

COUNCIL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON THURSDAY 23RD JANUARY, 2014**

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

Councillors Ashton, Atkinson, Ball, Bennett,
Blackburn, Booth, Bradshaw, Brennan, Brodie -
Browne, Carr, L. Cluskey, Crabtree, Cummins,
Cuthbertson, Dawson, Dodd, Dorgan, M. Dowd,
P. Dowd, Dutton, Fairclough, Lord Fearn, Friel,
Gatherer, Hardy, Hands, Hartill, Hubbard, Jones,
Keith, John Kelly, John Joseph Kelly, Kermode,
Kerrigan, Killen, Lappin, P. Maguire, Maher, Mahon,
McGinnity, S. McGuire, McIvor, McKinley, Moncur,
Murphy, Page, Papworth, Rimmer, Robertson,
Robinson, Roche, Shaw, Sumner, Thompson,
Tonkiss, Tweed, Veidman, Weavers, Webster and
Welsh

70. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Byrom, Preece,
Roberts and Sir Ron Watson.

71. DECLARATIONS OF INTEREST

No declarations of interest were received.

72. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Council meeting held on 21 November 2013 be
approved as a correct record, subject to the amendment of Minute No. 67
(Notice of Motion Submitted by Councillor Jones) by the insertion of the
word "malicious" before the words "trolling/cyberbullying" in resolutions 3
(i) and 3 (ii).

73. MAYOR'S COMMUNICATIONS

Mayoral Charity Ball – 8 March 2014

The Mayor reported that the Mayoral Charity Ball would be held on
Saturday 8 March 2014 in the Floral Hall, Southport and the proceeds from
the event would be distributed to Mayoral Charities. Tickets were available

on open sale from the Mayoral and Civic Services Officer in Bootle Town Hall at a cost of £40.

74. MATTERS RAISED BY THE PUBLIC

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

75. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

- Councillor Shaw, to the Cabinet Member – Performance and Corporate Services (Councillor Tweed)
- Councillor Shaw to the Cabinet Member – Communities and Environment (Councillor Hardy)
- Councillor Robertson to Cabinet Member – Communities and Environment (Councillor Hardy)
- Councillor Welsh to Cabinet Member – Communities and Environment (Councillor Hardy)
- Councillor Hands to the Cabinet Member – Regeneration and Tourism (Councillor Maher)
- Councillor Dawson to the Cabinet Member – Regeneration and Tourism (Councillor Maher)
- Councillor Dawson to the Cabinet Member – Chi-Idren, Schools Families and Leisure (Councillor Moncur)
- Councillor Dawson, to the Cabinet Member – Transportation (Councillor Fairclough)
- Councillor Preece to Cabinet Member – Communities and Environment (Councillor Hardy)

together with the responses given. Supplementary questions were asked and responded to by the Cabinet Members for Communities and Environment; Corporate Services and Performance; and Transportation.

76. STRATEGIC ASSET MANAGEMENT PLAN

Further to Minute No. 81 of the meeting of the Cabinet held on 5 December 2013, the Council considered the report of the Director of Built Environment on proposals for the adoption of a revised Strategic Asset Management Plan.

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

RESOLVED:

That:

- (1) the new Strategic Asset Management Plan as set out in Appendix A of the report be adopted; and
- (2) it be noted that a further report would be submitted to a future meeting of the Cabinet in relation to the adoption of a formal Asset Disposal Policy.

77. LOCAL COUNCIL TAX REDUCTION SCHEME 2014/2015, CHANGE TO COUNCIL TAX DISCOUNT FOR UNOCCUPIED PROPERTIES FROM 1ST APRIL 2014 AND UPDATING THE COUNCIL TAX BASE 2014/15

Further to Minute No's. 75 and 88 of the meetings of the Cabinet held on 5 December 2013 and 16 January 2014 respectively, the Council considered the report of the Head of Corporate Finance and ICT which provided an update on the review of the current Council Tax Reduction Scheme following the recent consultation exercise on the proposed revision to the current Scheme; details of a proposed change to the discount for unoccupied properties from 1 April 2014; and an updated Council Tax Base for both Sefton Council and for each Parish Area for 2014/2015.

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

RESOLVED:

That:

- (1) the revision to the Council Tax Reduction Scheme as detailed in paragraph 4.3 of the report be approved and adopted;
- (2) the change to the discount for empty and unoccupied properties as set out in section 5 of the report be approved to take effect from 1 April 2014;
- (3) approval be given to a budget of £150,000 for exceptional hardship payments in 2014/2015;
- (4) approval be given to the Tax Base for Sefton Council and for each Parish Area for 2014/2015, as set out in Annex C of the report; and
- (5) approval be given to the payment of grants to the Parish Councils in 2014/2015 to compensate them for the cost of the Council Tax Reduction Scheme as set out in Annex C of the report.

