

COUNCIL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 9TH JULY, 2009**

PRESENT: The Mayor (Councillor Doran) (in the Chair)
The Deputy Mayor (Councillor M Fearn) (Vice-Chair)

Councillors Barber, Bigley, Blackburn, Booth, Bradshaw, Brady, Brennan, Brodie - Browne, Byrne, Byrom, Cluskey, Colbert, Connell, Cummins, Cuthbertson, Dodd, P Dowd, Fairclough, Lord Fearn, Fenton, Friel, Gibson, Glover, Griffiths, Hands, Hill, Hough, Ibbs, T Jones, Kerrigan, Larkin, Maher, Mahon, C Mainey, S Mainey, McGuire, Moncur, Papworth, Parry, Pearson, Porter, Preston, B Rimmer, D Rimmer, Robertson, Shaw, Sumner, Tattersall, Tonkiss, Veidman, Sir Ron Watson, Weavers and Webster.

5. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M. Dowd, Gustafson, D. Hardy, P. Hardy, Howe, D. Jones, McGinnity, Platt, Roberts and Storey.

6. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Member	Minute	Reason	Action
Councillors Hands, Hill and Papworth	12 - Member Allowances - Independent Remuneration Panel	Prejudicial - Chairs of Overview and Scrutiny Committees	Left the room and took no part in the consideration of the item
Councillor Bigley	12 - Member Allowances - Independent Remuneration Panel	Personal - Chair of Licensing and Regulatory Committee	Took part in the consideration of the item and voted thereon.

7. MINUTES

RESOLVED:

That, subject to the addition of the name of Councillor Kerrigan to Minute No. 101 (Apologies for Absence) of the meeting on 7 May 2009, the Minutes of the Council Meetings held on 7 and 14 May 2009 be confirmed as a correct record.

8. MAYOR'S COMMUNICATIONS

Former Councillor John Glaister Morrison OBE QPM

The Mayor reported on the sad death on 21 May 2009 of former Councillor John Morrison, whose funeral took place on 1 June 2009. Mr. Morrison served as a Councillor for Dukes Ward from 1976 to 1982. Councillors Byrom and Sir Ron Watson paid tribute to Mr. Morrison.

Ex-Mayoress of Sefton Mrs. G. Storey

The Mayor reported on the sad death of Mrs. Gwen Storey on 3 July 2009. He stated that Mrs. Storey had accompanied her husband, Councillor Eric Storey, on many of their engagements carried out during their Term of Office as Mayor and Mayoress during 1987/1988. The Mayor indicated that the funeral service for Mrs. Storey would be held on Tuesday, 14 July 2009 at 12.45 p.m. at Holy Trinity Church, Formby.

The Council then stood in silence for one minute as a mark of respect to the memory of Mr. Morrison and Mrs. Storey.

Civic Service

The Mayor reported that his Civic Service, conducted by the Reverend Keith Jones, was held at Holy Trinity Church in Formby on 21 June 2009 and he thanked those who had attended.

North West Employers Organisation - Equality and Diversity Awards 2009

The Mayor reported that in 2007, the North West Employers Organisation had launched a new Awards scheme to recognise and celebrate local authorities in the North West who were developing best practice in addressing equality, diversity and social inclusion. He added that the Equalities Partnership had already succeeded in receiving awards for its work both in 2007 and 2008 and that this year the Council had been successful at receiving two further awards for its work on the Holocaust Memorial Project and the ABILITY network. An awards event had been held on 20 May, at the Lowry Hotel in Manchester at which community members, trade unionists and staff attended. The Mayor reported that 30 submissions, of which 12 met the NWEO criteria, had been received from Authorities/partner organisations in the North West.

Uniform at Work Day

The Mayor reported that, in support of this year's national Armed Forces Day, he had hosted an event for a number of Sefton Council employees, who were HM Forces Veterans, in the Mayor's Parlour in Bootle Town Hall on 26 June 2009. He hoped that, in this small way, the Council could demonstrate its support for its own employees who were either former serving members of H.M. Forces or who currently serve as Reserve Forces.

