to in the MOT Certificate being carried out within 7 days and evidence of this being presented to a Licensing Officer.

113 **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.

114 **PRIVATE HIRE DRIVER LICENCE (CJQ)**

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

CJQ attended the meeting and made representations in respect of the application.

Members questioned CJQ.

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 CJQ’s application for a Private Hire Driver Licence be granted.

115 **PRIVATE HIRE DRIVER LICENCE (KJW)**

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

KJW attended the meeting and made representations in respect of the application.

Members questioned KJW.

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 KJW’s application for a Private Hire Driver Licence be granted.

116 **PRIVATE HIRE DRIVER LICENCE (RJW)**

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

RJW attended the meeting with his father and made representations in respect of the application.

Members questioned RJW.

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 (2:2) (Councillors D Burgess-Joyce and C O’Hagan dissenting) That RJW’s application for a Private Hire Driver Licence be granted on the Chair’s casting vote.

REGULATORY PANEL

Wednesday, 9 February 2022

Present:

Councillors C Jones
D Mitchell
C O'Hagan

117 **APPOINTMENT OF CHAIR**

In the absence of the Chair it was –

Resolved – That Councillor D Mitchell be appointed Chair for this meeting.

118 **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.

119 **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.

120 **PRIVATE HIRE DRIVER LICENCE (THP)**

The Director of Law and Governance submitted a report for Members to consider a request from THP to re-sit the Knowledge Test outside of the current policy in order that he may progress his application for a Private Hire Driver Licence.

THP attended the meeting and made representations in respect of the application.

THP responded to questions from Members of the Regulatory Panel and their legal advisor.

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

Resolved – That due to his individual circumstances, THP be permitted to recommence his attempt at the Knowledge Test in accordance with the current policy which states that “An individual who fails to pass any module or modules of the Knowledge Test must retake the complete Knowledge Test. This re-sit of the test must take place within three months of taking the test for the first time. An individual who fails to pass the test on the second attempt be prohibited from taking the test for a period of six months from the date of the second attempt.”

121 **PRIVATE HIRE DRIVER LICENCE (SNA)**

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

It was reported to the Licensing Officers that SNA was unable to attend the meeting.

Resolved – That this matter be deferred to a future date of the Regulatory Panel.

REGULATORY PANEL

Friday, 11 February 2022

Present: Councillor A Hodson (Chair)
Councillors M Booth C Jones
D Burgess-Joyce D Mitchell

122 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.

123 PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL MERIVA, REGISTRATION NUMBER DG12 VBD

The Director of Law and Governance reported upon an application received to re-license a Vauxhall Meriva, registration number DG12 VBD, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 28 February 2020 and the current licence was due to expire on 27 February 2022. The date of first registration of the vehicle was 13 March 2012. 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 Vauxhall Meriva, registration number DG12 VBD, as a Private Hire Vehicle be granted for six months.

124 PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA PRIUS, REGISTRATION NUMBER PN61 LDJ

The Director of Law and Governance reported upon an application received to re-license a Toyota Prius, registration number PN61 LDJ, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 20 October 2016 and the current licence was due to expire on 1 March 2022. The date of first registration of the vehicle was 1 September 2011. On expiry of a previous licence on 13 August 2021 a six month licence was granted by the Regulatory Panel. 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 Prius, registration number PN61 LDJ, as a Private Hire Vehicle be granted for six months.

125 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA AVENSIS, REGISTRATION NUMBER FP11 BYV**

The Director of Law and Governance reported upon an application received to re-license a Toyota Avensis, registration number FP11 BYV, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle from 12 December 2018 until 4 February 2021 and from 14 July 2021 until 13 January 2022 when the licence expired. The date of first registration of the vehicle was 9 May 2011. On expiry of a previous licence on 9 July 2021 a six month licence was granted by the Regulatory Panel. 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 Avensis, registration number FP11 BYV, as a Private Hire Vehicle be granted for six months subject to the advisories on the MOT being carried out and proof of this being provided to a Licensing Officer.

