

COUNCIL

**MEETING HELD AT THE REMOTE
ON 21 JANUARY 2021**

PRESENT: Councillor Burns (in the Chair)
Councillor Robinson (Vice-Chair)

Councillors Atkinson, Bennett, Blackburne, Bradshaw, Brennan, Brodie - Browne, Brough, Byrom, Carr, Carragher, Cluskey, Cummins, Dawson, Dodd, Dowd, Doyle, Dutton, Evans, Fairclough, Friel, Grace, Halsall, Hardy, Howard, Irving, Jones, Keith, John Kelly, John Joseph Kelly, Killen, Lappin, Lewis, Maher, McCann, McGinnity, McKinley, Moncur, Morris, Murphy, Myers, O'Brien, O'Hanlon, Pugh, Pullin, Roche, Roscoe, Sathiy, John Sayers, Yvonne Sayers, Shaw, Spencer, Thomas, Anne Thompson, Lynne Thompson, Tweed, Veidman, Waterfield, Sir Ron Watson and Webster

ALSO PRESENT: Councillors

40. MAYORS WELCOME

The Mayor took the opportunity to welcome Members to the remote meeting of Sefton Council and extended a special welcome to members of the public who were viewing the meeting online. This meeting was being held using Microsoft Teams Live Events software. A protocol for Members attending remote meetings had been circulated prior to the meeting and Members were respectfully requested to adhere to the protocol.

The Mayor advised all Members who were nominated Spokespersons or Movers and Seconders of Motions to turn their cameras off and mute their microphones when not addressing the meeting. The Mayor also advised that any of the nominated Spokespersons, Movers and Seconders of Motions who would like to address the meeting at any time should indicate by using the chat facility in Microsoft Teams and emphasised that the chat facility should only be used to indicate the wish to speak.

The Mayor further advised that all Members who were not nominated Spokespersons should turn their camera off and mute their microphone, and that they should only un-mute their microphone to confirm their attendance and to state how they wish to vote.

The Mayor highlighted that during the meeting Members should indicate their agreement to an item in the usual way and in the case of an item not being agreed, a vote would be taken on the item. The vote would be taken

by an officer asking each member in alphabetical order to indicate their vote. Members should turn on their microphones when it was their turn to vote but that there was no need to turn on their camera.

41. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gannon, Hands and Pitt.

42. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

43. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council Meeting held on 19 November 2020 be approved as a correct record.

44. MAYOR'S COMMUNICATIONS

Former Councillor Doreen Kerrigan

The Mayor reported with great sadness on the passing of former Councillor Doreen Kerrigan on 26 December 2020.

The Mayor reported that former Councillor Doreen Kerrigan was elected as a Labour Group Member for Linacre Ward from 2 May 1996 until 5 May 2016.

Councillor Kerrigan had served as Chair of Licensing and Regulatory Committee and Chair of the Licensing and Regulatory Committee Spokespersons meeting with representatives of the Hackney Carriage and Private Hire Trade. She served on the then Sefton Safer Stronger Communities Partnership, South Sefton Area Committee, Linacre and Derby Area Committee, and served as a substitute Member on the Planning Committee, and the Overview and Scrutiny Committees for both Children's Services and Performance and Corporate Services.

Councillor Kerrigan was also appointed by the Council as a representative on the former Merseyside Police Authority, Merseyside Police and Crime Panel and the Merseyside Port Health Committee.

Councillors Maher, Friel and Brough paid tribute to former Councillor Doreen Kerrigan.

Councillor Maher also referred to Councillor Waterfield who had recently lost her Mother and Councillor Roscoe who had recently lost her Brother; and paid tribute to Peggy Stevens, Labour Campaigner who had also recently passed away and offered condolences on behalf of the Council to their Family and Friends

The Council observed a one Minute silence as a mark of respect.

Christmas Toy Appeal 2020

The Mayor reported on the success of the Christmas Toy Appeal 2020 and highlighted that in excess of £2000 had been raised via the crowd funding page. The Mayor also highlighted that an unprecedented number of toys and gifts had been donated from all age groups which had meant that much needed support was provided to families in Sefton ensuring that they had a wonderful Christmas. The Mayor thanked everybody who had supported the appeal with special thanks to Officers and in particular Tracey McKeating, Gill Norman and Tracey Rooney who had worked hard in co ordinating the Toy Appeal 2020.