78. PAY POLICY

Further to Minute No. 90 of the meeting of the Cabinet held on 16 January 2014, the Council considered the report of the Head of Corporate Personnel on the proposed Pay Policy which had been produced in accordance with the Localism Act 2011 and the statutory guidance produced by the Department of Communities and Local Government. The report dealt with two specific issues, namely the amendments to the pay policy to reflect changes within the Authority; and decision making in relation to Authority employees who may receive a severance payment of £100,000 or over.

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

RESOLVED:

That;

- (1) the proposed Pay Policy set out in Annex A to the report be approved;
- (2) the Council determine any severage packages of £100,000 or above in respect of the Chief Executive, Deputy Chief Executive and Service Directors following consideration by the Pay and Grading Committee; and that the Pay and Grading determine any severage packages of £100,000 or above in respect of other Council officers; and
- (3) the terms of reference for the Pay and Grading Committee be amended in Chapter 7 of the Council Constitution, in accordance with Resolution (2) above.

79. RE-ADOPTION OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Further to Minute No. 64 of the meeting held on 21 November 2013, the Council considered a further report by the Head of Corporate Services seeking approval to the re-adoption of Part II of the Local Government Act 1976 in relation to the licensing of private hire and hackney carriage vehicles, drivers and operators.

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

RESOLVED:

That the provisions of Part II of the Local Government Act 1976 be re-adopted.

80. MEMBERSHIP OF COMMITTEES 2013/14

It was proposed by Councillor Webster that the following changes be made to the membership of the Overview and Scrutiny Committee (Children's Services):

- Councillor Thompson to replace Councillor Killen as a Member of the Committee and Councillor Maguire to be the Substitute Member for Councillor Thompson; and
- Mr. David McCaughrean (Governor at Ainsdale St. John's C.E. Primary School) and Mrs. Carol-Anna Ryan-Palmer (Governor at Stanley High School) to be appointed as the Parent Governor Education Added Members of the Committee until 31 May 2016.

It was proposed by Councillor Ball that Councillor Dutton replace Councillor McIvor as a Member of the Public Engagement and Consultation Panel and Councillor Jones be the Substitute Member for Councillor Dutton

RESOLVED:

That the changes to the Membership of the Committee set out above be approved.

81. NOTICE OF MOTION SUBMITTED BY COUNCILLOR ROBERTSON

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

"That this Council wishes to be seen to be fully signed up to the localism agenda that all 3 major political parties support both in broad terms and in many areas of detail.

To this end we welcome and support in principle proposals from Parish Councils, community groups and local charities who wish to assist in running services that the Borough Council can't find the resources to sustain such as libraries, youth facilities, community halls etc."

Following debate, an amendment was moved by Councillor P. Dowd, seconded by Councillor Maher, that the Motion be amended by the insertion of the words "feasible and sustainable process" after the words "support in principle any" in the second paragraph and by the addition of the following text after the second paragraph of the Motion:

"However, the Council also recognises that the austerity measures introduced by the Conservative and Liberal Democrat Government fall on the most vulnerable and poorest of our society, which is leading directly to the necessity for cut backs in services now falling to the Council's partners in the voluntary, faith and community sectors to deliver.

In addition, the Conservative and Liberal Democrat Coalition Government should set out its clearly stated plans for “smaller” government by, for example, publishing a comprehensive list of the legislation it intends to repeal to lift the 3,000 statutory responsibilities from local government for the delivery and provision of social, economic, highway and environmental services.

Moreover, the Council calls upon the Conservative and Liberal Democrat Coalition Government to redress the North – South divide in its funding allocations to local government which would have enabled, in the case of this Council, at least £40 millions less cuts to its budget, which could support the Localism Agenda, if it had been treated in the same way as Dorset Council.”

Following debate thereon, on a show of hands, the Mayor declared that the amendment was carried by 34 votes to 27 with one abstention

On a show of hands, the Mayor declared that the Substantive Motion was carried by 33 votes to 26 with one abstention and it was

RESOLVED:

That this Council wishes to be seen to be fully signed up to the localism agenda that all 3 major political parties support both in broad terms and in many areas of detail.

To this end we welcome and support in principle feasible and sustainable process proposals from Parish Councils, community groups and local charities who wish to assist in running services that the Borough Council can't find the resources to sustain such as libraries, youth facilities, community halls etc.

