



COUNCIL SUMMONS

To Members of the Metropolitan Borough Council

Dear Councillor

You are requested to attend the Adjourned Annual Meeting of the Sefton Metropolitan Borough Council to be held on **Tuesday 16th May, 2017 at 6.30 pm at the Town Hall, Bootle** to transact the business set out on the agenda overleaf.

Yours sincerely,

A handwritten signature in black ink that reads "M. Carney".

Chief Executive

Town Hall,
Southport

Monday 8 May 2017

Please contact Steve Pearce, Democratic Services Manager
on 0151 934 2046 or e-mail steve.pearce@sefton.gov.uk

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

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A G E N D A

1. Apologies for Absence

2. Declarations of Interest

Members are requested to give notice of any disclosable pecuniary interest, which is not already included in their Register of Members' Interests and the nature of that interest, relating to any item on the agenda in accordance with the Members Code of Conduct, before leaving the meeting room during the discussion on that particular item.

3. Minutes of Previous Meeting

(Pages 5 - 16)

Minutes of the meeting held on 20 April 2017

4. Mayor's Communications

5. Leader of the Council

The Council is requested to note that Councillor Maher was appointed as the Leader of the Council by the Council on 21 May 2015 for a four year term or until such time as the term of office expires.

6. Cabinet and Deputy Leader of the Council

Report of the Leader of the Council to be circulated prior to the meeting

7. Appointment of Committees and Working Groups 2016/17

a) Appointment of Committees and Working Groups 2017/18

Details of the allocation of Committee Places in accordance with the Political Balance Rules and the proposed membership of Committees and Working Groups for 2017/18 to be circulated prior to the meeting

b) Terms of Reference for Committees and Working Groups

Subject to the item above, the Council is requested to approve the terms of reference of the Committees and Working Groups, as set out in Chapters 6 and 7 of the Council Constitution.

8. Appointment of Representatives on Merseyside Joint Authorities 2017/18

Details of the proposed representation on the Merseyside Joint Authority bodies for 2017/18 to be circulated prior to the meeting

9. Appointment of Representatives on Sefton Partnership Bodies 2017/18

Details of the proposed representation on the Partnership Bodies for 2017/18 to be circulated prior to the meeting

10. Dates of Council Meetings 2017/18

To note that the Council meetings scheduled to be held during the Municipal Year 2017/18 are as follows:

- 20 June 2017 (Extraordinary Meeting)
- 13 July 2017
- 21 September 2017
- 16 November 2017
- 25 January 2018
- 1 March 2018 (Budget Meeting)
- 19 April 2018

THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

COUNCIL

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 20TH APRIL, 2017

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

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

96. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ball, Carragher, Kevin Cluskey and Preece.

97. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

98. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 2 March 2017 be approved as a correct record.

99. MAYOR'S COMMUNICATIONS

Certification of Recognition Presentation

The Mayor presented Mr Graham Marten and Tim Petford from the Royal British Legion, Southport Branch with a certificate of recognition for all the

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hard work and support they had given over many years to the local community and military veterans in the Sefton Borough.”

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 he was very pleased to inform Members that the total of £7,038 had been raised on the night. The Mayor extended his thanks to everyone who contributed or supported in any way to the success of the Charity Ball held on 1 April 2017.”

Mayor Elect 2017/18

The Mayor reported that Councillor David Robinson had been nominated for the office of the Mayor of Sefton for 2017/18 and the appointment would take place at the Annual Council Meeting to be held on 11 May 2017 at Bootle Town Hall.

100. MATTERS RAISED BY THE PUBLIC

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

101. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

- Councillor Marianne Welsh to the Cabinet Member – Health and Wellbeing (Councillor Moncur)
- Councillor Bliss to the Cabinet Member – Planning and Building Control (Councillor Veidman)
- Councillor Weavers to the Leader of the Council (Councillor Maher)
- Councillor Shaw to the Leader of the Council (Councillor Maher) and
- Councillor Keith to the Cabinet Member – Children, Schools and Safeguarding (Councillor John Joseph Kelly)

together with the responses given. A supplementary question was responded to by the Leader of the Council.

