

COUNCIL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 27TH OCTOBER, 2011**

PRESENT: The Mayor (Councillor Cummins) (in the Chair)

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

57. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brennan, Fairclough, Lord Fearn, M. Fearn, Fenton, Hill and Jones.

58. DECLARATIONS OF INTEREST

The following declarations of interest were received:-

<u>Member</u>	<u>Minute No.</u>	<u>Reason</u>	<u>Action</u>
Councillor Cummins	63 – Transformation Programme 2011-2014	Personal - His employer works with Carers referred to in Annex B of the report	Took part in the consideration of the item and voted thereon
Councillor Dodd	67 - Further consideration of Notice of Motion by Councillor Robertson	Personal - Sefton Council Representative on the Merseyside Integrated Transport Authority	Took part in the consideration of the item and voted thereon
Councillor M. Dowd	67 - Further consideration of Notice of Motion by Councillor Robertson	Personal - Sefton Council Representative on the Merseyside Integrated Transport Authority	Took part in the consideration of the item and voted thereon

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Councillor Friel	67 - Further consideration of Notice of Motion by Councillor Robertson	Personal - Sefton Council Representative on the Merseyside Integrated Transport Authority	Took part in the consideration of the item and voted thereon
Councillor Griffiths	67 - Further consideration of Notice of Motion by Councillor Robertson	Personal - Sefton Council Representative on the Merseyside Integrated Transport Authority	Took part in the consideration of the item and voted thereon
Councillor Hands	71 - Notice of Motion by Councillor Moncur	Personal - He is a tenant of Adactus Housing Association that has been lobbying along the same lines as the terms of the Motion and he is Chair of the Sefton Customer Involvement Panel for his housing association	Took part in the consideration of the item and voted thereon
Councillor Kerrigan	63 – Transformation Programme 2011 – 2014	Personal – She is a Governor of All Saints’ Primary School which will be affected by the proposals in the report	Took part in the consideration of the item and voted thereon
Councillor Mahon	71 – The Notice of Motion by Councillor Moncur	Personal – He is the landlord of a property	Took part in the consideration of the item and voted thereon
Councillor Moncur	63 – Transformation Programme 2011 – 2014	Personal – His spouse is employed by the Council and may be affected by the proposals in the report	Took part in the consideration of the item and voted thereon

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Councillor Rimmer	70 – Notice of Motion by Councillor Robertson	Personal – He is a member of Southport and Birkdale Cricket Club	Took part in the consideration of the item and voted thereon
Councillor Veidman	63 – Transformation Programme 2011 – 2014	Personal – His employer may be subject to reduced funding referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Sir Ron Watson	63 – Transformation Programme 2011 -2014	Personal – A relative is employed by the Council and may be affected by proposals in the report	Took part in the consideration of the item and voted thereon

59. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Council meeting held on 1 September 2011 be approved as a correct record, subject to the references to 'the Mayor' in Minute numbers 50 and 53 being amended to read 'The Chair'.

60. MAYOR'S COMMUNICATIONS

Former Councillor Mr. Bob Roberts

The Mayor reported on the sad death of the former Councillor Mr. Bob Roberts and indicated that the funeral service had taken place that day in Thornton.

The Mayor advised that Mr. Roberts had served the people of Blundellsands Ward from 1995 until 2010.

Councillors Parry and M. Dowd paid tribute to Mr. Roberts.

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

Remembrance Sunday

The Mayor reported that this year's Remembrance Sunday would be held on 13 November 2011 and many services would take place across Sefton. This year the Mayor would attend the Service at Five Lamps Waterloo, the Leader of the Council would attend the Service at Bootle and Councillor Lord Fearn would be the Mayoral representative at Southport. The Mayor

encouraged Members to attend Services in their local area to show the Borough's support for Veterans and for those members of HM Forces currently on active service.

Multi Faith and Volunteers Reception

The Mayor reported that he had the pleasure and honour of hosting a reception on 21 September 2011 for members of the Borough's Volunteer Sector and representatives from many faith organisations. The event was a joint venture between Civic and Mayoral Services and Sefton Council for Voluntary Service, with costs being shared between the two organisations. The Mayor indicated that it had been an opportunity not only for him to meet and thank the guests but an opportunity for them to network and establish useful contacts across the Borough.

