

**COUNCIL**

**MEETING HELD AT THE TOWN HALL, SOUTHPORT  
ON THURSDAY 4TH MARCH, 2010**

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

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

**76.    APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bradshaw, Brady, Colbert, Connell, Howe. D. Jones, S. Mainey, Platt, Preston and Weavers.

**77.    MINUTES**

That the Minutes of the Council Meeting held on 14 January 2010 be confirmed as a correct record.

**78.    DECLARATIONS OF INTEREST**

The following declarations of interest were made.

Officer	Minute	Reason	Action
Samantha Tunney - Assistant Chief Executive	83 - Proper Officer Functions	Prejudicial - affected by the proposals in the report	Left the room during the consideration of the item
Dave Mackey Assistant Director (Legal)	83 - Proper Officer Functions	Prejudicial - affected by the proposals in the report	Left the room during the consideration of the item
Andrea Grant Assistant Director (Democratic Services)	83 - Proper Officer Functions	Prejudicial - affected by the proposals in the report	Left the room during the consideration of the item

## **79. MAYOR'S COMMUNICATIONS**

### **Former Councillor Joseph Patrick Hearty**

The Mayor reported on the sad death of former Councillor Joseph Patrick Hearty. Mr. Hearty passed away on 16 February 2010 and his funeral service took place on 24 February 2010.

That Mayor indicated that Mr. Hearty completed his tenth year as a Member of Bootle County Borough Council in 1973/74 and was elected to Sefton Council in May 1975 and served for 3 years until 1978 as member for Bootle No. 2 Ward.

The Council then stood in silence for one minute as a mark of respect for Mr. Hearty.

### **Mayoral Charity Event - 12 February 2010**

The Mayor reported that the Mayor of Sefton's Charity Event held in the Floral Hall, Southport on the 12 February 2010 had been a resounding success and in excess of £8,000 was made towards the Mayor's Charity. The Mayor extended thanks to all those who attended and to those who contributed in any way.

### **Acting Finance and Information Services Director - Lynton Green**

The Mayor reported that this would be the last meeting that the Acting Finance and Information Services Director, Lynton Green would be attending before he left the Council to commence a new post of Finance Director at Warrington Borough Council. On behalf of the Council, the Mayor thanked Mr. Green for his service to the Council and extended best wishes for the future and a successful career.

### **Mayor's Attendant - Debbie Mills**

The Mayor welcomed Debbie Mills to her first Council meeting as the new Mayor's Attendant.

## **PUBLIC SESSION**

## **80. MATTERS RAISED BY THE PUBLIC**

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

COUNCIL BUSINESS SESSION

**81. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL**

The Council considered a written question from Councillor Colbert to the Cabinet Member - Children's Services and a written question from Councillor Shaw to the Cabinet Member - Communities together with a written response from the Cabinet Members.

**82. GOVERNANCE REVIEW – WORKSTREAMS ON THE SEFTON BOROUGH PARTNERSHIP AND AREA MANAGEMENT**

The Council considered the report of the Chief Executive on the proposed structure and membership of the Sefton Borough Partnership and a number of principles relating to the partnership and area management following the governance review of this workstream.

At its meeting held earlier that day, the Cabinet had considered the report and endorsed the recommendations set out in the report.

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

RESOLVED: That

- (1) the broad principles of area management as set out in paragraph 3.5 of the report be approved;
- (2) the timescale for the development of area management and the related area based thematic groups in the next municipal year (May 2010 to April 2011) be approved;
- (3) the broad areas for development of area management as set out in paragraphs 3.6 and 3.7 of the report be approved;
- (4) the proposed roles and membership of the Sefton Borough Partnerships Board and Operations Board, as set out in paragraphs 4.2 to 4.5 of the report be approved;
- (5) the approach to membership and structure outlined in paragraphs 4.6 to 4.11 of the report be approved;
- (6) it be noted that quarterly reports from the Assistant Chief Executive and Assistant Director Neighbourhoods will be submitted throughout the 2010/11 Municipal Year which will incorporate changes to the membership and development of area management and area based thematic groups; and
- (7) the Cabinet Member for Performance and Governance be given delegated authority to approve any in year changes to the principles

agreed in the report, but where the development relates to Area Management, that any proposals be approved by Cabinet.

### **83. PROPER OFFICER FUNCTIONS**

The Council considered the report of the Chief Executive on the proposed appointment of officers to undertake the Proper Officer Functions in respect of elections, electoral registration, the monitoring officer role and the registration of births, marriages and deaths.

At its meeting held earlier that day, the Cabinet had considered the report and endorsed the recommendations set out in the report.