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102. ADOPTION OF THE SEFTON LOCAL PLAN

Further to Minute No. 114 of the Cabinet meeting held on 6 April 2017, the Council considered the report of the Head of Regeneration and Housing which provided details of the Inspector's Report on the Examination of the Sefton Local Plan which had been received by the Council and published on the website, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Inspector's report indicated that, as submitted, the Local Plan had a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out in the report. However, with the Main Modifications recommended by the Inspector to the Plan, the Sefton Local Plan now satisfied the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and met the criteria for soundness set out in the National Planning Policy Framework.

Having received the report, which indicates that the Local Plan has been found to be 'sound' the Council was now able to adopt the Local Plan and this would become the Development Plan for Sefton, which would enable the policies in it to be given full weight when determining planning applications and it would replace the Unitary Development Plan.

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

That

- (1) approval be given to the adoption of the Sefton Local Plan, including the Main Modifications set out in the Appendix to the Inspector's report (as attached to the report) and any consequential changes to the Local Plan and the Policies Map and any minor changes as set out in this report or as agreed by the Chief Planning Officer in conjunction with the Cabinet Member – Planning and Building Control, as part of the statutory Development Plan for Sefton; and
- (2) it be noted that the decision to adopt the Sefton Local Plan would be subject to a statutory legal challenge period of 6 weeks from the date of adoption.

An amendment was moved by Councillor McKinley, seconded by Councillor Sayers that the Motion be amended by the addition of the following text:

- (3) the Overview and Scrutiny Committee (Regeneration and Skills) be requested to robustly and regularly monitor the implementation of the 18 recommendations proposed by the Infrastructure Working Group and adopted by the Cabinet on 15 January 2015.

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In accordance with Paragraph 71 in Chapter 4 of the Council Constitution, Councillor Maher indicated that he accepted the amendment as a 'friendly' amendment to his Motion

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

FOR THE SUBSTANTIVE MOTION:

Councillors Atkinson, Bradshaw, Brennan, Burns, Byrom, Carr, Linda Cluskey, Cummins, Dams, Fairclough, Friel, Grace, Hardy, John Kelly, John Joseph Kelly, Lappin, Dan T. Lewis, Maher, McGinnity, McKinley, Moncur, Murphy, Brenda O'Brien, Michael O'Brien, Owens, Page, Robinson, Roche, Roscoe, Sayers, Spencer, Thomas, Anne Thompson, Tweed, Veidman and Webster.

AGAINST THE SUBSTANTIVE MOTION:

Councillors Ashton, David Barton, Jo Barton, Bennett, Bliss, Booth, Dawson, Dodd, Dutton, Gannon, Hands, Jamieson, Jones, Keith, Daniel Lewis, McCann, McGuire, O'Hanlon, Pitt, Pullin, Shaw, Lynne Thompson, Weavers, Bill Welsh, Marianne Welsh and The Mayor.

The Mayor declared that the Substantive Motion was carried by 36 votes to 26 and it was

RESOLVED: That

- (1) approval be given to the adoption of the Sefton Local Plan, including the Main Modifications set out in the Appendix to the Inspector's report (as attached to the report) and any consequential changes to the Local Plan and the Policies Map and any minor changes as set out in this report or as agreed by the Chief Planning Officer in conjunction with the Cabinet Member – Planning and Building Control, as part of the statutory Development Plan for Sefton;
- (2) it be noted that the decision to adopt the Sefton Local Plan would be subject to a statutory legal challenge period of 6 weeks from the date of adoption; and
- (3) the Overview and Scrutiny Committee (Regeneration and Skills) be requested to robustly and regularly monitor the implementation of the 18 recommendations proposed by the Local Plan Infrastructure Working Group and adopted by the Cabinet on 15 January 2017.