HM Armed Forces Reception

The Mayor reported that a small Reception would be held in Bootle Town Hall on 16 November 2011 to show the Borough's appreciation to HM Forces, and their associated cadet organisations.

Councillor Mark Dowd

The Mayor reported that Councillor Mark Dowd had recently been re-elected Chair of the Local Government Association Integrated Transport Authorities Special Interest Group, which is regarded as one of the most influential public transport groups bringing together all six Integrated Transport Authorities in England. The Mayor extended congratulations to Councillor Mark Dowd on his re-appointment to the post.

PUBLIC SESSION

61. MATTERS RAISED BY THE PUBLIC

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

COUNCIL BUSINESS SESSION

62. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Council considered a schedule setting out a written question submitted by Councillor Papworth to the Leader of the Council and the response given.

63. TRANSFORMATION PROGRAMME 2011-2014

Further to Minute No. 50 of the Cabinet meeting held on 13 October 2011, the Council considered the report of the Chief Executive which provided details of a number of budget proposals for the 2012/13 Budget. These

proposals did not include the budget savings options which were approved by Cabinet for consultation.

The report incorporated the following annexes:

- Annex A - Work Programme Timetable
- Annex B - On going Business Efficiencies and Change Proposals
- Annex C - Equality Impact Assessments

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

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

RESOLVED: That

- (1) the Council meeting on 22 December 2011 be cancelled and re-scheduled to be held on 24 November 2011, commencing at 6.30 pm in Bootle Town Hall;
- (2) the change proposals in Annex B of the report be approved and Officers be mandated to commence consultation and implementation processes with partners, key stakeholders, employees and Trade Unions, including the issue of relevant statutory and contractual notifications, if appropriate, to achieve change;
- (3) the equality impact assessments set out in Annex C of the report be noted;
- (4) it be noted that all figures in Annex B of the report are working assumptions of proposals/options to be considered and these figures should not be seen as pre-determining any decisions;
- (5) it be noted that at its meeting held on 13 October 2011, the Cabinet approved changes in the Medium Term Financial Plan assumptions;
- (6) the risks outlined in Paragraph 8 of the report be noted; and
- (7) it be noted that further options will be submitted to Council for approval.

64. JOINT MERSEYSIDE AND HALTON WASTE DEVELOPMENT PLAN DOCUMENT: COUNCIL APPROVAL OF PUBLICATION OF WASTE DPD

Further to Minute No. 13 of the meeting of the Cabinet Urgent Business Committee held on 17 October 2011, the Council considered the report of the Director of Built Environment on the results of public consultation on the Merseyside and Halton Joint Waste Development Plan Document

(DPD) Preferred Options 2 (New Sites Consultation) Report which was undertaken between May and June 2011.

The report also sought approval to a final six-week consultation at the end of 2011 on the document and to the submission of the document to the Secretary of State prior to the formal adoption of the document by each of the Merseyside District Councils in late 2012.

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

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

RESOLVED: That

- (1) the results of consultation on the Waste Development Plan Document Preferred Options 2 (New Sites Consultation) Report be noted;
- (2) approval be given to the publication of the Waste Development Plan Document for the final six-week public consultation commencing in late 2011 followed by its submission to the Secretary of State.
- (3) delegated authority be granted to District officers within the Waste DPD Steering Group to make the necessary typographical changes to the Publication Document prior to submission of the Waste DPD and for any more substantial changes to be reported to Members through the appropriate scheme of delegation prior to submission; and
- (4) approval be given to the spatial distribution of one sub-regional site per district.

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

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

RESOLVED:

That the report be noted.

66. MEMBERSHIP OF COMMITTEES 2011/12

It was proposed by Councillor Blackburn that the following change be made to the Membership of the following Committee:

Planning Committee

Councillor Hands to replace Councillor Preece as a Member of the Committee and Councillor Preece to be the Substitute Member for Councillor Hands.

