



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 **Thursday 16th May, 2019 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

Wednesday 8 May 2019

Please contact Steve Pearce, Interim 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 - 14)

Minutes of the meeting held on 25 April 2019.

4. Mayor's Communications

5. Election Results - 2 May 2019

(Pages 15 -
20)

To receive and note the report of the Chief Executive and Returning Officer on the results of the Council Elections held on 2 May 2019.

6. Leader of the Council

In accordance with the provisions in Paragraph 4 of Chapter 5 in the Council Constitution, the Council is requested to appoint a Leader of the Council for a period of four years until the Adjourned Annual Council Meeting in May 2023, or until such time as the term of office expires.

7. Cabinet and Deputy Leader of the Council

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

The report will provide details of the names of the Members of the Council, the Leader of the Council is appointing to the Cabinet, their portfolios and which of them is to be the Deputy Leader for a four-year term of office, or until such time as the term of office expires.

**8. Appointment of Committees and Sub-Committees
2019/20**

Report of the Head of Corporate Resources to be circulated prior to the meeting.

9. Appointment of Representatives on Merseyside Joint Authorities 2019/20

Details of the proposed representation on the Merseyside Joint Authority bodies for 2019/20 will be circulated prior to the meeting.

10. Dates of Council Meetings 2019/20

To note that the Council meetings scheduled to be held during the Municipal Year 2019/20 are as follows:

- 18 July 2019
- 19 September 2019
- 21 November 2019
- 23 January 2020
- 27 February 2020 (Budget Meeting)
- 23 April 2020

11. Proper Officer Functions

Report of the Head of Corporate Resources.

(Pages 21 -
24)

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

COUNCIL

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 25TH APRIL, 2019

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

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

90. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Booth, Dawson, Dodd, Hands, Jamieson, John Kelly, Daniel Lewis, Pitt, Lynne Thompson and Webster.

91. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declaration of personal interest was made and the Member concerned remained in the room during the consideration of the item:

<u>Member</u>	<u>Minute No.</u>	<u>Nature of Interest</u>
Councillor Brennan	102 - Motion submitted by Councillor Marshall - Ending Immigration Detention	He works with asylum seekers / refugees who have been detained and those being deported.

92. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council Meeting held on 28 February 2019 be approved as a correct record.

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COUNCIL - THURSDAY 25TH APRIL, 2019

93. MAYOR'S COMMUNICATIONS

Resignation of Former Councillor Bill Welsh and Councillors Not Seeking Re-Election

The Mayor reported that former Councillor Bill Welsh, had resigned as a Councillor on 13 March 2019 after serving on the Council for 3 years. On behalf of the Council, The Mayor expressed thanks to Bill Welsh for his dedicated service to the people of Sefton and extended his best wishes to him for the future.

The Mayor also reported that this was the last Council meeting before the Council Elections on 2 May 2019 and that the following Councillors would not be seeking re-election:

Councillor Booth who had served on Sefton Council for 12 years since May 2007;

Councillors Ashton and Marianne Welsh, who had both served on Sefton Council for 8 years since May 2011; and

Councillor Dan T. Lewis who had served on Sefton Council for 4 years since May 2015.

On behalf of the Council, The Mayor expressed thanks to those Members for their dedicated service to the people of Sefton and extended his best wishes to them for the future.

Councillors Doyle, Maher, Page and Thomas paid tribute to the service given by Bill Welsh.

Councillors Doyle, Maher, Page and Thomas paid tribute to the service given by Councillor Marianne Welsh.

Councillors Brennan, Fairclough, Maher, Marshall, Page, Roscoe and Thomas paid tribute to the service given by Councillor Dan T. Lewis.

Councillor Dan T. Lewis expressed his thanks and appreciation to fellow Councillors, colleagues and officers for their support, assistance and friendship during his time spent as a Member of the Council.

94. MATTERS RAISED BY THE PUBLIC

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

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95. 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 Bliss to the Leader of the Council (Councillor Maher);
3. Question submitted by Councillor Sir Ron Watson to the Cabinet Member for Communities and Housing (Councillor Hardy);
4. Question submitted by Councillor Jones to the Leader of the Council (Councillor Maher);
5. Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher); and
6. Question submitted by Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher).

together with the responses given. Supplementary questions to all of the questions were responded to by the Leader of the Council and Cabinet Members for Regulatory, Compliance and Corporate Services and, Communities and Housing.

