

COUNCIL

**ADJOURNED ANNUAL MEETING HELD AT THE TOWN HALL,
BOOTLE ON TUESDAY 17TH MAY, 2011**

PRESENT: The Mayor (Councillor Cummins) (in the Chair)
 The Deputy Chair (Councillor M. Fearn) (Vice Chair)

Councillors Ashton, Atkinson, Ball, Blackburn, Booth, Brady, Brennan, Brodie - Browne, Byrom, Carr, K. Cluskey, L. Cluskey, Crabtree, Cuthbertson, Dodd, Doran, Dorgan, M. Dowd, P. Dowd, Dutton, Fairclough, Lord Fearn, Fenton, Friel, Gibson, Griffiths, Glover, Gustafson, Hands, Hardy, Hill, Howe, Hubbard, Kelly, Kerrigan, Maher, Mainey, McGinnity, McGuire, Mclvor, Moncur, Page, Papworth, Parry, Porter, Preece, Rimmer, Roberts, Robertson, Robinson, Shaw, Sumner, Tonkiss, Tweed, Veidman, Sir Ron Watson, Weavers and Welsh

9. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bradshaw, Jones, Mahon, McKinley, Pearson and Webster.

10. DECLARATIONS OF INTEREST

| Member/Officer | Minute | Reason | Action |
|--------------------------|--|---|--|
| Councillor Brennan | No. 23 - Sefton New Directions - Shareholders' Permissions | Prejudicial. He is a Non-Executive Director of Sefton New Directions | Left the room during the consideration of the item |
| Councillor Brodie-Browne | No. 23 - Sefton New Directions - Shareholders' Permissions | He is the Chief Executive of a Voluntary Organisation providing social care services within the Borough | Left the room during the consideration of the item |

| | | | |
|--------------------------------------|---|---|---|
| Councillor Parry | No. 23 - Sefton New Directions - Shareholders' Permission | Prejudicial. She is a Non- Executive Director of Sefton New Directions | Left the room during the consideration of the item |
| Councillor Rimmer | No. 23 - Sefton New Directions - Shareholders' Permission | Prejudicial. He is a Non- Executive Director of Sefton New Directions | Left the room during the consideration of the item |
| Margaret Carney - Chief Executive | No. 23 - Sefton New Directions - Shareholders' Permission | Prejudicial. She is a Non- Executive Director of Sefton New Directions | Left the room during the consideration of the item |

11. MINUTES

RESOLVED:

That the Minutes of the Council meeting held on 24 March 2011 be approved as a correct record.

12. MAYOR'S COMMUNICATIONS

Election of New Councillors

The Mayor congratulated all of the Councillors who were re-elected to office following the Local Government Elections held on 5 May 2011, and extended a warm welcome to the 9 new Councillors who were elected to office, namely Councillors Nigel Ashton, Marion Atkinson, Pat Ball, Tony Crabtree, Patrick McKinley, Catie Page, Diane Roberts, David Robinson and Marianne Welsh.

The Mayor also expressed the gratitude of the Council to the three former Councillors who were not re-elected to office, for their dedicated service to the Borough of Sefton, namely Martyn Barber, Peter Hough and Sylvia Mainey.

"Help for the Wounded" Walk

The Mayor reported that the Royal Marines own charity "Help for the Wounded" arrived in Southport on the afternoon of Sunday 15 May 2011 having walked from the Royal Marine Regimental headquarters in Liverpool. The marchers, ex marines, regulars, reservists and family and

friends left Liverpool at 8.30 am to walk the 20 miles to Southport. The marchers were welcomed into Sefton by Councillors Brennan and Weavers, both former commandos who then joined the marchers in a wreath laying ceremony at the Cenotaph.

PUBLIC SESSION

13. MATTERS RAISED BY THE PUBLIC

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

COUNCIL BUSINESS SESSION

14. ELECTION RESULTS - 5 MAY 2011

The Council considered the report of the Assistant Chief Executive and Returning Officer on the results of the Council Elections held on 5 May 2011.

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

RESOLVED:

That the report be noted.

15. LEADER OF THE COUNCIL

The Mayor reported that in accordance with the Political Conventions Document signed by the three Political Group Leaders on 29 March 2010, Councillor Robertson had given notice to the Chief Executive under Article 7.03 of the Council's Constitution that he wished to resign from the office of Leader of the Council with effect from this Adjourned Annual Council meeting. The reason for his resignation was that he no longer represented the largest political group on the Council, and the Political Conventions provide that the Leader of the Council shall be drawn from the largest political group.

The effect of his resignation as per Article 7.06 of the Council's Constitution was that all serving Cabinet Members also cease to hold office with effect from the date a new Leader is appointed to office and he/she appoints a new Cabinet.

