

# COUNCIL

Minutes of the Annual Council meeting held on Monday, 15 May and reconvened on Tuesday, 16 May, 2017

## Monday, 15 May 2017

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

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

Apologies: Councillors C Blakeley D Realey  
P Doughty T Smith  
J Hale J Walsh

## Tuesday, 16 May 2017

Present: The Civic Mayor (Councillor Ann McLachlan) in the Chair  
Deputy Civic Mayor (Councillor Geoffrey Watt)

Councillors	RL Abbey	J Hale	C Povall
	T Anderson	P Hayes	D Realey
	B Berry	A Hodson	L Reecejones
	E Boulton	K Hodson	L Rennie

A Brighthouse	T Johnson	L Rowlands
P Brightmore	AER Jones	W Smith
D Burgess-Joyce	C Jones	C Spriggs
C Carubia	T Jones	J Stapleton
P Cleary	S Kelly	P Stuart
W Clements	B Kenny	M Sullivan
A Davies	A Leech	A Sykes
G Davies	I Lewis	T Usher
P Davies	M McLaughlin	W Ward
WJ Davies	J McManus	S Whittingham
D Elderton	C Meaden	J Williamson
G Ellis	D Mitchell	I Williams
S Foulkes	B Mooney	KJ Williams
P Gilchrist	C Muspratt	S Williams
JE Green	T Norbury	G Wood
P Hackett	M Patrick	

Apologies: Councillors C Blakeley T Smith  
P Doughty J Walsh  
T Pilgrim

## 1 **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.

Apologies had been received from Councillors Chris Blakeley, Paul Doughty, John Hale, Denise Realey, Tony Smith and Joe Walsh.

## 2 **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor thanked all those within the Council and throughout the Borough who had supported him and the Mayoress in the wide variety of activities that they had undertaken throughout his year of office. In particular, the Civic Mayor thanked, his Cadet, Cadet Warrant Officer Leah Phillips, all the staff of Committee and Civic Services for their valued assistance, and all those involved in the work of the Civic Mayor's Charity Fund.

He also referred to the explosion which had occurred in New Ferry on 25 March, 2017 and paid tribute to all those involved from the emergency services, from the Council and from a number of organisations including the Life Church for all their work in responding to the incident and their work since in helping those affected.

### 3 **ELECTION OF CIVIC MAYOR 2017/18**

The Civic Mayor invited nominations for election of the Civic Mayor for the ensuing municipal year.

On a motion moved by Councillor Phil Davies, seconded by Councillor Ian Lewis and, in the absence of any other nominations, it was:

**Resolved (unanimously) – That Councillor Ann McLachlan be elected Civic Mayor of the Metropolitan Borough of Wirral for the 2017/18 municipal year.**

Councillor McLachlan proceeded to make her declaration of acceptance of office and the retiring Civic Mayor, Councillor Hackett vacated the Chair. Councillor McLachlan occupied the Chair.

The new Civic Mayor welcomed her guests and spoke to her election.

### 4 **DEPUTY CIVIC MAYOR 2017/18**

The Civic Mayor invited nominations for the appointment of a Deputy Civic Mayor for the ensuing municipal year.

On a motion moved by Councillor Ian Lewis, seconded by Councillor Phil Davies, and in the absence of any other nominations, it was:

**Resolved (unanimously) – That Councillor Geoffrey Watt be appointed Deputy Civic Mayor of the Metropolitan Borough of Wirral for the 2017/18 municipal year.**

Councillor Watt proceeded to make his declaration of acceptance of office.

### 5 **ADJOURNMENT**

The Council agreed, pursuant to Standing Order 5A (1), that the meeting stand adjourned to 6.00pm on Tuesday, 16 May 2017.

RECONVENED ANNUAL COUNCIL MEETING

Annual Council reconvened at 6.00pm on Tuesday 16 May 2017.

### 6 **DECLARATIONS OF INTEREST**

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

No such declarations were made.

## 7 **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor welcomed everyone to the meeting, including the public and the newly Elected Member for Claughton ward.

The Civic Mayor noted that apologies for absence were received from Councillors Chris Blakeley, Paul Doughty, Tracey Pilgrim, Tony Smith and Joe Walsh.

The Civic Mayor announced that she would like to be addressed as Madam Mayor and that she would be reviving the tradition of inviting Members into the parlour following ordinary Council meetings as from the July meeting.

