

COUNCIL

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON THURSDAY 24TH JANUARY, 2019**

PRESENT: The Mayor (Councillor Robinson) in the Chair
The Deputy Mayor (Councillor Brennan) Vice Chair

Councillors Ashton, Atkinson, Blackburne, Bliss, Booth, Bradshaw, Brodie - Browne, Burns, Carr, Carragher, Cluskey, Cummins, Dawson, Dodd, Dowd, Doyle, Dutton, Fairclough, Friel, Gannon, Grace, Hardy, Jamieson, Jones, Keith, John Kelly, John Joseph Kelly, Killen, Lappin, Daniel Lewis, Dan T. Lewis, Maher, Marshall, McCann, McGinnity, McKinley, Moncur, Morris, Murphy, Brenda O'Brien, Michael O'Brien, O'Hanlon, Page, Pugh, Pullin, Roscoe, John Sayers, Yvonne Sayers, Shaw, Spencer, Thomas, Anne Thompson, Lynne Thompson, Tweed, Veidman, Sir Ron Watson, Webster, Bill Welsh and Marianne Welsh

64. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brough, Byrom, Hands, Pitt and Roche.

65. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

66. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Council Meeting held on 15 November 2018 be approved as a correct record.

67. MAYOR'S COMMUNICATIONS

Death of Mayor Pawel Adamowicz

The Mayor reported on the tragic death of Pawel Adamowicz, the Mayor of the twin town of Gdansk in Poland on 14 January 2019. Pawel was attacked during a live charity event in Gdansk on 13 January and died the following day from his injuries at the age of 53.

Pawel Adamowicz, was a well-respected and very popular Mayor of Gdansk. He was first elected as a councillor in 1990, serving two terms of office and then in 1998, he was elected as the Mayor of Gdansk and was serving his sixth term of office following his re-election in November 2018. It was a tragedy for Gdansk and all of Poland that his life has been lost in the manner that it was. Pawel was a great friend to the people of Sefton and we greatly value the ties between our two Councils.

The Mayor indicated that he had sent a letter of condolence on behalf of the Council expressing deepest sympathies to Mayor Adamowicz's wife, Magdalena, his two children, Antonia and Teresa, all his family and to the people of Gdansk at this tragic time. An email had been received back that day expressing thanks for our condolences.

The Mayor concluded by indicating that the family and friends of Mayor Pawel Adamowicz were in our thoughts at this sad time.

Councillors Brennan, Cummins, Cluskey and Dawson paid tribute to Mayor Pawel Adamowicz.

The Council then stood in silence for one minute as a mark of respect for Mayor Pawel Adamowicz.

Mayor of Sefton Christmas Toy Appeal

The Mayor reported that once again, an unbelievable amount of toys and vouchers had been donated as part of the annual Christmas Toy Appeal in December 2018 and special thanks must go to the staff at the HMRC for the amazing number of toys they collected and to Merchant Taylor's Girls School who donated vouchers.

We were able to help a great number of families in Sefton who struggle to provide a memorable Christmas for their children. As well as toys, the Sefton Children's Trust also provide hampers of food to help over the festive period.

The Mayor thanked everyone who had helped and supported the annual Christmas Toy Appeal in December 2018.

68. MATTERS RAISED BY THE PUBLIC

The Mayor reported that no matters had been raised by members of the public.

69. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

1. Question submitted by Councillor Pugh to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin);
2. Question submitted by Councillor Pugh to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin);
3. Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher);
4. Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher);
5. Question submitted by Councillor Dawson to the Leader of the Council (Councillor Maher);
6. Question submitted by Councillor Booth to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)

together with the responses given. Supplementary questions to questions 3, 4 and 6 were responded to by the Leader of the Council and Cabinet Member for Regulatory, Compliance and Corporate Services.

**70. LOCAL COUNCIL TAX REDUCTION SCHEME 2019/20,
INCREASE TO LONG TERM EMPTY HOMES PREMIUM AND
COUNCIL TAX BASE 2019/20**

Further to Minute No 78 of the meeting of the Cabinet held on 10 January 2019, the Council considered the report of the Head of Corporate Resources which provided details of the review of the Council Tax Reduction Scheme 2018/19 and the proposals for no change to be made to 2019/20 Scheme for working age claimants; proposals to increase the long term empty homes premium from 50% to 100% following the outcome of the consultation; and details of the updated Council Tax Base for Sefton Council and each Parish area for 2019/20.

