

COUNCIL

Monday, 13 February 2012

Present: The Mayor (Councillor Moira McLaughlin) in the Chair
Deputy Mayor (Councillor Gerry Ellis)

Councillors	RL Abbey	T Harney	D Realey
	T Anderson	P Hayes	L Rennie
	C Blakeley	A Hodson	D Roberts
	E Boulton	M Hornby	L Rowlands
	A Bridson	P Johnson	J Salter
	A Brighthouse	M Johnston	H Smith
	S Clarke	AER Jones	T Smith
	W Clements	C Jones	W Smith
	A Cox	P Kearney	J Stapleton
	J Crabtree	J Keeley	A Sykes
	G Davies	S Kelly	S Taylor
	P Davies	B Kenny	J Walsh
	WJ Davies	I Lewis	G Watt
	D Dodd	A McArdle	S Whittingham
	P Doughty	D McCubbin	R Wilkins
	D Elderton	AR McLachlan	I Williams
	S Foulkes	C Meaden	KJ Williams
	P Gilchrist	D Mitchell	P Williams
	P Glasman	B Mooney	S Williams
	JE Green	S Mountney	K Wood
	P Hackett	S Niblock	
	J Hale	C Povall	

106 DECLARATIONS OF INTEREST

Councillors L Rennie, I Lewis, S Niblock and D Roberts declared a personal interest in Motion 4 (Council Tax) (see minute 117 post) by virtue of their appointment on the Merseyside Fire and Rescue Authority.

Councillor T Smith declared a personal interest in Motion 4 (Council Tax) (see minute 117 post) by virtue of his appointment on the Merseyside Police Authority.

Councillor D Mitchell declared a prejudicial interest in Motion 2 (Benefits Cap) (see minute 115 post) by virtue of him being in receipt of benefits.

107 PETITIONS

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

Councillor H Smith, on behalf of 310 signatories requesting the Council to implement a 20mph speed limit in residential areas in Pensby and Thingwall.

Councillor A McArdle, on behalf of 44 signatories requesting traffic calming measures be put in place in Sandbrook Lane, Moreton to protect children in and around the vicinity

Councillor J Crabtree, on behalf of 50 signatories requesting traffic calming measures throughout the length of Bidston Village Road.

Councillor R Abbey, on behalf of 66 signatories requesting traffic calming measures to be put in place in Pasture Avenue, Moreton.

Councillor H Smith, on behalf of 10 signatories, against the licensing hours for the new off license premises on 46 Hoylake Road, Bidston.

Councillor D Dodd, on behalf of 159 signatories requesting a crossing superintendent or crossing on Claremount Road, or other means of traffic calming in order to ensure the safety of children, crossing this busy road in order to get to school.

Councillor P Glasman, on behalf of 2457 signatories opposing the plans to merge and move services between the Countess of Chester and Arrowse Park Hospitals. As this petition was in excess of 1500 signatures, a debate would be triggered at the next ordinary Council meeting on 16 April, 2012, in accordance with Standing Order 34(1) and the petition organiser would be invited to address the Council.

Resolved - That the petitions be noted and referred to the appropriate chief officer in accordance with Standing Order 34 and the petition submitted by Councillor Glasman be debated at the next ordinary Council meeting on 16 April, 2012.

108 MINUTES

The minutes of the meeting of the Council held on 12 December, 2011, had been circulated to members and it was –

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

109 LEADER OF THE COUNCIL

The Leader of the Council suggested that in light of natural justice it would not be proper for the Council to consider the following motions as the basis on which they were being proposed was in connection with the AKA report which, the Council at its earlier extraordinary meeting (minute 104 refers), had agreed to defer consideration of until 20 February.

It was then moved by the Leader and seconded by Councillor P Davies –

‘That consideration of the two motions be deferred until 20 February, 2012.’

The motion was put and lost (29:35) (Two abstentions).

Motion moved in accordance with Article 7.3 (iii) (d)

Proposed by Councillor Tom Harney

Seconded by Councillor Dave Mitchell

- (1) Now that the Council has received the AKA Ltd Final Report Independent Review of Wirral Metropolitan Borough Council's Response to Claims Raised by Mr Martin Morton (and others), we can all see the extent of the alleged mismanagement, incompetence, cover-up and negligence over a long period of time. These are extremely serious allegations relating to the care and safeguarding of some of the most vulnerable people in society. People to whom the Council owes a duty of care.
- (2) Although the report documents the failure of Council Officers, Council believes that it is incumbent upon all Councillors to ask themselves whether they could have asked more, or different, questions and uncovered or prevented some of these failings at a much earlier stage. In view of the apparent scale of wrongdoing and the length of time over which this happened, Council believes the Leader of the Council should explain whether he knew what was going on, and if not, why not.
- (3) Council believes that, despite all the advice and support available, the current Leader's approach has not been as inclusive as was promised. In practice, the Leader's approach has been to say publicly that he wants to work with all Parties, but then to carry on as before. Council is not convinced that the current Leader is committed to finding an all-party solution to the many questions raised in the Report. It is of considerable concern that this behaviour has contributed to the serious danger of collapse that this Council now finds itself in. It clearly isn't working and we need a fresh approach and a true commitment to put aside political differences and work together in an All-Party Cabinet to concentrate exclusively on putting right the many wrongs identified. Council believes that Councillor Foulkes is not the right person to lead such an All-Party approach.
- (4) Therefore, Council resolves, in accordance with Article 7.3(iii) (d) of the Constitution, that Councillor Foulkes be removed from the Office of Leader of the Council with immediate effect.
- (5) That Council elect a new Leader in accordance with Council Procedure Rule 5B.

Motion moved in accordance with Article 7.3 (iii) (d)

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

(1) Wirral Council is in crisis:

- We stand publicly accused of mismanagement, incompetence, negligence and cover up.
- We have been found guilty of failing to listen or believe Martin Morton and allowing him to be bullied, belittled, browbeaten and driven from a job he loved.
- We have shown ourselves to be incapable or unwilling to apply basic controls on the expenditure of Council Taxpayers money or of being able to provide protection from abuse, compassion & care to some of the most vulnerable members of our society and their families.

- Not one senior officer or politician has been held accountable by the Council for the failings identified in the AKA Limited report.
- (2) Council believes the nature of the crisis the Council now finds itself in is so grave, the imminence of collapse so real, that all Members must come together, under fresh leadership, to work together on behalf of our residents & communities, as equals and in genuine partnership.
- (3) Council resolves:
- (i) That, In accordance with Article 7.3 (iii) (d) of the Constitution, Cllr Foulkes be removed from the office of Leader of the Council with immediate effect.'
 - (ii) That Council elect a new Leader in accordance with Council Procedure Rule 5B
- (4) The next Leader of the Council is recommended to:
- Establish an all party 'emergency Cabinet' of 4 Conservative, 4 Labour and 2 Liberal Democrat Members to be reviewed at Annual Council 2012
 - Provide opportunities for all Council Members to question and share any ideas or concerns they may have
 - Review current officer delegations to ensure openness, transparency and effective democratic oversight of decision making.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Phil Davies
 Seconded by Councillor George Davies

Delete all and replace with:

This Council recognises the gravity of the contents of the AKA report and the importance of taking action to put right what is wrong and of learning the lessons from the past so events like these cannot occur again.