## 8 **MINUTES**

The minutes of the three meetings of the Council held on 20 March, 2017 had been circulated to Members and, it was –

**Resolved – That the minutes be approved and adopted as a correct record, subject to a correction to minute 154 ‘Houses in Multiple Occupation’, in that the sentence which begins, “Having been formally moved.....” be deleted and the next sentence be amended to read:**

**“The first and second amendment, were put to the Council as one amendment, and carried (58:0) (Two abstentions).”**

## 9 **PETITIONS**

In accordance with Standing Order 21, the Civic Mayor received a petition submitted by Councillor Phil Gilchrist on behalf of 20 residents of Rosecroft, Bromborough requesting yellow lines on the northern side of the road alongside the boundary with Plymyard Court.

**Resolved – That the petition be noted and referred to the appropriate Chief Officer in accordance with Standing Order 34.**

## 10 **BY-ELECTION RESULT - 4 MAY 2017**

The Chief Executive / Returning Officer reported that Gillian Wood of 74 Vaughan Road, Wallasey had been elected to fill the vacancy for Councillor in Claughton ward following the by-election held on 4 May, 2017.

**Resolved – That the report be noted.**

## 11 LEADER'S ANNOUNCEMENT

The Leader added his congratulations and welcomed Councillor Gillian Wood to the Council. He also welcomed the newly elected Leader of the Conservative Group, Councillor Ian Lewis and expressed his thanks and appreciation to the former Leader of the Conservative Group, Councillor Jeff Green with whom he had worked on a number of issues.

The Leader outlined the changes he had made to his Cabinet, the priority for which was to deliver the Wirral Plan and the twenty pledges which underpinned it. There would be a detailed progress plan for the Council to consider in July.

The Leader of the Council confirmed appointments to his Cabinet for 2017/18 as follows:

<b>Portfolio</b>	<b>Councillor</b>	<b>Party</b>	<b>Ward</b>
Leader, Growth	Phil Davies <b>Leader of the Council</b>	Labour	Birkenhead and Tranmere
Housing and Community Safety	George Davies <b>Deputy Leader</b>	Labour	Claughton
Children and Families	Bernie Mooney	Labour	Liscard
Delivering Differently	Chris Spriggs	Labour	New Brighton
Environment	Phill Brightmore	Labour	Pensby and Thingwall
Finance and Income Generation	Janette Williamson	Labour	Liscard
Highways and Transport	Stuart Whittingham	Labour	Upton
Localism and Engagement	Matthew Patrick	Labour	Upton
Social Care and Health	Christine Jones	Labour	Seacombe
Transformation	Angela Davies	Labour	Prenton

Addressing specifically the issues in Children's Services the Leader acknowledged the challenging year that lay ahead to drive the improvement process. The Leader stated that it was the right decision for both the Director of Children's Services and the Cabinet Member to have stepped down and confirmed that Councillor Bernie Mooney had taken charge of the Children and Families portfolio with immediate effect. He congratulated the police in bringing the two evil perpetrators of these sickening crimes to justice and applauded the bravery of the victims in coming forward. The Council would do everything in its powers to ensure this didn't happen again. A Serious Case Review had already commenced and would report in the summer and he

would ensure that the Council implemented its recommendations. As part of the work following the OFSTED review, a number of measures had been put in place, including:

- the appointment of a new senior management team
- a comprehensive programme of training for frontline staff
- a commitment of £10m additional funding into the service.

The Leader stated that Dr Maggie Atkinson, Chair of the Wirral Safeguarding Children's Board was clear in her view that the services were very different today than they were six months ago and that "lessons have already been learnt". He stated that he was encouraged by the progress already made but knew that there was still much more to do.

The Leader stated that an all Party approach was needed to address the issues in Children's Services and that a cross party task force would be established with the Group Leaders, Cabinet Member and the spokespersons from the Children and Families Overview and Scrutiny Committee all involved to meet regularly, this would be in addition to the Improvement Board. He appealed to all Members to put Party differences aside as the issue was too important to be used as a political football.

## 12 **REVIEW OF SCRUTINY ARRANGEMENTS - RECOMMENDATION FROM THE STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE**

The Council considered a recommendation from the Standards and Constitutional Oversight Committee of 26 April, 2017 on a review of scrutiny arrangements.

It was moved by Councillor McLaughlin and seconded by Councillor Abbey that the recommendations of the Standards and Constitutional Oversight Committee of 26 April, 2017 (minute 32 refers) be approved.