96. APPOINTMENT OF CHIEF EXECUTIVE

The Council considered the report of the Chief Personnel Officer and Chief Executive on the recruitment procedure approved by the Employment Procedure Committee for the appointment of a new Chief Executive.

The Employment Procedure Committee had interviewed candidates for the post of Chief Executive earlier that day and the Council was requested to confirm the formal appointment of the recommended candidate from the Employment Procedure Committee as the Council's new Chief Executive and Head of Paid Service, subject to the consideration of any material or well-founded objection by any Member of the Cabinet, and any necessary pre-employment checks.

A copy of a note from the Leader of the Council setting out details of the recommendation from the Employment Procedure Committee was circulated around the Council Chamber prior to the commencement of the Council meeting.

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

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RESOLVED:

That the Council confirms the appointment of Dwayne Johnson, Director of Social Care and Health for Sefton Council as the new Chief Executive and Head of Paid Service on terms and conditions as recommended by the Employment Procedure Committee with a salary range of £147,037 to £161,747 in accordance with the Pay Policy. Confirmation will be subject to the consideration of any material or well-founded objection by any Member of the Cabinet and appropriate standard pre-employment checks.

97. LOCAL GOVERNMENT ACT 1972 – SECTION 85 - ATTENDANCE AT MEETINGS – COUNCILLOR RICHARD HANDS

Further to Minute No. 55 of the meeting held on 15 November 2018, the Council considered the report of the Chief Legal and Democratic Officer which requested the Council to approve and authorise the absence of Councillor Richard Hands 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 Richard Hands due to ill-health be authorised and approved for the period until the scheduled meeting of the Council to take place on 21 November 2019, pursuant to Section 85 of the Local Government Act 1972.

98. MEMBERSHIP OF COMMITTEES 2018/19

No changes to the membership of Committees were made.

99. MOTION SUBMITTED BY COUNCILLOR HARDY - SECURE HOMES

It was moved by Councillor Hardy, seconded by Councillor Michael O'Brien and following debate, it was unanimously

RESOLVED:

Secure Homes

This Council believes strongly that a secure home is at the heart of all of our lives. It gives security, enables aspiration and gives children a stable home in which to grow up.

This Council believes that residents living in the private rented sector

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should have the security to build their lives and futures, and to become an active part of their community, just as residents in other housing tenures should expect. We note that nationally, the largest single reason for homelessness is eviction from the private rented sector.

We therefore call on the Government to abolish Section 21 of the Housing Act 1988 which allows eviction without the landlord having to establish fault on the part of a tenant. Removing this unfair clause would help to make renting more secure, improve standards, increase tenant confidence and ultimately contribute towards making renting a viable long-term alternative to home ownership or social rent for the millions who currently cannot access either.

100. MOTION SUBMITTED BY COUNCILLOR HARDY - CHARTER AGAINST MODERN SLAVERY AND HUMAN TRAFFICKING

It was moved by Councillor Hardy, seconded by Councillor Carragher and following debate, it was unanimously

RESOLVED:

Charter Against Modern Slavery and Human Trafficking

This Council commits to helping eradicate slavery and labour exploitation. As an organisation who believes and promotes ethical working standards, we will endeavour to ensure that all Council policies, procedures and practices are fully compliant with relevant slavery and labour standards legislation. We will actively seek to only use suppliers who uphold these principles. We will promote our charter by raising awareness, educating and supporting both within our organisation and those we come into contact with.

This Council:

- Will train its corporate procurement team to understand modern slavery and human trafficking.
- Requires contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- Will challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery and human trafficking.
- Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
- Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery and human trafficking.

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- Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery and human trafficking.
- Review its contractual spending regularly to identify any potential issues with modern slavery and human trafficking.
- Highlight for its suppliers any risks identified concerning modern slavery and human trafficking and refer them to the relevant agencies to be addressed.
- Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery and human trafficking.
- Report publicly on the implementation of this policy annually.

