

COUNCIL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 16TH FEBRUARY, 2012**

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

Councillors Ashton, Atkinson, Ball, Blackburn, Booth, Bradshaw, 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, Jones, 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

84. APOLOGIES FOR ABSENCE

No apologies for absence were received.

85. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Member/Officer	Minute No.	Reason	Action
Councillor Shaw	90 - Transformation Programme 2011-2014	Personal - His son is employed by Sefton Library Service which may be affected by the options set out in the report	Stayed in the room and took part in the consideration of the item
Councillor Sir Ron Watson	90 - Transformation Programme 2011-2014	Personal - His relative works for Sefton Council	Stayed in the room and took part in the consideration of the item

Margaret Carney - Chief Executive	94 - Proper Officer Functions	Personal - Her post is referred to within the recommendation of the report	Stayed in the room during the consideration of the item
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86. MINUTES OF PREVIOUS MEETING

RESOLVED:

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

87. MAYOR'S COMMUNICATIONS

Holocaust Memorial Day

The Mayor reported that in conjunction with the Chairman and Members of the Southport Branch of the Association of Jewish Ex-Service Men and Women, a Holocaust Memorial Day Service took place at Christ Church, Lord Street, Southport on Sunday, 22 January 2012. The Service was extremely well attended and was a fitting and very moving occasion.

PUBLIC SESSION

88. MATTERS RAISED BY THE PUBLIC

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

COUNCIL BUSINESS SESSION

89. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Council considered a schedule setting out the written questions submitted by:

- Councillor Jones to the Cabinet Member - Environmental (Councillor Shaw)
- Councillor Papworth to the Cabinet Member - Transportation (Councillor Fairclough)
- Councillor Brodie-Browne to the Cabinet Member - Children, Schools and Families (Councillor Moncur)
- Councillor Shaw to the Cabinet Member - Older People and Health (Councillor Porter)

Together with the responses given. Councillors Brodie-Browne and Shaw asked a supplementary question which was responded to by the relevant Cabinet Member.

90. TRANSFORMATION PROGRAMME 2011 - 2014

Further to Minute No. 94 of the Cabinet meeting held on 2 February 2012, the Council considered the report of the Chief Executive detailing the progress made towards the establishment of the budget for 2012/13 and the reviews of services and consultation processes completed and in progress, as part of the Transformation Programme.

The report incorporated the following information:

- Introduction/Background
- Work Programme and Prioritisation
- Consultation and Engagement Overview
- Impact Assessment Overview
- Risk Management Overview
- Low and Medium Impact Options to Progress
- Conclusion

The report also contained the following annexes:

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| Annex A | Work Programme Timetable |
| Annex B | Proposals where the impact has been assessed as relatively low or medium following the analysis of the consultation and engagement activity |
| Annex C | Organisational changes and efficiencies not requiring consultation with the public |

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

The Mayor reported that the Cabinet had endorsed the content of the recommendations set out in the report at its meeting held on 2 February 2012, but at its meeting held earlier that day, the Cabinet had amended the proposed action to be taken on Policy Option E3.6 relating to the review of the life guard cover at all swimming pools. A copy of the Cabinet Minute and revised service description for this Option had been circulated around the Council Chamber, prior to the start of the meeting.

The Mayor advised Council that the Cabinet had recommended that the proposal set out in recommendation (d) of the agenda papers to provide "a limited reduction of life guard cover during the low cost periods identified in the report", be deleted and substituted by "life guard cover be provided at all public swimming sessions, as at present and the shortfall in budget savings to be achieved, be met by an increase of 3% above inflation in the charges for swimming sessions."

The Mayor also advised Council that a further report on the Transformation Programme had been considered by the Cabinet at its meeting held earlier that day and the recommendations arising from that meeting would be submitted to the next Council meeting to be held on 1 March 2012 for consideration.

The Mayor requested Members to take into account the issues raised at the Members' Briefing Sessions held on 9 February 2012 and prior to this Council meeting and be aware of their responsibilities relating to the consideration of the key issues on the agenda.

