

COUNCIL

Monday, 28 January 2013

Present: The Mayor (Councillor Gerry Ellis) in the Chair
Deputy Mayor (Councillor Dave Mitchell)

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

Apologies Councillors D Elderton AR McLachlan

94 DECLARATIONS OF INTEREST

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

No such declarations were made.

95 MAYOR'S COMMUNICATIONS

The Mayor's Chaplain, Revd Dr David Chester, led the Council in prayers.

The Mayor welcomed Councillors Kathy Hodson and Ian Lewis to their first meeting of the Council since their election to the Council on 17 January, 2013.

Apologies for absence were received from Councillors Elderton and McLachlan. The Mayor informed the Council that he had visited Councillor Elderton in hospital and was pleased to report that he was making progress in his recovery.

96 **BY-ELECTION RESULTS - 17 JANUARY 2013**

The Acting Director of Law, HR and Asset Management submitted a summary of the results of the by-elections held on 17 January, 2013.

The Leader of the Conservative Group, Councillor J Green, congratulated Councillors Kathy Hodson and Ian Lewis on their election to the Council.

Resolved – That the report be noted.

97 **PETITIONS**

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

Councillor P Glasman on behalf of 51 signatories objecting to planning application APP/12/01520, change of a Doctor's Surgery into a Private Birthing Centre.

Councillor L Fraser on behalf of 36 signatories objecting to planning application DPP4/12/01491, extension of St Georges School.

Councillor Kathy Hodson on behalf of 690 signatories opposing the proposal to withdraw maintenance from Heswall Bowling Green.

Councillor Wendy Clements on behalf of 119 signatories opposing the proposal to withdraw maintenance from Coronation Park.

Resolved - That the petitions be noted and referred to the appropriate chief officers in accordance with Standing Order 34.

98 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

The Leader of the Council thanked the many staff in the Department of Technical Services' Highways Section for their commitment and hard work during the recent spell of cold weather.

A number of matters were submitted for approval by the Council, as follows:

A. The Council received a report from the Interim Director of Finance together with a full detailed Council Tax Support Scheme which the Council was requested to formally adopt, giving effect to the decision of Council on 17 December, 2012 (minute 92 refers).

B. Employment and Appointments Committee – 20 December, 2012
Minute 52 - Senior Management Restructure

C. Cabinet – 20 December, 2012
Minute 149 - Delegation on Employment Issues

D. Cabinet – 24 January, 2013
Minute 165 - Collection Fund 2012/2013
Minute 166 - Council Tax Discounts – Annual Review

Minute 167 - Council Tax Base

E. Employment and Appointments Committee – 24 January, 2013

Minute 57 - The Employment Contract of the Chief Executive and Head of Paid Service

Each matter was moved in turn by Councillor P Davies and seconded by Councillor G Davies and after some debate on items, A, B, C and E, and Councillor P Davies having replied, it was –

Resolved –

- (1) (55:7) (One abstention) - That the Local Council Tax Support Scheme, as set out in Appendix 2 to the report, be approved and adopted.**
- (2) (62:0) (One abstention) – That minute 52 (Employment and Appointments Committee – 20/12/12) - Senior Management Restructure, be approved.**
- (3) (55:7) (One abstention) – That minute 149 (Cabinet – 20/12/12) – Delegation on Employment Issues, be approved, but that the Chief Executive report quarterly, rather than annually to the Employment and Appointments Committee on the operation of the arrangements for conducting appeals.**
- (4) (62:0) (One abstention) – That minute 165 (Cabinet – 24/1/13) - Collection Fund 2012 / 2013; minute 166 (Cabinet – 24/1/13) - Council Tax Discounts – Annual Review; and minute 167 (Cabinet – 24/1/13) - Council Tax Base, be approved.**

Prior to a vote on item E (Minute 57 (Employment and Appointments Committee – 24/1/13) -The Employment Contract of the Chief Executive and Head of Paid Service), Councillor Green along with five Conservative Members, asked that a 'card vote' be recorded.