At this point, Councillors Parry and P. Dowd expressed thanks to Councillor Robertson for the able manner in which he had undertaken the duties of Leader of the Council over a number of years.

It was then moved by Councillor Moncur, seconded by Councillor Maher and

RESOLVED:

That Councillor P. Dowd as the Leader of the Labour Group (the largest political group on the Council) be appointed as the Leader of the Council for a period of four years or until such time as his term of office expires.

16. CABINET, DEPUTY EXECUTIVE LEADER AND DEPUTY LEADER

The Council considered the report of the Leader of the Council on the proposed membership of the Cabinet and their Portfolios, and the appointment of the Spokespersons, Deputy Executive Leader and Deputy Leader.

The Mayor reported that there was a typographical error in the report in that the Liberal Democrat Spokesperson for the Cabinet Member - Older People and Health should read Councillor Rimmer and the substitute Member is Councillor McGuire. Councillors Cuthbertson and McIvor should be deleted for that Cabinet Portfolio.

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED: That

- (1) Councillor Robertson as Leader of the Liberal Democrat Group, (the second largest political group on the Council) be appointed as the Deputy Executive Leader for a four year term of office or until such time as his term of office expires;
- (2) Councillor Parry as the Leader of the Conservative Group, (the third largest political group on the Council) be appointed as the Deputy Leader for a four year term of office or until such time as her term of office expires; and
- (3) it be noted that the Cabinet and Spokespersons comprising the Members indicated below be appointed for a four year term of office or until such time as their term of office expires.

CABINET (10)

(Lab 4 / Lib Dem 4 / Con 2)

| Portfolio | <u>Member</u> |
|--|----------------------|
| Leader of the Council | Cllr. P. Dowd |
| Cabinet Member - Children, Schools and Families | Cllr. Moncur |
| Cabinet Member - Corporate Services | Cllr. Parry |
| Cabinet Member - Environmental | Cllr. Shaw |
| Cabinet Member - Leisure, Culture and Tourism Services | Cllr. Booth |
| Cabinet Member - Older People and Health | Cllr. Porter |

| | |
|--|---------------------|
| Cabinet Member - Performance, Governance and Commissioning | Cllr. Brodie-Browne |
| Cabinet Member - Regeneration and Housing | Cllr. Maher |
| Cabinet Member - Safer Communities and Neighbourhoods | Cllr. Robertson |
| Cabinet Member - Street Scene and Transportation | Cllr. Fairclough |

CABINET URGENT BUSINESS COMMITTEE (3)

The 3 Party Leaders or their nominees (who must be Cabinet Members).

Councillors P. Dowd, Robertson and Parry

CABINET MEMBER - CHILDREN, SCHOOLS AND FAMILIES

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Moncur | Cllr. P. Dowd |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Dorgan | Cllr. Jones |
| Cllr. Preece | Cllr. Howe |

The Education Added Members for the Children, Schools and Families Cabinet Portfolio are Mr. A. Bell and 1 Vacancy (Church Diocesan Representatives); Mrs. S. Cain and 1 Vacancy (Parent Governor Representatives) plus Mr. R. Gregson (Sefton Governors Forum).

CABINET MEMBER - CORPORATE SERVICES

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Parry | Cllr. Porter |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Ashton | Cllr. Mainey |
| Cllr. Carr | Cllr. Veidman |

CABINET MEMBER - ENVIRONMENTAL

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Shaw | Cllr. Booth |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Dutton | Cllr. Cuthbertson |
| Cllr. Hardy | Cllr. Friel |

CABINET MEMBER - LEISURE, CULTURE AND TOURISM SERVICES

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Booth | Cllr. Robertson |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Jones | Cllr. Griffiths |
| Cllr. Webster | Cllr. Gustafson |

CABINET MEMBER – OLDER PEOPLE AND HEALTH

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Porter | Cllr. Parry |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Friel | Cllr. L. Cluskey |
| Cllr. Rimmer | Cllr. McGuire |

CABINET MEMBER - PERFORMANCE, GOVERNANCE AND COMMISSIONING

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Brodie-Browne | Cllr. Shaw |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Brady | Cllr. Brennan |
| Cllr. Cuthbertson | Cllr. McIvor |

CABINET MEMBER - REGENERATION AND HOUSING

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Maher | Cllr. Fairclough |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Mainey | Cllr. Sumner |
| Cllr. McIvor | Cllr. Dutton |

CABINET MEMBER - SAFER COMMUNITIES AND NEIGHBOURHOODS

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Robertson | Cllr. Brodie-Browne |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Papworth | Cllr. Cuthbertson |
| Cllr. Veidman | Cllr. Atkinson |

CABINET MEMBER - STREET SCENE AND TRANSPORTATION

| <u>Member</u> | <u>Substitute</u> |
|----------------------|--------------------------|
| Cllr. Fairclough | Cllr. Maher |

| <u>Spokespersons</u> | <u>Substitute</u> |
|-----------------------------|--------------------------|
| Cllr. Crabtree | Cllr. Jones |
| Cllr. Tonkiss | Cllr. Fenton |

**17. APPOINTMENT OF COMMITTEES AND WORKING GROUPS
2011/12**

The Council considered the report of the Chief Executive on the allocation of Committee Places in accordance with the Political Balance Rules and a schedule on the proposed Membership of the Committees and Working Groups for 2011/12.