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103. FLOOD AND COASTAL EROSION RISK MANAGEMENT POLICIES

Further to Minute No. 97 of the Cabinet meeting held on 9 March 2017, the Council considered the report of the Head of Locality Services - Commissioned which provided details of a number of new policies which had been developed to support the delivery of Flood and Coastal Erosion Risk Management within Sefton. These covered issues which are relevant to the Council as Lead Local Flood Authority and are distinct from Local Plan policies for management of flood risk, surface water and coastal change in relation to the planning application process.

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

RESOLVED:

That approval be given to the adoption of the policies for Flood and Coastal Erosion Risk Management as set out in the report.

104. CAPITAL BUDGET UPDATE 2016/17

Further to Minute No's 94 and 103 of the Cabinet meetings held on 9 March and 6 April 2017 respectively, the Council considered the report of the Head of Corporate Resources which sought approval to the inclusion of eight Section 106 schemes in the Capital Programme.

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

RESOLVED:

That approval be given to the inclusion of the additional capital allocations, as outlined in paragraph 2 of the report in the Capital Programme.

105. REVIEW OF ORTHOPAEDIC SERVICES - ISSUE OF SUBSTANTIAL RECONFIGURATION PROPOSALS

Further to Minute No's 57A and 57B of the meeting of the Overview and Scrutiny Committee (Adult Social Care and Health) held on 21 March 2017, the Council considered the report of the Head of Regulation and Compliance regarding the Liverpool Orthopaedic and Trauma Service Feasibility Study and requesting the Council to formally determine whether the proposals submitted by the Healthy Liverpool Programme constituted a substantial variation in services or not.

The report indicated that there was a statutory requirement on providers of health services to consult local authority health overview and scrutiny committees on any proposals for significant development or substantial variation/reconfiguration in health services and details of the Protocol for the establishment of Joint Health Scrutiny Arrangements for Cheshire and

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Merseyside previously approved by the Council 3 June 2014 (Minute No. 20 refers) was appended to the report.

The report indicated that the Council had previously agreed on 25 September 2014 (Minute No. 42 (2) refers) that any final decision on substantial variations would be taken by the full Council.

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

RESOLVED: That

- (1) it be noted that the Review of Orthopaedic Services proposed by the Healthy Liverpool Programme involves a major re-configuration of the orthopaedic services provided to Sefton residents;
- (2) the decision made by the Overview and Scrutiny Committee (Adult Social Care and Health) that the proposals constitute a substantial variation in services be endorsed; and
- (3) officers be authorised to submit a formal response to the consultation on the substantial reconfiguration proposals.

106. LOCAL GOVERNMENT ACT 1972 - SECTION 85 - ATTENDANCE AT MEETINGS

The Council considered the report of the Head of Regulation and Compliance which requested the Council to approve and authorise the absence of Councillor Kevin Cluskey from attendance at Council and Committee Meetings pursuant to Section 85 of the Local Government Act 1972.

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

RESOLVED:

That the current absence from all Council and Committee Meetings of Councillor Kevin Cluskey due to ill-health be authorised and approved for the period until the scheduled meeting of the Council to be held on 16 November 2017, pursuant to Section 85 of the Local Government Act 1972.

107. MEMBERSHIP OF COMMITTEES 2016/17

No changes to the membership of Committees were made.

108. MOTION SUBMITTED BY COUNCILLOR BRENNAN

It was moved by Councillor Brennan, seconded by Councillor Byrom and unanimously

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RESOLVED:

That this Council supports the Royal British Legion campaign to include Armed Forces status within the next census.

Currently there are no official figures that Health, Housing or Employment services can use to identify the number of people from the Armed Forces community living in our area.

Therefore there is no way of monitoring whether the Armed Forces Community actually have equality of access to the services that are provided.

