

# Council – 16 July 2012

## Motions

The following motions have been submitted in accordance with the notice required by Standing Order 8(1) and are listed in the order received. The actual order in which they are debated will be determined by the party groups in accordance with Standing Order 5(4).

### 1. PROTECTING YOUNG PEOPLE FROM TOBACCO MARKETING.

**Proposed** by Councillor Anne McArdle

**Seconded** by Councillor Pat Glasman

This Council notes that:

Smoking tobacco can cause serious and fatal disease and that the only way to reduce that risk is not to smoke.

Smoking is an addiction that starts in childhood with the vast majority of smokers starting before they are 18 years old.

693 people in Wirral die from a smoking related disease every year.

With advertising bans in place, tobacco manufacturers have increasingly focused on packaging design to make their products more appealing

Published peer reviewed scientific research is clear that plain packs are less attractive especially to young people, strengthen the impact of health warnings and make packs less misleading to consumers.

This Council believes that:

It is the responsibility of all levels of government to ensure good public health in the population.

This Council therefore resolves:

- (1) To request the Interim Chief Executive to write to the Secretary of State for Health, expressing these views and asking him to bring forward legislation to introduce standardised packaging of tobacco products to protect children and young people from aggressive tobacco marketing.
- (2) To continue to promote good health in our Borough, by supporting initiatives designed to reduce local rates of smoking and to protect children and young adults from tobacco harm.

## **2. DANGEROUS DOGS**

**Proposed** by Councillor Brian Kenny

**Seconded** by Councillor Jean Stapleton

- (1) All dogs are potentially dangerous. The risk varies according to size, breed characteristics, and conditioning by owners. Present legislation has largely failed as every year cases occur in which other pets, and in many cases children, are attacked and injured, maimed, or even killed. Present legislation is concerned insufficiently with owner control. Enforcement of controls on breed types is difficult to enforce both because it is easily ignored and because breed variation and cross breeding produces difficulty of identification.
- (2) Members of the public wishing to take ownership of a dog from charitable organisations are first interviewed, and their homes are inspected to establish through a highly responsible process whether they are suitable for dog-ownership. However, dog ownership is not controlled in the 'market place' and it is a simple matter to acquire almost any breed of dog. This leads not only to irresponsible persons acquiring potentially dangerous animals but also to irresponsible care and behaviour of the animals resulting in fouling in public places.
- (3) Council notes that the former dog-license regime was little more than a form or taxation and its restoration would be of no value. Council calls on the government to consider, in consultation with the RSPCA and other responsible animal care organisations, the phased introduction of a modern licensing system such that persons are licensed to become dog owners on lines similar to the inspection regimes used by charitable dog rescue organisations.

## **3. REGIONAL AND LOCAL PUBLIC SECTOR PAY**

**Proposed** by Councillor Joe Walsh

**Seconded** by Councillor Brian Kenny

Council notes:

- The Chancellor of the Exchequer announced in the 2012 Budget the Government's desire to introduce 'more market facing' public sector pay. This could mean regional or local public sector pay.
- This recommendation has come in advance of the Pay Review Bodies reporting on the issue in July and September 2012.
- There has been no independent assessment of the impact and consequences this policy could have for public services or the economies of low pay regions.

Council believes:

- The Government's case is based on the claim that public sector pay is 'crowding out' the private sector. This is not supported by evidence, particularly at a time of

high unemployment. There are currently over 8 JSA claimants for every job vacancy in the Wirral.

- This approach also ignores the real reasons for the differences between public and private sector pay. For instance, there are more high skilled workers in the public sector (such as teachers and nurses), and a smaller pay gap between top and bottom earners and a smaller gender pay gap.
- Public sector employers already have some flexibility to adjust pay in response to local conditions, and higher rates are paid in London and the South East
- All other English regions and devolved nations stand to be affected by this, with the possibility of years of pay falling behind the cost of living.
- Workers in the Wirral are paid £18 less per week than the national average.
- 65% of public sector workers are female.
- Regional pay is likely to increase differential pay rates between regions and may make it more difficult for the North West to attract staff from other regions.

Council further believes:

- Regional or local public sector pay would have a harmful effect on the Wirral.
- It will make it harder for schools and other public services to recruit and retain good quality professionals who could earn more for doing the same job elsewhere.
- There are 35,000 public sector workers across the Wirral and reducing their real terms pay each and every year will dramatically reduce spending power and have a negative impact on the private sector.
- This policy will not improve the pay of private sector workers but instead could encourage further depression of wages in all sectors.
- We do not want to be forever defined as a 'low pay' region.
- This policy is therefore counter to our area's vision and ambitions for the future.