126 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO FORD DAILY, REGISTRATION NUMBER WA60 EWG**

The Director of Law and Governance reported upon an application received to re-license an Iveco Ford Daily, registration number WA60 EWG, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 29 August 2019 and the current licence was due to expire on 11 February 2022. The date of first registration of the vehicle was 22 December 2010. On expiry of a previous licence on 29 January 2021 and 9 July 2021 six month licences had been granted by the Regulatory Panel. 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 Iveco Ford Daily, registration number WA60 EWG, as a Private Hire Vehicle be granted for six months.

127 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO FORD DAILY, REGISTRATION NUMBER LT52 PXZ**

The Director of Law and Governance reported upon an application received to re-license an Iveco Ford Daily, registration number LT52 PXZ, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 3 September 2018 and the current licence was due to expire on 1 March 2022. The date of first registration of the vehicle was 2 December 2002. The vehicle was used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. 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 Iveco Ford Daily, registration number LT52 PXZ, as a Private Hire Vehicle be granted for six months subject to concerns relating to the tailgate being addressed by the applicant and the vehicle being subsequently presented to a Licensing Officer for inspection.

128 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT 508, REGISTRATION NUMBER DG17 FSN**

The Director of Law and Governance reported upon an application received to license a Peugeot 508, registration number DG17 FSN, 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.

Resolved – That the application to license the Peugeot 508, Registration Number DG17 FSN, as a Private Hire Vehicle outside the current criteria be granted subject to the drop windows at the rear of the vehicle being replaced by glass that complies with the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

129 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MAZDA 6, REGISTRATION NUMBER XJZ 3928**

The Director of Law and Governance reported upon an application received to license a Mazda 6, registration number XJZ 3928, 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.

Resolved – That the application to license the Mazda 6, Registration Number XJZ 3928, as a Private Hire Vehicle outside the current criteria be granted subject to the drop windows at the rear of the vehicle being replaced by glass that complies with the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

130 **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.

131 **PRIVATE HIRE DRIVER LICENCE (JBC)**

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

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

Members considered carefully the responses made by JBC.

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 JBC be allowed to continue to hold a Private Hire Driver Licence subject to the completion of the next available Driver Awareness Course.

(2) That JBC be given a written warning as to his future conduct.

132 **PRIVATE HIRE DRIVER LICENCE (CPT)**

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

CPT attended the meeting together with his legal representative and made representations in respect of the application.

Members of the Panel and their legal advisor questioned CPT and his legal representative.

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 CPT's application for a Private Hire Driver Licence be granted.

133 **PRIVATE HIRE DRIVER LICENCE (KJW)**

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

KJW attended the meeting and made representations in respect of the application.

Members of the Panel and their legal advisor questioned KJW.

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 KJW’s application for a Private Hire Driver Licence be granted.

134 **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 together with his legal representative and made representations in respect of the application.

Members of the Panel and their legal advisor questioned JDE and his legal representative.

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’s application for a Private Hire Driver Licence be granted.

REGULATORY PANEL

Wednesday, 23 February 2022

Present: Councillors C Jones C O'Hagan
D Mitchell

135 **APPOINTMENT OF CHAIR**

In the absence of the Chair, it was –

Resolved – That Councillor Dave Mitchell be appointed Chair for this meeting.

136 **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.

137 **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.

138 **PRIVATE HIRE DRIVER LICENCE (SNA)**

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

It was reported by the Licensing Officers that SNA was unable to attend the meeting.

Resolved – That,

- 1. this matter be deferred to a future date of the Regulatory Panel,**
- 2. consideration of the matter will proceed on the next occasion.**

REGULATORY PANEL

Friday, 4 March 2022

Present:

Councillors C Jones
D Mitchell
C O'Hagan

139 **APPOINTMENT OF CHAIR**

In the absence of the Chair, it was –

Resolved – That Councillor Dave Mitchell be appointed Chair for this meeting.

140 **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.