This Council supports the RBL campaign and believes that having a benchmark figure from the Census for the number of Veterans, Regulars or Reservists in the population will help Housing, Health and Employment Services monitor equality of access, by comparing the percentage of Armed Forces Community actually accessing services against the percentage within the population.

109. MOTION SUBMITTED BY COUNCILLOR SHAW

It was moved by Councillor Shaw, seconded by Councillor John Joseph Kelly:

“This Council notes:

- (1) that, due to factors including:
 - Increases in Employers’ NI contribution rates for ‘contracted out’ employees
 - Increases in Employers’ Pension contribution rates for both the Teachers’ Pension Scheme and the Local Government Pension Scheme
 - Introduction of Apprenticeship Levy the impact of the Government freeze on school budgets will be that schools will see an average effective real terms cut of 8% in their funding by 2019/20 as compared to 2015/16.
- (2) that the proposed introduction of the National Funding Formula (NFF), in combination with the above, will see every school in the Borough suffer significant real terms cuts in funding by 2019/20 which, according to schoolscuts.org.uk, will amount to a total of £17.776 million a year across all Sefton schools, and, for individual schools, as much as:

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- £348,000 a year cut per school (£419 per pupil) in local primary schools
- £649,000 year cut per school (£568 per pupil) in local secondary schools

This Council believes that real term cuts of this magnitude are simply unachievable, and that, if implemented, would have a severe negative impact on the education of children in this Borough.

This Council therefore resolves:

- (1) To write to the Secretary of State for Education expressing our serious concerns and requesting that the Government reviews its policies to cash limit school budgets and to impose inequitable changes through its proposed National Funding Formula; and
- (2) To write to the Borough's three MPs seeking their support for this resolution."

An amendment was moved by Councillor John Joseph Kelly, seconded by Councillor Dams that the Motion be amended as follows:

Adding the following words after: (2) - '£649 year cut per school (£568 per pupil) in local primary schools':

- (3) *The NFF will downgrade Sefton from 97th worst funded local authority for education out of 150 local authorities to 127th worse funded.*
- (4) *The NFF will lead to a loss of funding equivalent to 190 support staff or 60 teachers that:*
- (5) *Will cause real harm to children and young people in Sefton because it will have a direct impact on Sefton's Schools, Council and other stakeholder's ability to deliver on the objectives set out in "Sefton's Children and Young People's Plan 2015-2020. The plan was developed with and endorsed by children and young people in Sefton.*

Deleting the following words highlighted in italics:

This Council believes that real term cuts of this magnitude are simply unachievable, and that, if implemented, would have a severe negative impact on the education of children in this Borough.

and adding the following words highlighted in italics:

The Council believes that real term cuts of this magnitude are ideological not logical and are unachievable by any school in Sefton. Hardworking

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children and young people living in Sefton do not deserve this treatment and their futures will be harmed as a consequence.

Deleting the following words:

- (1) To write to the Secretary of State for Education expressing our serious concerns and requesting that the Government reviews its policies to cash limit school budgets and to impose inequitable changes through its proposed National Funding Formula; and
- (2) To write to the Borough's three MPs seeking their support for this resolution.

and adding the following words:

- (1) To support the efforts made by Head Teachers, School Governors and Parents in Sefton who have made direct representations to the Prime Minister to highlight the harm the proposed NFF will have on the life chances of the hard working children and young people in Sefton.
- (2) To support the work already taken by the three MP's in Sefton to bring to the attention of the Prime Minister the impact of her proposals.
- (3) To write to the Secretary of State for Education expressing our serious concerns and requesting that the government listens to the representations made, reviews its policies to cash limit schools budgets and the imposition of illogical and inequitable changes through its proposed NFF.

In accordance with Paragraph 71 in Chapter 4 of the Council Constitution, Councillor Shaw indicated that he accepted the amendment as a 'friendly amendment to his Motion.