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

RESOLVED:

That:

- (1) the work programme timetable contained in Annex A of Part A of the report be noted;
- (2) Officers be authorised in terms of the proposals included in the report, to prepare for implementation immediately, (subject to the duty to consult with employees and trade unions) including the issue of relevant statutory and contractual notifications;
- (3) it be noted that the detail within the equality analysis assessment, the consultation feedback and the mitigating actions for each budget saving option set out in the report had been taken into account in the decision making process;
- (4) after taking into account the equality analysis assessment, the consultation feedback, risks and mitigating actions for each individual proposal, approval be given to the following budget savings options set out in Annex B of the report:

Ref	Service Area	Proposal	Action to be taken
E1.2	Respite Children's	Reduce planned expenditure through increased efficiency	<ul style="list-style-type: none"> • The planned expenditure should be reduced through the efficiencies identified • Officers be authorised to prepare for implementation immediately, including the issue of relevant contractual notifications, if necessary.

E1.4	Parenting Network - Think Family Grant	Cessation of universal parenting programmes	<ul style="list-style-type: none"> • The coordination of the network of practitioners delivering the Universal Parenting Programme be ceased • Officers be authorised to prepare for implementation immediately.
E1.7	Early Years Outcomes Monitoring and Quality Support Service	Reduce the level of Council funding in support of this service	<ul style="list-style-type: none"> • The core funding be reduced by 50% • Officers be authorised to prepare for implementation immediately, including the issue of relevant statutory and contractual notifications, if necessary • It be noted that the Council would continue to deliver its statutory duties under Section 13 of the Childcare Act 2006.
E3.6	Sports and Recreation	Review of the life guard cover at all swimming pools	<ul style="list-style-type: none"> • Life guard cover be provided at all public swimming sessions, as at present and the shortfall in budget savings to be achieved, be met by an increase of 3% above inflation in the charges for swimming sessions • Officers be authorised to prepare for implementation immediately, (subject to the duty to consult with employees and trade unions) including the issue of relevant statutory notifications, if necessary.

E3.12	Library Services	Restructure of the Local History and Information Services Team	<ul style="list-style-type: none"> • The Local History and Information Services Team be restructured, resulting in a reduced service • Officers be authorised to prepare for implementation immediately, (subject to the duty to consult with employees and trade unions) including the issue of relevant statutory notifications, if necessary.
E3.13	Library Services	Consider the future requirement of the mobile library service	<ul style="list-style-type: none"> • Subject to employee and trade union consultations, the cessation of the mobile library service be implemented with effect from 30 June 2012 • Officers be authorised to prepare for implementation immediately, including the issue of relevant statutory and contractual notifications, if necessary.
E4.2	Highways Maintenance	Temporary reduction in Highways Maintenance Works Budgets (3 years)	<ul style="list-style-type: none"> • A temporary budget reduction of £400,000 be made for three years • Officers be authorised to prepare for implementation immediately, including the issue of relevant statutory and contractual notifications, if necessary.
E4.9	Parks and Green Spaces	Cease supply of hanging baskets	<ul style="list-style-type: none"> • The cessation of the supply of all non-sponsored hanging baskets and a budget reduction of £30,000 be made • Officers be authorised to prepare for implementation

			immediately, including the issue of relevant contractual notifications, subject to the final decision of Council.
E5.4	Fairways Park and Ride	Ceasing the operation of Fairways Park and Ride facility on Saturdays	<ul style="list-style-type: none"> • The cessation of Fairways Park and Ride services on Saturday at a saving of £15,000 be made • Officers be authorised to prepare for implementation immediately, including the issue of relevant contractual notifications.
E5.7	Cemeteries and Crematoria	Review of charges	<ul style="list-style-type: none"> • The charge for the provision of a burial, cremation and associated services be increased as set out in the report • Officers be authorised to prepare for implementation immediately, including the issue of relevant contractual notifications.
E6.3	Other Area Committee Budgets	Reduction in Area Committee Budgets	<ul style="list-style-type: none"> • A reduction of 10% in Area Committee Budgets be made and Officers be authorised to prepare for implementation immediately.