Councillor Griffiths reported that the Conservative Group wished to amend their representative on the Public Engagement and Consultation Panel from Councillor McIvor to Councillor Cuthbertson and amend the Vice Chair on the Overview and Scrutiny Committee (Regeneration and Environmental Services) from Councillor McIvor to Councillor Jones.

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED: That

- (1) the allocation of Committee places in accordance with the Political Balance Rules be noted; and
- (2) the Members, Chairs, Vice-Chairs and Spokespersons for the Committees and Working Groups set out below be appointed for a period of twelve months until the Adjourned Annual Meeting to be held in May 2012.

(A) OVERVIEW AND SCRUTINY COMMITTEES

OVERVIEW AND SCRUTINY COMMITTEE (CHILDREN'S SERVICES)
(10)

Plus 4 Education Added Members

(Lab 5/Lib Dem 4/Con 1)

| | <u>Member</u> | <u>Substitute</u> |
|----|----------------------------|--------------------------|
| 1. | Chair: Cllr. Brennan | Cllr. Veidman |
| 2. | Vice-Chair: Cllr. Bradshaw | Cllr. L. Cluskey |
| 3. | Cllr. Atkinson | Cllr. Kerrigan |
| 4. | Cllr. Cuthbertson * | Cllr. Dutton |
| 5. | Cllr. Hands * | Cllr. Ashton |
| 6. | Cllr. Howe | Cllr. Weavers |
| 7. | Cllr. Hubbard | Cllr. Dodd |
| 8. | Cllr. Mainey | Cllr. Welsh |
| 9. | Cllr. McKinley | Cllr. Byrom |
| 10 | Cllr. Page | Cllr. McGinnity |

* Spokesperson

Education Added Members:- Father D. Seddon and 1 Vacancy
(Church Diocesan Representatives);
Mrs. S. Cain and 1 Vacancy.
(Parent Governor Representatives)

OVERVIEW AND SCRUTINY COMMITTEE (HEALTH & SOCIAL CARE)
(10)

(Lab 4/Lib Dem 4/Con 2)

| | <u>Member</u> | <u>Substitute</u> |
|-----|---------------------------|--------------------------|
| 1. | Chair: Cllr. Hill | Cllr. M. Fearn |
| 2. | Vice-Chair: Cllr. Hubbard | Cllr. Weavers |
| 3. | Cllr. Ball | Cllr. Crabtree |
| 4. | Cllr. L. Cluskey | Cllr. Tweed |
| 5. | Cllr. Griffiths * | Cllr. Dutton |
| 6. | Cllr. McGuire | Cllr. Hands |
| 7. | Cllr. Page | Cllr. Hardy |
| 8. | Cllr. Roberts | Cllr. Brennan |
| 9. | Cllr. Welsh | Cllr. Preece |
| 10. | Cllr. Webster * | Cllr. Bradshaw |

* Spokesperson

OVERVIEW AND SCRUTINY COMMITTEE (PERFORMANCE & CORPORATE SERVICES) (10)

(Lab 5/Lib Dem 4/Con 1)

| | <u>Member</u> | <u>Substitute</u> |
|-----|-------------------------|--------------------------|
| 1. | Chair: Cllr. McGinnity | Cllr. McKinley |
| 2. | Vice-Chair: Cllr. Byrom | Cllr. Veidman |
| 3. | Cllr. Carr | Cllr. M. Dowd |
| 4. | Cllr. Dorgan * | Cllr. Jones |
| 5. | Cllr. Gibson * | Cllr. Hubbard |
| 6. | Cllr. Kelly | Cllr. Brady |
| 7. | Cllr. Mainey | Cllr. Hill |
| 8. | Cllr. Preece | Cllr. Tonkiss |
| 9. | Cllr. Roberts | Cllr. Robinson |
| 10. | Cllr. Weavers | Cllr. Sumner |

* Spokesperson

OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND ENVIRONMENTAL SERVICES) (10)