Council accepts that one of the issues raised as part of the Corporate Governance Review is that Wirral's intensely adversarial local politics in a frequently hung Council have not been helpful in creating a climate where problems can be raised and discussed at an early stage and dealt with by all parties in a constructive and co-operative manner before those problems become damaging and intractable.

Council believes that it was the expressed wish of all members to change this and move to a more constructive style of working, with opportunities for members of every party to find better ways of working together for the good of the people of Wirral.

Council therefore welcomes the setting up of the new all party Improvement Board, with an independent chair, under the auspices of the LGA, with representatives from the LGA, an external Chief Executive, the District Auditor and Anna Klonowski, the author of the AKA report in addition to the three party leaders.

Council further welcomes the fact that this board will draw on best practice to oversee the improvement of Wirral Council, and will closely monitor progress against the Action plan drawn up as a result of this comprehensive and damning report.

Council also recognises that both opposition Party Leaders were invited to participate in the Corporate Governance Committee, that all members were invited to contribute to the Key Lines of Enquiry decided on by the Corporate Governance Committee, that a seminar was organised for all members on the Corporate Governance Report, and that a Special Council has been called specifically to allow all members to debate the second AKA report.

In the light of the above, Council therefore expresses its very real disappointment that a report which should be used as a catalyst for creating positive change and building new ways of working together is instead being used once more as a weapon in a political battle, in a way which risks destabilising the Council and destroying the very opportunities for improvement which the authors of the motions say they want.

Council notes that these motions are being proposed just a week before Budget Cabinet, giving any new incoming administration little chance to set a well researched and responsible budget which takes into account the need to provide stability for the Council and to take it forward in line with the Draft Corporate Plan.

Council further notes that this is a classic case of the “abnormal being seen as normal” on Wirral because there are very few Councils which would even consider changing an administration this close to setting a budget, with only two months left to run until the local elections.

Council notes that in the period covered in this report there have been three different Council Leaders, two Chief Executives and three Directors of Social Services, and a variety of different political administrations ranging from majority control, to minority control to Liberal Democrat Coalitions with both Labour and Conservatives, all of which may have missed vital opportunities to intervene, or to ask the right questions, which could have prevented matters reaching this point. Council therefore believes that there is some collective responsibility for events, as well as individual accountability.

Council also recognises that a failure of officers to keep members sufficiently informed of key events, possibly because of fears engendered by Wirral’s style of politics, is a theme that runs through critical reports received by this Council.

Council therefore opposes the Motions of No Confidence and expresses its clear belief that the way forward lies in maintaining a stable administration, allowing all three parties to play a full part in the Improvement Board, and creating an environment that encourages members to work together for the good of the Council and of Wirral residents.

To that end, Council condemns the cynical move made by the Conservative Group to use these serious matters as an excuse to lure Liberal Democrats back into a de facto Coalition just before the elections by promising a three party Cabinet which they know cannot be delivered, and which can only leave the Conservatives and Liberal Democrats once more in alliance with each other, mirroring the situation of their national parties.

Following a debate and Councillors Harney and Green having replied the amendment was put and lost (30:36).

In accordance with Standing Order 9(p), the following amended composite motion was put, which had been accepted by the Liberal Democrats:

Proposed by Councillor Jeff Green
Seconded by Councillor Lesley Rennie

(1) Wirral Council is in crisis:

- We stand publicly accused of mismanagement, incompetence, negligence and cover up.
- We have been found guilty of failing to listen or believe Martin Morton and allowing him to be bullied, belittled, browbeaten and driven from a job he loved.
- We have shown ourselves to be incapable or unwilling to apply basic controls on the expenditure of Council Taxpayers money or of being able to provide protection from abuse, compassion & care to some of the most vulnerable members of our society and their families.
- Not one senior officer or politician has been held accountable by the Council for the failings identified in the AKA Limited report.

(2) Council believes the nature of the crisis the Council now finds itself in is so grave, the imminence of collapse so real, that all Members must come together, under fresh leadership, to work together on behalf of our residents & communities, as equals and in genuine partnership.

(3) Now that the Council has received the AKA Ltd Final Report Independent Review of Wirral Metropolitan Borough Council's Response to Claims Raised by Mr Martin Morton (and Others), we can all see the extent of the alleged mismanagement, incompetence, cover-up and negligence over a long period of time. These are extremely serious allegations relating to the care and safeguarding of some of the most vulnerable people in society. People to whom the Council owes a duty of care.

(4) Although the report documents the failure of Council Officers, Council believes that it is incumbent upon all Councillors to ask themselves whether they could have asked more, or different, questions and uncovered or prevented some of these failings at a much earlier stage. In view of the apparent scale of wrongdoing and the length of time over which this happened, Council believes the Leader of the Council should explain whether he knew what was going on, and if not, why not.

(5) Council believes that, despite all the advice and support available, the current Leader's approach has not been as inclusive as was promised. In practice, the Leader's approach has been to say publicly that he wants to work with all Parties, but then to carry on as before. Council is not convinced that the current Leader is committed to finding an all-party solution to the many questions raised in the Report. It is of considerable concern that this behaviour has contributed to the serious danger of collapse that this Council now finds itself in. It clearly isn't working and we need a fresh approach and a true commitment to put aside political differences and work together in an All-Party Cabinet to concentrate

exclusively on putting right the many wrongs identified. Council believes that Councillor Foulkes is not the right person to lead such an All-Party approach.

- (6) Therefore, Council resolves, in accordance with Article 7.3(iii) (d) of The Constitution, that Councillor Foulkes be removed from the Office of Leader of the Council with immediate effect.
- (7) That Council elects a new Leader in accordance with Council Procedure Rule 5B.
- (8) The next Leader of the Council is recommended to:
 - Establish an all party 'emergency Cabinet' of 4 Conservative, 4 Labour and 2 Liberal Democrat Members to be reviewed at Annual Council 2012
 - Provide opportunities for all Council Members to question and share any ideas or concerns they may have
 - Review current officer delegations to ensure openness, transparency and effective democratic oversight of decision making.
- (9) Pursuant to Council Standing Order 5A(2)(e), Council resolves that with effect from the 14 February 2012, the Chair of the Employment and Appointments Committee be reallocated to the Conservative Group and the Chair of the Children and Young People OSC be reallocated to the Labour Group.

The Mayor then adjourned the meeting at 8.30pm to enable circulation and consideration of Councillor Green's amended motion.

The meeting reconvened at 8.45pm.

Councillor Green's amended composite motion was then put and carried (36:30).

