

COUNCIL

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON THURSDAY 5TH SEPTEMBER, 2013**

PRESENT: The Mayor, Councillor M. Fearn (in the Chair)
The Deputy Chair, Councillor K. Cluskey, (Vice
Chair)

Councillors Ashton, Atkinson, Ball, Bennett,
Blackburn, Booth, Bradshaw, Brennan, Brodie -
Browne, Byrom, Carr, L. Cluskey, Crabtree,
Cummins, Cuthbertson, Dawson, Dodd, M. Dowd,
P. Dowd, Dutton, Fairclough, Friel, Gatherer, Hardy,
Hartill, Jones, Keith, John Kelly, John Joseph Kelly,
Kermode, Kerrigan, Killen, Lappin, P. Maguire,
Maher, Mahon, McGinnity, S. McGuire, Mclvor,
McKinley, Moncur, Murphy, Page, Papworth,
Preece, Rimmer, Roberts, Robertson, Robinson,
Roche, Shaw, Tonkiss, Tweed, Veidman,
Sir Ron Watson, Weavers and Webster

32. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dorgan, Lord Fearn, Gustafson, Hands, Hubbard, Sumner and Welsh.

33. DECLARATIONS OF INTEREST

No declarations of interest were received.

34. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Council meeting held on 27 June 2013 be approved as a correct record.

35. MAYOR'S COMMUNICATIONS

Death of Mr Steve Sheridan

The Mayor reported on the sad death of the former Assistant Chief Executive (Strategy) of the Council, Steve Sheridan, on 30 August 2013.

The Mayor advised that Steve had worked for the Council for over 34 years before his retirement in December 2008 and that the funeral service would be held at St. Agnes Church, Huyton on Monday, 9 September 2013 at 12 noon.

The Mayor extended her sincere condolences to Steve's family and friends on behalf of the Council.

The Council then stood in silence for one minute as a mark of respect for Steve Sheridan.

36. NOTICE OF MOTION SUBMITTED BY COUNCILLOR P. DOWD

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

RESOLVED:

That the Council:

- (1) places on record its congratulations to Southport Rugby Union Club which is celebrating its 140th Anniversary and to the Bootle and District Primary School Football Association on reaching its 100th year.
- (2) congratulates them on their very many successes and achievements.
- (3) express its thanks to the volunteers of both organisations for their services to sport in Sefton over many decades, and
- (4) records its deep appreciation for the positive impacts that their sporting provision has made to the health and well being of the residents of the Borough.

Following the above resolution, the Mayor presented Mr. A. Carney (Chairman) and Mr. A.Havard (Past President) from the Southport Rugby Union Club and Mr. I. Chapman (Chairman) and Mr. J. Rourke (Secretary) from the Bootle and District Primary School Football Association with commemorative certificates, on behalf of the Council, in recognition of their services to sport in Sefton.

37. MATTERS RAISED BY THE PUBLIC

The Mayor reported that no matters had been raised by Members of the Public.

38. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

- Councillor Sir Ron Watson, to the Leader of the Council (Councillor P. Dowd)
- Councillor Sir Ron Watson, to the Cabinet Member – Regeneration and Tourism (Councillor Maher)
- Councillor Papworth to the Cabinet Member – Transportation (Councillor Fairclough)
- Councillor Dawson, to the Council's Spokesperson on the Merseyside Integrated Transport Authority (Councillor Friel)
- Councillor Dawson, to the Leader of the Council (Councillor P. Dowd)
- Councillor Dawson, to the Cabinet Member – Regeneration and Tourism (Councillor Maher)
- Councillor Dawson, to the Cabinet Member – Children, Schools, Families and Leisure (Councillor Moncur)
- Councillor Dawson, to the Cabinet Member – Transportation (Councillor Fairclough)
- Councillor Preece, two questions to the Cabinet Member – Children, Schools, Families and Leisure (Councillor Moncur)

together with the responses given. Supplementary questions were asked and responded to by the Leader of the Council, the Cabinet Member – Children, Schools, Families and Leisure, Cabinet Member – Regeneration and Tourism and the Council's Spokesperson on the Merseyside Integrated Transport Authority.

39. PROPOSED AMENDMENTS TO THE HEALTH AND WELLBEING STRATEGY 2013 - 2018

Further to Minute No 115 of the Council held on 18 April 2013, the Council considered the report of the Deputy Chief Executive on further proposed amendments to the Health and Wellbeing Strategy 2013 – 2018 which had been endorsed by the Health and Wellbeing Board on 24 July 2013.

The report indicated that the Strategy was iterative, and the Health and Wellbeing Board had recently agreed to further work been undertaken to ensure gaps in the needs assessment and outcomes framework are developed over coming months. This was likely to result in further iterations of the Strategy, which would be developed by the Deputy Chief Executive, in consultation with the Chair of the Health and Wellbeing Board, with endorsement from the Board, prior to submission to the Council for approval.

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

RESOLVED:

That the proposed amendments to the Health and Wellbeing Strategy 2013 – 2018, as set out in the report be approved.

40. CAPITAL ALLOCATIONS 2013/14

Further to Minute No. 25 of the Cabinet meeting held on 18 July 2013, the Council considered the report of the Head of Corporate Finance and ICT which provided details of the latest capital projects that had been recommended for inclusion within the Capital Investment Plan for 2013/14 by the Strategic Capital Investment Group, including proposed schemes to be funded from the Capital Priorities Fund.

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

RESOLVED:

That approval be given to the inclusion of the proposed capital schemes, detailed in Appendix A of the report, in the Capital Investment Plan, to be funded from Single Capital Pot resources and the Capital Priorities Fund.