- (5) it be noted that the risks outlined in Section 5 of the report, including any mitigating actions identified, had been taken into account in the decision making process;
- (6) approval be given to the following organisational changes and efficiencies to services, which do not require consultation with the public, set out in Annex C of the report:

Ref	Service Area	Proposal	Action to be taken
E2.2	Supporting People Team - Commissioning Functions	To review staffing support	<ul style="list-style-type: none"> • A reduction in staffing be made • Officers be authorised to prepare for implementation immediately, which will be progressed alongside budget option E2.1 and as part of a wider review of department commissioning resources, (Subject to the duty to consult with employees and trade unions) including the issue of relevant statutory notifications.
E2.8	Area Finance	Review of processes and staffing arrangements	<ul style="list-style-type: none"> • A reduction in staffing be made • Officers be authorised to prepare for implementation immediately, (subject to the duty to consult with employees and trade unions) including the issue of relevant statutory notifications.
E3.7	Sports and Recreation	Reduce the coaching and casual staff budget at Litherland Sports Park	<ul style="list-style-type: none"> • A reduction in the coaching and casual staff budget at Litherland Sports Park be made • Officers be authorised to prepare for implementation immediately, (subject to the duty to consult with employees and trade unions) including the issue of relevant statutory notifications.
E3.9	Library Services	Reduce the stock fund for the purchase of books and other materials and the Stock Fund	<ul style="list-style-type: none"> • The stock fund budget reduction of £100,000 be made • The Stock Fund Services Unit be

		Services Unit be restructured	restructured <ul style="list-style-type: none"> • Officers be authorised to prepare for implementation immediately, (subject to the duty to consult with employees and trade unions) including the issue of relevant statutory notifications.
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- (7) it be noted that reports were considered by the Cabinet on 16 February 2012, relating to the remaining budget savings options and the proposed 'framework' Budget for 2012/13 which would be submitted to the Council on 1 March 2012 for consideration.

91. DECLARATION OF AIR QUALITY MANAGEMENT AREAS

Further to Minute No. 86 of the Cabinet meeting held on 19 January 2012, the Council considered the report of the Director of Built Environment on the proposed declaration of two Air Quality Management Areas in Sefton.

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 unanimously

RESOLVED:

That approval be given to the declaration of the Sefton Council Air Quality Management Area Numbers 4 and 5 Order, 2011 as detailed in the order attached in Annex 1 to the report.

92. REVISION OF EMPLOYEE CODE OF CONDUCT

Further to Minute No. 89 of the Cabinet meeting held on 19 January 2012, the Council considered the report of the Director of Corporate Support Services on a proposed change to the Employee Code of Conduct which forms part of the Council's Constitution.

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 unanimously

RESOLVED:

That approval be given to the insertion of the following revised text in Paragraph 10.1 of Section 10 of Part 5 of the Council's Constitution:

“Some jobs within the Authority are politically restricted. This means that the employees in these posts are not allowed to take part in political activities, such as standing as a candidate for election to a public body, canvassing at elections or being a non-executive Director of a Health Trust, etc. The posts concerned are those of Chief Officers and Deputy Chief Officers and certain other politically sensitive posts. All the posts are listed in a central register maintained by the Corporate Legal Department.”

93. PROGRAMME OF MEETINGS - 2012/13 MUNICIPAL YEAR

Further to Minute No. 96 of the Cabinet meeting held on 2 February 2012, the Council considered the report of the Director of Corporate Commissioning on the draft Programme of Meetings for the 2012/13 Municipal Year.

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

RESOLVED: That

- (1) the Programme of Meetings for the Council, Member Briefing Sessions and Regulatory Committees; Overview and Scrutiny Committees and Area Committees for 2012/13, as set out in Annexes B, C and D of the report be approved; and
- (2) the Programme of Meetings for the Cabinet, Leader’s Group, Strategic Leadership Team, Public Engagement and Consultation Panel and Sefton Borough Partnership Operations Board and Strategic Board for 2012/13, as set out in Annexes A and E of the report be noted.

94. PROPER OFFICER FUNCTIONS

The Council considered the report of the Chief Executive relating to the appointment of a Returning Officer and Electoral Registration Officer.