**One amendment, which had been circulated in advance of the meeting, was submitted in accordance with Standing Order 12(1) and (9), as follows:**

### **Amendment**

**Proposed** by Councillor Phil Gilchrist

**Seconded** by Councillor Dave Mitchell

*Add to Recommendation (4)*

The Council welcomes the recommendation of the Standards and Constitutional Oversight Committee to have separate Overview and Scrutiny Committees looking at Adults and Children's Services independently. These

new arrangements should now provide a greater insight into the issues raised by Ofsted.

In approving Recommendation 4, the Council wishes to ensure that the provision of relevant information should not just be referred to the most appropriate Overview and Scrutiny Committee but should be provided in a more timely manner. This includes the reporting of financial information which, because of the timing of the Cabinet and Committee meetings, can be several months out of date when it is considered by Overview and Scrutiny Committees.

The Council requests that all the Overview and Scrutiny Committees receives the latest available financial monitoring report at each Committee meeting, with an updated commentary on the achievement of savings and sources of income. Consideration should also be given to re-introducing the monthly financial statements provided to all Elected Members. By these means, the Council recognises that it should be better placed to manage Wirral's finances in the context of the Government's programme of grant reductions whilst seeking to ameliorate them.

Councillor McLaughlin stated that the Labour Group was happy to accept the Liberal Democrat Group amendment.

A vote was then taken on the amendment and it was carried (59:0) (One abstention).

The substantive motion, as amended was then put and it was carried (59:0) (One abstention)

**Resolved (59:0) (One abstention) - That:**

- (1) the remit of the People Overview and Scrutiny Committee be divided to create two new Committees - Adult Care and Health Overview & Scrutiny Committee and Children and Families Overview & Scrutiny Committee;**
- (2) membership of the four Overview and Scrutiny Committees be set at 15 Elected Members on a ratio of 9, 5, 1 (note: existing education co-opted members be appointed to the Children and Families Overview and Scrutiny Committee);**
- (3) the impact on the political proportionalities arising from future changes to the membership of the revised Overview and Scrutiny Committee Structure be reviewed by the Standards and Constitutional Oversight Committee as part of its 2017/18 Work Programme;**

- (4) relevant Financial and Performance Reporting relating to each Committee be provided. Council welcomes the recommendation of the Standards and Constitutional Oversight Committee to have separate Overview and Scrutiny Committees looking at Adults and Children's Services independently. These new arrangements should now provide a greater insight into the issues raised by Ofsted.**

**In approving recommendation (4), the Council wishes to ensure that the provision of relevant information should not just be referred to the most appropriate Overview and Scrutiny Committee but should be provided in a more timely manner. This includes the reporting of financial information which, because of the timing of Cabinet and Committee meetings, can be several months out of date when it is considered by Overview and Scrutiny Committees.**

**The Council requests that all the Overview and Scrutiny Committees receive the latest available financial monitoring report at each Committee meeting, with an updated commentary on the achievement of savings and sources of income. Consideration should also be given to re-introducing the monthly financial statements provided to all Elected Members. By these means, the Council recognises that it should be better placed to manage Wirral's finances in the context of the Government's programme of grant reductions whilst seeking to ameliorate them.**

- (5) the Special Responsibility Allowance (SRA) payable to the People Overview and Scrutiny Committee Chair be paid to the Chairs of Adult Care and Health Overview & Scrutiny and Children and Families Overview & Scrutiny Committees;**
- (6) all Chairs / Vice-Chairs / Spokespersons will continue to meet on a regular basis to allocate scrutiny work that may cut across the responsibility of more than one Overview and Scrutiny Committee;**
- (7) the Council's Calendar of Meetings be revised to incorporate changes to the Overview and Scrutiny Committee Structure and recommended to Council for adoption; and**
- (8) the Council's Constitution be updated accordingly and be recommended to the Council for adoption.**

**13 APPOINTMENT AND CONSTITUTION OF COUNCIL COMMITTEES  
2017/18**

The Council was requested to consider the report of the Assistant Director: Law and Governance for the Appointment and Constitution of Council

Committees and the appointment of Chairs and Vice-Chairs to such committees.

It was moved by Councillor Phil Davies and seconded by Councillor Ron Abbey that the recommendations within the report be approved.

**One amendment, which was circulated around the Chamber, was submitted in accordance with Standing Order 12(1) and (9), as follows:**

### **Amendment**

**Proposed** by Councillor Ian Lewis

**Seconded** by Councillor Lesley Rennie

We know that vulnerable children have been exploited in the most awful circumstances – groomed and exploited for the sexual gratification of older men.

Time and time again Madam Mayor we have been told that Labour run this Council.