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

RESOLVED: That

- (1) the Electoral Registration Officer Functions for the registration of Parliamentary and Local Government Electors and Acting Returning Officer / Returning Officer Functions for Parliamentary, Local, Parish and European Elections under the relevant provisions of the Representation of the People Act 1983 and European Parliamentary Elections Act 2002 be attached to the post of Assistant Chief Executive and the current postholder be appointed to act as the Proper Officer for all related functions and relevant legislation with effect from 1 April 2010;
- (2) the Assistant Legal Director be appointed as the Monitoring Officer for the Council with effect from 1 April 2010, until he leaves the Council or a decision is made regarding which post shall perform this function: this will allow a review to be undertaken as to which post shall in future perform the role of Monitoring Officer;
- (3) the Assistant Director (Democratic Services) be appointed as the Deputy Monitoring Officer for the Council with effect from 1 April 2010, in order to provide greater resilience to this function: it being noted that the title of this post is likely to change as a result of restructuring, and that this title reflects the current post title; and
- (4) the Assistant Director (Democratic Services) be appointed as the Proper Officer for the registration of Births, Marriages and Deaths under the provision of the Local Government Act 1972 and Registration Services Act 1953 and the regulations made thereunder.

### **84. TREASURY MANAGEMENT POLICY AND STRATEGY 2010/11**

The Council considered a report by the Acting Finance and Information Services Director on the proposed procedures and strategy to be adopted in respect of the Council's Treasury Management Function in 2010/11.

At its meeting held earlier that day, the Cabinet had considered the report and endorsed the recommendations set out in the report.

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

RESOLVED:

That approval be given to:

- (1) the Treasury Management Policy Document for 2010/11;
- (2) the Treasury Management Strategy Document for 2010/11;
- (3) the amendment to Banking arrangements contained within the Financial Procedures Rules of the Constitution;
- (4) the Money Laundering Policy Document; and
- (5) the basis to be used in the calculation of the Minimum Revenue Provision for Debt Repayment in 2010/11.

#### **85. THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES - PRUDENTIAL INDICATORS**

The Council considered the report of the Acting Finance and Information Services Director on proposals to establish the Prudential Indicators required under the Prudential Code of Capital Finance in Local Authorities. This would enable the Council to effectively manage its Capital Finance Activities, and comply with the Chartered Institute of Public Finance and Accountancy Prudential Code of Capital Finance in Local Authorities.

At its meeting held earlier that day, the Cabinet had considered the report and endorsed the recommendations set out in the report.

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

RESOLVED:

That approval be given to:

- (1) the Prudential Indicators detailed in the report, and summarised in Annex A, as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- (2) the amendment of relevant Prudential Indicators in the event that any unsupported borrowing is approved as part of the 2010/11 Revenue Budget; and

- (3) delegated authority being granted to the Acting Finance and Information Services Director to manage the authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report.

#### **86. CAPITAL PROGRAMME 2010/11 - 2012/13**

The Council considered a joint report of the Acting Finance and Information Services Director and the Strategic Directors for Communities, Social Care and Wellbeing and Childrens, Schools and Families in respect of 2009/10 and the development of the 2010/11 - 2012/13 Capital Programme in the light of recent resource notifications received from Central Government and the formulation of the Revenue Budget. Appended to the report at Annex A was the Council's Capital Programme for the period 2010/11 to 2012/13.

At its meeting held earlier that day the Cabinet had considered the report and endorsed the recommendations set out in the report.

This was a Key Decision and had been included in the Council's Forward Plan of Key Decisions.

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

RESOLVED: That

- (1) the 2010/11 - 2012/13 Capital Programme set out in Annex A of the report be approved;
- (2) it be confirmed that Cabinet Members may continue to approve schemes from within their specific capital allocations included in Annex A of the report;
- (3) approval be given to the use of lease facilities in 2010/11 provided that any revenue consequences can be accommodated within appropriate budgets; and
- (4) it be noted that there is no provision for a New Starts Programme during 2010/11.

#### **87. LOCAL GOVERNMENT ACT 2003 - CHIEF FINANCIAL OFFICER'S REQUIREMENTS**

The Council considered the report of the Chief Executive and Section 151 Officer which provided an assessment on the robustness of the estimates and the adequacy of the financial reserves based on the budget scenario presented to the Cabinet on 4 February 2010.

The Cabinet had considered the report at its meeting held earlier that day and noted the content of the report.

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

RESOLVED:

That the report be noted.