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

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 Margaret Carney (Chief Executive) and Margaret Carney be appointed to act as the Proper Officer for all related functions and relevant legislation with effect from 17 February 2012; and

(2) the relevant sections of the Constitution be amended accordingly.

95. MEMBERSHIP OF COMMITTEES 2011/12

No changes were made to the Membership of Committees.

96. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 17 OF THE OVERVIEW AND 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 Overview and Scrutiny Procedure Rules (Call-in and Urgency).

RESOLVED:

That the report be noted.

97. NOTICE OF MOTION SUBMITTED BY COUNCILLOR BYROM

It was moved by Councillor Byrom, seconded by Councillor Mahon:

“This authority supports the Metropolitan Fire Authorities Joint response to the Government’s Resource Review.

It notes that 62% of cuts in the English Fire Service, outside London, have fallen on the six Metropolitan brigades alone.

The number of frontline staff has been reduced by 458, nearly 6% of the establishment.

The six Chief Fire Officers have given a professional opinion that the scale of cuts now planned will severely affect frontline services and may result in the number of fire-fighters being “massively reduced, some by compulsory redundancy”. Fire appliance numbers will be cut and fire stations closed.

It is their professional view that the scale of cuts envisaged would “leave the main regional cities of this country with radically low levels of fire and rescue cover and significantly less ability to manage or assist at a major incident involving terrorism or flooding”.

The Metropolitan Brigades, including Merseyside, have had the biggest revenue support grant cut. Of the total RSG reductions planned between 2005/06 and 2012/13 of £75.9m - £62m has been in the Mets - 82% of all cuts.

In order to protect the life and property of the community of Sefton, the scale of these damaging cuts must be reversed and the strong message from the six Metropolitan Fire Chiefs given credence.

This authority resolves to write to the Parliamentary Under Secretary of State for the Fire and Rescue Service, all of Sefton's MP's and the Prime Minister voicing our strong support for the joint Metropolitan Fire Services campaign."

An amendment was moved by Councillor Jones, seconded by Councillor McIvor that the Motion be amended as follows:

"That the Motion be deferred for further consideration at the next Council meeting on 1 March 2012, by which time the outcome of the visit by representatives of the Merseyside Fire and Rescue Authority to Government Ministers would be known, together with the details of their precept for 2012/13."

Following debate thereon, on a show of hands, the Mayor declared that the amendment was carried unanimously.

On a show of hands, the Mayor declared that the Substantive Motion was carried unanimously and it was

RESOLVED:

That the Motion be deferred for further consideration at the next Council meeting on 1 March 2012 by which time the outcome of the visit by representatives of the Merseyside Fire and Rescue Authority to Government Ministers would be known, together with the details of their precept for 2012/13.

98. NOTICE OF MOTION SUBMITTED BY COUNCILLOR PARRY

It was moved by Councillor Parry, seconded by Councillor Papworth.

"The Council warmly welcomes the news that the Port of Liverpool is likely to be expanded, bringing thousands of jobs to Merseyside in general and Sefton in particular, and resolves to work constructively with Peel Holdings plc and other relevant parties to resolve the relevant concerns regarding the environment."

An amendment was moved by Councillor Sir Ron Watson, seconded by Councillor Pearson that the Motion be amended by the addition of the following text at the end of the Motion:

"Sefton recognises that there may well be some important planning issues to be dealt with in due course and agrees that they will need to be dealt with in a positive manner and will ensure that the consideration of any such planning application will be resourced as a matter of priority."

"The Council also recognises that it is possible that there might be some elements of disruption to Local residents and asks Peel Holdings to ensure

that where they are responsible for providing compensation they will progress this as a matter of priority.”

Following debate thereon, on a show of hands, the Mayor declared that the amendment was lost by 62 votes to 4.

On a show of hands, the Mayor declared that the Original Motion was carried unanimously and it was

RESOLVED;

“The Council warmly welcomes the news that the Port of Liverpool is likely to be expanded, bringing thousands of jobs to Merseyside in general and Sefton in particular, and resolves to work constructively with Peel Holdings plc and other relevant parties to resolve the relevant concerns regarding the environment.”