Council resolves:

- (1) To write to the Chancellor of the Exchequer and Chief Secretary to the Treasury stating this council's opposition to plans for regional and localised public sector pay.
- (2) To write to all local MPs within the next month outlining concerns about the impact that this policy would have on services and the local economy.
- (3) To sign up to the Pay Fair campaign and raise awareness of the implications and risks of this policy locally, regionally and nationally.

#### **4. COLLABORATION GOVERNMENT'S EDUCATION POLICY CONFUSION**

**Proposed** by Councillor Adrian Jones

**Seconded** by Councillor Bernie Mooney

- (1) Council views with concern the approach to examinations demonstrated by Education Minister Michael Gove. Council notes, in particular, publication of his

plan to 'modernise' through turning the clock back to the 1950s by replacing GCSEs with a two-tier exam system modelled on O-levels and CSEs. His 'leaked' proposal that the present exams would be scrapped was particularly regrettable. Timed as it was by design or default students presently awaiting their exam results would perceive their achievements to be second class as they were to be superseded in 2015 by an antiquated model scrapped a quarter of a century ago.

- (2) Council sympathises with Coalition Deputy Prime Minister Nick Clegg's robust denunciation, from Brazil, of the Tory minister's proposals as neither he nor Coalition LibDem Education Minister Sarah Teather, were consulted about the plans before they were published in the 'Daily Mail'. Further, Council applauds the comments of Graham Stuart, Conservative chairman of the Commons education select committee who said he was sceptical and suggested the plans were designed just to help the elite.
- (3) Given this further example of ideological incompatibility between the two wings of the Tory-led parliamentary collaboration, and the apparent contempt with which the senior partner regards the junior, Council calls on the Prime Minister to have the courage to face the country in an early general election.

## **5. WIRRAL'S IMPROVEMENT PLAN**

**Proposed** by Councillor Ann McLachlan

**Seconded** by Councillor Phil Davies

- (1) Council notes the progress being made on developing an Improvement Plan for Wirral as a blueprint for driving forward change and transforming Wirral's Corporate Governance arrangements.
- (2) Council recognises that we are at the beginning of a journey with many challenges ahead but welcomes the cross party support in working with the Improvement Board to deliver the priorities agreed to achieve our ambition to deliver excellence in all areas of our work and outstanding services to the residents of Wirral.

## **6. FREEDOM OF INFORMATION REQUESTS**

**Proposed** by Councillor Jeff Green

**Seconded** by Councillor Lesley Rennie

- (1) Council notes that year on year the number of Freedom of Information (FOI) requests submitted to the Council keeps on rising; from 241 requests in 2007 to 1139 in 2011.
- (2) Council sincerely thanks the public for their continued interest in finding out about how the Council operates.

- (3) Council further notes that information obtained via FOI requests was pertinent in proving that Martin Morton was right and that the Council did, wrongly, overcharge vulnerable adults.
- (4) Council believes that one of the ways we can start rebuilding public confidence is by enshrining a culture of openness and transparency in everything that we do.
- (5) Council is disappointed to note that Officers are currently attempting to overturn a decision notice from the Information Commissioner's Office granting access to information requested under the Freedom of Information Act by an elected Member.
- (6) Without a change in approach Council understands that the resources required to service the ever rising level of FOI requests in Wirral will continue to grow. Therefore Council believes a new approach to Freedom of Information needs to be designed based on a culture of openness and transparency.
- (7) Council therefore instructs Officers to investigate best practice across a range of public sector organisations and report back to an early meeting of Council Excellence OSC with a view to establishing an all party (1:1:1) Working Group to scrutinise options available and make recommendations to Cabinet on a new approach to FOI requests.

## **7. CORPORATE PARENTING**

**Proposed** by Councillor Wendy Clements

**Seconded** by Councillor Cherry Povall

- (1) Council recognises that:
  - (a) It is the Corporate Parent of all the Looked After Children in Wirral and that looking after other people's children is one of the most important things that councils do.
  - (b) There are currently over 600 children in the care of Wirral Borough Council
  - (c) All councillors must ask themselves "are we providing the best care possible to our looked after children and care leavers"
- (2) Therefore Council:
  - (a) Calls on the Cabinet to ensure sufficient funds are available to achieve this "best possible care" as well as to continue to fund preventative and Early Intervention Strategies which may in time reduce the number of children who have to be taken into care.
  - (b) Recognises that recent concerns raised by the All-Party Parliamentary Groups for Runaway and Missing Children & Looked After Children and Care Leavers "Children missing from care" cannot be ignored and local data on

runaways needs to be examined and requests all relevant information be reported to an early meeting of the Council's CYPD Overview & Scrutiny Committee.