(Lab 4/Lib Dem 4/Con 2)

| | <u>Member</u> | <u>Substitute</u> |
|-----|-------------------------|--------------------------|
| 1. | Chair: Cllr. Papworth | Cllr. Griffiths |
| 2. | Vice-Chair: Cllr. Jones | Cllr. Dorgan |
| 3. | Cllr. Ashton | Cllr. Rimmer |
| 4. | Cllr. K. Cluskey * | Cllr. Kelly |
| 5. | Cllr. Fenton | Cllr. Hubbard |
| 6. | Cllr. Hardy | Cllr. Tweed |
| 7. | Cllr. McKinley | Cllr. Webster |
| 8. | Cllr. Robinson | Cllr. Bradshaw |
| 9. | Cllr. Weavers * | Cllr. Blackburn |
| 10. | Cllr. Welsh | Cllr. McGuire |

* Spokesperson

(B) REGULATORY AND OTHER COMMITTEES

APPEALS COMMITTEE

All Members of the Council (other than Cabinet Members) to form a Panel from which 3 Members are selected to form a politically balanced Committee.

AUDIT AND GOVERNANCE COMMITTEE (10)

(Lab 4/Lib Dem 4/Con 2)

| | <u>Member</u> | <u>Substitute</u> |
|-----|---------------------------|--------------------------|
| 1. | Chair: Cllr. Hands | Cllr. Mainey |
| 2. | Vice-Chair: Cllr. Tonkiss | Cllr. M. Fearn |
| 3. | Cllr. Brady * | Cllr. Tweed |
| 4. | Cllr. Brennan | Cllr. Mahon |
| 5. | Cllr. Lord Fearn | Cllr. Ashton |
| 6. | Cllr. Friel | Cllr. McGinnity |
| 7. | Cllr. Maher | Cllr. Moncur |
| 8. | Cllr. McIvor | Cllr. Crabtree |
| 9. | Cllr. Parry * | Cllr. Porter |
| 10. | Cllr. Robertson | Cllr. Brodie-Browne |

* Spokesperson

The membership of the Audit and Governance Committee comprises of the Leader of the Council and the other 2 Party Group Leaders (or their nominees who should be Cabinet Members) and 7 Non-Executive Members of the Council.

EMPLOYMENT PROCEDURE COMMITTEE

All Members of the Council to form a panel from which a minimum of 3 Members are selected to form a politically balanced Committee. At least one Member of the Cabinet to be included on the Committee.

LICENSING AND REGULATORY COMMITTEE (15)

(Lab 7/Lib Dem 5/Con 3)

| | <u>Member</u> |
|-----|-------------------------|
| 1. | Chair: Cllr. McGuire |
| 2. | Vice-Chair Cllr. Rimmer |
| 3. | Cllr. Ashton |
| 4. | Cllr. Blackburn |
| 5. | Cllr. Bradshaw |
| 6. | Cllr. Carr |
| 7. | Cllr. Crabtree |
| 8. | Cllr. Dorgan |
| 9. | Cllr. Fenton |
| 10. | Cllr. Gustafson |
| 11. | Cllr. Kerrigan |
| 12. | Cllr. Mahon * |
| 13. | Cllr. McGinnity |
| 14. | Cllr. Papworth * |
| 15. | Cllr. Robinson |

*Spokesperson

**LICENSING AND REGULATORY (URGENT REFERRALS)
COMMITTEE (3)**

(Lab 1/Lib Dem 1/Con 1)

| | <u>Member</u> | <u>Substitute</u> |
|----|----------------------|--------------------------|
| 1. | Chair: Cllr. McGuire | Cllr. Rimmer |
| 2. | Cllr. Mahon | Cllr. Robinson |
| 3. | Cllr. Papworth | Cllr. Dorgan |

LICENSING SUB-COMMITTEE

All Members of the Licensing and Regulatory Committee to form a Panel from which 3 Members are selected to form a Sub-Committee.

PAY AND GRADING COMMITTEE (6)

(Lab 3/Lib Dem2/Con 1)

| | <u>Member</u> |
|----|------------------------------|
| 1. | Chair: Cllr. Parry |
| 2. | Vice-Chair: Cllr. Fairclough |
| 3. | Cllr. Hands |
| 4. | Cllr. Rimmer * |
| 5. | Cllr. Roberts |
| 6. | Cllr. Tweed |

* Spokesperson

PLANNING COMMITTEE (15)