Following debate and on a show of hands, the Mayor declared that the Substantive Motion was carried by 50 votes to 4 with 2 abstentions and it was

RESOLVED:

This Council notes:

- (1) that, due to factors including:
 - Increases in Employers' NI contribution rates for 'contracted out' employees

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- Increases in Employers' Pension contribution rates for both the Teachers' Pension Scheme and the Local Government Pension Scheme
 - Introduction of Apprenticeship Levy the impact of the Government freeze on school budgets will be that schools will see an average effective real terms cut of 8% in their funding by 2019/20 as compared to 2015/16.
- (2) that the proposed introduction of the National Funding Formula (NFF), in combination with the above, will see every school in the Borough suffer significant real terms cuts in funding by 2019/20 which, according to schoolscuts.org.uk, will amount to a total of £17.776 million a year across all Sefton schools, and, for individual schools, as much as:
- £348,000 a year cut per school (£419 per pupil) in local primary schools
 - £649,000 year cut per school (£568 per pupil) in local secondary schools
- (3) The NFF will downgrade Sefton from 97th worst funded local authority for education out of 150 local authorities to 127th worse funded.
- (4) The NFF will lead to a loss funding equivalent to 190 support staff or 60 teachers that
- (5) Will cause real harm to children and young people in Sefton because it will have a direct impact on Sefton's Schools, Council and other stakeholder's ability to deliver on the objectives set out in "Sefton's Children and Young People's Plan 2015-2020. The plan was developed with and endorsed by children and young people in Sefton.

The Council believes that real term cuts of this magnitude are ideological not logical and are unachievable by any school in Sefton. Hardworking children and young people living in Sefton do not deserve this treatment and their futures will be harmed as a consequence.

This Council therefore resolves:

- (1) To support the efforts made by Head Teachers, School Governors and Parents in Sefton who have made direct representations to the Prime Minister to highlight the harm the proposed NFF will have on the life chances of the hard working children and young people in Sefton.

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- (2) To support the work already taken by the three MP's in Sefton to bring to the attention of the Prime Minister the impact of her proposals.
- (3) To write to the Secretary of State for Education expressing our serious concerns and requesting that the government listens to the representations made, reviews its policies to cash limit schools budgets and the imposition of illogical and inequitable changes through its proposed NFF.

(In accordance with Section 100B (4) (b) of the Local Government Act 1972, the Mayor had agreed that the following item be considered as a matter of urgency by reason of the need to enable the representations of the Council to be submitted in a timely manner on the proposed closure of Bootle Crown Post Office and the decision of the Post Office to downgrade the status and service of Bootle Crown Post Office by attempting to franchise it into a retail business.)

110. MOTION SUBMITTED BY COUNCILLOR DAN T. LEWIS

It was moved by Councillor Dan T. Lewis, seconded by Councillor Dams and

RESOLVED:

The Council condemns the proposed closure of Bootle Crown Post Office and the decision of the Post Office to downgrade the status and service of Bootle Crown Post Office by attempting to franchise it into a retail business and notes the opposition to these proposals by the residents of Bootle and South Sefton.

The Council believes this will lead to:

- the downgrading of vital services;
- the loss of dedicated highly skilled knowledgeable workers; and
- a detrimental impact on local businesses and the local economy in Bootle.

The Council resolves to:

- Request the Chair of the Overview and Scrutiny Committee (Regeneration and Skills) to approach the Post Office for full details as to the reasons for closure of Bootle Crown Post Office with a view to developing a proposal to keep the current Crown Post Office open;
- Write to Margot James, Government Minister BEIS with responsibility for Post Offices, to raise our concerns about the potential franchise of Bootle Crown Post Office; and

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- Write to the Chief Executive of the Post Office, Paula Vennells, requesting that the Post Office reverse its decision to franchise the existing facility, by protecting and investing in our cherished Crown Post Office.”