The Council divided as follows –

For the Motion (36) Councillors RL Abbey, J Crabtree, G Davies, P Davies, WJ Davies, D Dodd, P Doughty, S Foulkes, P Glasman, RJ Gregson, P Hackett, S Hodrien, M Johnston, AER Jones, C Jones, B Kenny, A Leech, M McLaughlin, CM Meaden, B Mooney, C Muspratt, S Niblock, T Norbury, D Realey, DE Roberts, J Salter, H Smith, PA Smith, W Smith, J Stapleton, M Sullivan, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

Against the Motion (26) Councillors C Blakeley, E Boulton, A Brighthouse, W Clements, T Cox, L Fraser, PN Gilchrist, JE Green, J Hale, T Harney, P Hayes, AC Hodson, K Hodson, M Hornby, P Kearney, SE Kelly, I Lewis, GD Mitchell, SR Mountney, Mrs C Povall, Mrs L Rennie, SL Rowlands, A Sykes, GCJ Watt, Mrs PM Williams and S Williams.

One abstention, Councillor GJ Ellis.

- (5) (36:26) (One abstention) – That minute 57 (Employment and Appointments Committee – 24/1/13) -The Employment Contract of the Chief Executive and Head of Paid Service, be approved.

The Chief Executive, having withdrawn from the chamber for the debate and vote on this item, then returned to the chamber. The Leader of the Council congratulated Mr Burgess on his permanent appointment. Mr Burgess thanked the Council for approving his permanent appointment and stated that he would continue to work with all political parties on the Council.

99 MATTERS REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEES

Resolved – That the following minutes on ‘Budget 2013/16 – Initial Proposals’ be noted:

- Minute 44 - Health and Well Being Overview and Scrutiny Committee – 14 January, 2013
- Minute 44 - Economy and Regeneration Overview and Scrutiny Committee – 16 January, 2013
- Minute 50 - Children and Young People Overview and Scrutiny Committee – 21 January, 2013
- Minute 54 - Council Excellence Overview and Scrutiny Committee – 22 January, 2013
- Minute 47 - Sustainable Communities Overview and Scrutiny Committee – 24 January, 2013

100 ALLOCATION OF COMMITTEE PLACES AND VACANCIES

Following the results of the by-elections held on 17 January 2013, the Council was requested to give consideration to the allocation of Committee places for meetings to the end of the current municipal year.

A note from the Acting Director of Law, HR and Asset Management proposed a reduction of one place for the Labour Group of overall Committee places.

The Council was also requested to deal with a number of appointments, as follows:

Committees

1. Audit and Risk Management Committee

Councillor Tony Cox to replace former Councillor D McCubbin

2. Employment and Appointments Committee

Councillor Tony Smith to replace Councillor Jean Stapleton as a deputy

3. Licensing Act 2003 Committee

Councillor Ian Lewis to replace former Councillor D McCubbin

4. Licensing, Health & Safety and General Purposes Committee

Councillor Ian Lewis to replace Councillor Eddie Boulton
Councillor Eddie Boulton to return to being a deputy

5. Pensions Committee

Councillor Kathryn Hodson as Conservative deputy

6. Planning Committee

Councillor Kathryn Hodson to replace Councillor Wendy Clements
Councillor Wendy Clements to return to being a deputy

7. Council Excellence Overview and Scrutiny Committee

Councillor Kathryn Hodson as Conservative deputy

Advisory Committees And Working Parties

CORPORATE SERVICES

8. Democracy Working Party

Councillor Geoffrey Watt to replace former Councillor Don McCubbin

Outside Bodies

COMMUNITY AND CUSTOMER ENGAGEMENT

9. Wirral Multicultural Organisation

Councillor Ian Lewis to replace Councillor Peter Kearney

HOUSING AND COMMUNITY SAFETY

10. Wirral Partnership Homes – Board Member

Councillor Kathryn Hodson to replace former Councillor Don McCubbin

Resolved –

- (1) That a reduction of one place for the Labour Group, on the Council Excellence Overview and Scrutiny Committee with Councillor R Gregson standing down, be approved.**
- (2) That the amendments to membership and appointments listed above, be approved.**