

COUNCIL

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON THURSDAY 26TH JANUARY, 2017**

PRESENT: The Mayor (Councillor Brodie - Browne) in the Chair

Councillors Ashton, Atkinson, David Barton, Jo Barton, Bennett, Bliss, Booth, Bradshaw, Burns, Carr, Carragher, Linda Cluskey, Cummins, Dawson, Dodd, Dutton, Fairclough, Friel, Gannon, Grace, Hands, Hardy, Jamieson, Keith, John Kelly, John Joseph Kelly, Lappin, Daniel Lewis, Dan T. Lewis, Maher, McCann, McGuire, McKinley, Moncur, Murphy, Brenda O'Brien, Michael O'Brien, O'Hanlon, Owens, Page, Pitt, Preece, Pullin, Robinson, Roscoe, Sayers, Shaw, Spencer, Anne Thompson, Lynne Thompson, Tweed, Veidman, Weavers, Webster and Bill Welsh

60. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ball, Brennan, Byrom, Kevin Cluskey, Dams, Jones, McGinnity, Roche, Thomas and Marianne Welsh.

61. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

62. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 17 November 2016 be approved as a correct record.

63. MAYOR'S COMMUNICATIONS

Certification of Recognition Presentation

The Mayor presented a certificate of recognition to Mr Jimmy Kavanagh and Mr Alan Kelly from the Royal British Legion, Netherton and Sefton Branch for all the hard work and support they had given over many years to the local community, schools, and military veterans in the Sefton Borough.

Councillors Marianne Welsh and Kevin Cluskey

The Mayor reported that Councillor Marianne Welsh had been undergoing medical treatment and was now awaiting further surgery in the very near future and that Councillor Kevin Cluskey was currently in Aintree Hospital after suffering a stroke. Both Councillors Welsh and Cluskey had expressed their thanks for the cards and messages of support they have received.

On behalf of the Council, The Mayor extended best wishes to both Councillors for a speedy recovery.

Death of Former Councillors Jim Byrne and Tony Kenny

The Mayor reported that former Councillor Jim Byrne died on 1 January 2017 and his funeral was held on 17 January 2017 at Southport Crematorium.

Jim Byrne was a Member of Sefton Council for 24 years, representing the former West Lancs No 22 Ward from 10 May 1973 to 2 May 1979; and then the Park Ward from 3 May 1979 to 6 May 1982 and from 2 May 1996 to 5 May 2011. He served on the Environmental and Licensing, Flower Show, Highways, Amenities, Economic Development and Tourism, Leisure Services, Planning, Policy and Resources, Accounts, Appeals and Licensing and Regulatory Committees as well as the Overview and Scrutiny Committees (Cabinet, Performance and Corporate Services); and (Children's Services). Jim was also the Cabinet Member – Planning and Chair of the Planning Committee from May 1999 to May 2002.

The Mayor also reported that former Councillor Tony Kenny died on 26 December 2016 and his funeral was held on 9 January 2017 at Thornton Crematorium.

Tony Kenny was a Member of Sefton Council for 2 years, representing the Litherland Ward from 21 March 1985 to 7 May 1987 and he served on the Environmental and Licensing, Housing, Planning and Policy and Resources Committees.”

A tribute to Jim Byrne was made by Councillor McGuire and a tribute to Tony Kenny was made by Councillor Cummins.

The Council then stood for a one minute silence as a mark of respect for Jim Byrne and Tony Kenny.

64. MATTERS RAISED BY THE PUBLIC

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

65. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

- Councillor Bill Welsh to the Cabinet Member - Communities and Housing (Councillor Hardy)
- Councillor Bill Welsh to the Cabinet Member – Locality Services (Councillor Fairclough);
- Councillor Preece to the Cabinet Member – Locality Services (Councillor Fairclough);
- Councillor Dawson to the Cabinet Member – Locality Services (Councillor Fairclough);
- Councillor Lynne Thompson to the Cabinet Member – Locality Services (Councillor Fairclough);
- Councillor Dawson to the Leader of the Council (Councillor Maher)
- Councillor Keith to the Leader of the Council (Councillor Maher);
- Councillor Shaw to the Leader of the Council (Councillor Maher); and
- Councillor McGuire to the Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin);

together with the responses given. Supplementary questions were responded to by the Leader of the Council and the Cabinet Member – Locality Services.

66. COUNCIL TAX REDUCTION SCHEME 2017/18 AND COUNCIL TAX BASE 2017/18

Further to Minute No 74 of the Cabinet meeting held on 12 January 2017, the Council considered the report of the Head of Corporate Resources which provided details of the annual review of the Council Tax Reduction Scheme that had been undertaken together with the updated Council Tax Base for both Sefton Council and for each Parish Area for 2017/18.