RESOLVED:

That the changes to the Membership of the Committee listed above be approved.

**67. FURTHER CONSIDERATION OF NOTICE OF MOTION
SUBMITTED BY COUNCILLOR ROBERTSON**

Further to Minute No. 53 of the meeting held on 1 September 2011, the Council considered the report of the Director of Corporate Commissioning on the Notice of Motion submitted by Councillor Robertson, which was deferred to this meeting for further consideration to enable the Chair of the Merseyside Integrated Transport Authority (MITA) to submit further information on the issues referred to in the Motion and to enable Members to make an informed decision on the content of the Motion.

The report set out the content of the Motion together with the response of the Chair of the MITA.

It was moved by Councillor Robertson, seconded by Councillor Dodd:

- “(1) this Council notes with disappointment the decision made by the controlling Labour Group on the Merseyside Integrated Transport Authority to end immediately, without further reports, or the results of any business case study, the opportunity to take local control of the Merseyrail Electrics network from Network Rail;
- (2) Council notes that this process has been ongoing for many years, and that in 2005/06 a business case for Full Local Decision Making (FLDM) was prepared and submitted showing clear benefits for Merseyside. This was endorsed by the Merseyside Passenger Transport Authority and was a Key Policy in Local Transport Plan Two (LTP2);
- (3) Council further notes that FLDM was re-launched as Localism for Merseyrail (LFM) in 2010 and that the imperative for greater local control over the network infrastructure remains and the commitment to developing the case for this was reiterated in Local Transport Plan Three (LTP3);

- (4) Council also notes that LFM has the support of the Department for Transport, Network Rail, Office of the Rail Regulator and the Rail Freight Industry;
- (5) Council believes that a fully integrated Merseyrail network would be in the best interests of Merseyside's commuters and would enable local people and rail customers to have greater say in the decisions taken affecting the rail network in Merseyside;
- (6) Council notes that £1.5m was spent promoting this scheme.

Council therefore requests

- (1) that the Chief Executive write to the Chief Executive and Director General of Merseytravel, Neil Scales and to the Chairman of the Merseyside Integrated Transport Authority (MITA), expressing our Council's disappointment at the decision made at the Authority's meeting on 27 June, 2011; and
- (2) that MITA reverse the decision made at its meeting of 27 June, 2011 and ask that Merseytravel Passenger Transport Executive commission a Business Case Study to determine benefits and risks of LFM. The results of that study are considered by a future MITA Authority meeting before a final decision is made on whether to move this matter forward to the next stage."

An **amendment** was moved by Councillor P. Dowd, seconded by Councillor Maher that the response of the Chair of the Merseyside Integrated Transport Authority be noted.

Following debate, on a show of hands, the Mayor declared the amendment was carried by 39 votes to 19.

On a show of hands, the Mayor declared that the Substantive Motion was carried by 41 votes to 18 and it was

RESOLVED:

That the response of the Chair of the Merseyside Integrated Transport Authority be noted.

68. NOTICE OF MOTION SUBMITTED BY COUNCILLOR FAIRCLOUGH

In the absence of Councillor Fairclough, it was moved by Councillor Moncur, seconded by Councillor Maher and unanimously

RESOLVED:

This Council instructs the Chief Executive to write to the Chief Executive of the Highways Agency and the Secretary of State for Transport with regard to the lack of interest shown by the Highways Agency to the many requests from Local Ward Councillors (Ford, Linacre, Church, Litherland, Netherton and Orrell, and St. Oswald) highlighting their concerns regarding the A5036 (Dunnings Bridge Road Corridor).

These concerns are the Health and Safety of the pedestrians, the lack of grass cutting, the lack of weed spraying, the disgraceful condition of the environmental barriers, the complete disregard to the many flooding issues and the surface of the highway.

The Highways Agency should take full regard to the importance of the A5036 as a major gateway into the Borough and with over 40,000 vehicle movements a day, the Borough of Sefton is being short changed by the Highways Agency.

Furthermore, this Council also requests a letter be sent to Joe Benton, MP requesting him to raise the disgraceful condition of the A5036 with the Secretary of State for Transport at the earliest possible occasion.