Resolved (36:30) –

(1) Wirral Council is in crisis:

- **We stand publicly accused of mismanagement, incompetence, negligence and cover up.**
- **We have been found guilty of failing to listen or believe Martin Morton and allowing him to be bullied, belittled, browbeaten and driven from a job he loved.**
- **We have shown ourselves to be incapable or unwilling to apply basic controls on the expenditure of Council Taxpayers money or of being able to provide protection from abuse, compassion & care to some of the most vulnerable members of our society and their families.**
- **Not one senior officer or politician has been held accountable by the Council for the failings identified in the AKA Limited report.**

- (2) **Council believes the nature of the crisis the Council now finds itself in is so grave, the imminence of collapse so real, that all Members must come together, under fresh leadership, to work together on behalf of our residents & communities, as equals and in genuine partnership.**

- (3) Now that the Council has received the AKA Ltd Final Report Independent Review of Wirral Metropolitan Borough Council's Response to Claims Raised by Mr Martin Morton (and Others), we can all see the extent of the alleged mismanagement, incompetence, cover-up and negligence over a long period of time. These are extremely serious allegations relating to the care and safeguarding of some of the most vulnerable people in society. People to whom the Council owes a duty of care.
- (4) Although the report documents the failure of Council Officers, Council believes that it is incumbent upon all Councillors to ask themselves whether they could have asked more, or different, questions and uncovered or prevented some of these failings at a much earlier stage. In view of the apparent scale of wrong-doing and the length of time over which this happened, Council believes the Leader of the Council should explain whether he knew what was going on, and if not, why not.
- (5) Council believes that, despite all the advice and support available, the current Leader's approach has not been as inclusive as was promised. In practice, the Leader's approach has been to say publicly that he wants to work with all Parties, but then to carry on as before. Council is not convinced that the current Leader is committed to finding an all-party solution to the many questions raised in the Report. It is of considerable concern that this behaviour has contributed to the serious danger of collapse that this Council now finds itself in. It clearly isn't working and we need a fresh approach and a true commitment to put aside political differences and work together in an All-Party Cabinet to concentrate exclusively on putting right the many wrongs identified. Council believes that Councillor Foulkes is not the right person to lead such an All-Party approach.
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 - Review current officer delegations to ensure openness, transparency and effective democratic oversight of decision making.
- (9) Pursuant to Council Standing Order 5A(2)(e), Council resolves that with effect from the 14 February 2012, the Chair of the Employment and Appointments Committee be reallocated to the Conservative Group and the Chair of the Children and Young People OSC be reallocated to the Labour Group.

The Mayor then adjourned the meeting for a further period of 10 minutes.

The meeting reconvened at 9.05pm.

In accordance with Standing Order 5B (1) the Council was required to elect a new Leader.

Proposed by Councillor Steve Foulkes
Seconded by Councillor George Davies

That Councillor Phil Davies be elected as Leader of Wirral Council.

Having confirmed his acceptance of the nomination, the motion was then put and lost (30:36).

In accordance with Standing Order 5B (5) it was then –

Proposed by Councillor L Rennie
Seconded by Councillor A Hodson

That Councillor Jeff Green be elected as Leader of Wirral Council.

Having confirmed his acceptance of the nomination, the motion was put and carried (36:30).

Resolved – (36:30) - That Councillor Jeff Green be elected as Leader of Wirral Council.

110 LEADER'S ANNOUNCEMENTS

Councillor Jeff Green, having been elected Leader of the Council gave an acceptance speech in which –

- He stated that he would not be announcing his new Cabinet until after he had had some all Party conversations and that it was important for Councillors on all sides to find ways to work together.
- He announced that the Budget Cabinet meeting would move from Monday 20 to Tuesday 21 February and it was the responsibility of every Group to look at potential options and put forward a budget to Council. The budget proposals would be referred to a special meeting of the Council Excellence Overview and Scrutiny Committee at a meeting to be arranged before Budget Council on 1 March, 2012.
- He stated that it was important to accelerate the work of the Democracy Working Party and commented that in a survey of all Members, 60 per cent of respondents had expressed the desire to move away from the 'Strong Leader' model towards a Committee system of governance. He would support the work of the Local Government Association Wirral Improvement Board.

- He referred to the earlier special meeting of Cabinet which, inter alia, had considered a report on revisions to the senior management structure within the Department of Adult Social Services and that there was a need to pause on this.
- In respect of the Audit and Risk Management Committee, he stated that its current powers were inadequate and the need for it to be more activist in exploring some of the risks of the organisation.
- A matter of priority was that Mr Martin Morton was once again employed by the Authority and officers needed to progress this immediately.

In response the Leader of the Labour Group referred to the fact that the Special Cabinet earlier that day, had referred a zero per cent Council Tax increase budget to the Council meeting on 1 March and agreed the reorganisation of the Department of Adult Social Services senior management structure to be referred to the Employment and Appointments Committee.

The Director of Law, HR and Asset Management informed the Council that a future Cabinet could change decisions taken at a previous Cabinet meeting.

111 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

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

One matter from Cabinet on 2 February, 2012, minute 274 (Draft Corporate Plan 2012/13) was submitted for approval but was the subject of an objection (see minute 122 post).

On a motion by Councillor J Green and seconded by Councillor L Rennie, it was –

Resolved – That the following matters referred by Cabinet at its meeting on 2 February, 2012, be approved:

- (i) **Minute 281 - Procurement Efficiencies**
- (ii) **Minute 283 - Enterprise Zone – Business Rates Discounts**
- (iii) **Minute 284 - Local Development Framework for Wirral – Evidence Base**
- (iv) **Minute 285 - Housing Market Renewal Transitional Funding Bid Including Proposed Exit Plan and Suggested Amended Housing Investment Programme for 2011/12**
- (v) **Minute 287 - Appointment of Chief Inspector of Weights and Measures**
- (vi) **Minute 289 - Local Transport Settlement – Additional Funding: Integrated Transport Block (ITB) 2011/12**
- (vii) **Minute 290 - Joint Recycling and Waste Management Strategy**

112 **MATTERS FOR NOTING**

Resolved – That the following matters be noted, as required by the Constitution:

- (i) **Minute 259 (Cabinet - 12/1/12) – Report on Visit to China – September / October 2011 (Reason – for information).**

(ii) Minute 301 (Cabinet – 2/2/12) – Urgent Business Approved by the Chair (Part 1) – Leasowe Millennium Centre (Reason – waiving of call-in).

113 **QUESTIONS**

Mr J Brace, having given the appropriate notice in accordance with Standing Order 11, submitted a question on the AKA (Anna Klonowksi Associates Ltd) report.

The Leader of the Council responded accordingly.

114 **MOTION: FREEMASONRY**

Proposed by Councillor Phil Davies
Seconded by Councillor Anne McArdle

This Council believes that, in the interest of free and open government, and in order to avoid any accusations of a failure to be open and transparent in their dealings with the Council and the public, that any member of the Freemasons be obliged to declare their interest, and to this end:

- (i) Instructs the Chief Executive to make urgent arrangements so that all Council Members who are Freemasons declare the membership in the register of interest immediately.
- (ii) Instructs the Chief Executive to establish an employees' register of interest in which all who are Freemasons declare their membership immediately.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Pat Williams
Seconded by Councillor Mark Johnston

After 'and the public,' delete all and replace with:

that any Members who are Freemasons are obliged to declare their interest (along with membership of e.g. sports clubs, political parties, trades unions and charitable organisations) as part of the current Member's Code of Conduct (Part 2: Interests: 8(1)(a)(ii)(bb))

Council notes that Part 2, Section 2 of the NJC for Local Government Services National Agreement on Pay & Conditions of Service requires Employees to give notice in writing of any private interest which is likely to give them an opportunity, during the course of their employment with the Council, to confer an advantage at any time upon themselves or their relatives or may weaken public confidence in their impartiality.

