

# COUNCIL

Tuesday, 6 December 2016

Present: The Civic Mayor (Councillor Pat Hackett) in the  
Chair  
Deputy Civic Mayor (Councillor Ann McLachlan)

Councillors	RL Abbey	P Hayes	D Realey
	T Anderson	A Hodson	L Rennie
	B Berry	K Hodson	D Roberts
	C Blakeley	T Johnson	L Rowlands
	E Boulton	AER Jones	T Smith
	A Brighthouse	C Jones	W Smith
	D Burgess-Joyce	T Jones	C Spriggs
	C Carubia	S Kelly	J Stapleton
	P Cleary	B Kenny	P Stuart
	W Clements	A Leech	M Sullivan
	A Davies	I Lewis	A Sykes
	G Davies	M McLaughlin	T Usher
	P Davies	J McManus	J Walsh
	WJ Davies	C Meaden	W Ward
	P Doughty	D Mitchell	G Watt
	D Elderton	B Mooney	S Whittingham
	G Ellis	C Muspratt	J Williamson
	S Foulkes	T Norbury	I Williams
	P Gilchrist	M Patrick	KJ Williams
	JE Green	T Pilgrim	S Williams
	J Hale	C Povall	

Apologies Councillors P Brightmore and L Reece Jones

## 76 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.

## 77 CIVIC MAYOR'S ANNOUNCEMENTS

The Civic Mayor noted that apologies had been received from Councillors Phil Brightmore and Louise Reece Jones.

The Civic Mayor informed that his annual festive event, the Mayor's Tea Dance will be taking place at Wallasey Town Hall on Wednesday 7th December (1.30 - 4.00pm). He expressed his thanks to all those Councillors, members of staff and residents who had sponsored tickets for an elderly person to attend.

## 78 **LIVERPOOL CITY REGION COMBINED AUTHORITY**

Further to minute 71 (Council - 14 November, 2016), the Council was requested to consider a report of the Chief Executive on the Liverpool City Region Combined Authority and the draft Orders.

The Mayor invited Councillor Phil Davies to address the Council.

The Leader informed that the report outlined the most recent legal and governance requirements to establish the Liverpool City Region Combined Authority (LCRCA) Mayoral Model with the devolved powers and functions agreed as part of the Devolution Deal in November 2015. He further informed that a revised version of the draft Order had only been received that day, copies of which had been placed on Members' benches.

The Leader further informed that a revised amendment (Liberal Democrat Group) and a second amendment (Conservative Group) in relation to the Liverpool City Region Combined Authority and the draft Orders had also been placed on Members' benches.

The Assistant Director: Law and Governance (Monitoring Officer) highlighted the variations between the circulated document and that contained in the Council Summons.

### **ADJOURNMENT**

On a motion by Councillor Phil Davies, duly seconded, it was

Resolved – That the Council adjourn for 10 minutes (until 5:50pm) in order to consider the above mentioned variations to the Order and tabled amendments.

### **RECONVENED COUNCIL MEETING**

It was moved by Councillor Phil Davies and seconded by Councillor George Davies that the Liverpool City Region Devolution – Order Terms as revised, be RECOMMENDED TO CABINET for approval.

**The two amendments were then tabled in accordance with Standing Order 12(1) and (9), as follows:**

## **First Amendment**

**Proposed by** Councillor Jeff Green

**Seconded by** Councillor Leslie Rennie

*“Insert new paragraph (a)*

*(a) Council welcomes the trust the government is demonstrating in local government with its commitment to devolution deals up and down the country. Council further welcomes the significant devolution of resources from central government to the Liverpool City Region (LCR) - £900 million over thirty years, and the areas given competence to the Liverpool City Region Combined Authority (LCRCA):*

- Economic Development*
- Transport*
- Skills and Employment*
- Housing and Spatial Planning*

*Re-name remaining paragraphs (b) – (f)*

*Delete paragraph (f) and insert new paragraph (f): Council believes that the LCRCA must be an organisation that works on behalf of all citizens of Merseyside and that any devolution of power and budget to the City Region must be balanced by providing a direct opportunity to hold those with authority accountable and open to effective scrutiny.*

*Council does not believe the current arrangements as set out in Appendix 2 are sufficiently inclusive and will not hold the Mayor to account. Council therefore calls on the Leader of the Council to refer the scrutiny principles back to the LCRCA for review so that the new scrutiny principles will take account of the views of all elected representatives from all the constituent authorities.”*

**and;**

## **Second Amendment**

**Proposed by** Councillor Phil Gilchrist

**Seconded by** Councillor Dave Mitchell

*“(a) Notes the next steps required for the implementation of the LCR Devolution Agreement;*

*(b) Considers the draft LCR Order as detailed in Appendix 3 and additional Appendices to the report which set out the powers to be devolved to the LCRCA and directly Elected Mayor and confirms its support for the same;*

**Insert...**

However wishes to express its view that, with regard to the draft Order, the operation of Section 22 relating to Political Advisers, the Mayor shall be required to notify the constituent authorities of

- a. their intention to start that process of appointment, the steps being taken to advertise the post, the job description and specification, salary, pension and other arrangements
- b. along with, at the relevant stages, provide information on the number of applications received, the number of applicants shortlisted, and the final outcome of that process.