141 **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.

142 **PRIVATE HIRE DRIVER LICENCE (SNA)**

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

SNA attended the meeting together with his wife and made representations. SNA responded to questions from Members and the legal advisor to the Panel.

A witness also attended the meeting and made representations. The witness responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the representations made by SNA and the witness and also considered other evidence provided.

In determining the matter Members 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, SNA’s Private Hire Driver Licence be revoked with immediate effect.



REGULATORY AND GENERAL PURPOSES COMMITTEE

Wednesday 23 March 2022

REPORT TITLE:	CONFERMENT OF THE TITLE OF HONORARY ALDERMAN
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 Alderman be conferred on former Councillor Pat Hackett.

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 Alderman on former Councillor Pat Hackett 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 Pat Hackett was a Member of the Council from 10 May 1994, representing New Brighton Ward as Labour Party Member until 25 September 2020 (short gap in service May 2008 to May 2011). Pat Hackett served as Leader of the Council between 14 May 2019 until retiring from Council in September 2020, he also served as Mayor of Wirral for the Municipal Year 2016/17.
- 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 Pat Hackett is therefore eligible to have the title of Honorary Alderman conferred upon him. 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 Pat Hackett for the position of Honorary Alderman.

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 Alderwomen 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 Aldermen and Alderwomen 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 Alderwomen of this Council have previously been awarded a suitable badge at a special ceremony.

Currently, former Councillor Pat Hackett is the only former Councillor eligible to be appointed as an Honorary Alderman, based on the Council's criteria.

4.0 FINANCIAL IMPLICATIONS

- 4.1 It would be the intention to present Pat Hackett with a badge of office, the total cost of which is approximately £682.75. There will also be the small cost of inscribing his 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 Alderman), 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 regulations in respect of the 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 March 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: Patrick Sebastian
Principal Democratic Services Officer
email: patricksebastian@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

WEDNESDAY 23 MARCH 2022

REPORT TITLE:	BOROUGH ELECTION FEES AND CHARGES
REPORT OF:	DIRECTOR OF LAW & GOVERNANCE

REPORT SUMMARY

This report details the proposed fees to be paid to the Returning Officer and his staff employed to undertake duties at the local elections held within the Borough.

The next scheduled Borough elections will take place on Thursday 5th May 2022.

The Borough election fees for 2022 are set out in Appendix 1.

Fees and charges have been considered and endorsed by the Returning Officer

RECOMMENDATION/S

The Regulatory and General Purposes Committee is invited to comment on the report and to note the fees as outlined in Appendix 1.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 It is considered good practice to present Borough Election Fees to this committee.

2.0 OTHER OPTIONS CONSIDERED

2.1 Consideration has been given to the fees paid to the Returning Officer and his staff and has been informed by both national guidance and information gathered from other Merseyside Local Authorities. Annual fees are uprated using the retail price index percentage increase.

3.0 BACKGROUND INFORMATION

3.1 In accordance with the Representation of the People's Act 1983, the cost of a local government election is met from the local authority budget.

The local authority is required to appoint a Returning Officer (RO) to conduct these elections on their behalf. The RO has overall responsibility for the conduct of elections held within the Borough and although appointed by the Council, the RO is personally (not corporately) responsible for the management of elections. The Returning Officer role is distinct and separate from their duties as an employee of the Council.

3.2 The Returning Officer plays a central role in the democratic process and in ensuring that the election is administered effectively and that, as a result, the experience of voters and those standing for election is a positive one.

3.3 The Returning Officer is personally responsible for: -

- publishing the notice of election
- administering the nomination process
- preparation of all ballot papers.
- publishing the notice of poll and statement of persons nominated
- provision and notification of polling stations.
- appointment of presiding officers and polling clerks.
- appropriate administration and security of polling stations.
- Managing the postal voting process

- Verifying and counting the votes
- Declaring the result.
- issue, receipt and counting of postal ballot papers.

