

COUNCIL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 12TH APRIL, 2012**

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

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

115. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dorgan, Gustafson, Page, Porter, Preece and Weavers.

116. DECLARATIONS OF INTEREST

The following declarations of interest were received:

<u>Member</u>	<u>Minute No.</u>	<u>Reason</u>	<u>Action</u>
Councillor Brennan	124 – Appointment of Member Champion for Armed Services	Personal – He is referred to in the report and is a Honorary Member of the Officers Mess of 238 (Sefton) Squadron	Stayed in the room and took part in the consideration of the item
Councillor Byrom	124 – Appointment of Member Champion for Armed Services	Personal – He is the Council's representative on the North West Reserve Forces and Cadets Association	Stayed in the room and took part in the consideration of the item

COUNCIL- THURSDAY 12TH APRIL, 2012

Councillor Cuthbertson	124 – Appointment of Member Champion for Armed Services	Personal – She is a Patron of the Crosby Branch of the Royal Naval Association, a Honorary Member of the Officers Mess of 238 (Sefton) Squadron and a member of the North West Veterans Advisory and Pensions Committee	Stayed in the room and took part in the consideration of the item
Councillor Doran	124 – Appointment of Member Champion for Armed Services	Personal – He is a Patron of the Crosby Branch of the Royal Naval Association and a Honorary Member of the Officers Mess of 238 (Sefton) Squadron	Stayed in the room and took part in the consideration of the item
Councillor Hill	124 – Appointment of Member Champion for Armed Services	Personal – He is a Honorary Member of the Officers Mess of 238 (Sefton) Squadron	Stayed in the room and took part in the consideration of the item

117. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Council meeting held on 1 March 2012 be approved as a correct record.

118. MAYOR'S COMMUNICATIONS

Councillors Not Seeking Re-Election

The Mayor reported that this was the last Council meeting before the Council Elections on 3 May 2012 and that Councillors Owen Brady, John Gibson, Thomas Glover, Anthony Hill, Geoff Howe and Brenda Porter would not be seeking re-election and he indicated that:

- Councillor Glover had served on Sefton Council for 39 years, since the formation of the Council in 1973 and prior to that for 11 years on Southport County Borough Council;
- Councillor Brady had served on Sefton Council for 33 years and prior to that for 12 years on Litherland Urban District Council and 5 years on Merseyside County Council;
- Councillor Hill had served on Sefton Council for 25 years and was Mayor of Sefton in 2001/02;
- Councillors Howe and Porter had both served on Sefton Council for 12 years; and
- Councillor Gibson had served on Sefton Council for 8 years.

On behalf of the Council, The Mayor thanked those Members for their dedicated service to the people of Sefton over a number of years and extended best wishes to them for the future.

Councillors Brady, Glover and Hill thanked the Council for the best wishes extended to them and for the support and friendship extended to them by Members and Officers during their time as Members of the Council.

Councillor P. Dowd paid tribute to the local government service given by Councillor Brady and in particular to his service to the Labour Party over 62 years.

Councillor Griffiths paid tribute to the service given by Councillor Porter and read out a message of appreciation from her for the support and friendship extended to her by Members and Officers during her time as a Member of the Council.

Councillor Parry paid tribute to the service given by Councillors Glover, Hill and Porter; Councillor Robertson paid tribute to the service given by Councillors Hill, Howe and Gibson; Councillor Tonkiss paid tribute to the service given by Councillor Hill; and Councillor Sir Ron Watson paid tribute to the service given by Councillor Glover.

Fairtrade Borough Status

The Mayor reported that the Council had been successful in its application for the renewal of "Fairtrade Borough Status.

The Sefton Fairtrade Group is represented by members of the Community, representatives of each Political Group and Officers. There are currently 73 retail outlets and 35 catering outlets within Sefton selling a host of Fairtrade products across the borough, and on behalf of the Council, the Mayor extended congratulations to all concerned with the renewal of the Fairtrade status.

Mayor of Sefton's Charity Ball Update

The Mayor reported that the Charity Ball final income figure after expenditure had now been completed and that the total of £11,315.40 had been raised on the night, which was a record for the Mayor's Charity Ball. He extended his thanks to all who had contributed or supported in any way to the successful event.

PUBLIC SESSION

119. MATTERS RAISED BY THE PUBLIC

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

COUNCIL BUSINESS SESSION

120. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

- Councillor Parry to the Leader of the Council (Councillor P. Dowd)
- Councillor Brennan to the Cabinet Member – Children, Schools and Families (Councillor Moncur)
- Councillor Sir Ron Watson to the Leader of the Council (Councillor P. Dowd)
- Councillor McKinley to the Leader of the Council (Councillor P. Dowd)
- Councillor McGinnity to the Leader of the Council (Councillor P. Dowd)
- Councillor Veidman to the Council's Representative on the Merseyside Integrated Transport Authority (Councillor M. Dowd)

together with the responses given. All of the Councillors asked a supplementary question which was responded to by the Leader of the Council / Cabinet Member / Council Representative.

121. THE FUTURE OF THE STANDARDS REGIME AT SEFTON COUNCIL

Further to Minute No. 134 of the Cabinet meeting held on 29 March 2012, the Council considered the report of the Head of Corporate Legal Services which provided details of the impact of the Localism Act 2011 on the current standards regime and the proposed future arrangements for the administration of Standards in Sefton with effect from 1 July 2012.