It was move by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED: That

- (1) approval be given to the continuation of the existing Local Council Tax Reduction Scheme for 2017/18; and

- (2) the Council Tax Base for 2017/18 be approved as set out in Annex A of the report.

67. NATIONAL SCHEME FOR AUDITOR APPOINTMENTS

Further to Minute No 62 of the Cabinet meeting held on 1 December 2016, the Council considered the report of the Head of Corporate Resources which provided details of proposals for appointing an external auditor to the Authority for the 2018/19 accounts and beyond. The Council's current auditors are working under a contract originally let by the Audit Commission which was subsequently novated to Public Sector Audit Appointments (PSAA) following the closure of the Audit Commission, which would cease at the end of 2017/18.

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

RESOLVED:

That Public Sector Audit Appointments' (PSSA) invitation to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018 be accepted.

68. PAY POLICY

Further to Minute No 10 of the meeting of the Pay and Grading Committee held on 12 January 2017, the Council considered the report of the Head of Corporate Resources which set out the details of the proposed Pay Policy for the Council as required by the Localism Act 2011.

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

RESOLVED: That

- (1) the proposed Pay Policy at Annex A to this report be approved.
- (2) if any amendment to the Pay Policy is necessary before next year's Pay Policy because of a change in legislation, as detailed in paragraphs 4 and 5 of the report, then the Pay and Grading Committee be granted delegated authority to amend the Pay Policy.

69. PROGRAMME OF MEETINGS – 2017/18 MUNICIPAL YEAR

Further to Minute No 65 of the Cabinet meeting held on 1 December 2016, the Council considered the report of the Head of Regulation and Compliance which provided details of the proposed Programme of Meetings for the 2017/18 Municipal Year.

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

RESOLVED: That

- (1) the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; Overview and Scrutiny Committees and Area Committees for 2017/18 as set out in Annexes B, C and D of the report be approved subject to the following amendments;
 - Planning Visiting Panel scheduled for 8 January 2018 being amended to 15 January 2018; and
 - Planning Training Session and Planning Committee scheduled for 10 January 2018 being amended to 17 January 2018; and
- (2) the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Sefton Safer Communities Partnership and the Health and Wellbeing Board for 2017/18 as set out in Annexes A and E of the report be noted.

70. HONORARY FREEDOM OF THE BOROUGH - DUKE OF LANCASTER'S REGIMENT

The Council considered the report of the Head of Regulation and Compliance on proposals to grant the Freedom of the Borough to the Duke of Lancaster's Regiment.

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

RESOLVED: That

- (1) In accordance with Section 249 (5) of the Local Government Act 1972, this Council wishes to place on record its high appreciation of, and the debt of gratitude of the Borough to the Duke of Lancaster's Regiment and in the light of the long and honourable association between the Borough of Sefton and The Duke of Lancaster's Regiment, the Council resolves that the Honorary Freedom of the Borough be conferred on The Duke of Lancaster's Regiment and that it be granted the right, privilege, honour and distinction of marching through the streets of the Borough on all ceremonial occasions with colours flying, bands playing, drums beating and bayonets fixed at an Extra-ordinary Council meeting to be held on a date to be determined at Bootle Town Hall; and
- (2) the Head of Regulation and Compliance be authorised to take all of the necessary actions associated with (1) above and arrange a civic reception for The Duke of Lancaster's Regiment and invited guests to take place at the rising of the Extra-ordinary Council meeting in Bootle Town Hall.

71. 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 Chapters 6 of the Council Constitution.

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

RESOLVED:

That the report be noted.

72. MEMBERSHIP OF COMMITTEES 2016/17

Councillor Grace proposed that Councillor Brenda O'Brien should replace Councillor Carragher as the Substitute Member for Councillor Linda Cluskey on the Overview and Scrutiny Committee (Adult Social Care and Health)

RESOLVED:

That the change in membership of the Committee be approved.

73. MOTION SUBMITTED BY COUNCILLOR MCCANN

It was moved by Councillor McCann, seconded by Councillor Bennett and following debate:

RESOLVED:

Ambulance Response Times

The Council is concerned that:

- (1) the Ambulance Service nationally is facing an emergency. In the year to May 2016, ambulance response times hit a record low. Not a single one of the 10 ambulance trusts in England met the target of reaching 75% of incidents within eight minutes and even more of a concern is that the current national average for a response within eight minutes is 68%. This trend has grown over the past four years, which is the period for which this Government has published response figures;
- (2) Ambulance control rooms across the country are buckling under the immense strains of increased demand and their dwindling resources. The increased demand is undeniable. Last year set a

new record, with 10.8 million ambulance call-outs in 12 months, which is a staggering number. These numbers clearly show that emergency calls for ambulances have risen by 6% year on year for the past 10 years and this has not been helped by the fact that people are finding it harder to see their GP, meaning that they fall back on A&E.