However, the Council also recognises that the austerity measures introduced by the Conservative and Liberal Democrat Government fall on the most vulnerable and poorest of our society, which is leading directly to the necessity for cut backs in services now falling to the Council's partners in the voluntary, faith and community sectors to deliver.

In addition, the Conservative and Liberal Democrat Coalition Government should set out its clearly stated plans for “smaller” government by, for example, publishing a comprehensive list of the legislation it intends to repeal to lift the 3,000 statutory responsibilities from local government for the delivery and provision of social, economic, highway and environmental services.

Moreover, the Council calls upon the Conservative and Liberal Democrat Coalition Government to redress the North – South divide in its funding allocations to local government which would have enabled, in the case of this Council, at least £40 millions less cuts to its budget, which could support the Localism Agenda, if it had been treated in the same way as Dorset Council.

82. NOTICE OF MOTION SUBMITTED BY COUNCILLOR ROBERTSON

It was moved by Councillor Robertson, seconded by Councillor Brodie - Browne:

“That this Council:

- (1) welcomes new investment in road and rail but is concerned that the transport plans of local transport authorities, including that of Lancashire County Council, should give appropriate priority to the transport needs of the Borough of Sefton and people travelling into the Borough from places outside Merseyside;
- (2) recognises the economic importance to the Borough of transport links to Lancashire and Greater Manchester;
- (3) commits itself to work in conjunction with West Lancashire Borough Council and Lancashire County Council to engage further with neighbouring transport authorities to ensure these links are preserved and enhanced; and
- (4) requires a report to be prepared for and submitted to Cabinet at an early date indicating how these aims may best be achieved.”

Following debate, an amendment was moved by Councillor Carr, seconded by Councillor Friel, that the Motion be amended by the addition of the following text:

- “(5) requests the Secretary of State for Transport to recognise the unfair disparity of rail investment in the north of England in comparison to the south of the country; and that this matter be addressed by the Secretary of State amending future spending in order to enhance, improve and secure future transport needs within our region.”

Following debate thereon, on a show of hands, the Mayor declared that the amendment was carried by 41 votes to 17 with one abstention

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

RESOLVED:

That this Council:

- (1) welcomes new investment in road and rail but is concerned that the transport plans of local transport authorities, including that of Lancashire County Council, should give appropriate priority to the transport needs of the Borough of Sefton and people travelling into the Borough from places outside Merseyside;

- (2) recognises the economic importance to the Borough of transport links to Lancashire and Greater Manchester;
- (3) commits itself to work in conjunction with West Lancashire Borough Council and Lancashire County Council to engage further with neighbouring transport authorities to ensure these links are preserved and enhanced;
- (4) requires a report to be prepared for and submitted to Cabinet at an early date indicating how these aims may best be achieved; and
- (5) requests the Secretary of State for Transport to recognise the unfair disparity of rail investment in the north of England in comparison to the south of the country; and that this matter be addressed by the Secretary of State amending future spending in order to enhance, improve and secure future transport needs within our region.

83. NOTICE OF MOTION SUBMITTED BY COUNCILLOR HARDY

It was moved by Councillor Hardy, seconded by Councillor Killen:

“That this Council:

- (1) Expresses deep concern about both:
 - (i) the proliferation of high cost, short term lenders on our high streets and the increasing number of people becoming trapped in a cycle of long-term debt due to the extremely high interest rates charged by these companies; and
 - (i) the proliferation of betting shops on our high streets and particularly the huge increase in the number of high stakes, fixed odds betting terminals.
- (2) Notes that:
 - (i) there are an estimated 1 million families a month nationally taking out payday loans, including many families in Sefton; and
 - (ii) there are over 33,000 fixed odds betting terminal machines in the UK making about £1.5 billion profit each year, causing debt and creating anti-social behaviour in many deprived neighbourhoods.
- (3) Commits to working to tackle these problems in Sefton and protect vulnerable residents and employees through the following action:-
- (4) Requests the Chief Executive to write to the Minister for Employment Relations and Consumer Affairs to lobby the Government to:

- (i) look again at introducing a cap on interest rates charged by high cost, short term lenders;
- (ii) introduce restrictions around the practice of 'rolling over' loans given the OFT's recent findings regarding the proportion of revenue generated through charges associated with this practice;
- (iii) introduce restrictions on the number of fixed odds betting terminal machines allowed in each shop, reduce the maximum stake allowed and increase the time between each game; and
- (iv) re-designate high interest lenders and betting shops within the Town and Country Planning Act so as to require planning permission to be granted before certain establishments can be converted into high interest loan or betting shops."