#### **88. STATEMENTS BY PARTY GROUP LEADERS**

It was moved by Councillor Blackburn, seconded by Councillor McGuire and

RESOLVED:

That in accordance with Rule 24.1, the provisions of Rule 15.4 (Content and length of speeches) and 17 (previous decisions and motions) of the Council and Committee Procedure Rules be suspended only to enable statements to be made on behalf of the three Political Groups on the Revenue Budget for 2010/11 and to allow Political Group Leaders to move amendments to the Revenue Budget 2010/11 where items have been previously debated and voted upon at a Council meeting in the past six months.

The Leaders of the three Political Groups then made statements and outlined the policies of their respective Groups in respect of the budget for 2010/11.

#### **89. REVENUE BUDGET 2010/11 AND MEDIUM TERM FINANCIAL PLAN**

Further to Minute No. 273 of the Cabinet meeting held on 4 February 2010, the Council considered a report by the Chief Executive which provided an update on current issues relating to the completion of the 2010/11 budgetary process. The report also provided an update on the Medium Term Financial Plan 2010/11 - 2012.

The Cabinet had considered the report at its meeting held earlier that day and a copy of the Cabinet resolution was circulated.

It was then moved by Councillor Robertson, seconded by Councillor Brodie-Browne.

That the budget scenario as set out in Paragraph 5.12 and Annex B of the report, amended by adjustments for the addition of the one-off costs for the provision of a temporary library service in the Southport Town centre be approved; and the updated Medium Term Financial Plan for 2010/11 - 2012/13 be noted.

It was moved by Councillor P. Dowd, seconded by Councillor Maher that the Motion be amended by the addition of the following text:

“Subject to the reinstatement of the previously approved savings:

<i>Health &amp; Social Care - Meal Charges - i.e. No increase of charge by 25p to £3.25</i>	<i>£50,000</i>
<i>Leisure - GP Referral Scheme - i.e. No increase in charge</i>	<i>£ 8,000</i>
<i>Hawthorne Road Capital Scheme - Revenue Impact</i>	<i><u>£ 7,000</u></i>
	<i>£65,000</i>

*Financed by:*

<i>Area Based Grant - Additional Savings</i>	<i>£65,000</i>
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On a show of hands, the Mayor declared that the amendment was lost by 36 votes to 18 with 1 abstention.

Following further debate, on a show of hands, the Mayor declared that the Substantive Motion was carried by 36 votes to 18 with 1 abstention and it was

RESOLVED:

That the budget scenario as set out in Paragraph 5.12 and Annex B of the report, amended by adjustments for the addition of the one-off costs for the provision of a temporary library service in the Southport Town Centre be approved; and the updated Medium Term Financial Plan for 2010/11 - 2012/13 be noted.

## **90. COUNCIL TAX 2010/11**

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

RESOLVED: That

- (1) It be noted that at its meeting on the 14 January 2010, the Council calculated the following amounts for the year 2010/2011 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:
  - (a) 93,050.25 Band D equivalent properties, being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as its council tax base for the year.
  - (b) The amounts below, being the amounts calculated by the Council in accordance with regulation 6 of the Regulations as the amounts of its council tax base for the year for dwellings in those parts of its area to which special items (Parish Council Precepts) relate.



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Parish	Council Tax Base (Band D Equivalent Properties)
Aintree Village	2,277.05
Formby	9,528.00
Hightown	892.27
Ince Blundell	191.26
Little Altcar	286.52
Lydiate	2,249.07
Maghull	7,138.85
Melling	1,093.54
Sefton	232.79
Thornton	817.97

(2) the following amounts be calculated by the Council for the year 2010/2011 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a)	£650,841,065	Being the aggregate amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.										
(b)	£407,750,312	Being the aggregate amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.										
(c)	£243,090,753	Being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.										
(d)	£124,242,971	Being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund (in respect of a Council Tax Surplus) in accordance with the Local Government Finance Act 1988 (as amended by the Local Government Finance Act, 1992).										
(e)	£1,277.24	Being the amount at 2(c) above less the amount at 2(d) above, all divided by the amount at 1(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year.										
(f)	£982,891	Being the aggregate amount of all special items referred to in Section 34(1) of the Act (Parish Council Precepts).										
(g)	£1,266.68	Being the amount at 2(e) above, less the amount given by dividing the amount at 2(f) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.										
(h)	<p>The amounts below, being the amounts given by adding to the amount at 2(g) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council in accordance with Section 34(3) of the Act as basic amounts of its Council Tax for the year for dwellings in those parts of its area to which special items relate.</p> <table border="1"> <thead> <tr> <th>Parish</th> <th>£</th> </tr> </thead> <tbody> <tr> <td>Aintree Village</td> <td>1,321.58</td> </tr> <tr> <td>Formby</td> <td>1,270.88</td> </tr> <tr> <td>Hightown</td> <td>1,270.88</td> </tr> <tr> <td>Ince Blundell</td> <td>1,274.52</td> </tr> </tbody> </table>		Parish	£	Aintree Village	1,321.58	Formby	1,270.88	Hightown	1,270.88	Ince Blundell	1,274.52
Parish	£											
Aintree Village	1,321.58											
Formby	1,270.88											
Hightown	1,270.88											
Ince Blundell	1,274.52											