- (3) there are simply not enough vehicles, paramedics and clinicians to cope with the increase in volume and at the same time, the resources available have been cut or frozen. It is very clear that the system is not working when 6 out of the 10 English Ambulance Service Trusts are currently in deficit, having overspent their budgets despite making various efficiencies.
- (4) the delays for the response times are resulting from the inability of the Ambulance crews to be able to hand over at the hospitals and are having to wait a considerable length of time before this procedure happens, thus tying up the ambulances at the hospital and therefore reducing the number of ambulances able to attend calls.

The Council would like to pay tribute to the men and women of the Ambulance Service whose professionalism, dedication and selflessness have saved countless lives over the years. The ability to dial 999 in an emergency in the expectation of receiving urgent and expert medical help has long been one of the NHS's treasures and must remain so for the future.

This Council resolves to:

- (1) write to the North West Ambulance Trust to request a response as to what the difficulties are in achieving their targets and what needs to be done, to be in a position to achieve these targets in the future.
- (2) write to the Secretary of State for Health to ask:
 - (i) what the Government propose to do about these waiting times;
 - (ii) how the Government intend to address the shortages of vehicles and staffing in the Ambulance Service to alleviate the current problems in existence, make the Service efficient for the 21st Century and ensure that its meets its required times; and
 - (ii) what the Government intend to do to resolve the issue surrounding ambulances being delayed at the hospitals and being unable to hand over patients to them.

The Mayor declared that the Motion was carried by 51 votes to 4 with 1 abstention.

74. MOTION SUBMITTED BY COUNCILLOR KEITH

It was moved by Councillor Keith, seconded by Councillor Hardy and

RESOLVED:

That the following Motion be referred to the Overview and Scrutiny Committee (Regeneration and Skills) for consideration:

“This Council is concerned about the alarming rise in the number of new houses sold as leasehold, the time period of the lease and the details of service charges being levied.

This is against a background of more new build properties being sold as leasehold with duration of the leases averaging 150 years, just three generations. This means that unless the lease is purchased at an unknown sum it will then revert to the owners. Buyers in this situation are purchasing a house but with rental conditions.

This Council notes:

- 1. the overwhelming preference which most purchasers have for freehold houses rather than leasehold;*
- 2. that leasehold properties can carry with them long-term associated costs and charges which are not made sufficiently apparent at point of sale; and*
- 3. domestic leases are often as short as 150 years and mortgage lenders are usually unwilling to lend on properties where a lease has fewer than 50 years remaining.*

This Council believes:

- 1. all immediate and lifetime fees and charges associated with leasehold properties should always be made much clearer in promotional material; and*
- 2. short lease properties can present individuals with significant impediments to enjoying their own home and transferring such homes to future generations.*

This Council resolves:

- 1. to write to the Secretary of State for Communities and Local Government expressing concern about the alarmingly rapid rise in new build houses sold as leasehold and the duration and costs associated with the terms of the lease, including service charges;*

2. *to promote information and guidance to leaseholders, including to buy or extend their freehold; the existence of the Leasehold Valuation Tribunal and the right to manage;*
3. *information and guidance relative to this point should be promoted through the Councils associated strategies and plans including the Council's Welfare Reform Anti-Poverty Action Plan; and*
4. *to request the Head of Housing and Regeneration to investigate the rise in the number of new houses offered as leasehold, the time period of the lease and the details of the associated service charges and submit a report to the Cabinet Member – Communities and Housing."*

75. MOTION SUBMITTED BY COUNCILLOR MCGUIRE

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

"This Council notes:

- with anger the lack of any extra funding for social care in the Local Government Finance Settlement as announced in December 2016;
- that the lack of appropriate social care locally and nationally creates problems not just for those receiving care but also contributes massively to the current crisis in the National Health Service;
- that by bringing forward Council Tax-raising powers in the provisional Local Government Finance Settlement, the Government has simply shifted the burden of tackling a national crisis onto local residents;
- the additional flexibility to vary the Council tax precept over the remaining years of the Spending Review is not new money and does not address the £2.6 billion funding gap facing social care by the end of the decade;
- the announcement of additional funding for social care from the New Homes Bonus is not new money and is instead a redistribution of funding already promised to councils; and
- the call for a cross-party working group to undertake a root and branch reform of how our health and care services are funded and for proper funding for mental health provision including children's mental health provision

This Council notes further that the coalition of charities and care providers calling for an urgent injection of genuinely new additional government funding to protect services caring for elderly and disabled people include the cross-party Local Government Association, NHS Clinical Commissioners, the King's Fund, the NHS Confederation, NHS Providers,

the Association of Directors of Adult Social Services, Age UK, and the Care and Support Alliance.