Following debate, an amendment was moved by Councillor Brodie - Browne, seconded by Councillor Ashton, that the Motion be amended by the addition of the following text:

"(4) (v) welcome the Government's investment in Credit Unions which has allowed them to offer payday loans capped ay 26.8% APR."

Following further debate, Councillor Brodie – Browne agreed to delete the words "capped at 26.8% APR" from his amendment.

On a show of hands, the Mayor declared that the revised amendment was carried unanimously.

A further amendment was then moved by Councillor Shaw, seconded by Councillor Robertson, that the Amended Motion be amended by the addition of the following text:

- (5) Requests the Head of Planning Services to report to the Planning Committee on the case for introducing an Article 4 Direction as a means of controlling the proliferation of betting shops and Pay Day Loan Shops

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 this Council:

(1) Expresses deep concern about both:

- (i) the proliferation of high cost, short term lenders on our high streets and the increasing number of people becoming trapped

in a cycle of long-term debt due to the extremely high interest rates charged by these companies; and

- (ii) the proliferation of betting shops on our high streets and particularly the huge increase in the number of high stakes, fixed odds betting terminals.

(2) Notes that:

- (iii) there are an estimated 1 million families a month nationally taking out payday loans, including many families in Sefton; and

- (iv) there are over 33,000 fixed odds betting terminal machines in the UK making about £1.5 billion profit each year, causing debt and creating anti-social behaviour in many deprived neighbourhoods.

(3) Commits to working to tackle these problems in Sefton and protect vulnerable residents and employees through the following action:-

(4) Requests the Chief Executive to write to the Minister for Employment Relations and Consumer Affairs to lobby the Government to:

- (i) look again at introducing a cap on interest rates charged by high cost, short term lenders;

- (ii) introduce restrictions around the practice of 'rolling over' loans given the OFT's recent findings regarding the proportion of revenue generated through charges associated with this practice;

- (iii) introduce restrictions on the number of fixed odds betting terminal machines allowed in each shop, reduce the maximum stake allowed and increase the time between each game; and

- (iv) re-designate high interest lenders and betting shops within the Town and Country Planning Act so as to require planning permission to be granted before certain establishments can be converted into high interest loan or betting shops.

- (v) welcome the Government's investment in Credit Unions which has allowed them to offer payday loans.

(5) Requests the Head of Planning Services to report to the Planning Committee on the case for introducing an Article 4 Direction as a means of controlling the proliferation of betting shops and Pay Day Loan Shops.

84. NOTICE OF MOTION SUBMITTED BY COUNCILLOR DAWSON

It was moved by Councillor Dawson, seconded by Councillor Maher and unanimously RESOLVED:

That this Council:

- (1) welcomes the enthusiasm with which many businesses within Southport have actively endorsed the proposal to create a Business Improvement District (BID) in the central area of Southport;
- (2) notes the unanimous support for the proposed Southport BID of the Southport Area Committee and Sefton MBC Cabinet;
- (3) believes that a BID in the central area of Southport will contribute to a revival of Southport town centre led by the town's business community;
- (4) encourages businesses in the central Southport area who are eligible to vote in the matter to support the BID in the forthcoming ballot; and
- (5) as one of the major business ratepayers in the proposed Southport BID area, endorses the decision of the Cabinet to vote 'Yes' to the BID.

85. NOTICE OF MOTION SUBMITTED BY COUNCILLOR KEITH

It was moved by Councillor Keith, seconded by Councillor Hands and unanimously RESOLVED:

That the following Motion be referred to the Overview and Scrutiny Committee (Children's Services) for consideration, prior to the submission of a recommendation to the Cabinet Member – Children, Schools, Families and Leisure for determination:

“That this Council:

- (1) welcomes the relaunch by the NSPCC of the Underwear Rule campaign which provides parents and professionals with an easy way to start simple conversations with children that could help keep them safe from sexual abuse;
- (2) believes that everyone has a role to play to help prevent the sexual abuse of children and that all children have the right to be happy and safe;
- (3) to this end, the Council will do its utmost to support the campaign both across Council staff, Children's centres and foster carers; and

- (4) will encourage all Sefton Primary Schools to take up the NSPCC Child Line training for primary school children. This training includes the key message that children's bodies belong to them and no one can touch it without their permission. Children have the right to refuse a kiss or a touch, even from a person they love. No one should touch them on the part of their body that their swimwear or underwear covers. The schools service programme creates a safe space for children and staff to discuss their understanding of what can be complex and embarrassing issues;

The Council will endeavour to share these key messages with parents, carers and agencies that work with children.”