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Little Altcar	1,275.41
Lydiate	1,333.31
Maghull	1,355.53
Melling	1,283.14
Sefton	1,281.72
Thornton	1,272.18

(i) The amounts below being the amounts given by multiplying the amounts at 2(g) and 2(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Proportion of Band D	Property Valuation Band							
	A 6/9 £	B 7/9 £	C 8/9 £	D 9/9 £	E 11/9 £	F 13/9 £	G 15/9 £	H 18/9 £
<u>Parish</u>								
Aintree Village	881.05	1,027.90	1,174.74	1,321.58	1,615.26	1,908.95	2,202.63	2,643.16
Formby	847.25	988.46	1,129.67	1,270.88	1,553.30	1,835.72	2,118.13	2,541.76
Hightown	847.25	988.46	1,129.67	1,270.88	1,553.30	1,835.72	2,118.13	2,541.76
Ince Blundell	849.68	991.29	1,132.91	1,274.52	1,557.75	1,840.97	2,124.20	2,549.04
Little Altcar	850.27	991.99	1,133.70	1,275.41	1,558.83	1,842.26	2,125.68	2,550.82
Lydiate	888.87	1,037.02	1,185.16	1,333.31	1,629.60	1,925.89	2,222.18	2,666.62
Maghull	903.69	1,054.30	1,204.92	1,355.53	1,656.76	1,957.99	2,259.22	2,711.06
Melling	855.43	998.00	1,140.57	1,283.14	1,568.28	1,853.42	2,138.57	2,566.28
Sefton	854.48	996.89	1,139.31	1,281.72	1,566.55	1,851.37	2,136.20	2,563.44
Thornton	848.12	989.47	1,130.83	1,272.18	1,554.89	1,837.59	2,120.30	2,544.36
All Other Parts of the Council's Area	844.45	985.20	1,125.94	1,266.68	1,548.16	1,829.65	2,111.13	2,533.36

(3) It be noted that for the year 2010/2011 the Police Authority and Fire and Civil Defence Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

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Proportion of Band D	Property Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
<u>Precepting Authority</u>								
Merseyside Fire & Civil Defence Authority	43.18	50.38	57.57	64.77	79.16	93.56	107.95	129.54
Merseyside Police Authority	97.49	113.73	129.98	146.23	178.73	211.22	243.72	292.46

- (4) Having calculated the aggregate in each case of the amounts at 2(i) and 3 above, in accordance with Section 30(2) of the Local Government Finance Act 1992, the Council hereby sets the following amounts as the amounts of Council Tax for the year 2010/2011 for each of the categories of dwellings shown below:

Proportion of Band D	Property Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
<u>Parish</u>								
Aintree Village	1,021.72	1,192.01	1,362.29	1,532.58	1,873.15	2,213.73	2,554.30	3,065.16
Formby	987.92	1,152.57	1,317.22	1,481.88	1,811.19	2,140.50	2,469.80	2,963.76
Hightown	987.92	1,152.57	1,317.22	1,481.88	1,811.19	2,140.50	2,469.80	2,963.76
Ince Blundell	990.35	1,155.40	1,320.46	1,485.52	1,815.64	2,145.75	2,475.87	2,971.04
Little Altcar	990.94	1,156.10	1,321.25	1,486.41	1,816.72	2,147.04	2,477.35	2,972.82
Lydiate	1,029.54	1,201.13	1,372.71	1,544.31	1,887.49	2,230.67	2,573.85	3,088.62
Maghull	1,044.36	1,218.41	1,392.47	1,566.53	1,914.65	2,262.77	2,610.89	3,133.06
Melling	996.10	1,162.11	1,328.12	1,494.14	1,826.17	2,158.20	2,490.24	2,988.28
Sefton	995.15	1,161.00	1,326.86	1,492.72	1,824.44	2,156.15	2,487.87	2,985.44
Thornton	988.79	1,153.58	1,318.38	1,483.18	1,812.78	2,142.37	2,471.97	2,966.36
<u>All Other Parts of the Council's Area</u>	985.12	1,149.31	1,313.49	1,477.68	1,806.05	2,134.43	2,462.80	2,955.36

The Motion was carried by 36 votes to 18 with 1 abstention.

**91. MEMBERSHIP OF COMMITTEES 2009/10**

There were no changes to the membership of Committees.