Time and time again the Conservative Group has asked for proper scrutiny of Children's Services and, at every turn, the Labour Leader has kept this 'in house'.

He's finally given in to calls to split up the scrutiny committee, and create one dedicated to children's services, but he must also accept that one Party scrutinising itself is not good for the people that have been let down so badly.

So given the current crisis in Children's Services I wish to add to recommendation (2)

"and considering best practice elsewhere those chairs and vice chairs are drawn from opposition members".

Following a debate and Councillor Phil Davies having replied, the amendment was put and lost (25:34) (One abstention).

The recommendation was put and carried (35:25) (One abstention)

**Resolved (35:25) (One abstention) –**

**(1) That for the 2017/18 municipal year the total number of Committee places (excluding those on the Cabinet and Constituency Committees) shall be 133 and the places shall be allocated in the following proportions:**

<b>Committee</b>	<b>Places</b>	<b>Lab</b>	<b>Con</b>	<b>L/Dem</b>	<b>Green</b>
<b>Audit and Risk Management</b>	<b>9</b>	<b>5</b>	<b>3</b>	<b>1</b>	
<b>Employment and Appointments</b>	<b>8</b>	<b>5</b>	<b>2</b>	<b>1</b>	
<b>Licensing Act 2003</b>	<b>15</b>	<b>10</b>	<b>4</b>	<b>1</b>	
<b>Licensing, Health &amp; Safety and General Purposes</b>	<b>9</b>	<b>5</b>	<b>3</b>	<b>1</b>	
<b>Pensions</b>	<b>10</b>	<b>6</b>	<b>3</b>	<b>0</b>	<b>1</b>
<b>Planning</b>	<b>13</b>	<b>7</b>	<b>4</b>	<b>1</b>	<b>1</b>
<b>Standards &amp; Constitutional Oversight</b>	<b>9</b>	<b>5</b>	<b>3</b>	<b>1</b>	
<b>Overview &amp; Scrutiny: Business</b>	<b>15</b>	<b>9</b>	<b>5</b>	<b>1</b>	
<b>Overview &amp; Scrutiny: Environment</b>	<b>15</b>	<b>9</b>	<b>5</b>	<b>1</b>	
<b>Overview &amp; Scrutiny: Adult Social Care</b>	<b>15</b>	<b>9</b>	<b>5</b>	<b>1</b>	
<b>Overview &amp; Scrutiny: Children and Families</b>	<b>15</b>	<b>9</b>	<b>5</b>	<b>1</b>	
<b>Total</b>	<b>133</b>	<b>79</b>	<b>42</b>	<b>10</b>	<b>2</b>

- (2) That the Chairs of the above Committees be allocated to the Labour Group along with the Vice-Chairs.
- (3) That the nominations for places on committees be submitted by the respective Political Group Leaders to the Assistant Director: Law and Governance and be as set out in Appendix A to the minutes of this meeting.
- (4) That the ongoing nominations of Diocesan and Parent Governor representatives on the Children and Families Overview and Scrutiny Committee be noted.

14 **APPOINTMENTS TO STATUTORY AND ADVISORY COMMITTEES, WORKING PARTIES AND PANELS 2017/18**

The Council was requested to consider the report of the Assistant Director: Law and Governance for appointments to Statutory and Advisory Committees, Working Parties and Panels.

On a motion by Councillor Phil Davies, seconded by Councillor George Davies, it was –

**Resolved (43:17) (One abstention) - That the numbers be agreed for each appointment to Statutory and Advisory Committees, Working Parties and Panels for the 2017/2018 municipal year, including the proportional split where appropriate, and the nominations be submitted by the respective Political Group Leaders to the Assistant Director: Law and Governance and be as set out in Appendix B to the minutes of this meeting.**

15 **APPOINTMENT OF MEMBERS TO OUTSIDE BODIES AND ORGANISATIONS 2017/18**

The Council was requested to consider the report of the Assistant Director: Law and Governance for appointments to Outside Bodies and Organisations.

On a motion by Councillor Phil Davies, seconded by Councillor George Davies, it was –

**Resolved (60:0) (One abstention) - That the numbers be agreed for each appointment of Members (and/or other individuals) to all Outside Bodies for the 2017/2018 municipal year, including the proportional split, where appropriate, and the nominations be submitted by the respective Political Group Leaders (and Chief Executive in respect of Council Officer nominations) to the Assistant Director: Law and Governance and be as set out in Appendix C to the minutes of this meeting.**

16 **ANY OTHER BUSINESS - CHILDREN'S SERVICES**

The Civic Mayor agreed to the consideration of two items of urgent business on the basis of recent events which Members would be aware of and which were in the public interest.