Council recognises that these safeguards exist to protect the reputation of the Council, its Members and Employees and encourages the enforcement of these existing rules.

Council requests the Standards Committee to review the Code of Conduct for Members, and Employment and Appointments Committee to review the Code of

Conduct for Officers to ensure that these Codes are fit for purpose and are being adhered to.

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

The amendment was put and carried (36:29) (One abstention).

The substantive motion was put and carried (36:29) (One abstention).

Resolved (36:29) (One abstention) –

This Council believes that, in the interest of free and open government, and in order to avoid any accusations of a failure to be open and transparent in their dealings with the Council and the public that any Members who are Freemasons are obliged to declare their interest (along with membership of e.g. sports clubs, political parties, trades unions and charitable organisations) as part of the current Member's Code of Conduct (Part 2: Interests: 8(1)(a)(ii)(bb)).

Council notes that Part 2, Section 2 of the NJC for Local Government Services National Agreement on Pay & Conditions of Service requires Employees to give notice in writing of any private interest which is likely to give them an opportunity, during the course of their employment with the Council, to confer an advantage at any time upon themselves or their relatives or may weaken public confidence in their impartiality.

Council recognises that these safeguards exist to protect the reputation of the Council, its Members and Employees and encourages the enforcement of these existing rules.

Council requests the Standards Committee to review the Code of Conduct for Members, and Employment and Appointments Committee to review the Code of Conduct for Officers to ensure that these Codes are fit for purpose and are being adhered to.

115 MOTION: BENEFITS CAP

Proposed by Councillor Andrew Hodson
Seconded by Councillor Les Rowlands

- (1) Council notes that some people are receiving more in benefits than those who work and with average earnings of £26,000 per annum.
- (2) While Council believes that support and help must be protected and improved for those who cannot work due to age or illness, Council does not believe it is right that the earnings of those who do work is sometimes less than the incomes of those who do not work.
- (3) Council welcomes the introduction by the Coalition Government of a 'Benefits Cap'.

- (4) Council, however, is concerned that proposals by the Shadow Work and Pensions Secretary for a lower cap for claimants in the North West and other regions outside of London and the South East, are going too far and too fast.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Ann McArdle
Seconded by Councillor George Davies

Delete everything and replace with the following:

Council notes that:

- (1) There is a need for a benefit cap. A cap is important because it can help ensure everyone has confidence that work pays and there is fairness in the benefits system.
- (2) The Tory led Coalition Government's current proposals will lead to 20,000 people becoming homeless nationally. The Department for Communities and Local Government said this in a letter to Prime Minister's Office. The DCLG also said that the cost of this could help to wipe out the £270 million the government said their benefit cap would save per annum and even end up costing more than it saves for council taxpayers.
- (3) Council believes there are alternatives in setting a benefit cap that are fairer for working people, do not have the same risk of homelessness, and save more money. This could be achieved by introducing a cap set in line with local differences in circumstances such as work incentives, earnings, house prices, and the consequent impact on homelessness.
- (4) Council accepts there is a strong case for local differences. Most of the benefits paid out under the cap will go towards housing costs and private sector landlords, but when these vary so much, it is simply not fair on working people to set the cap nationally. For example, £500 a week might buy a one bedroom apartment in central London, but in Wirral a similar sum would enable someone to buy a decent house in most areas.
- (5) One cap set nationally is not be fair for working people across the country. The levels of the cap should be set by an independent body of experts, just as the Low Pay Commission determines the minimum wage. This would not be going too far or too fast and the process might actually command cross-party support. The tests should be: fairness for working people, ensuring work pays, avoiding homelessness, and saving taxpayers money.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Stuart Kelly
Seconded by Councillor Phil Gilchrist

Add to end of paragraph (3):

Council recognises that considerable work is in hand as the Welfare Reform Bill progresses, to ease the transition for families and to provide assistance in hardship cases, exempt households that are entitled to working tax credit from the cap, provide transitional support to help manage families into more appropriate accommodation, and introduce further discretionary housing benefit of up to £80 million in 2013-14, and a further £50 million in 2014-15.

Insert new paragraph (4):

- (4) Council is anxious that those who require long-term support, have serious and uncontrollable life-threatening conditions, or whose condition deteriorates, should be placed in the Support Group for receipt of Employment Support Allowance. Further, it remains important to make sure that people get the benefit that they are entitled to, and that the work capability assessment process is right and takes particular account of fluctuating conditions. In addition, Council recognises that many people will receive six months' statutory sick pay before they start to receive ESA, so they will be receiving benefits for 18 months. It is important that the Government continue the work that is being done to help employers to support employees when they become disabled or fall sick, and to help them stay in work where possible.

Renumber existing paragraph (4) as paragraph (5)

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

The mover of the motion agreed to accept the amendment moved by Councillor Kelly.

The amendment proposed by Councillor McArdle was put and lost (29:35) (One abstention)

The motion, as amended by Councillor Kelly's amendment was put and carried (35:29) (One abstention).

Resolved (35:29) (One abstention) –

- (1) Council notes that some people are receiving more in benefits than those who work and with average earnings of £26,000 per annum.**
- (2) While Council believes that support and help must be protected and improved for those who cannot work due to age or illness, Council does not believe it is right that the earnings of those who do work is sometimes less than the incomes of those who do not work.**
- (3) Council welcomes the introduction by the Coalition Government of a 'Benefits Cap'. Council recognises that considerable work is in hand as the Welfare Reform Bill progresses, to ease the transition for families and to provide assistance in hardship cases, exempt households that are entitled to working tax credit from the cap, provide transitional support to help manage families into more appropriate accommodation, and**

introduce further discretionary housing benefit of up to £80 million in 2013-14, and a further £50 million in 2014-15.

- (4) Council is anxious that those who require long-term support, have serious and uncontrollable life-threatening conditions, or whose condition deteriorates, should be placed in the Support Group for receipt of Employment Support Allowance. Further, it remains important to make sure that people get the benefit that they are entitled to, and that the work capability assessment process is right and takes particular account of fluctuating conditions. In addition, Council recognises that many people will receive six months' statutory sick pay before they start to receive ESA, so they will be receiving benefits for 18 months. It is important that the Government continue the work that is being done to help employers to support employees when they become disabled or fall sick, and to help them stay in work where possible.
- (5) Council, however, is concerned that proposals by the Shadow Work and Pensions Secretary for a lower cap for claimants in the North West and other regions outside of London and the South East, are going too far and too fast.