(Lab 7/Lib Dem 5/Con 3)

| | <u>Member</u> | <u>Substitute</u> |
|-----|-------------------------|--------------------------|
| 1. | Chair: Cllr. Tweed | Cllr. Brady |
| 2. | Vice-Chair: Cllr. Kelly | Cllr. Brennan |
| 3. | Cllr. Atkinson | Cllr. Page |
| 4. | Cllr. Ball | Cllr. Cuthbertson |
| 5. | Cllr. L. Cluskey | Cllr. Kerrigan |
| 6. | Cllr. Dodd | Cllr. Hill |
| 7. | Cllr. Dorgan | Cllr. Dutton |
| 8. | Cllr. M. Fearn * | Cllr. Lord Fearn |
| 9. | Cllr. Griffiths * | Cllr. Jones |
| 10. | Cllr. Gustafson | Cllr. Webster |
| 11. | Cllr. Mahon | Cllr. Friel |
| 12. | Cllr. Preece | Cllr. Hands |
| 13. | Cllr. Roberts | Cllr. K. Cluskey |
| 14. | Cllr. Tonkiss | Cllr. Gibson |
| 15. | Cllr. Sumner | Cllr. Howe |

*Spokesperson

PLANNING (URGENT REFERRALS) COMMITTEE (3)

(Lab 1/Lib Dem 1/Con 1)

| | <u>Member</u> | <u>Substitute</u> |
|----|----------------------|--------------------------|
| 1. | Chair: Cllr. Tweed | Cllr. Kelly |
| 2. | Cllr. M. Fearn | Cllr. Sumner |
| 3. | Cllr. Griffiths | Cllr. Dorgan |

PLANNING VISITING PANEL (15)

The Committee comprises of the Members of the Planning Committee.

STANDARDS COMMITTEE (6) (plus 3 Independent Members and 2 Parish Council Members)

(Lab 3/Lib Dem 2/Con 1) - including 1 Cabinet Member +

| | <u>Member</u> | <u>Substitute</u> |
|----|----------------------|--------------------------|
| 1. | Cllr. Byrom | Cllr. McKinley |
| 2. | Cllr. Fairclough + | Cllr. Moncur |
| 3. | Cllr. M. Fearn | Cllr. Welsh |
| 4 | Cllr. Hill | Cllr. Rimmer |
| 5 | Cllr. Papworth | Cllr. Griffiths |
| 6 | Cllr. Veidman | Cllr. Hardy |

Independent Members:

| | | |
|----------------------------|---|----------------------------|
| Chair - Mr N. Edwards | } | 3 year term until May 2013 |
| Vice-Chair - Mr. E. Davies | | 3 year term until May 2014 |
| Mr. J.R. Fraser | | |

Parish Council Members:

Mr. D. Warren
One vacancy

STANDARDS INITIAL ASSESSMENT SUB-COMMITTEE

All Members of the Standards Committee will form a Panel from which one Independent Member and two other Members will be selected to form a Sub-Committee.

STANDARDS HEARINGS SUB-COMMITTEE

All Members of the Standards Committee will form a Panel from which one Independent Member and two other Members will be selected to form a Sub-Committee.

STANDARDS REVIEW SUB-COMMITTEE

All Members of the Standards Committee to form a Panel from which one Independent Member and two other Members will be selected to form a Sub-Committee.

(C) LOCAL AREA COMMITTEES

The Members of the Wards included below in the Area of each Committee.

The Chair, Vice-Chair and Local Advisory Members to be appointed by the respective Area Committee.

CROSBY AREA COMMITTEE (11*)

| Ward | Member |
|---------------|-----------------|
| Blundellsands | Cllr. Dorgan |
| | Cllr. Papworth |
| | Cllr. Parry |
| Church | * |
| | Cllr. Veidman |
| | Cllr. Webster |
| Manor | Cllr. Gibson |
| | Cllr. McGinnity |
| | Cllr. Roberts |
| Victoria | Cllr. Byrom |
| | Cllr. Hill |
| | Cllr. Tonkiss |

*The Mayor, Councillor Cummins (Church Ward) will not be a Member of the Area Committee during his year of office.

FORMBY AREA COMMITTEE (6)

| Ward | Member |
|-------------|-------------------|
| Harington | Cllr. Cuthbertson |
| | Cllr. Doran |
| | Cllr. Dutton |
| Ravenmeols | Cllr. Griffiths |
| | Cllr. Mclvor |
| | Cllr. Page |

LINACRE AND DERBY AREA COMMITTEE (6)

| Ward | Member |
|-------------|------------------|
| Derby | Cllr. L. Cluskey |
| | Cllr. Gustafson |
| | Cllr. Robinson |
| Linacre | Cllr. Fairclough |
| | Cllr. Friel |
| | Cllr. Kerrigan |

LITHERLAND AND FORD AREA COMMITTEE (6)

| Ward | Member |
|-------------|------------------|
| Ford | Cllr. Brady |
| | Cllr. K. Cluskey |
| | Cllr. Moncur |
| Litherland | Cllr. Hardy |
| | Cllr. Kelly |
| | Cllr. Tweed |