101. MOTION SUBMITTED BY COUNCILLOR ROSCOE - POLICY ON INTENTIONAL BALLOON AND CHINESE / SKY LANTERN RELEASES

It was moved by Councillor Roscoe, seconded by Councillor Fairclough and following debate, it was unanimously

RESOLVED:

Policy on Intentional Balloon and Chinese / Sky Lantern Releases

This Council notes:

The mass intentional release of helium filled latex balloons and Chinese/sky lanterns pose hazards to wildlife and livestock causing injury and death. Lanterns can also cause injury to humans, damage to building and cause false callouts to the coastguard.

The Marine Conservation Society reported during the September 2016 'Great British Beach Clean' event, volunteer beach cleaners found a 53.5% increase on 2015 in the amount of balloon related litter on UK beaches ⁽¹⁾

Balloons have been found ingested in endangered turtles, dolphins, whales and seabirds ⁽²⁾. Livestock have been killed from eating broken up lanterns which are accidentally picked up by harvesting machinery and put into winter feeds. ⁽³⁾

Under Section 87 of the Environmental Protection Act 1990 it is an offence to throw down, drop or otherwise deposit and then leave litter. Local authorities have a statutory duty to enforce this Act with fixed penalty notices and have a responsibility to keep public open spaces free from litter.

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Currently over 50 UK local authorities have agreed to implement a ban on balloon and lantern releases on their land.

This Council believes that all Sefton residents should be discouraged from releasing balloons and lanterns due to the damage that is caused to our environments, (particularly to marine life).

This Council therefore directs Officers to report to the Cabinet on:

1. The drawing up of a policy of not permitting the release of balloons and Chinese Lanterns from Council-owned land e.g. parks, open spaces, and beaches; and any potential financial implications arising from this Motion.
2. The Council not endorsing events where balloon and lantern releases are to take place.
3. Where Council property is leased to a third party, e.g. schools, the leaseholder is written to asking them to observe the ban on balloon and Chinese lantern releases.
4. When leases or licences are renewed, an explicit clause banning balloon and lantern releases is added.
5. An ongoing communications plan to inform Sefton residents and visitors on the dangers of balloon and lantern releases and informing them of the alternatives such as sponsoring a tree or a lighting candle event.

(1) <https://xray-mag.com/content/time-back-banning-balloon-releases>

(2) <https://www.mcsuk.org/news/swift-action-shows-that-balloon-dont-let-go-campaign-is-vital>

(3) <https://www.mcsuk.org/news/marine-charity-urges-communities-to-help-stop-damaging-balloon>

102. MOTION SUBMITTED BY COUNCILLOR MARSHALL - ENDING IMMIGRATION DETENTION

It was moved by Councillor Marshall, seconded by Councillor Lappin:

Ending Immigration Detention

“This Council notes that the UK remains the only country in Europe with no time limits on immigration detention. Each year over 30,000 people enter detention centres in the UK. Nearly 50% of those entering detention centres have sought asylum in the UK and many are fleeing from conflict and persecution.

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This Council further notes that at any time, 3000 people are detained indefinitely. Although detention is not a criminal process, detention centres are just like prisons. Detention negatively impacts individual's physical and mental health wellbeing.

This Council believes that indefinite detention of refugees and asylum seekers is inhumane. Sefton Metropolitan Borough Council is welcoming and supportive of refugees and asylum seekers.

This Council believes that the UK's immigration detention system is not fit for purpose and the Government must end indefinite detention.

Therefore, this Council:

- Endorses The These Walls Must Fall Campaign and the declaration.
- Calls on the Government to implement the recommendations of the All Party Parliamentary Inquiry into detention.
- Asks our local MPs to support the spirit of the motion, to raise the matter in the House of Commons, and to support changes in current laws and procedures to introduce alternatives to detention, beginning with the recommendation to introduce a 28-day time limit for all people entering detention.
- Seeks further support for the motion via the Local Government Association, and by encouraging other Councils in the UK to show their support on this issue."