Launch of Mayoral Theme-Music And 'Heroes Welcome In Sefton'

The Mayor reported that on 25 June 2009 he had launched his Principal Theme for his Mayoral Year and introduced the initiative: 'Heroes Welcome in Sefton'. He indicated that the event was well attended by invited representatives of Veterans organisations and members of Sefton's Chamber of Commerce. He added that to accompany the introduction of his theme of music on the day, he was most grateful for the Sefton Music Services Brass Ensemble who provided an excellent display of the musical talent we have in our Borough.

The Mayor indicated that the 'Heroes Welcome in Sefton' initiative, as outlined in his Installation speech, was received with great enthusiasm and he was looking forward to developing the subject with the Sefton Chamber of Commerce.

At this juncture, Members of the Council watched a short DVD, which was aimed at promoting Civic Pride within the community towards our Armed Forces.

The Mayor agreed to ensure that any Councillors who had served in H.M. Forces were invited to any future similar events. Councillor Brennan suggested that a presentation on this issue could be considered for the Council meeting to be held on 3 September 2009.

PUBLIC SESSION

9. MATTERS RAISED BY THE PUBLIC

The Mayor reported that members of the public had not submitted any petitions or questions.

COUNCIL BUSINESS SESSION

10. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Council considered a written question from Councillor Brodie-Browne to the Leader of the Council, together with a written response from the Leader. One supplementary question was put and answered as appropriate.

The Council also considered a written question from Councillor Gibson to the Cabinet Member - Leisure and Tourism. The Cabinet Member provided an oral response.

11. IMPLEMENTATION OF WEB-BASED PROCUREMENT PORTAL

Further to Minute No. 53 of the Cabinet Meeting held on 9 July 2009, the Council considered the report of the Finance and Information Services Director on the proposed implementation of a web-based portal for procurement contracts.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne, and

RESOLVED:

That approval be given to the implementation of the "Pro Contract" electronic procurement portal solution across the Authority and to the consequent amendment of the Contract Procedure Rules in the Council's Constitution.

12. MEMBER ALLOWANCES - INDEPENDENT REMUNERATION PANEL

The Council considered the report of the Legal Director which incorporated a copy of the report by the Independent Remuneration Panel (IRP) with regard to the Member Allowances Scheme. The Standards Committee had considered the report at its meeting held earlier that day and had resolved to advise the Council that it had accepted the recommendations of the Panel with the exception of the implementation date for proposed revisions to the Special Responsibility Allowance payable to Overview and Scrutiny Committee Chairs.

RESOLVED: That

- (1) the IRP recommendations be noted and, while supportive of the principles, this Council believes that the overall Councillors Allowances Budget should be capped at the present level; and
- (2) accordingly, this matter be referred back to the IRP to consider how the IRP principles can be achieved whilst staying within the overall Councillors Allowances budget and the IRP be asked to examine the overall Councillors Allowances budget in the light of the current financial climate with a view to possible reductions in the budget.

13. OVERVIEW AND SCRUTINY ANNUAL REPORT 2008/09

The Council considered the Overview and Scrutiny Annual Report for 2008/09 and Councillors Hands, Hill and Papworth highlighted the key areas of work undertaken by their respective Committees and thanked

fellow Members and Overview and Scrutiny support staff for their assistance during 2008/09.

It was moved by Councillor Hands, seconded by Councillor Papworth, and

RESOLVED:

That the Overview and Scrutiny Annual Report 2008/09 be noted.

14. COUNCILLOR CALL FOR ACTION AND SCRUTINY OF CRIME AND DISORDER

The Council considered the report of the Legal Director seeking authority to implement the Councillor Call for Action protocol and to designate the Overview and Scrutiny Committee (Performance and Corporate Services) as the Council's "Crime and Disorder Committee"; and indicating that a decision on this matter was required in accordance with the legislation introduced under the Local Government and Public Involvement in Health Act 2007, Section 19 of the Police and Justice Act 2006 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

The report indicated that the Councillor Call for Action process provided ward Members with a means of escalating matters of ward concern (i.e. any local government matter or any crime and disorder matter) to an Overview and Scrutiny Committee, for possible onward recommendations to the Council's executive and/or other agencies; and a copy of the Call for Action protocol was attached as an annexe to the report.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne and

RESOLVED: That

- (1) the Councillor Call for Action Protocol be approved for implementation and that the terms of reference within the Council's Constitution for three of the four Overview and Scrutiny Committees be amended accordingly; and
- (2) the Overview and Scrutiny Committee (Performance and Corporate Services) be designated as the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act and the Crime and Disorder (Overview and Scrutiny) Regulations 2009 and its terms of reference within the Council's Constitution be amended accordingly.