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

RESOLVED: That

- (1) the contents of the Council Tax Reduction Scheme 2018/19 review be noted;
- (2) no changes be made to the existing Council Tax Reduction Scheme 2019/20 for working age claimants;
- (3) the outcome of the consultation and equality impact assessment on the proposal to increase the long-term empty homes premium as set out in Annex B of the report be noted,
- (4) approval be given to the long-term empty homes premium being increased from 50% to 100% with effect from 1 April 2019, as indicated in section 5.7 of the report; and
- (5) approval be given to the relevant 2019/20 Council Tax Base for Sefton Council and each Parish Area as set out in Annex A of the report.

71. PAY POLICY

Further to Minute No. 15 of the meeting of the Pay and Grading Committee held on 14 January 2019, the Council considered the report of the Head of Corporate Resources that recommended a Pay Policy for the Council as required by the Localism Act 2011.

It was moved by Councillor Lappin and seconded by Councillor Fairclough:

That:

- (1) the Pay Policy as set out in Annex A to the report be approved; and
- (2) the Pay and Grading Committee be granted delegated authority to make any amendments to the Pay Policy as necessary before the publication of next year's Pay Policy due to a change in legislation as referred to paragraphs 4 and 5 of the report, or due to the implementation of the new NJC Pay structure for 1 April 2019.

An **amendment** was moved by Councillor Shaw, seconded by Councillor Pullin that the following text be added at the end of the Motion:

- “(iii) In addition, and further to paragraph 5 of the report, this Council notes that:
1. the Government announced in July 2015 that it proposed to introduce a cap of £95,000 on exit payments made by public bodies (including local authorities);
 2. some three and a half years later the Government has still not brought forward regulations to bring this cap into effect; and

3. in excess of £1.6m has been paid out by Sefton Council since April 2016 on exit payments that exceed that proposed £95,000 cap and accordingly the Council deplores this costly failure by the Government and the uncertainty that it causes.”

Following debate, on a show of hands, the Mayor declared that the amendment was lost by 50 votes to 9.

Thereafter, the vote on the Motion on carried unanimously and it was

RESOLVED: That

- (1) the Pay Policy as set out in Annex A to the report be approved; and
- (2) the Pay and Grading Committee be granted delegated authority to make any amendments to the Pay Policy as necessary before the publication of next year’s Pay Policy due to a change in legislation as referred to paragraphs 4 and 5 of the report, or due to the implementation of the new NJC Pay structure for 1 April 2019.

72. MAKING THE LYDIATE AND MAGHULL NEIGHBOURHOOD PLANS

Further to Minute No. 84 of the meeting of the Cabinet held on 10 January 2019, the Council considered the report of the Chief Planning Officer which provided details of proposals to adopt the Lydiate and Maghull Neighbourhood Plans as part of the statutory Development Plan for Sefton as required by the Town and Country Planning Act 1990 and the Localism Act 2011, to enable the plans to be used to determine planning applications in Lydiate and Maghull Parishes in addition to the Local Plan.

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

RESOLVED:

That the Lydiate and Maghull Neighbourhood Plans be adopted as part of the Development Plan for Sefton.

73. PROGRAMME OF MEETINGS – 2019/20 MUNICIPAL YEAR

Further to Minute No. 69 of the meeting of the Cabinet held on 10 January 2019 the Council considered the report of the Chief Legal and Democratic Officer that sought approval of a Programme of Meetings for the 2019/20 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; and Overview and Scrutiny Committees for 2019/20 as set out in Annexes B and C of the report be approved; 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 2019/20 as set out in Annexes A and D of the report be noted.

74. MEMBERSHIP OF COMMITTEES 2018/19

Councillor Keith proposed that Councillor Lynne Thompson should replace Councillor Hands as a Member of the Planning Committee and that Councillor Dodd should be the Substitute Member for Councillor Lynne Thompson on that Committee.