41. UPDATE OF THE CONSTITUTION

Further to Minute No. 4 of the meeting of the Audit and Governance Committee held on 27 June 2013, The Council considered the report of the Director of Corporate Services on recommendations of the Audit and Governance Cross Party Working Group on proposed amendments to the Council Constitution.

The report also set out the proposed temporary arrangements for the appointment of the Council's Monitoring Officer.

It was moved by Councillor Roberts, seconded by Councillor Mahon and

RESOLVED: That

- (1) the recommendations arising from the Cross Party Working Group of the Audit and Governance Committee, as set out in the report be noted;
- (2) the following amendments be made to the Constitution:
 - (i) that both the Financial Procedure Rules and the Contract Procedure Rules be changed from schemes of operational detail to ones of principles and responsible delegation, as set out in Appendix 1 of the report;
 - (ii) the powers of the Statutory Officers as set out in Section 4 of the report; and
 - (iii) the formal appointment of the Chief Executive as the Qualified Person for the purposes of the Freedom of Information Act 2003, as set out in Section 5 of the report.
- (3) the proposed timetable with regard to the future adoption of an amended Code of Conduct for Members and Officers for dealing with Planning Matters, as referred to in Section 3 of the report be noted; and
- (4) approval be given to the temporary arrangements with respect to the appointment of the Monitoring Officer, as set out in Section 6 of the report.

42. IMPLEMENTATION OF THE SCRAP METAL DEALERS ACT 2013

Further to Minute No. 8 of the meeting of the Licensing and Regulatory Urgent Referrals Committee held on 28 August 2013, the Council considered the report of the Director of Built Environment on the provisions of the Scrap Metal Dealers Act 2013, which would be implemented on 1 October 2013, together with the action that needed to be taken by licensing authorities prior to the implementation date.

It was moved by Councillor Kerrigan, seconded by Councillor Robinson and

RESOLVED: That

- (1) the fees as set out in Section 5 of the report in respect of Scrap Metal Dealers Licences be approved and
- (2) approval be given to the amendment of Chapter 7 of the Constitution – Regulatory and Other Committees (Delegations to Regulatory and Non-Executive Committees) as follows:

Licensing and Regulatory Committee:

- (i) To exercise the functions of the Licensing Authority in accordance with the Scrap Metal Dealers Act 2013 ; and
- (ii) To authorise the Licensing and Regulatory Committee to delegate it's functions under (i) above to Licensing Sub Committees (consisting of 3 Members).

43. COUNCIL CONSTITUTION - CALL - IN AND URGENCY PROVISIONS

The Council considered the report of the Leader of the Council setting out the details of those urgent matters dealt with in accordance with Rule 46 of the Overview and Scrutiny Committee Procedure Rules in the Council Constitution.

RESOLVED:

That the report be noted.

44. MEMBERSHIP OF COMMITTEES 2013/14

It was proposed by Councillor Webster that Councillor K. Cluskey be appointed as the Substitute Member for Councillor Gustafson on the Planning Committee in place of herself.

It was then proposed by Councillor Ball, that the following changes be made to the membership of Committees:

- Councillor Dorgan to replace Councillor Dutton as a Member of the Planning Committee and Councillor Ball to continue as the Substitute Member
- Councillor Dutton to replace Councillor Jones as Member of the Overview and Scrutiny Committee (Regeneration and Environmental Services) and Councillor Crabtree to continue as the Substitute Member.

RESOLVED:

That the changes to the Membership of the Committees be approved

45. NOTICE OF MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON

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

"That this Council:

- (1) recognises the extreme hardship being caused to savers, many of whom are pensioners, by record low interest rates which have meant that their savings are being reduced in real terms by inflation and where the returns have been reduced by some 80%; and
- (2) believes that the Government should consider a policy of not taxing the interest on savings until such time as interest rates are restored to normal levels."

An amendment was moved by Councillor Shaw and seconded by Councillor Dawson that the Motion be amended by the addition of the following text after the words "of not taxing the" in Part 2 of the Motion:

"first £10,000 per annum of"

Following debate, thereon, on a show of hands, the Mayor declared that the amendment was lost 35 votes to 23.

On a show of hands, the Mayor declared that the **Motion was lost** by 47 votes to 8 and it was

RESOLVED: That no action be taken on the Motion

46. NOTICE OF MOTION SUBMITTED BY COUNCILLOR BYROM

It was moved by Councillor Byrom and seconded by Councillor John Joseph Kelly:

That:

Sefton Council recognises the excellent work undertaken by Merseyside Fire and Rescue Service and applauds the long term commitment of all its officers and staff.

The Council also notes that the ability to protect the people of Sefton is being jeopardised by the Government funding cuts, which are also undermining staff morale.

The Council is deeply concerned by the findings of the Sir Ken Knight review of Fire and Rescue Service's which makes the case for further

huge cuts, mergers with other Authorities or Police and Crime Commissioners and most worryingly privatisation.

This Council notes with serious concern the Government's alarming proposals to privatise part if not all functions of the Fire and Rescue Services, along with yet further cuts to their grant funding.

This Council is deeply worried that the Government has lost sight of the Fire Service's main purpose, to protect residents from fire, road traffic collisions and other emergencies.

Recent Government cuts have seen Merseyside Fire and Rescue Service suffer cuts totalling £19.2m over the 4 year spending review with 180 fire fighters' posts deleted and a reduction in fire engines from 42 to 28.

The Government's proposal for further huge cuts in 2015 will have devastating effects on operational response, community safety and prevention work.

This Council therefore calls on the Government to cease their irresponsible cuts to our Fire and Rescue Services and pledge instead to protect them from further cuts and threats of privatisation.

That a copy of this resolution be sent to the Fire Minister and all Sefton MP's.

Following debate thereon, on a show of hands, the Mayor declared that the Motion was carried by 46 votes to 7 with 2 abstentions and it was

RESOLVED: That

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