(1) On a motion by Councillor Phil Davies, seconded by Councillor Mooney it was –

**Resolved (60:0) (One abstention) – That Deborah Gornik be appointed to the statutory position of Director of Children’s Services in an acting capacity with immediate effect after the departure of the Director of Children’s Services.**

(2) The Civic Mayor announced that the Council would hear representations in relation to recent events concerning Children’s Services and in discussion with the three Political Group Leaders, it had been agreed that the following Members would address the Council in relation to this matter:

Group Leader for the Conservative Group – Councillor Ian Lewis  
Group Leader for the Liberal Democrat Group – Councillor Phil Gilchrist  
Deputy Group Leader for the Conservative Group – Councillor Lesley Rennie  
Group Spokesperson for the Liberal Democrat Group – Councillor Alan Brighthouse  
Cabinet Member for Children and Families – Councillor Bernie Mooney  
Leader of the Council – Councillor Phil Davies

The Assistant Director of Law and Governance in response to questions from Members clarified the position in relation to items of urgent business in that the manner in which they were dealt with was entirely at the discretion of the Civic Mayor. She had decided how the matter would be dealt with and this had been agreed with the three Political Group Leaders.

Councillor Lewis congratulated Councillor Gillian Wood on her election.

Councillor Lewis referred to the utterly reprehensible crimes which had taken place over several years and commented that this was now an opportunity for the Leader to tell the Council what had been going on and what had gone wrong. He hoped that the Leader could explain why the Cabinet member was no longer in post having expressed his confidence in him just nine months ago. The Conservative Group had no faith that lessons had been learnt and would be asking for Government intervention, whether this happened or not they would hold the administration to account and any scrutiny was best undertaken by members of the opposition.

Councillor Phil Gilchrist stated that he was keen to see the outcome of the Serious Case Review. As a member of the Improvement Board he was aware that the minutes were available on the Council website and that actions were recorded fairly and accurately. He was aware there had been difficulties within the department of staffing retention. He would play a full part in the cross party task force the Leader had set up.

Councillor Rennie commented that Wirral was once again appearing in the national and local press for all the wrong reasons. These were appalling revelations of young vulnerable people being exploited in the vilest of ways. Lessons had not been learnt with the administration limping from one crisis to another, the Council under a Labour administration had lost its way. There had to be change, a senior member of the Labour administration and a senior Director had both now fallen on their swords and the Leader of the Council should review his position.

Councillor Brighthouse stated that the ‘much improved Council’ tag was starting to look somewhat tarnished. There were too many initiatives and not enough concentrating on doing the real job in hand. There was a lack

and loss of trust in what Members were being told or not being told, how many more times did the Leader have to say that lessons had been learnt. The Council needed to do what residents expected of it.

Councillor Mooney commented that the finger pointing was disgraceful. She made a commitment that, having been appointed to the Children and Families portfolio, she would lead the service through these incredibly challenging times in an open and inclusive manner with a cross party approach. She expressed her heartfelt sympathy to the girls and that everyone's thoughts should be with the victims and their families. She paid tribute to the police officers, health professionals and Council officers who had helped in bringing these men to justice. It was important to learn lessons from these terrible crimes and the Council had to do everything in its power to prevent child exploitation. She asked all Members for their full support in ensuring this never happened to another child in Wirral again.

Councillor Phil Davies stated that there was a need to let the Serious Case Review take its course which would report in the summer. He was confident that Councillor Mooney would bring a fresh approach and there had already been a number of improvements since the OFSTED report. The former Children's Commissioner for England, Dr Maggie Atkinson, had said that lessons had already been learnt and the service was now very different to what it was. He did not believe that the answer to all the Council's problems was for Government Commissioner's to move in. He assured Councillor Lewis that the Government was already involved as the Department for Education had appointed Tony Crane, an advisor for the Department to the Board. He stated that the issue was too important to be used as a political football and that the way forward was through a cross-party approach. The issue demanded a political maturity and there was clearly a lot more work to be done. There would be an opportunity to debate the Serious Case Review in a few months' time.

The Civic Mayor then thanked all the Members who had contributed and closed the meeting at 7.15pm.

Appendix A – Committee Membership 2017/18

Appendix B – Statutory and Advisory Committees, Working Parties and Panels 2017/18

Appendix C – Outside Bodies 2017/18