RESOLVED:

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

75. MOTION SUBMITTED BY COUNCILLOR DAWSON - IMPACT OF UNIVERSAL CREDIT

It was moved by Councillor Dawson, seconded by Councillor Lynne Thompson:

Impact of Universal Credit

This Council notes that while the principle of having some form of 'Universal Credit' system in bringing all benefits and 'tax credits' together within one process has been supported by all major political parties, both in government and outside of government, the introduction and implementation of this benefit system to date has been severely flawed in a way which has impacted greatly upon some of the poorest and most vulnerable individuals.

This Council welcomes the recent decision in the High Court demonstrating that the DWP have not been following their own rules in bringing in this Benefit and calls upon the government to take urgent steps to solve these highlighted problems, and other problems which have been identified during the implementation and piloting process, and to apply the benefit universally to all claimants and their children fairly and equally in a way which does not impoverish people.

Council welcomes the recent public statement by Amber Rudd, Secretary of State for Work and Pensions, indicating that she wishes to make the operation of Universal Credit fairer and calls on the government to work across party, particularly with the members of the House of Commons Select Committee on Work & Pensions, to bring about necessary changes in Universal Credit as soon as is conceivably possible.

An **amendment** was moved by Councillor Hardy, seconded by Councillor Marshall that the Motion be amended as follows:

- (1) First paragraph: After the words "This Council" delete all of the text up until the words "the introduction" and substitute the following text:

"is appalled at the Government's continued determination to implement Universal Credit, a policy that has caused unnecessary hardship to residents living in the Borough. It notes that this programme was introduced by the Conservatives with their then coalition partners the Liberal Democrats. The principle of having some form of simplified benefit system where all benefits and tax benefits are managed in a simple single process is well supported. However, the complexities of"

- (2) Third paragraph: Add the word "Whilst the" at the start of the paragraph; add the word "limited" after the word "recent" and add the following text after the word "fairer":

"her small changes to the system do not go far enough to undo the harm that the policy has, and continues to cause"

- (3) Add a new paragraph at the end of the Motion which states:

"Therefore the Council calls upon the Chief Executive to write to Amber Rudd, the Secretary of State for Work and Pensions to advise her that the Council believes there should be a pause to the Universal Credit roll out in its entirety whilst a full review of the policies failings are investigated and appropriate changes to the system and policy are made."

Following debate and on a show of hands, the Mayor declared that the vote on the amendment was carried by 44 votes to 17.

Thereafter, in accordance with Paragraph 94 of Chapter 4 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 Ashton, Atkinson, Blackburne, Booth, Bradshaw, Brennan, Brodie-Browne, Burns, Carr, Carragher, Cluskey, Cummins, Dawson, Dodd, Dowd, Doyle, Fairclough, Friel, Gannon, Grace, Hardy, Keith, John

Kelly, John Joseph Kelly, Killen, Lappin, Daniel Lewis, Dan T. Lewis, Maher, Marshall, McCann, McGinnity, McKinley, Moncur, Murphy, Brenda O'Brien, Michael O'Brien, O'Hanlon, Page, Pugh, Pullin, Roscoe, John Sayers, Yvonne Sayers, Shaw, Spencer, Thomas, Anne Thompson, Lynne Thompson, Tweed, Veidman, Webster, Bill Welsh, Marianne Welsh and The Mayor.

AGAINST THE SUBSTANTIVE MOTION:

Councillors Bliss, Dutton, Jamieson, Jones, Morris and Sir Ron Watson.

The Mayor declared that the Substantive Motion was carried by 55 votes to 6 and it was

RESOLVED:

Impact of Universal Credit

This Council is appalled at the Government's continued determination to implement Universal Credit, a policy that has caused unnecessary hardship to residents living in the Borough. It notes that this programme was introduced by the Conservatives with their then coalition partners the Liberal Democrats. The principle of having some form of simplified benefit system where all benefits and tax benefits are managed in a simple single process is well supported. However, the complexities of the introduction and implementation of this benefit system to date has been severely flawed in a way which has impacted greatly upon some of the poorest and most vulnerable individuals.