15. REGULATION OF INVESTIGATORY POWERS

The Council considered the report of the Legal Director seeking approval to amend the Council's Constitution to allow Regulation of Investigatory Powers Act (RIPA) activities to be reported to the Overview and Scrutiny Committee (Performance and Corporate Services); and indicating that a

decision on this matter was required as Article 15 of the Constitution provided that changes to the Constitution would only be approved by the full Council after consideration of the proposal and report of the Monitoring Officer.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne and

RESOLVED:

That the Constitution be amended to include the following in the Terms of Reference of the Overview and Scrutiny Committee (Performance and Corporate Services) set out in Table 1 to the Overview and Scrutiny Procedure Rules:

- “18. with reference to the management of covert activities under the Regulation of Investigatory Powers Act 2000 (RIPA):-
- (a) a report on RIPA activities be received by this Committee on an annual basis;
 - (b) any applications for authorisation under RIPA be reported to this Committee within three months; and
 - (c) any significant changes to the number of applications for authorisation under RIPA be reported to this Committee.”

16. MEMBERSHIP OF COMMITTEES 2009/10

The Council considered the report of the Legal Director on the changes which would need to be made to the allocation of Committee Places following the resignation of Councillor Larkin from the Labour Group and his membership of the Liberal Democrat Group with effect from 29 May 2009.

Councillors Blackburn, Moncur and Griffiths proposed the following changes, arising from the report of the Legal Director:

Overview and Scrutiny Committee (Children’s Services)

- Councillor Dodd to replace Councillor Larkin (formerly Labour) as a Member of the Overview and Scrutiny Committee (Children’s Services) and Councillor Larkin to be a substitute for Councillor Dodd on the Committee.

Overview and Scrutiny Committee (Performance and Corporate Services)

- Councillor Storey to replace Councillor Tweed (Labour) as a Member of the Overview and Scrutiny Committee (Performance and Corporate Services) and Councillor Pearson to be a substitute for Councillor Storey on the Committee.

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In addition, Councillor Blackburn proposed the following changes:

- Councillor Byrne to replace Councillor Connell as a Member of the Overview and Scrutiny Committee (Children's Services)
- Councillor Fenton to replace Councillor Gibson as a Member of the Overview and Scrutiny Committee (Performance and Corporate Services)
- Councillor Larkin to replace Councillor S. Mainey as a substitute for Councillor Fenton on the Overview and Scrutiny Committee (Health and Social Care)
- Councillor Larkin to replace Councillor Blackburn as a Member of the Joint Consultative Committee for Teaching Staffs

In addition, Councillor Moncur proposed the following changes:

- Councillor Tweed to replace Councillor Larkin as a substitute for Councillor McGinnity on the Overview and Scrutiny Committee (Performance and Corporate Services) and Councillor Byrom to replace Councillor Tweed as Vice-Chair
- Councillor D. Hardy to replace Councillor Larkin as a Member of the Overview and Scrutiny Committee (Health and Social Care)
- Councillor Veidman to replace Councillor Larkin as a substitute for Councillor Tweed on the Mersey Port Health Committee

In addition, Councillor Griffiths proposed the following changes:

- Councillor Porter to replace Councillor Griffiths as Cabinet Member - Communities, with Councillor Griffiths as her substitute
- Councillor Griffiths to replace Councillor Porter as Cabinet Member - Health and Social Care
- Councillor D. Jones to replace Councillor Sir Ron Watson as substitute for Councillor Platt as Children's Services Spokesperson.

RESOLVED:

That the proposed changes detailed above be approved.

17. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 16 OF THE ACCESS TO INFORMATION PROCEDURE RULES (SPECIAL URGENCY) OF THE CONSTITUTION

The Council received a report of the Leader of the Council setting out details of those matters dealt with in accordance with Rule 16 of the Access to Information Procedures Rules (Special Urgency).

18. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 17 OF THE SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY) OF THE CONSTITUTION

The Council considered a report of the Legal Director setting out details of those matters dealt with in accordance with Rule 17 of the Scrutiny Procedure Rules (Call-In and Urgency).