116 MOTION: IMPROVING TRANSPARENCY AND ACCOUNTABILITY

Proposed by Councillor Mark Johnston

Seconded by Councillor Tom Harney

- (1) Council believes that "compromise deals" can help release employees from the work force, can be an effective tool and have a part to play in Human Resources management.
- (2) However, Council also believes that "compromise deals" should be used only in exceptional circumstances and as a last resort, not a routine tool, and that any process should be democratically accountable, open and transparent.
- (3) Currently, under the Scheme of Delegation of Functions to Officers (part 3, schedule 4, page 111, paragraph 28), Chief Officers have the right to make compromise deals with staff to end their employment. Such deals only have to be reported to the Employment and Appointments Committee and Members can only have a vote on the matter if there is a pensions cost.
- (4) Council notes that current use of "compromise deals" can lead to the perception that deals are being done behind closed doors without the oversight of the Employment and Appointments Committee or Elected Member scrutiny.
- (5) Council strongly believes that "compromise deals" that offer financial or other types of incentive, should not be used to remove poorly performing staff from the Council work force. Training, support and, ultimately, the disciplinary procedure are the correct tools to be used in relation to poorly performing staff.
- (6) Council also believes that "compromise deals" should not be used to cover up underlying problems, situations of concern or to remove staff quietly and quickly. To do so has the potential to put the Council's reputation at risk.

- (7) Therefore, Council insists that all future “compromise deals”, that include an element of financial or other incentive, are subject to a full democratically accountable process. Council asks that the Employment & Appointments Committee are tasked with forming a Sub-Committee to assess and sign off any compromise deals before any such offer is made to employees. The process and scope of reporting to be agreed by this Sub-Committee. Members for this Sub-Committee are to be co-opted from the list of Members available for the Appeals Sub-Committee with a proportionality of 1:1:1. The Chair for any such meeting can be decided by agreement of the Sub-Committee.
- (8) Council would also ask that all such “compromise deals”, once agreed by the Sub-Committee, are reported to the next meeting of the Employment and Appointments Committee, under exempt items if the details are of a sensitive nature.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Ann McLachlan
Seconded by Councillor Adrian Jones

Delete everything and replace with the following:

Council welcomes any proposals which improve transparency and accountability across all Council decision-making processes, but believes that Compromise Agreements are an effective protection for the Authority against post-employment claims of unfair or other forms of dismissal from former employees.

Council further believes that the delegation of powers to Chief Officers to enter into such agreements should not be undermined as they can be an effective management measure to deal with a range of employment situations. To require such agreements to be signed off by elected members would create a layer of bureaucracy unnecessary in an organisation which has confidence in its senior managers to manage the workforce effectively.

Council recognises that a Compromise Agreement should not be used in circumstances where it would be more appropriate to use the Authority Capability procedure or its Disciplinary procedure.

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

The amendment was put and lost (29:36) (One abstention).

The motion was put and carried (36:29) (One abstention).

Resolved (36:29) (One abstention) –

- (1) Council believes that “compromise deals” can help release employees from the work force, can be an effective tool and have a part to play in Human Resources management.**

- (2) However, Council also believes that “compromise deals” should be used only in exceptional circumstances and as a last resort, not a routine tool, and that any process should be democratically accountable, open and transparent.
- (3) Currently, under the Scheme of Delegation of Functions to Officers (part 3, schedule 4, page 111, paragraph 28), Chief Officers have the right to make compromise deals with staff to end their employment. Such deals only have to be reported to the Employment and Appointments Committee and Members can only have a vote on the matter if there is a pensions cost.
- (4) Council notes that current use of “compromise deals” can lead to the perception that deals are being done behind closed doors without the oversight of the Employment and Appointments Committee or Elected Member scrutiny.
- (5) Council strongly believes that “compromise deals” that offer financial or other types of incentive, should not be used to remove poorly performing staff from the Council work force. Training, support and, ultimately, the disciplinary procedure are the correct tools to be used in relation to poorly performing staff.
- (6) Council also believes that “compromise deals” should not be used to cover up underlying problems, situations of concern or to remove staff quietly and quickly. To do so has the potential to put the Council’s reputation at risk.
- (7) Therefore, Council insists that all future “compromise deals”, that include an element of financial or other incentive, are subject to a full democratically accountable process. Council asks that the Employment & Appointments Committee are tasked with forming a Sub-Committee to assess and sign off any compromise deals before any such offer is made to employees. The process and scope of reporting to be agreed by this Sub-Committee. Members for this Sub- Committee are to be co-opted from the list of Members available for the Appeals Sub-Committee with a proportionality of 1:1:1. The Chair for any such meeting can be decided by agreement of the Sub-Committee.
- (8) Council would also ask that all such “compromise deals”, once agreed by the Sub-Committee, are reported to the next meeting of the Employment and Appointments Committee, under exempt items if the details are of a sensitive nature.

117 **MOTION: COUNCIL TAX**

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

Council:

- (1) Notes that, between 1997 and 2010, Council Tax more than doubled, hitting pensioners and those on low incomes particularly hard.

- (2) Therefore welcomes the offer from the Coalition Government to make an additional £3.3million available to freeze Council Tax in Wirral for a second year.
- (3) Disagrees with the Shadow Local Government Minister in his remarks that the freeze is 'a gimmick'.
- (4) Also welcomes the decision to replace capping of Council Tax by the Government with the opportunity of a local referendum on Council Tax rises exceeding 3.5%.
- (5) Recommends that any of its Members on precepting and levying Boards vote against any increase above 0%.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Steve Foulkes
Seconded by Councillor Phil Davies

Remove everything and replace with the following:

Council:

- (1) Notes that between 1997 and 2010, Wirral moved down the Council Tax league table from being the authority with the fourth highest level of Council Tax in the country to just under 200.
- (2) In the context of the draconian cuts being inflicted on local government by the Tory/LibDem coalition government, the Labour administration does not believe that it is reasonable to inflict any increase in Council Tax on Wirral residents in 2012/13.
- (3) Condemns the government for reneging on its previous commitment to provide sufficient funding to those authorities who agreed a zero Council Tax increase in their base budgets on an ongoing basis. This means that Wirral will have to find more cuts next year to fund this freeze.
- (4) Recognises that in reaching decisions on their budgets for next year, members on precepting and levying Boards will have to balance the need to provide sufficient funding to deliver acceptable standards of services while minimising the cost to Council Tax payers.

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

The amendment was put and lost (29:36) (One abstention).

The motion was put and carried (36:29) (One abstention).