Holocaust Arrangements

The Mayor reported that due to the pandemic and current lock down restrictions the Holocaust Service and Memorial that was usually held at Christ Church, Southport had been cancelled. The Mayor reported that the Holocaust Memorial Day Trust would be supporting the National Holocaust Memorial Service which would be held online at 7.00pm on Wednesday 27 January 2020. The Mayor reported that the Civic and Mayoral Officer would send the link to all Members of the Council in order that they may register/sign up to watch the service.

Flooding Maghull

The Mayor placed on record her appreciation to Officers, Elected Members and the Emergency Services for all their help in ensuring that those residents of Maghull who were in danger from flooding were moved to a place of safety after the severe weather had caused flooding in Maghull on Wednesday 20 January 2021.

45. MATTERS RAISED BY THE PUBLIC

The Mayor reported that no matters had been raised by members of the public.

46. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Mayor reported that the schedule setting out the questions submitted by Members of the Council together with the response by the appropriate Cabinet Member had been e-mailed to all Members of the Council.

The Mayor further reported on the following procedure for the asking of supplementary questions at the remote meeting of Council.

Members would be given the opportunity to ask one supplementary question of the Leader/Cabinet Member and those questions should be e-mailed to the Chief Legal and Democratic Officer by 4 p.m. the following day after the Council Meeting, Friday 22 January 2021. It was further reported that the answers to the supplementary questions would be e-mailed directly to the Councillor by 4 p.m. on the Monday following the Council meeting, date being 25 January 2021.

The Mayor indicated that the Democratic Services Manager or her colleague would e-mail all Members of the Council with the complete supplementary question and answer schedule the following week after Council.

The Mayor reminded Members when submitting a supplementary question that the question should be a question and not a statement and furthermore must arise directly out of the original question or the reply.

47. COUNCIL TAX REDUCTION SCHEME, COUNCIL TAX BASE 2021/22

The Council considered the report of the Executive Director of Corporate Resources and Customer Services in relation to the review of the local Council Tax Reduction Scheme for 2020/21. The report also provided details of an updated Council Tax Base for Sefton Council and each Parish area for 2021/22.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED: That:

- (1) the contents of the review of the Council Tax Reduction Scheme for 2020/21, be noted;
- (2) no changes to the existing Scheme for 2021/22 for working age claimants, be approved; and
- (3) the relevant Council Tax Base for Sefton Council and each Parish Area as set out in Annex A to the report, be approved.

48. FINANCIAL MANAGEMENT 2020/21 TO 2023/24 AND FRAMEWORK FOR CHANGE 2020 - REVENUE AND CAPITAL BUDGET UPDATE 2020/21 INCLUDING THE FINANCIAL IMPACT OF COVID-19 ON THE 2020/21 BUDGET - CAPITAL BUDGET UPDATE - ADDITIONAL CAPITAL ESTIMATES

The Council considered the report of the Executive Director of Corporate Resources and Customer Services in relation to two new schemes; Dunes Splash World and Ainsdale Coastal Gateway, being approved for inclusion in the Councils Capital Programme as previously approved by the Cabinet at its meeting held on 5 November and 3 December 2020.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED: That:

- (1) a supplementary capital estimate of £1.200m for an Essential Maintenance Programme at Dunes Splash World, to be funded from Council resources, as detailed in paragraph 2 to the report, be approved; and
- (2) a supplementary capital estimate of £0.352m for Ainsdale Coastal Gateway, to be funded from Council resources, as detailed in paragraph 3 to the report, be approved.

49. PAY POLICY

The Council considered the report of the Executive Director of Corporate Resources and Customer Services in relation to the Pay Policy as required by the Localism Act 2011.

A Supplementary Agenda had been circulated detailing amended recommendations arising from the recent Pay and Grading Committee held on 13 January 2021.