The report had previously been considered by the Standards Committee on 13 March 2012 and the Audit and Governance Committee on 28 March 2012.

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

RESOLVED: That

- (1) the Standards Committee cease to exist with effect from 30 June 2012;
- (2) the work of the current Standards Committee be merged with that of the Audit and Governance Committee with effect from 1 July 2012, and that the case-work of the current Standards Sub Committees continue and be overseen by the Audit and Governance Committee;
- (3) the draft Code of Conduct set out in Appendix A of the report as prepared by the Association of County Secretaries and Solicitors (ACSeS) be adopted by the Council with effect from 1 July 2012, subject to resolutions (9) and (10) below;
- (4) the Monitoring Officer and/or Deputies be given delegated authority in consultation with the Independent Member to deal with certain prescribed matters, in writing without the need to convene meetings, as set out in paragraph 6 of the report;
- (5) authority be delegated to the Hearings Sub Committee to impose the range of sanctions identified in paragraph 7 of the report on a Councillor should he/she have been found to be in breach of the Code of Conduct;
- (6) the Monitoring Officer be granted delegated authority to make arrangements for the advertisement, recruitment of an Independent Member (IP) and for standby IP's in consultation with a working group of members (maximum of 5 members) drawn from the current Standards Committee;

- (7) the Monitoring Officer prepare the new register of interests in conjunction with the Head of Governance and Civic Services to comply with the new Code of Conduct and the Act and ensure that the register is available for inspection;
- (8) the Monitoring Officer ensure that Members of the Council and Parish Councils are made aware of their new obligations under the Act in due course;
- (9) in addition to the draft Code of Conduct prepared by ACSeS, a provision be included in the Code to ensure that members update their register of interests within 2 months of the date that a change occurs;
- (10) a further addition be made to the ACSeS draft Code of Conduct that where a member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation;
- (11) the necessary changes be made to the terms of reference of the Audit and Governance Committee and that the Council's Constitution be amended accordingly; and
- (12) a further review of the administration of Standards in Sefton be undertaken within six months of their introduction and be re-considered by the Council

122. DRAFT JOINT WORKING PROTOCOL BETWEEN SEFTON OVERVIEW AND SCRUTINY COMMITTEE (HEALTH AND SOCIAL CARE) AND SEFTON LINK

Further to Minute No. 127 of the meeting of the Cabinet held on 29 March 2012, the Council considered the report of the Director of Corporate Commissioning on a proposal for the co-option of a non-voting member from Sefton Local Involvement Network (LINK), and a substitute member, to the membership of the Overview and Scrutiny Committee (Health and Social Care), following the approval of a draft Joint Working Protocol between the Committee and Sefton LINK.

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 approval be given to the amendment of the Council's Constitution, to provide for the co-option of a non-voting member from Sefton Local

Involvement Network (LINK) to the membership of the Overview and Scrutiny Committee (Health and Social Care), and provision also be made to permit a substitute co-opted member to attend meetings of the Committee, if necessary.

123. REPORT OF INDEPENDENT REMUNERATION PANEL

Further to Minute No. 135 of the Cabinet meeting held on 29 March 2012, the Council considered the report of the Director of Corporate Commissioning on the recommendations made by the Independent Remuneration Panel with regard to its proposed review of the Scheme of Members' Allowances.

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 recommendation of the Independent Remuneration Panel to review the Scheme of Members' Allowances following the Council Elections in May 2012 be approved; and
- (2) approval be given to the appointment of Mr. E. Davies and Mr. J. Fraser on to the Independent Remuneration Panel.

124. APPOINTMENT OF MEMBER CHAMPION FOR ARMED FORCES

Further to Minute No. 136 of the Cabinet meeting held on 29 March 2012, the Council considered the report of the Director of Corporate Commissioning on the proposals for the appointment of a Member Champion for the Armed Forces and the development of an Armed Forces Community Covenant.

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

RESOLVED: That

- (1) Councillor Brennan be appointed as the Member Champion for the Armed Forces; and
- (2) the proposals for the development of an Armed Forces Community Covenant be noted.

125. MEMBERSHIP OF COMMITTEES 2011/12

No changes were made to the Membership of Committees.

126. NOTICE OF MOTION SUBMITTED BY COUNCILLOR P. DOWD

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

“That following the Chancellor of the Exchequer’s Budget Statement on 21 March 2012, it is clear that most people, other than the wealthiest, have been badly affected. In particular, older people appear to be the latest victims of the Tory/Liberal Democrat Government’s economic policy in which millionaires have their wallets fattened and pensioners have their pockets and purses pinched.

The Government’s abject failure to protect pensioners, working families and young people who are suffering to give the very wealthy more alongside further attacks in the form of the “granny tax”, means-testing of older persons’ bus passes, cuts in support for disabled people, the “bedroom tax” and cuts in the winter fuel allowance, are just some of the “financial instruments” used by the Tory/Liberal Democrat Government to redistribute income to the richest 5%.

The Council resolves to undertake an audit of the effects of the Budget on the senior citizens of Sefton, publish those results and send a copy to the Chancellor of the Exchequer.”

Following debate thereon, on a show of hands, the Mayor declared that the Motion was lost by 32 votes to 26 with one abstention and it was

RESOLVED:

That no action be taken on the Motion.