SEFTON EAST PARISHES AREA COMMITTEE (9)

| Ward | Member |
|-------------|-----------------|
| Molyneux | Cllr. Atkinson |
| | Cllr. Carr |
| | Cllr. Howe |
| Park | Cllr. Blackburn |
| | Cllr. Fenton |
| | Cllr. Robertson |
| Sudell | Cllr. Hubbard |
| | Cllr. Mainey |
| | Cllr. McKinley |

SOUTHPORT AREA COMMITTEE (21)

| Ward | Member |
|-------------|----------------------|
| Ainsdale | Cllr. Jones |
| | Cllr. Porter |
| | Cllr. Preece |
| Birkdale | Cllr. Brodie-Browne |
| | Cllr. Hands |
| | Cllr. Shaw |
| Cambridge | Cllr. Crabtree |
| | Cllr. Glover |
| | Cllr. McGuire |
| Dukes | Cllr. Ball |
| | Cllr. Pearson |
| | Cllr. Sir Ron Watson |

| | |
|---------|------------------|
| Kew | Cllr. Booth |
| | Cllr. M. Fearn |
| | Cllr. Weavers |
| Meols | Cllr. Ashton |
| | Cllr. Dodd |
| | Cllr. Rimmer |
| Norwood | Cllr. Lord Fearn |
| | Cllr. Sumner |
| | Cllr. Welsh |

ST. OSWALD AND NETHERTON AND ORRELL AREA COMMITTEE (6)

| Ward | Member |
|----------------------|----------------|
| Netherton and Orrell | Cllr. Bradshaw |
| | Cllr. Brennan |
| | Cllr. Maher |
| St. Oswald | Cllr. M. Dowd |
| | Cllr. P. Dowd |
| | Cllr. Mahon |

(D) CONSULTATIVE BODIES

INDEPENDENT REMUNERATION PANEL (3 members)

| | | |
|-----------------|---|-----------------------------------|
| Canon R. Driver | } | 4 year term until 31 May 2013 |
| Mr. S. Dickson | | |
| Mrs. S. Lowe | } | 4 year term until 23 October 2012 |

(To advise and make recommendations to the Authority about the allowances to be paid to Elected Members).

JOINT CONSULTATIVE COMMITTEE FOR TEACHING STAFFS

(9 Council Members plus 9 Teacher representatives)

(Lab 4/Lib Dem 3/Con 2)

| | <u>Member</u> | <u>Substitute</u> |
|----|----------------------|--------------------------|
| 1. | Cllr. Brennan | Cllr. McKinley |
| 2. | Cllr. Dorgan | Cllr. Ball |
| 3. | Cllr. P. Dowd | Cllr. Page |
| 4 | Cllr. Dutton | Cllr. Cuthbertson |
| 5 | Cllr. Lord Fearn | Cllr. Tonkiss |
| 6 | Cllr. Hardy | Cllr. Bradshaw |
| 7 | Cllr. Howe | Cllr. Dodd |
| 8 | Cllr. Moncur | Cllr. Tweed |
| 9 | Cllr. Preece | Cllr. Gibson |

LOCAL JOINT CONSULTATIVE COMMITTEE (12)

(12 Council Members plus 12 Trade Union Representatives)

(Lab 5/Lib Dem 5/Con 2)

| | <u>Member</u> | <u>Substitute</u> |
|----|----------------------|--------------------------|
| 1. | Cllr. Blackburn | Cllr. Tonkiss |
| 2. | Cllr. Brady | Cllr. Friel |
| 3. | Cllr. Brodie-Browne | Cllr. Shaw |
| 4 | Cllr. Carr | Cllr. McGinnity |
| 5 | Cllr. P. Dowd | Cllr. M. Dowd |
| 6 | Cllr. Fairclough | Cllr. Tweed |
| 7 | Cllr. Lord Fearn | Cllr. Sumner |
| 8 | Cllr. Fenton | Cllr. Hubbard |
| 9 | Cllr. Griffiths | Cllr. Dorgan |
| 10 | Cllr. Moncur | Cllr. Mahon |
| 11 | Cllr. Porter | Cllr. Parry |
| 12 | Cllr. Robertson | Cllr. Booth |

PUBLIC ENGAGEMENT AND CONSULTATION PANEL (3)

(Lab 1/Lib Dem 1/Con 1)

| | <u>Member</u> |
|----|----------------------|
| 1. | Cllr. Brodie-Browne |
| 2. | Cllr. Cuthbertson |
| 3. | Cllr. Friel |

(E) MAJOR SERVICE REVIEW GOVERNANCE BODIES

STRATEGIC SERVICE PARTNERSHIP BOARD

Leader of the Council (Councillor P. Dowd) and the representatives on the Finance and Information Services Operational Board and the Technical Services Operational Board (Councillors Parry and Fairclough).