- (c) Salutes The Children in Care Council as a dedicated group of young people who provide a voice for Looked After Children and Care-Leavers and congratulates them for their input into local initiatives such as "therightsideofcare" website and information pack for children and young people when they first come into care.

## **8. EMPTY HOMES**

**Proposed** by Councillor Tony Cox

**Seconded** by Councillor Don McCubbin

- (1) Council notes that empty houses blight communities and are also a haven for anti-social behaviour and vandalism.
- (2) Council recognises the good work carried out within the Regeneration Department through the Empty Property Team, in bringing unused properties back to occupancy and believes more can be done.
- (3) Therefore, Council instructs Officers as a matter of urgency to carry out a study into the issues raised in the Channel 4 Television documentary 'The Great British Property Scandal' and work with the Government's empty homes advisor, George Clarke, to create a low cost empty homes loan scheme for people willing to refurbish older properties for rent at affordable levels.

## **9. JOBS AND INVESTMENT**

**Proposed** by Councillor Jeff Green

**Seconded** by Councillor Lesley Rennie

- (1) Council welcomes:
  - (a) The historic signing in China of an agreement to deliver record investment in the proposed International Trade Centre.
  - (b) Government support for the automotive industries at Jaguar Landrover and the announcement that Vauxhall's Ellesmere Port plant will produce the new generation Astra.
  - (c) The extra investment and new jobs that will be created at the historic home of Unilever in Port Sunlight.
  - (d) The unprecedented success of 'The Contact Company' and the other Small and Medium sized Enterprises brought into or developed and growing in Wirral.

- (e) The granting of the turnaround cruise liner terminal in Liverpool and the continued success of the tourism industry in Wirral.
- (2) Council notes that this has been achieved in times of considerable economic difficulty and recognises the role partnership and cooperation between all parties and administrations in Wirral, Government and business has played in this success.
- (3) Council therefore thanks the Government and local businesses for their continued support and expresses our pride in the Council's own role in bringing investment to Wirral and for doing so much to expand private enterprise in Wirral and the wider Liverpool City Region which will not only protect existing jobs but will also create thousands of new opportunities for work and investment.

## **10. DIAMOND JUBILEE**

**Proposed** by Councillor Jeff Green

**Seconded** by Councillor Lesley Rennie

This Council congratulates Her Majesty, Queen Elizabeth II on the occasion of her Diamond Jubilee and expresses its gratitude for Her Majesty's exceptional public service and unwavering dedication to duty over six decades.

## **11. LIBRARY OPENING TIMES**

**Proposed** by Councillor Mark Johnston

**Seconded** by Councillor Stuart Kelly

- (1) Council notes that branch library opening times have been a topic of concern for local residents at the Heswall, Pensby, Thingwall neighbourhood forum.
- (2) Council notes the Libraries Strategy (Cabinet 8th December 2011 minute 219 refers), in which only the four 'main libraries' at Birkenhead, Wallasey, Bebington and West Kirby are to be open weekday evenings.
- (3) Council also notes the Libraries Strategy trial of opening on Wednesdays (instead of evenings) being carried out at Heswall and Eastham libraries with a view to this pattern of opening being rolled out at all libraries.
- (4) Council has regard to feedback from these trials, which point out the lack of an evening option can unacceptably exclude anyone in work, education or training from making use of these much valued community facilities.
- (5) Council believes that the best way to determine a response to conflicting pressures of customer demands and budgetary constraints is to consult, engage and listen to library users about what they want from their local library service and how they wish to see the allocated opening hours applied to their local library.

- (6) Council rejects the view that 'one size fits all' in each local circumstance, as this is incompatible with Localism principles and aspirations and the Notice of Motion agreed by Council 16th April entitled 'Delivering Services with Empathy, Compassion and Common Sense' (minute 148 refers) which sought to ensure services were provided for our services users, rather than at the convenience of the Council and other providers.
- (7) Council believes that Cabinet should amend the Library Strategy's policy on opening times to allow neighbourhood forums, in consultation with their local community, library user groups and library staff to determine the most appropriate spread of opening hours through the week to best suit the needs of their communities, with the costs of any additional hours required to be met from existing devolved budgets.
- (8) Council requests an update on these matters be provided to an appropriate meeting of Sustainable Communities OSC.