3.4 The role of Returning Officer is independent from their duties as a local government officer. The Returning Officer is directly accountable to the courts system as an independent statutory office holder and as such this is considered one of the fundamental reasons why a Returning Officer fee is paid.

3.5 The Returning Officer is the employer of the staff engaged specifically to run elections. The Council has a statutory obligation to provide the Returning Officer such resources considered necessary by the Returning Officer to run effective elections.

3.6 Appendix 1 sets out the proposed scale of fees for the Returning Officer and his staff employed in relation to running Borough elections.

3.7 The fees have been determined by comparing the current agreed fees increased (or decreased as the case may be) by the Retail Price Index set for January each year, a comparison of fees from other Merseyside authorities where available and considering the Council's Living Wage policy.

4.0 FINANCIAL IMPLICATIONS

4.1 The fees and charges payable are set out in Appendix 1 of this report. Fees and charges will be met within the Elections Budget.

5.0 LEGAL IMPLICATIONS

5.1 Such implications are set out in this report

The role of the Returning Officer is prescribed by legislation and the Council has a statutory duty to provide the Returning Officer with such resources as are considered necessary by the Returning Officer to run effective elections as detailed in section 3 of the report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 Such implications are set out in this report. The Council has a statutory obligation to provide the Returning Officer such resources considered necessary by the Returning Officer to run effective elections.

7.0 RELEVANT RISKS

7.1 In order for elections to be administered, election staff must be paid for work undertaken.

7.2 Failure to agree a fees and charges structure could undermine the effective administration of elections and result in the Returning Officer not being able to appoint the staff required to run elections which will expose the Council and Returning Officer to considerable risk and liability.

8.0 ENGAGEMENT/CONSULTATION

8.1 The five Merseyside authorities have been consulted and election fees have been compared. The Returning Officer has considered and agreed the fees and charges.

9.0 EQUALITY IMPLICATIONS

9.1 There are no direct equality implications relating to this report. The temporary election roles are open to all people who have relevant experience.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no known environment or climate implications.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 Residents from the Wirral and Combined Authority area are employed in temporary roles. Elections create local employment opportunities. Local venues are hired for use as polling places. Not only does this create a source of income for local businesses but it also generates interest and inclusion in local business events that may not have existed if the footfall into venues had not been created.

REPORT AUTHOR: **Kris Cureton**
Electoral Services Manager
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APPENDICES

Appendix 1- scale of fees for the Returning Officer and his staff employed in relation to running Borough elections.

BACKGROUND PAPERS

Representation of the People Act 1983

MRA Allocations for the Police Area and Local Returning Officers at the Police and Crime Commissioner Elections on 6 May 2021 (including subsequent by-elections)

Retail Price Index- Office for National Statistics

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Regulatory and General Purposes Committee	20 March 2019

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Appendix 1 Schedule of Borough Election Fees increased annually by Retail Price Index

	Fees agreed by RO
Returning Officer (per area)	£293.50
Deputy Returning Officer (full powers) Postal Vote	25% of RO overall fee
Deputy Returning Officer (full powers) Election Day to include count	20% of RO overall fee
Deputy Returning Officer (specific powers)	10% of RO overall fee
Election Project Management in conjunction with a Deputy Returning Officer with full powers	50% of RO overall fee * OR Jo Miller calculation of additional hours – whichever is the greater
Presiding Officer	228.00
Polling Station Inspector	228.00
Poll Clerk	159.83* below real living wage £9.90 01.04.2022 - £168.00 - 17 Hrs X .90
Training (Presiding Officer/Polling Station Inspector)	£50.00 (no increase suggested)
Postal Vote Opening Supervisor (per hour)	17.00
Postal Vote Opening Reviewers (per hour)	13.50
Postal Vote Opening Clerks (per hour)	11.50
Verification/Count Supervisor	171.00
Head Counter	125.57
Senior Counter	103.00
Verification/Counting Assistant	91.50
Poll Card Delivery per card	0.18p
Clerical (per 10,000 electors or part)	533.30