FINANCE AND INFORMATION SERVICES OPERATIONAL BOARD

Cabinet Member - Corporate Services (Councillor Parry).

TECHNICAL SERVICES OPERATIONAL BOARD

Cabinet Member - Street Scene and Transportation (Councillor Fairclough).

(F) OTHER BODIES

SHADOW HEALTH AND WELLBEING BOARD FOR SEFTON

| | <u>Member</u> |
|----|----------------------|
| 1. | Cllr. Moncur |
| 2. | Cllr. Porter |
| 3. | Cllr. McGuire* |

* The Liberal Democrat Group notified the Chief Executive following the meeting that their representative on the Shadow Board would be Councillor McGuire in place of Councillor Rimmer.

18. TERMS OF REFERENCE FOR COMMITTEES AND WORKING GROUPS 2011/12

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED:

That the terms of reference of the Committees and Working Groups as set out in Part 3 of the Council Constitution be approved.

19. APPOINTMENT OF REPRESENTATIVES ON MERSEYSIDE JOINT AUTHORITIES 2011/12

The Council considered a schedule on the proposed representation on the Merseyside Joint Authorities for 2011/12.

It was moved by Councillor P. Dowd, seconded by Councillor Maher:

That:

- (1) the following Members be appointed to serve on the following Merseyside Joint Authorities in 2011/12:

| <u>Joint Authority</u> | <u>Representative</u> |
|---|--|
| Merseyside Fire and Rescue Authority | Councillors Blackburn (LD), Byrom (Lab), Jones (Con) and Mahon (Lab) |
| Merseyside Waste Disposal | Councillors K. Cluskey (Lab) and Shaw (LD) |
| Merseyside Police Authority (Nominations only - Appointed by the Merseyside Police Authority Appointments Committee). | Councillors Howe (LD) and Kerrigan (Lab) |

- (2) That in relation to the Merseyside Integrated Transport nominations, the names identified in the schedule (Councillors Dodd, M. Dowd, Griffiths and Sumner) remain the Council's nominations until such time as the next Cabinet Meeting amends the nominations following clarification of issues relating to proportionality.

Following debate, on a show of hands the Mayor declared that the Motion was carried by 32 votes to 23 and it was

RESOLVED: That

- (1) the following Members be appointed to serve on the following Merseyside Joint Authorities in 2011/12:

| <u>Joint Authority</u> | <u>Representative</u> |
|---|--|
| Merseyside Fire and Rescue Authority | Councillors Blackburn (LD), Byrom (Lab), Jones (Con) and Mahon (Lab) |
| Merseyside Waste Disposal | Councillors K. Cluskey (Lab) and Shaw (LD) |
| Merseyside Police Authority (Nominations only - Appointed by the Merseyside Police Authority Appointments Committee). | Councillors Howe (LD) and Kerrigan (Lab) |

- (2) That in relation to the Merseyside Integrated Transport nominations, the names identified in the schedule (Councillors Dodd, M. Dowd, Griffiths and Sumner) remain the Council's nominations until such time as the next Cabinet Meeting amends the nominations following clarification of issues relating to proportionality.

20. APPOINTMENT OF REPRESENTATIVES ON SEFTON BOROUGH PARTNERSHIP 2011/12

The Council considered the report of the Assistant Chief Executive and a schedule on the proposed representation on the Strategic Board and Thematic Partnerships/Groups of the Sefton Borough Partnerships for 2011/12.

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED: That

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- (1) the following Members be appointed to serve on the Strategic Board of the Sefton Borough Partnership in 2011/12:

Leader of the Council (Councillor P. Dowd) and the Leaders of Other Political Groups (Councillors Robertson and Parry) plus the following representatives which are subject to approval by the appropriate Joint Authority:

- Representative from Merseyside Fire and Rescue Authority (Councillor Byrom)
- Representative from Merseyside Integrated Transport Authority (Referred to the Cabinet for determination - see Minute 19(2) above)
- Representative from Merseyside Police Authority (Councillor Howe)
- Representative from Merseyside Waste Disposal Authority (Councillor K. Cluskey); and

- (2) the following Members set out below be appointed to serve on the Thematic Groups of the Sefton Borough Partnership and Area Partnerships in 2011/12:

| <u>Thematic Partnerships</u> | <u>Number of Representatives</u> | <u>Member</u> |
|--|----------------------------------|--|
| Children's Trust Board | 1 | Cabinet Member - Children, Schools and Families (Councillor Moncur) |
| Economic Development & Sustainability | 4 | Defer consideration |
| Healthier Communities and Older People | 1 | Defer consideration |
| Safer and Stronger Communities Partnership | 1 | Cabinet Member - Safer Communities and Neighbourhoods (Councillor Robertson) |
| <u>Related Groups/Partnerships</u> | | |
| Sefton Compact Working Group | 2 | Defer consideration |