Following debate, and on a show of hands, the Mayor declared that the Motion was carried by 49 votes to 4 with 1 abstention and it was

RESOLVED:

That the Motion be approved.

103. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON - BUILDING REGULATIONS

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

Building Regulations

"Sefton Council is very conscious of the fact that the majority of people wish to remain in their own homes for as long as possible.

There are many people who have downsized to a flat or apartment where issues are being brought to Elected Members' attention that were not anticipated at the outset.

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The Council therefore requests the Local Government Association to institute an inquiry into ways in which building regulations in particular could be amended to address the following issues:

1. A progressive re-design of stairways to allow a gentler slope which could be achieved by split level design.
2. Handrails on each set of stairs.
3. A foldaway fixed seat on each landing.
4. Provision to install by agreement stair lifts to assist those with greater mobility problems.
5. Waist level letterboxes as outlined in a recent Private Members Bill in Parliament.
6. Secure outside provision for the storage of mobility vehicles that could most usefully be sited by bin storage facilities
7. On a wider level the requirements for public buildings to have defibrillators which has proved to be an excellent health and safety measure but large scale flat development apartments would benefit from such a facility subject to agreement concerning the initial costs, training for caretakers and/or other residents and an annual inspection regime.

The Council also considers that as part of such a review Local Authorities may identify other issues to be included but believes the social advantages of the changes suggested would bring significant benefits to the elderly in particular.”

Following debate, and on a show of hands, the Mayor declared that the Motion was carried by 45 votes to none with 1 abstention and it was

RESOLVED:

That the Motion be approved.

104. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON - MEMBERS CODE OF CONDUCT

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

Members Code of Conduct

“The Sefton Code of Conduct to which all Elected Members are required to sign up to upon election states as its first point:

“Do treat others with respect

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Do not conduct yourself in a manner which is contrary to the Authority's duty to promote and maintain high standards of conduct of Members."

It is a matter of regret there have been too many instances at Full Council Meetings in particular where these requirements and others have not been observed and where the Mayor has had to remonstrate with some Members attempting to stop contributions from others against standing orders and where disrespect has been shown by talking through debates to the extent that the Member speaking cannot be heard.

Such behaviour is not appropriate and it is wrong to place the Mayor in the invidious position of having to draw Members attention to their failings and lack of courtesy.

The Council therefore strongly reiterates that notwithstanding any firmly held views that Elected Members may have, these should be expressed in a courteous and rational manner with the avoidance in particular of individual insults to those who hold a different point of view.

Such an acknowledgement would ensure a greater level of rational debate which is what the public expect from their Councillors."

Following debate, and on a show of hands, the Mayor declared that the Motion was **lost** by 39 votes to 12 with 1 abstention and it was

RESOLVED:

That the Motion be not approved.

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ADJOURNED ANNUAL COUNCIL – 16 MAY 2019

LOCAL GOVERNMENT ELECTIONS – 2 MAY 2019

SUMMARY OF ELECTION RESULTS

AINSDALE WARD

Terry Jones	Conservative Party	1,257
Kevin Donnellon	Labour Party	944
Anne Leslie Corbishley	Liberal Democrats	907
Derek Samuel Tasker	UK Independence Party	431
Barbara Anne Dutton	Green Party	246
	Spoilt Ballot Papers	14
	Total Votes	3,799
	Electorate	10,200
	% Turnout	37.24%

BIRKDALE WARD

Simon John Shaw	Liberal Democrats	1,710
Danny Burns	Labour Party	900
Thomas Andrew De Freitas	Conservative Party	370
Linda Julia Gunn-Russo	UK Independence Party	311
David Williams Collins	Green Party	288
	Spoilt Ballot Papers	17
	Total Votes	3,596
	Electorate	10,235
	% Turnout	35.13%

BLUNDELLSANDS WARD

Christine Catherine Howard	Labour Party	1,721
Martyn Paul Barber	Conservative Party	931
Alison Moira Gibbon	Green Party	390
Brian Fredrick Dunning	Liberal Democrats	323
Kevin John Stanton	UK Independence Party	187
	Spoilt Ballot Papers	25
	Total Votes	3,577
	Electorate	9,445
	% Turnout	37.87%