69. NOTICE OF MOTION SUBMITTED BY COUNCILLOR SHAW

It was moved by Councillor Shaw, seconded by Councillor McGuire:

“This Council notes:

- (i) the initial proposals put forward for the North West region by the Boundary Commission for England, which propose splitting the community of Formby in half, between two constituencies;
- (ii) the widespread opposition to such a split which has been voiced by elected representatives and by Formby residents;
- (iii) that a counter-proposal has been presented which satisfies the requirement for constituencies to have an electorate no smaller than 72,810 and no larger than 80,473, but which, rather than expanding the Southport constituency southwards into half of Formby, proposes expanding it eastwards along the Ribble estuary as far as the River Douglas, to include the neighbouring villages in Lancashire with which Southport has historic ties.

This Council places on record its support for retaining the whole of Formby within one parliamentary constituency, and, consequently, the enlargement of the Southport constituency eastwards to include the neighbouring villages in Lancashire.

This Council resolves that the Boundary Commission for England be notified accordingly.”

An **amendment** was moved by Councillor Parry, seconded by Councillor Papworth that the Motion be amended as follows:

‘Delete the text in (iii) of the Motion;

delete the following text in the penultimate paragraph of the Motion:

“and, consequently, the enlargement of the Southport constituency eastwards to include the neighbouring villages in Lancashire”; and

add the following text after the penultimate paragraph of the Motion:

“This Council supports the transfer of Blundellsands Ward into the proposed Maghull Constituency and the retention of St. Oswald Ward in the Bootle Constituency”.

Following debate, on a show of hands, the Mayor declared that the amendment was lost by 19 votes to 9.

A **further amendment** was moved by Councillor Doran, seconded by Councillor Cuthbertson that the Motion be amended as follows:

Delete the text in (iii) of the Motion and substitute the following text:

“This Council calls upon the Coalition Government to relax the upper limit placed on the Boundary Commission of 80,473 per parliamentary constituency and thereby allowing the whole community of Formby to be placed within one parliamentary constituency without having to cross county boundaries, and

delete the following text in the penultimate paragraph of the Motion:

“and, consequently, the enlargement of the Southport constituency eastwards to include the neighbouring villages in Lancashire.”

Following debate, on a show of hands, the Mayor declared that the amendment was carried by 32 votes to 22.

On a show of hands, the Mayor declared that the Substantive Motion was carried by 35 votes to 4 and it was

RESOLVED:

“This Council notes:

- (i) the initial proposals put forward for the North West region by the Boundary Commission for England, which propose splitting the community of Formby in half, between two constituencies; and
- (ii) the widespread opposition to such a split which has been voiced by elected representatives and by Formby residents.

This Council Calls upon the Coalition Government to relax the upper limit placed on the Boundary Commission of 80,473 per parliamentary constituency and thereby allowing the whole community of Formby to be placed within one parliamentary constituency without having to cross county boundaries.

This Council places on record its support for retaining the whole of Formby within one parliamentary constituency.

This Council resolves that the Boundary Commission for England be notified accordingly.

70. NOTICE OF MOTION SUBMITTED BY COUNCILLOR ROBERTSON

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

RESOLVED: That

This Council sends its congratulations to Lancashire County Cricket Club on winning outright the County Championship for the first time in 77 years.

We note with pleasure that County Cricket returned to Southport this summer. We also congratulate the Southport and Birkdale Cricket Club who were excellent hosts and note they attracted record crowds for a Championship Match.

To honour this success the Council resolves that the Lancashire flag should be flown from Bootle and Southport Town Halls, along with other towns in the area.

71. NOTICE OF MOTION SUBMITTED BY COUNCILLOR MONCUR

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

RESOLVED: That

Council notes the concerns of One Vision Housing and the National Housing Federation regarding the proposed Welfare Reform Proposals. In

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particular those relating to under occupation, direct payment to landlords and overall benefit cap.

Council instructs the appropriate officers to prepare a report to Cabinet outlining the likely impact of these proposed changes.