Resolved (36:29) (One abstention) –

Council:

- (1) Notes that, between 1997 and 2010, Council Tax more than doubled, hitting pensioners and those on low incomes particularly hard.**
- (2) Therefore welcomes the offer from the Coalition Government to make an additional £3.3million available to freeze Council Tax in Wirral for a second year.**
- (3) Disagrees with the Shadow Local Government Minister in his remarks that the freeze is 'a gimmick'.**
- (4) Also welcomes the decision to replace capping of Council Tax by the Government with the opportunity of a local referendum on Council Tax rises exceeding 3.5%.**
- (5) Recommends that any of its Members on precepting and levying Boards vote against any increase above 0%.**

118 **MOTION: FAILURE TO ACT**

Proposed by Councillor Tom Harney
Seconded by Councillor Dave Mitchell

- (1) Council is extremely concerned that many actions approved by Council as part of the current year's (2011-12) Budget Resolution, many of which also form part of the current (2011-14) Corporate Plan, have not been carried out.
- (2) These failures to implement include (Council Minute 104, 1/03/2011 refers):
 - a) "Wirral's Future consultation identified anti-social behaviour as a key concern to Wirral residents and it is vital that we provide the most effective action possible. We will conduct a full review of the Council's and partner organisation approach, including the implementation of our commitment to community justice in this vital area. Therefore we will provide funding to the ASB team for a further twelve months to enable this review to take place: £290,000"
 - b) "A thorough evaluation of the results and economic impact of our 'Keeping It Local Initiative' will be reported to an appropriate meeting of Cabinet."
 - c) "Wirral's Future be a part of it' has been a huge success enabling Wirral people to get involved in reshaping Council services and deciding what is after all, their Council's priorities. We therefore request that the interim Chief Executive takes all necessary steps, within current resources, to initiate the next phase of 'Wirral's Future' consultation programme for 2011/12 to further embed our Administration's approach of listening, engaging and consulting with our residents."
 - d) "We are committed to making our roads safer in residential areas and outside our schools by implementing statutory 20 mph speed restrictions in non-major routes in residential areas throughout Wirral. Any of the £275,000 committed

to this project last year and still not spent will be rolled forward and added to a further £275,000 in 2011-12.

- e) "Our employees are the Council's most valuable resource as it is they who oversee or deliver services to the people we serve. It is therefore vital that we continue to improve the way we communicate with each other. We will therefore ensure all staff have an e-mail address and access to a computer. It is noted that this can be achieved at no additional cost to the Council"
- (3) Council believes that failure to carry out these actions (or failure to seek elected member approval for alternative courses of action) represents examples of current and continuing failures of corporate governance.
- (4) Council recognises that any change of Council Administration is likely to result in a change of priorities and of policies. However, Council believes that it is incumbent on the incoming Administration to seek the support of Full Council for changes to the Budget and Policy framework of the Council and notes that this has not been done.
- (5) Council condemns the current Administration for their failures to act on the current Budget and Policy Framework.
- (6) Council also condemns the lack of transparency by the current Administration for failing to set out or seek approval for their policies and spending priorities.
- (7) Council believes that this shows a cavalier disregard by the current Administration for good corporate governance and the principles of transparency and accountability.
- (8) Therefore, it is the view of Council that the Labour Party has learnt nothing from the issues reported to Cabinet in September on Corporate Governance.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Brian Kenny
Seconded by Councillor Jean Stapleton

Remove everything and replace with the following:

Council recognises that:

- (1) The Neighbourhood Planning initiative, championed by the Labour administration and involving Area Forums, local residents and community groups, has identified anti-social behaviour as a key priority. The outcomes from neighbour planning will inform the forthcoming budget.
- (2) The previous administration failed to earmark resources to undertake an evaluation of the 'Keeping it local initiative'. Consideration therefore needs to be given as to how such an evaluation can be funded so that continuation of this initiative is based on clear evidence of any benefits.

- (3) Last year's 'Wirral's Future – be part of it' exercise was fundamentally flawed in a number of aspects, notably, its failure to involve elected members via the scrutiny process in discussions about the future provision of Council services, and the failure to establish a mechanism to require members of the various Task Forces which were set up to register an interest if the organisation which employed them was likely to benefit from any recommendations.
- (4) The failure of the Conservative/LibDem coalition government to publish the necessary regulations has prevented the Council from introducing 20 mph speed restrictions across Wirral. The Labour administration is however determined to make progress on this and will be making an announcement shortly.
- (5) It is hypocritical for the Liberal Democrats to criticise the current administration for lack of transparency when they were part of an administration which during the last municipal year suspended the Council's constitution to prevent scrutiny committees from questioning their budget proposals.
- (6) This administration will also take no lessons from the Liberal Democrats about good corporate governance when they were part of an administration with the Conservatives which agreed to nearly 1200 posts being deleted from the Council without any reorganisation plans being published and no analysis of the impact of such a massive reduction in posts on Council services.
- (7) This administration supported all of the recommendations put forward by Anna Klonowski in her report on improving corporate governance and has developed an improvement plan to deliver ten key lines of enquiry based on the five work streams set out in the AKA report. All members of the Council have been invited to contribute to this work. Council thanks those members who have engaged.

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

The amendment was put and lost (29:36) (One abstention).

The motion was put and carried (36:29) (One abstention).

Resolved (36:29) (One abstention) –

- (1) Council is extremely concerned that many actions approved by Council as part of the current year's (2011-12) Budget Resolution, many of which also form part of the current (2011-14) Corporate Plan, have not been carried out.**
- (2) These failures to implement include (Council Minute 104, 1/03/2011 refers):**
 - (a) "Wirral's Future consultation identified anti-social behaviour as a key concern to Wirral residents and it is vital that we provide the most effective action possible. We will conduct a full review of the Council's**

and partner organisation approach, including the implementation of our commitment to community justice in this vital area. Therefore we will provide funding to the ASB team for a further twelve months to enable this review to take place: £290,000"

- (b) "A thorough evaluation of the results and economic impact of our 'Keeping It Local Initiative' will be reported to an appropriate meeting of Cabinet."
 - (c) "Wirral's Future be a part of it' has been a huge success enabling Wirral people to get involved in reshaping Council services and deciding what is after all, their Council's priorities. We therefore request that the interim Chief Executive takes all necessary steps, within current resources, to initiate the next phase of 'Wirral's Future' consultation programme for 2011/12 to further embed our Administration's approach of listening, engaging and consulting with our residents."
 - (d) "We are committed to making our roads safer in residential areas and outside our schools by implementing statutory 20 mph speed restrictions in non-major routes in residential areas throughout Wirral. Any of the £275,000 committed to this project last year and still not spent will be rolled forward and added to a further £275,000 in 2011-12."
 - (e) "Our employees are the Council's most valuable resource as it is they who oversee or deliver services to the people we serve. It is therefore vital that we continue to improve the way we communicate with each other. We will therefore ensure all staff have an e-mail address and access to a computer. It is noted that this can be achieved at no additional cost to the Council"
- (3) Council believes that failure to carry out these actions (or failure to seek elected member approval for alternative courses of action) represents examples of current and continuing failures of corporate governance.
 - (4) Council recognises that any change of Council Administration is likely to result in a change of priorities and of policies. However, Council believes that it is incumbent on the incoming Administration to seek the support of Full Council for changes to the Budget and Policy framework of the Council and notes that this has not been done.
 - (5) Council condemns the current Administration for their failures to act on the current Budget and Policy Framework.
 - (6) Council also condemns the lack of transparency by the current Administration for failing to set out or seek approval for their policies and spending priorities.

- (7) Council believes that this shows a cavalier disregard by the current Administration for good corporate governance and the principles of transparency and accountability.
- (8) Therefore, it is the view of Council that the Labour Party has learnt nothing from the issues reported to Cabinet in September on Corporate Governance.