It was moved by Councillor Lappin, seconded by Councillor Maher that:

- (i) The proposed Pay Policy at Annex A to the report be approved;
- (ii) That any changes to the Pay Policy as required because of legislation be delegated to the Pay and Grading Committee;
- (iii) Any further discretionary waiver in connection with the termination payments as detailed in this report be considered by the Pay and Grading Committee to provide a recommendation for consideration by Full Council; and
- (iv) in the event of a future Labour Government the Council be recommended to write to the Government requesting that the Restriction of Public Sector Exit Payments Regulations 2020 be repealed.

An **amendment** was moved by Councillor Shaw, seconded by Councillor Lewis that the recommendations be amended by:

deleting recommendation:

- (iv) in the event of a future Labour Government the Council be recommended to write to the Government requesting that the Restriction of Public Sector Exit Payments Regulations 2020 be repealed;

and adding the following recommendation (iv):

- iv) recognising that the £95,000 cap on exit payments introduced by the Restriction of Public Sector Exit Payments Regulations 2020 can potentially affect long-serving employees on relatively modest salaries (particularly due to indirect pension fund "strain" payments), Council agrees to write to the present Government calling for a review of the 2020 Regulations in order to address that anomaly, whilst also retaining the cap for high paid employees, particularly recognising that there have been two instances in the last five years where exit payments agreed by Sefton Council have exceeded £250,000.

Following debate on the **amendment** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared the **amendment** was lost by 18 votes to 41

An **amendment** had been submitted by Councillor Watson and was **withdrawn** by Councillor Watson at the meeting. The Chief Legal and Democratic Officer officiated a vote on the **Substantive Motion** and the Mayor declared the **Substantive Motion** was **carried** by 53 votes to 4 with 2 abstentions and it was:

RESOLVED: That:

- (i) The proposed Pay Policy at Annex A to the report be approved;
- (ii) That any changes to the Pay Policy as required because of legislation be delegated to the Pay and Grading Committee;
- (iii) Any further discretionary waiver in connection with the termination payments as detailed in this report be considered by the Pay and Grading Committee to provide a recommendation for consideration by Full Council; and
- (iv) in the event of a future Labour Government the Council be recommended to write to the Government requesting that the Restriction of Public Sector Exit Payments Regulations 2020 be repealed.

50. ICT SECURITY POLICY 2020

The Council considered the report of the Executive Director of Corporate Resources and Customer Services in relation to approval of the ICT Security Policy 2020 that replaced existing policies last updated in 2019. The report and policy had been considered by the Audit and Governance Committee at its Meeting held on 16 December 2020.

It was moved by Councillor Robinson, seconded by Councillor Roche and

RESOLVED: That:

- (1) the ICT Acceptable Use Policy be approved and included in the Constitution;
- (2) the ICT Starters, Movers and Leavers Policy be approved and removed from the Constitution, given the managerial operational nature of the policy not being appropriate for the Constitution; and
- (3) it be noted that the Council's Password Policy referred to in the report, will be submitted to a future meeting of the Audit and Governance Committee.

51. PROGRAMME OF MEETINGS – 2021/22 MUNICIPAL YEAR

The Council considered the report of the Chief Legal and Democratic Officer in relation to approval of the Programme of Meetings for the 2021/22 Municipal Year.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED: That:

- (1) the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; and Overview and Scrutiny Committees for 2021/22 as set out in Annexes B and C of the report, be approved;
- (2) the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Sefton Safer Communities Partnership and the Health and Wellbeing Board for 2021/22 as set out in Annexes A and D of the report be noted; and
- (3) in consultation with the Chair of the Planning Committee consideration be given to the starting time of meetings of the Planning Committee if remote meetings continue to be held in 2021/22.

52. COUNCILLOR RICHARD HANDS - LOCAL GOVERNMENT ACT 1972 – SECTION 85 - ATTENDANCE AT MEETINGS

The Council considered the report of the Chief Legal and Democratic Officer that sought approval and authority for the absence of Councillor Richard Hands from attendance at Council and Committee Meetings pursuant to Section 85 of the Local Government Act 1972.

It was moved by Councillor Pugh, seconded by Councillor Shaw and

RESOLVED:

That the current absence from all Council and Committee Meetings of Councillor Richard Hands due to ill-health be authorised and approved for the period until the 6 May 2021, pursuant to Section 85 of the Local Government Act 1972.

53. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 46 OF THE SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY) OF THE CONSTITUTION

The Council considered the report of the Leader of the Council in relation to a matter that was dealt with in accordance with Rule 46 (waiving call-in) of the Access to Information Procedure Rules of the Council Constitution, whereby “call in” was waived.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED:

That the report be noted.

54. MEMBERSHIP OF COMMITTEES 2020/21

The Mayor reported the following change to membership of the Local Joint Consultative Committee:

Councillor Yvonne Sayers be appointed Substitute Member for Councillor Grace.

55. MOTION SUBMITTED BY COUNCILLOR JOHN SAYERS - CROHN'S AND COLITIS UK

Crohn's and Colitis UK

It was moved by Councillor Sayers, seconded by Councillor Halsall and unanimously:

RESOLVED: That:

This Council notes that:

- The charity Crohn's and Colitis UK is encouraging venues providing accessible toilets to install new signage. This is to help stop stigma and discrimination towards people with Crohn's Disease and Ulcerative Colitis and other invisible conditions.
- There have been instances nationally where such individuals using an accessible toilet have been accused by staff members of being ineligible to use them.
- The charity signs have two standing figures and a wheelchair user with the words Accessible Toilet and the logo 'Not every disability is visible'.
- The Government has decided recently that large accessible toilets for severely disabled people - known as Changing Places - will be made compulsory for large new buildings, such as shopping centres, supermarkets, sports and arts venues.

Council resolves to:

- Ensure that accessible toilets on Council premises bear these signs.
- Ask town and district centre retailers and leisure outlets to do likewise with their accessible toilets.
- Seek advice from the charity Crohn's & Colitis UK on the information and training we should provide to council staff members. This is so they understand these conditions and to prevent potential embarrassment for those who suffer with them.
- Ensure that any Changing Places toilets in our buildings are properly signposted for visitors.

56. MOTION SUBMITTED BY COUNCILLOR GRACE - FIREWORKS

It was moved by Councillor Grace, seconded by Councillor Byrom that:

Fireworks

Fireworks are used by people throughout the year to mark different events. While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. They can be a source of fear and distress for many animals (including pet animals, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries - sometimes very serious ones - as they attempt to run away or hide from the noise.

This Council resolves:

- 1) to encourage all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- 2) to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people - including the precautions that can be taken to mitigate risks;
- 3) to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays;
- 4) to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.

An amendment was moved by Councillor Morris, seconded by Councillor Brough that the Motion be amended by replacing the word public with private in resolution 4.

Following debate on the **amendment** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared the **amendment** was lost by 48 votes to 12 and the **Substantive Motion** was carried unanimously, and it was:

RESOLVED:

- (1) to encourage all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (2) to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people - including the precautions that can be taken to mitigate risks;
- (3) to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays;
- (4) to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.

**57. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON -
FACILITIES FOR A CATEGORY OF THE DISABLED**

It was moved by Councillor Watson, seconded by Councillor Brough that:

Facilities for a category of the disabled

This Council recognises that:

- both the Council and its residents are dealing with an extremely difficult financial situation as a result of Covid 19.
- there is a Disabled Facilities Grant available for a group of Seftons residents, who currently do not receive any level of specialist help and who don't access the grant because it is not widely recognised that it is in existence and Sefton does not appear to have a list of individuals who may benefit from elements of the help available.
- there are individuals who live in the Borough who have either lost limbs or who were born with such a disability.
- there is currently available on the market for what is described in many advertisements as a 'luxury' w.c facility where the actual toilet has the facility to project warm water and this is then followed by hot/warm air. The degree of self dignity that such a facility would provide for those who have lost their arms is self evident and could have a significant bearing on both their physical and mental health.
- whilst retail prices are quoted it might be possible to arrange a contract where the facility could be provided at a very significant discount.

This Council requests that:

the Cabinet Members responsible for the budget give consideration of this issue into their budget deliberations in a pro-active and sympathetic manner.

Following debate on the Motion the Chief Legal and Democratic Officer officiated a vote and the Mayor declared the Motion was lost by 42 votes to 18