(c) Notes that the Department for Communities and Local Government has confirmed that the decision to agree the detailed terms of the Orders is an Executive decision, and that an Executive decision in relation to the proposed draft LCR Orders shall be made at Cabinet on 8 December 2016;

(d) Notes and reaffirms the governance principles, previously agreed by the Council and the Liverpool City Region Combined Authority in November 2015 (attached as Appendix 1b), that will form the basis of the revised LCRCA constitution; and

(e) **Delete** 'Considers and agrees' and **insert** 'Believes that'

After (Appendix 2), **insert** 'provide insufficient assurance that the process will be effective if the composition of the Councils remains similar to their current configuration, believing that setting up and enshrining such a high bar for the call in process is undemocratic and therefore cannot endorse the scrutiny principles suggested to date.'

**Delete** 'notes' and **insert** 'is concerned'

**Insert new (f)**

(f) believes that the Draft Statutory Instruments, as set out on pages 87 – 97, contain welcome provisions regarding the practicable balance of political parties (section 4), the appointment of chair (section 5) and on the reference of matters (section 6), provides a framework which the LCRCA should build upon by tackling omissions in its Constitution.

Council notes the requirement set out in section Part 2 Section 3(2) requiring that two thirds of the Overview and Scrutiny members must be present.

Council believes that, in the interests of good governance, there is a need for a regular flow of information to constituent authority members for there to be a

*sufficient and effective corporate memory and understanding of the issues facing the region.*

*This Council believes that the Liverpool City Region will be more cohesive and successful if opportunities are developed to bring together, consult and involve members from the constituent authorities.”*

On a motion by Councillor Steve Foulkes, seconded by Councillor Phil Davies it was moved that the Seconders be now heard.

A ‘card vote’ was then taken and the Council voted as follows:

For the motion (34) Councillors R Abbey, A Davies, G Davies, P Davies, W Davies, P Doughty, S Foulkes, T Johnson, AER Jones, C Jones, Tony Jones, B Kenny, A Leech, A McLachlan, M McLaughlin, J McManus, C Meaden, B Mooney, T Norbury, M Patrick, D Realey, D Roberts, PA Smith, C Spriggs, J Stapleton, P Stuart, M Sullivan, T Usher, J Walsh, W Ward, S Whittingham, I Williams, KJ Williams and J Williamson.

Against the motion (29) Councillors T Anderson, B Berry, C Blakeley, E Boulton, A Brighthouse, D Burgess-Joyce, C Carubia, P Cleary, Mrs W Clements, D Elderton, G Ellis, P Gilchrist, J Green, J Hale, P Hayes, A Hodson, K Hodson, S Kelly, I Lewis, D Mitchell, C Muspratt, T Pilgrim, C Povall, L Rennie, L Rowlands, W Smith, A Sykes, GCJ Watt and S Williams.

One abstention – Councillor P Hackett.

Resolved: (34:29) (One abstention) – that the Seconders be now heard.

After the Seconders of first and second amendments having been heard, and Councillor Phil Davies having replied.

Councillor Green’s amendment and was put and lost (26:37) (One abstention).

Councillor Gilchrist’s amendment and was then put and lost (27:36) (One abstention).

A vote was then taken on Councillor Davies’ substantive motion that the Liverpool City Region Devolution – Order Terms as revised, be approved.

**Resolved: (36:27) (One abstention)**

**COUNCIL APPROVES:**

- a) the next steps required for the implementation of the LCR Devolution Agreement;
- b) Council notes the revised draft LCR Order circulated on 6 December 2016 and additional Appendices to the report which sets out the powers to be devolved to the LCRCA and directly Elected Mayor and confirms its support for the same;
- c) Council notes that the Department for Communities and Local Government has confirmed that the decision to agree the detailed terms of the Orders is an Executive decision, and that an Executive decision in relation to the proposed draft LCR Orders shall be made at Cabinet on 8 December 2016;
- d) Council notes and reaffirms the governance principles, previously agreed by the Council and the Liverpool City Region Combined Authority in November 2015 (attached as Appendix 1b), that will form the basis of the revised LCRCA constitution; and that
- e) the scrutiny principles (as attached in Appendix 2) and their incorporation into the revised LCRCA constitution be agreed.