This Council calls for:

1. the Leader of the Council and Chief Executive to write to our three local MPs expressing our disgust that vulnerable people who need care and support are not going to get any new funding from central government and to ask our local MPs what they are going to do to challenge the Government over this issue; and
- 2 the Leader of the Council and Chief Executive to write to the Secretary of State for Health expressing our disgust that vulnerable people who need care and support are not going to get any new funding from central government.”

Following debate and in accordance with Paragraph 94 of Chapter 4 in the Council Constitution, the voting on the Motion was recorded and the Members of the Council present at the time, voted as follows:

FOR THE MOTION:

Councillors Ashton, Atkinson, Jo Barton, Bennett, Booth, Bradshaw, Burns, Carr, Carragher, Linda Cluskey, Cummins, Dawson, Dodd, Fairclough, Friel, Gannon, Grace, Hands, Hardy, Keith, John Kelly, John Joseph Kelly, Lappin, Daniel Lewis, Dan T. Lewis, Maher, McCann, McGuire, McKinley, Moncur, Murphy, Brenda O'Brien, Michael O'Brien, O'Hanlon, Owens, Page, Preece, Pullin, Robinson, Roscoe, Sayers, Shaw, Spencer, Anne Thompson, Lynne Thompson, Tweed, Veidman, Weavers, Webster, Bill Welsh and The Mayor.

AGAINST THE MOTION:

Councillors Bliss, Dutton, Jamieson and Pitt.

ABSTENTION

Councillor David Barton.

The Mayor declared that the Motion was carried by 51 votes to 4 with 1 abstention and it was

RESOLVED:

That the Motion be approved.

76. MOTION SUBMITTED BY COUNCILLOR CUMMINS

It was moved by Councillor Cummins, seconded by Councillor Murphy and

RESOLVED:

Dignity in Social Care – Improving Social Care Services and Jobs

This Council notes with alarm the continuing crisis of social care underfunding that makes it hard for local authorities and provider organisations to ensure decent jobs and quality services.

This Council supports in principle the provisions of UNISON's ethical care charters for the commissioning of home care and residential care services. The charters provide minimum set of standards in the sector which include requirements that care staff are paid at least the real living wage, on training provision, staffing levels and on improved scheduling of home care visits. The Council intends to implement the charters at the earliest practicable opportunity, recognising that some aspects may require additional funding.

This Council supports the UNISON proposal that £2.4 billion a year in unallocated government held business rates be immediately returned to local authorities through a new social care grant. If this money was distributed using the Better Care Fund formula, Sefton would receive an additional £15.1 million - far exceeding the £2.2 million that can be raised through a 2% council tax precept.

This Council welcomes UNISON's *Care Workers for Change* campaign initiative and looks forward to an expanded union membership base playing a key role in the public-facing campaign to increase central government funding for social care and in improved employee relations in the sector.

This Council believes that effective workplace union organisation has a key role to play in improving the care sector as:

- Organised staff will have more confidence to speak out and share best practice
- Unions can assist in better monitoring of employment standards in care and through providing high quality staff training – often free of charge to the employer
- Unionised staff will be better able to share their stories publicly - increasing the effectiveness of campaign work for more central government funding for care

This Council undertakes to encourage care providers that we currently commission, and require care providers that we commission in future to:

1. Respect the right of care staff to organise a union in their workplace and do nothing to undermine the reasonable efforts of staff to organise a union.
2. Allow access to accredited union representatives and officials for membership recruitment activity. Provider organisations should engage positively with union requests for access to staff and, where necessary, agree arrangements that do not disrupt service delivery.
3. Pursue a partnership approach to employment relations. We would expect the provider to engage constructively with the union including a recognition and facilities agreement to underpin collective working.
4. Work with the Council and unions to pursue our shared objective of achieving the provisions of the UNISON ethical care charters. This process will necessarily take account of factors including local levels of funding and procurement practices.

The Council will write to all current providers of Council-commissioned care services at the earliest opportunity to advise them of our expectation that they will comply positively with the above points (1-4).

The Mayor declared that the Motion was carried by 50 votes to 4 with 1 abstention.

77. MOTION SUBMITTED BY COUNCILLOR MCGUIRE

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

Reduction in the Number of Councillors

“This Council notes that the Government are making cutbacks in centrally-provided local government finance support at a level which requires councils to cut important services.

This Council believes as elected members, Councillors must show leadership in finding ways to save money.

Accordingly, this Council resolves to write to the Local Government Boundary Commission for England requesting a boundary review with a view to a one third reduction in the number of councillors and for the wards to be made more equal in size.

On a show of hands, the Mayor declared that the **Motion was lost** by 32 votes to 23 and consequently no action would be taken on the Motion.