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| | | |
|-------------------------------|---|--|
| South Sefton Area Partnership | 7 | <p>Leader of Labour Group (Councillor P. Dowd)</p> <p>Cabinet Member - Children, Schools and Families (Councillor Moncur)</p> <p>Cabinet Member - Regeneration and Housing (Councillor Maher)</p> <p>Cabinet Member - Street Scene and Transportation (Councillor Fairclough)</p> <p>Chairs of Area Committees</p> <ul style="list-style-type: none">• Linacre and Derby• Litherland and Ford• St. Oswald and Netherton and Orrell |
| Southport Area Partnership | 3 | <p>Member from each Political Group elected in Southport:</p> <p>Councillor Porter plus Chair and Vice Chair of Southport Area Committee</p> |
| Central Area Partnership | | <p>Defer consideration of new membership until July 2011 and operate shadow arrangements in the interim period</p> |

21. REVIEW OF THE COUNCIL CONSTITUTION

The Council considered the report of the Chief Executive on the proposed revisions to the Council's Constitution which had been agreed by the Constitution Working Party, which included:

- Minor amendments to Cabinet portfolios
- The outcome of the scrutiny review of the Bribery Act
- The changes required to realise savings agreed by the Council in terms of Cabinet Member delegated decision making
- Changes to the senior management structure of the Council
- The inclusion of additional information relating to financial procedures and contracts (in consultation with the Head of Internal Audit)
- Summary and explanation of the Constitution in plain English and
- Updating of the scheme of Members' Allowances following previous decisions of the Council

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED:

That the revised Council Constitution be adopted.

22. DATES OF COUNCIL MEETINGS 2011/12

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED:

That it be noted that the Council meetings scheduled to be held during the Municipal Year 2011/12 are as follows:

- 7 July 2011
- 1 September 2011
- 27 October 2011
- 22 December 2011
- 16 February 2012
- 1 March 2012 (Budget Meeting)
- 12 April 2012

23. SEFTON NEW DIRECTIONS - SHAREHOLDERS PERMISSIONS

The Council considered the report of the Head of Corporate Legal Services which sought the necessary permissions from the Council as the sole shareholder on Sefton New Directions (SND) for certain actions as specified in the Company's Articles of Association and in company law. The report outlined the actions of the Board of SND regarding the future viability of the Company and the relevant response of trade unions.

The Mayor reported that redactions had been made to the Appendices in the report due to commercial sensitivities including the negotiating position of both the Trade Unions and Sefton New Directions. In addition, the appendices to Appendix B were not included in the Council report for the same reasons.

It was moved by Councillor P. Dowd, seconded by Councillor Maher and

RESOLVED: That

- (1) the proposals made by Fresh Care Consulting with respect to the future viability of Sefton New Directions (SND), set out in the Appendices A and B of the report be noted;
- (2) the efforts made in respect of settling the Employment Tribunal claims be noted;
- (3) in accordance with SND's Articles of Association, the Council, as shareholder resolves and consents in relation to the actions outlined in Appendices A & B of the report to:
 - allow the Board to dismiss and re-engage all of SND's employees as necessary and/or;
 - allow employees to leave SND's employment through voluntary redundancy/voluntary retirement arrangements and/or; should the Board consider that the above steps have been insufficient to secure the finances and future viability of the Company to;
 - allow the Board to take necessary steps for the Company to be dissolved within the meaning as detailed in the body of the report and appendices;
- (4) the Council's Head of Corporate Legal Services be authorised to sign the Council's resolution in accordance with company law requirements;
- (5) SND be requested to provide a progress report in relation to action taken as outlined in Appendices A & B of the report to the Council's Cabinet meeting in August 2011; and
- (6) the Head of Corporate Legal Services be authorised to review the Council's current arrangements with respect to its oversight of the shareholding in SND and to make recommendations to Cabinet in due course.

24. NOTICE OF MOTION BY COUNCILLOR SIR RON WATSON

It was moved by Councillor Sir Ron Watson and seconded by Councillor Glover:

That the Council in response to the consultation process on Tuition Fees for Students indicates its strong opposition to any moves to impose a financial penalty on those students who find themselves in a position to repay the loan in advance of the normal maturity date.

Following debate, on a show of hands, the Mayor declared that the Motion was carried by 35 votes to 23 and it was

RESOLVED:

That the Council in response to the consultation process on Tuition Fees for Students indicates its strong opposition to any moves to impose a financial penalty on those students who find themselves in a position to repay the loan in advance of the normal maturity date.