119 **MOTION: NATIONAL CUTS**

Proposed by Councillor David Elderton
Seconded by Councillor John Hale

Council:

- (1) Notes the failure of the previous Government to end 'boom and bust' and that increases in public sector spending were outstripping economic growth in the rest of the economy.
- (2) Believes that we are all in this together and that all parties must recognise the scale of the debt crisis facing the economy if urgent and necessary action to restore public finances is to succeed.
- (3) Therefore welcomes the decision by Ed Miliband and Ed Balls to accept the reductions in public spending being made by the Coalition Government and calls on Labour politicians in Wirral to accept the need for reductions in public spending.
- (4) Also notes that the Leader of the Opposition and the Shadow Chancellor have also committed to support the limits on public sector pay and wishes them success in persuading their paymasters in the trade unions to also accept this pay restraint.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Bernie Mooney
Seconded by Councillor Paul Doughty

Delete everything and replace with the following:

This Council:-

- (1) Supports the actions of the previous Labour government to invest public money in improving schools, hospitals, and other vital public services.
- (2) Recognises that the UK's economic problems were the result of irresponsible bankers and a global recession;
- (3) Believes that the Tory/LibDem coalition government is cutting too far and too fast and, as a consequence, is presiding over record levels of borrowing and appalling levels of unemployment.

- (4) Rejects the government's argument that 'we are all in this together' when they cut benefits for the poorest members of society and refuse to deal effectively with bank bonuses.
- (5) Supports Labour's plan for jobs and growth:
 - (a) A £2 billion tax on bank bonuses to fund 100,000 jobs
 - (b) Bringing forward long-term investment projects
 - (c) Reversing January's damaging VAT rise
 - (d) A one year cut in VAT to 5% on home improvements
 - (e) A one year national insurance break

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Dave Mitchell
Seconded by Councillor Pat Williams

Add additional paragraph:

- (5) Finally, Council notes that, despite the economic difficulties faced by the country, the Liberal Democrats in Government have been working hard to deliver real benefits to the British people, working hard to ensure that the burden of the country's economic difficulties are shared fairly and to protect the most vulnerable in our society:
 - Income Tax - Nearly 900,000 of the lowest earners were lifted out of paying tax altogether in 2011 and a further 23 million people received a £200 tax cut. This will happen again this April, and again the April after that, until no one pays any income tax on the first £10,000 they earn.
 - Pupil Premium - 2011 saw the Pupil Premium take effect, giving schools extra money for the most disadvantaged children. The Pupil Premium will double to £1.25 billion in 2012 and rise every year until 2015, when it will be worth £2.5 billion. Liberal Democrats also extended free early years education to the 140,000 poorest two-year-olds and have announced the doubling of provision for next year.
 - Apprenticeships - More than 440,000 new apprenticeships started in 2010/11, a 50% increase on the previous year. Lib Dems have now announced a £1 billion 'Youth Contract' to help every young person who wants it to get work or training, including 410,000 new work places for 18-24 year-olds over three years.
 - Pensions - Thanks to the Lib Dem 'triple lock', the Basic State Pension was raised by £4.50 per week in 2011 and will rise again by a record £5.30 per week from April this year. Under Labour in 2000, pensioners only received a 75p per week rise.

- Banks - In 2011, the £2.5 billion bank levy was introduced and the Coalition Government has accepted in full, proposals championed by the Lib Dems to separate high street and casino-style investment banking.

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

The amendment proposed by Councillor Mooney was put and lost (29:36) (One abstention).

The amendment proposed by Councillor Mitchell was put and carried (36:29) (One abstention).

The substantive motion was put and carried (36:29) (One abstention).

Resolved (36:29) (One abstention) –

Council:

- (1) Notes the failure of the previous Government to end ‘boom and bust’ and that increases in public sector spending were outstripping economic growth in the rest of the economy.**
- (2) Believes that we are all in this together and that all parties must recognise the scale of the debt crisis facing the economy if urgent and necessary action to restore public finances is to succeed.**
- (3) Therefore welcomes the decision by Ed Miliband and Ed Balls to accept the reductions in public spending being made by the Coalition Government and calls on Labour politicians in Wirral to accept the need for reductions in public spending.**
- (4) Also notes that the Leader of the Opposition and the Shadow Chancellor have also committed to support the limits on public sector pay and wishes them success in persuading their paymasters in the trade unions to also accept this pay restraint.**
- (5) Finally, Council notes that, despite the economic difficulties faced by the country, the Liberal Democrats in Government have been working hard to deliver real benefits to the British people, working hard to ensure that the burden of the country’s economic difficulties are shared fairly and to protect the most vulnerable in our society:**
 - **Income Tax - Nearly 900,000 of the lowest earners were lifted out of paying tax altogether in 2011 and a further 23 million people received a £200 tax cut. This will happen again this April, and again the April after that, until no one pays any income tax on the first £10,000 they earn.**
 - **Pupil Premium - 2011 saw the Pupil Premium take effect, giving schools extra money for the most disadvantaged children. The Pupil**

Premium will double to £1.25 billion in 2012 and rise every year until 2015, when it will be worth £2.5 billion. Liberal Democrats also extended free early years education to the 140,000 poorest two-year-olds and have announced the doubling of provision for next year.

- **Apprenticeships - More than 440,000 new apprenticeships started in 2010/11, a 50% increase on the previous year. Lib Dems have now announced a £1 billion 'Youth Contract' to help every young person who wants it to get work or training, including 410,000 new work places for 18-24 year-olds over three years.**
- **Pensions - Thanks to the Lib Dem 'triple lock', the Basic State Pension was raised by £4.50 per week in 2011 and will rise again by a record £5.30 per week from April this year. Under Labour in 2000, pensioners only received a 75p per week rise.**
- **Banks - In 2011, the £2.5 billion bank levy was introduced and the Coalition Government has accepted in full, proposals championed by the Lib Dems to separate high street and casino-style investment banking.**

120 **MOTION: LIBRARIES PAY THE PRICE FOR PARKS**

Proposed by Councillor Dave Mitchell

Seconded by Councillor Alan Brighthouse

- (1) Council expresses its concern at the lack of transparency over the use of £500,000 of money, part of a capital allocation previously set aside for essential works to libraries and sports centres, for gardening equipment.
- (2) Council strongly believes that, if additional money was required for the purchase of new grass-cutting equipment to meet the shortfall in funding arising from the Labour Cabinet's decision to keep park maintenance 'in house', the Capital Programme should have been increased by an appropriate sum.
- (3) Council is dismayed that re-designating £500,000 from the cultural services capital allocation for gardening equipment will deprive other cultural assets of much needed investment.
- (4) Council is reminded that, when Labour came back into office, the Leader promised that libraries would be 'safe in their hands'. Council is outraged that, by the evidence so far, the Administration's management of the council's assets means Wirral's library buildings, sports centres and museums may now be in danger of neglect and decline.
- (5) Council is also reminded that, in 2009, when previously in office, Labour started the process to transfer the Council's Parks maintenance to a private contractor to improve and modernise the service and save money. Yet, when they came back into office in 2011, they did a u-turn on this policy - after around £250,000 had already been spent in preparation work.