This Council welcomes the recent decision in the High Court demonstrating that the DWP have not been following their own rules in bringing in this Benefit and calls upon the government to take urgent steps to solve these highlighted problems, and other problems which have been identified during the implementation and piloting process, and to apply the benefit universally to all claimants and their children fairly and equally in a way which does not impoverish people.

Whilst the Council welcomes the recent limited public statement by Amber Rudd, Secretary of State for Work and Pensions, indicating that she wishes to make the operation of Universal Credit fairer her small changes to the system do not go far enough to undo the harm this policy has, and continues to cause and calls on the government to work across party, particularly with the members of the House of Commons Select Committee on Work & Pensions, to bring about necessary changes in Universal Credit as soon as is conceivably possible.

Therefore this Council calls upon the Chief Executive to write to Amber Rudd, the Secretary of State for Work and Pensions to advise that the Council believes that there should be a pause to the Universal Credit roll out in its entirety whilst a full review of the policies failings are investigated and appropriate changes to the system and policy are made.

76. MOTION SUBMITTED BY COUNCILLOR JONES - CREATING A TOWN COUNCIL FOR SOUTHPORT

The Chief Legal and Democratic Officer reported that Councillor Jones had submitted an email requesting that Councillor Sir Ron Watson be permitted to move the Motion on his behalf.

It was then moved by Councillor Sir Ron Watson, seconded by Councillor Bliss:

Creating a Town Council for Southport

We believe that the communities of Sefton as a whole will be better supported if there is a Town Council in Southport which can reflect the unique characteristics of the Town. The borough of Sefton is not uniform. Southport has a distinct character and with this comes a number of challenges, some of which we believe will be better addressed by a Southport Town Council. The aim will be to work cooperatively with Sefton MBC and other organisations for the betterment of Southport.

The Local Government and Public Involvement in Health Act 2007 enables Sefton Council to undertake community governance reviews, to consult local people on creating or changing local democratic arrangements within the Borough such as Parish and Town Councils and to change the arrangements where it will improve things.

Accordingly, this Council resolves to:

1. Undertake a Community Governance Review to explore the creation of a Town Council for Southport, covering the current Parliamentary constituency boundary;
2. Request Council Officers to provide a report to the next Council meeting on the Community Governance Review terms of reference, approach and process for consideration and approval; and
3. Refer the issue to Cabinet in accordance with Rule 86 of the Council's Constitution for formal consideration of any financial implications.

An **amendment** was moved by Councillor Pugh, seconded by Councillor Daniel Lewis that the following text be added to the end of the Motion:

4. Recognises in addition that the last administrative boundary review of Sefton identified a clear "level of discontent with current local government arrangements" and suggested Area Committees with devolved powers as a solution;

5. Notes that this “discontent” still exists in Southport prompting calls for boundary changes within the Liverpool City Region and that the Area Committees have now been abolished;
6. Welcomes the Conservative government’s assertion that they are ready to discuss “governance proposals involving change to local authority boundaries”; and
7. Will respond to all significant proposals to vary local government arrangements that may arise from public consultation.

*(Link to Conservative government’s response referred to above:
<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-06-25/4256>)

Following debate, on a show of hands, the Mayor declared that the amendment was lost by 49 votes to 11.

A **further amendment** was moved by Councillor Shaw, seconded by Councillor Dawson that the Motion be amended as follows:

- (1) The first paragraph be amended to read as follows:

“We believe that, while the communities of Sefton as a whole would be best served by splitting the Borough of Sefton into two separate Metropolitan Boroughs, one based on Southport and one based on Bootle, another option could be to create a Parish Council in Southport which can reflect the unique characteristics of the Town. The borough of Sefton is not uniform. Southport, in common with other areas within the Borough of Sefton, has a distinct character and with this comes a number of challenges. The aim will be to work cooperatively with Sefton MBC and other organisations for the betterment of Southport.”

- (2) The deletion of the word “Town” and the substitution of the word “Parish” in part (1) of the proposed resolution.

Following debate, on a show of hands, the Mayor declared that the amendment was lost by 48 votes to 10.

Thereafter, on a show of hands, the Mayor declared that the **Motion was lost** by 40 votes to 17 with 2 abstentions.