## 12. PROTECTING BEES AND POLLINATORS

**Proposed** by Councillor Phil Gilchrist

**Seconded** by Councillor Dave Mitchell

- (1) This Council believes that it has an important part to play in retaining and creating an environment in which pollinating insects can survive and thrive. This involves the Council directly; as the guardian of parks and open spaces and as the planning authority and indirectly; through its advice and encouragement to residents who can play their part in saving the bee population. Council recognises growing concern about the health of the bee population across the country.
- (2) Council recalls that:
- i. On 15 Dec 2008 (Minute 92) it expressed its thanks to Wirral's Environmental Health staff and to the Call Centre for its established and enlightened policy of assisting householders to understand the importance of bees.
  - ii. On 13 July 2009 (Minute 29) it considered that, *'Many of Wirral's management plans already recognise the need for sensitive management but that there is a pressing need to respond to the decline in the bee population.'* and went on to request that, *'Wirral's existing practices in managing open spaces and verges should be reviewed and updated to take account of this concern'*,
- (3) In order to ensure that these issues are addressed Council:
- i. Notes the recent publication of research commissioned by Friends of the Earth by the University of Reading, entitled *'The decline of England's bees'*
  - ii. Welcomes Friends of the Earth's campaign for a National Bee Action Plan which seeks *'to ensure that a comprehensive set of measures is put in place to reverse bee decline and avoid rising costs to farmers and consumers.'*

- (4) In so doing, Council recognises that the Friends of the Earth briefing sets out the following concerns:
- i. That *'We need bees to pollinate many important food crops, including most fruit and vegetables'*
  - ii. That *'areas that bees and other pollinators rely on will be vulnerable to development pressures'* and that strong Local Plan policies should protect areas important to bees.
- (5) In particular, the briefing makes it clear that *'new developments (should) create areas for nature, including green roofs and other natural spaces'*.
- (6) Accordingly, Council requests officers to study the concerns raised by Friends of the Earth and to take these into account when framing and updating local policies.

### **13. VALUING OUR SAFEGUARDING EMPLOYEES**

**Proposed** by Councillor Mark Johnston

**Seconded** by Councillor Pat Williams

- (1) This Council is firmly committed to safeguarding vulnerable children in our care. Council notes that, at present, almost 700 children are looked after in Wirral, and according to the Wirral Children and Young People's Plan 2012-13, over 2,200 children have been allocated a social worker and around 360 have a child protection plan. Average caseloads for social workers in Wirral are between 25-30 children.
- (2) Council believes that one of the key ways to secure the best possible outcomes for these children is to affirm its commitment to maintaining a highly skilled, professional, well motivated and caring workforce and providing a working environment and terms and conditions in which they can consistently give their best.
- (3) In particular, Council welcomes the partnership work across Cheshire and Merseyside to deliver the 'Step up to Social Work' scheme to deliver Masters level social work training in Children's Social Care (Cabinet minute 198, 1st September 2011 refers).
- (4) Council notes the recent extension of short term market rate supplement payments to Children's Social Care Posts to improve recruitment and retention, agreed at Employment and Appointments Committee 23rd April 2012 (minute 90 refers).
- (5) However, Council also notes that agreement to these payments is subject to the outcomes of job evaluation, which ought to be resolving these issues. Council expresses concern that the job evaluation process, as well as being years overdue, is also taking far longer than initially promised to staff and is concerned

that confidence in the process could be undermined if these delays are allowed to continue and urges the Council Leader to explain the reasons for the delay.

- (6) Council believes that, in order to further demonstrate its commitment to valuing our safeguarding employees and attracting high quality new recruits, the organisation should ensure that terms and conditions of employment for these posts, including pay and grade, are competitive with those of neighbouring authorities for similar work in order to reduce turnover of social care staff. At present, minimum pay for social workers is, on average, 17% lower than for comparator authorities, with staff turnover at 9.2%, compared with 5% across the rest of the Council.
- (7) Council recognises that competitive terms and conditions and training can also help to minimise vacant posts and the need for expensive agency workers, but that agency fees are still a significant cost to the organisation, totalling £1.4m last year and expected to rise this year. In order to help to reduce this, the Acting Director of Children's Services is requested to investigate whether a peripatetic 'pool' of social workers across Cheshire and Wirral might be an innovative way of sharing some services to cover short staffed areas.
- (8) Further, Council requests that the Director of Children's Services consults with Wirral's Children's Social Care Workers, including, where possible, with those who have left the authority to work elsewhere, to establish whether there are any other factors that are leading social care workers to seek employment elsewhere.
- (9) Council requests that responses to these matters be presented in a report to the Children and Young People OSC at the earliest opportunity.