- (6) The effect of this mismanagement has been to place the Council in a position where it has to incur additional costs or risk not being able to cut the grass in our parks and roadsides.
- (7) Finally, Council notes that, had park maintenance been assigned to an external contractor, this half a million pounds of additional costs for equipment would have been built into the contract price as part of a contract and still saved money on the overall cost of providing the service.
- (8) Council, therefore, denounces this shocking waste of money by the Labour Administration (already £750,000 on this matter alone and still counting), and their actions, which are putting much loved libraries and sports centres at risk of decline and decay.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Chris Meaden
Seconded by Councillor Phil Davies

Delete all and replace with:

Council notes that the Capital Programme agreed in December 2009 contained an allocation for Cultural Services Assets which clearly stipulated that Parks formed part of that allocation.

Capital spend on the purchase of equipment for the proper maintenance of parks and open spaces is a perfectly acceptable use of such capital and it is absurd to suggest that this money, allocated to parks, has in some way been taken away from money to be spent on libraries or sports centres, which will also receive their own allocation, or will lead to the risk of decline and decay of libraries and sports centres.

Council rejects such blatant and distorted electioneering propaganda and condemns an attack on measures needed to ensure the proper protection and improvement of Wirral's parks and open spaces.

In the light of the criticisms raised by the District Auditor over the HESPE contract, Council recognises that the decision not to award a ten year contract privatising Wirral's Parks and Countryside Services was the correct decision and welcomes the progress made so far to provide an excellent in house service to the people of Wirral.

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

The amendment was put and lost (29:36) (One abstention).

The motion was put and carried (36:29) (One abstention).

Resolved (36:29) (One abstention) –

- (1) Council expresses its concern at the lack of transparency over the use of £500,000 of money, part of a capital allocation previously set aside for essential works to libraries and sports centres, for gardening equipment.**

- (2) Council strongly believes that, if additional money was required for the purchase of new grass-cutting equipment to meet the shortfall in funding arising from the Labour Cabinet's decision to keep park maintenance 'in house', the Capital Programme should have been increased by an appropriate sum.**
- (3) Council is dismayed that re-designating £500,000 from the cultural services capital allocation for gardening equipment will deprive other cultural assets of much needed investment.**
- (4) Council is reminded that, when Labour came back into office, the Leader promised that libraries would be 'safe in their hands'. Council is outraged that, by the evidence so far, the Administration's management of the council's assets means Wirral's library buildings, sports centres and museums may now be in danger of neglect and decline.**
- (5) Council is also reminded that, in 2009, when previously in office, Labour started the process to transfer the Council's Parks maintenance to a private contractor to improve and modernise the service and save money. Yet, when they came back into office in 2011, they did a u-turn on this policy - after around £250,000 had already been spent in preparation work.**
- (6) The effect of this mismanagement has been to place the Council in a position where it has to incur additional costs or risk not being able to cut the grass in our parks and roadsides.**
- (7) Finally, Council notes that, had park maintenance been assigned to an external contractor, this half a million pounds of additional costs for equipment would have been built into the contract price as part of a contract and still saved money on the overall cost of providing the service.**
- (8) Council, therefore, denounces this shocking waste of money by the Labour Administration (already £750,000 on this matter alone and still counting), and their actions, which are putting much loved libraries and sports centres at risk of decline and decay.**

121 MOTION: NATIONAL CITIZEN SERVICE

Proposed by Councillor Ian Lewis
Seconded by Councillor Sheila Clarke

Council:

- (1) Believes that younger people in Wirral have an important role to play in the life of the Borough and notes that many are already playing a part in community and voluntary organisations with people of all ages.**

- (2) Notes the visit by the Minister for Civil Society, Nick Hurd MP to Leasowe Recreation Centre to meet participants in a pilot scheme for National Citizen Service during 2011 and congratulates those young people who took part, and those who organised it.
- (3) Therefore welcomes the decision by the Coalition Government to offer 30,000 places to young people from around the UK in the next stage of National Citizen Service.
- (4) Requests that all Council Departments be made aware of the programme and for those staff working with young people to promote the opportunities for 16 year olds to take part this year.
- (5) Instructs the Chief Executive of the Council to write to the Minister to express its support for National Citizen Service.

Amendment submitted in accordance with Standing Order 7(2)

Proposed by Councillor Ann McLachlan

Seconded by Councillor Tony Smith

Council welcomes schemes to engage our young people and build their skills and encourage participation in the wider Community, but believes that the National Citizen Service is a costly pilot scheme, being introduced at a time when youth services are being slashed across the country.

Council believes that this scheme will not reach out to those disaffected and disadvantaged young people in a way that a fully funded and integrated Youth Service could do and calls on the Coalition Government to restore the £100million it is cutting from Youth Service Funding nationally.

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

The amendment was put and lost (29:36) (One abstention).

The motion was put and carried (36:29) (One abstention).

Resolved (36:29) (One abstention) –

Council:

- (1) Believes that younger people in Wirral have an important role to play in the life of the Borough and notes that many are already playing a part in community and voluntary organisations with people of all ages.**
- (2) Notes the visit by the Minister for Civil Society, Nick Hurd MP to Leasowe Recreation Centre to meet participants in a pilot scheme for National Citizen Service during 2011 and congratulates those young people who took part, and those who organised it.**

- (3) Therefore welcomes the decision by the Coalition Government to offer 30,000 places to young people from around the UK in the next stage of National Citizen Service.
- (4) Requests that all Council Departments be made aware of the programme and for those staff working with young people to promote the opportunities for 16 year olds to take part this year.
- (5) Instructs the Chief Executive of the Council to write to the Minister to express its support for National Citizen Service.

122 **OBJECTION: MINUTE 274 (CABINET - 2 FEBRUARY, 2012) - DRAFT CORPORATE PLAN 2012/13**

Proposed by Councillor Jeff Green
Seconded by Councillor Lesley Rennie

Council thanks all of our partner organisations and OSC for their contribution in what has proved to be a wholly inadequate timescale for meaningful consultation on the Administration's draft Corporate Plan.

For the avoidance of doubt this Council does not accept the Draft Corporate Plan 2012/13 and instead instructs Officers to continue to work to those goals and targets set out in the existing Corporate Plan.

Council requests Officers to report back to Cabinet on any adjustments that have been made to Departmental plans predicated on the now rejected current Administration's Plan.

Council further instructs officers to prepare a report that sets out a process and timetable that will deliver an updated Plan within 6 months that:

- Captures any work done to date, particularly focussing on comments provided by OSCs and partner organisations
- Leads to the preparation of an updated draft plan by the middle of May
- Builds in a 6 week policy public consultation period
- Reports back to Council at the end of August
- Informs the Budget Planning process and enables publication of a draft Budget to December Council

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

Resolved (36:29) (One abstention) – That the objection be approved.

123 **VACANCIES**

The Leader of the Council stated that he would notify the Director of Law, HR and Asset Management of changes to Committee places (see minute 109 ante) and of any consequential changes arising from his Cabinet appointments.