CAMBRIDGE WARD

Leo Francis Evans	Liberal Democrats	1,398
Harry Bliss	Conservative Party	962
Terry John Durrance	UK Independence Party	492
James Joseph Hansen	Labour and Co-operative Party	381
Nicholas John Senior	Green Party	154
	Spoilt Ballot Papers	18
	Total Votes	3,405
	Electorate	10,293
	% Turnout	33.08%

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CHURCH WARD

Veronica Webster	Labour Party	1,560
Mike Carter	Green Party	550
Les Ashton	Liberal Democrats	195
Lynne Margaret Bold	Conservative Party	194
	Spoilt Ballot Papers	42
	Total Votes	2,541
	Electorate	9,389
	% Turnout	27.06%

DERBY WARD

Dave Robinson	Labour Party	1,627
Daniel Paul Nuttall	Conservative Party	146
Adarsh Makdani	Liberal Democrats	141
	Spoilt Ballot Papers	52
	Total Votes	1,966
	Electorate	9,142
	% Turnout	21.51%

DUKES WARD

John David Pugh	Liberal Democrats	1,729
Adam Charles Edward Kennaugh	Conservative Party	797
Lesley Delves	Labour Party	511
Al Johnson	UK Independence Party	285
Robert Michael Doyle	Green Party	194
	Spoilt Ballot Papers	17
	Total Votes	3,533
	Electorate	10,890
	% Turnout	32.44%

FORD WARD

Ian George Moncur	Labour Party	1,463
Samantha Cook	Green Party	242
Veronica Dorgan	Conservative Party	138
Annie Gorski	Liberal Democrats	91
	Spoilt Ballot Papers	30
	Total Votes	1,964
	Electorate	9,408
	% Turnout	20.88%

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HARINGTON WARD

David Irving	Formby Residents Action Group	1,279
Carol Richards	Labour Party	1,112
Simon Iain Jamieson	Conservative Party	967
Keith William Cawdron	Liberal Democrats	276
Margaret Ann Hennessy	UK Independence Party	199
	Spoilt Ballot Papers	24
	Total Votes	3,857
	Electorate	9,884
	% Turnout	39.02%

KEW WARD

Sean Robert Halsall	Labour Party	1,124
Jo Barton	Liberal Democrats	791
Sarah Elizabeth Howard	UK Independence Party	454
Margaret Eileen Middleton	Conservative Party	446
Emma Elizabeth Gillinder	Green Party	212
	Spoilt Ballot Papers	21
	Total Votes	3,048
	Electorate	10,064
	% Turnout	30.29%

LINACRE WARD

John Ronald Fairclough	Labour Party	1,177
Michael James Brennan	Independent	270
Jennifer Robertson	Liberal Democrats	106
Sean Anthony Dorgan	Conservative Party	100
Barbara Ann Bryan	Socialist Labour Party	65
	Spoilt Ballot Papers	31
	Total Votes	1,749
	Electorate	9,009
	% Turnout	19.41%

LITHERLAND WARD

Paul Frank Tweed	Labour Party	1,659
Mike Sammon	Liberal Democrats	192
Jessamine Miles Hounslea	Conservative Party	155
	Spoilt Ballot Papers	47
	Total Votes	2,053
	Electorate	8,906
	% Turnout	23.05%

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MANOR WARD

Clare Louise Carragher	Labour Party	1,447
Janice Blanchard	Conservative Party	631
John Gibson	Liberal Democrats	507
James O'Keeffe	Green Party	362
	Spoilt Ballot Papers	47
	Total Votes	2,994
	Electorate	9,975
	% Turnout	30.02%

MEOLS WARD

Yaso Sathiy	Liberal Democrats	1,948
Jonathan Peter Butler	Conservative Party	608
Stephen James Jowett	Labour Party	536
Peter Forder	UK Independence Party	333
Laurence George Rankin	Green Party	137
	Spoilt Ballot Papers	11
	Total Votes	3,573
	Electorate	10,075
	% Turnout	35.46%

MOLYNEUX WARD

Marion Atkinson	Labour Party	1,546
Peter Harper	UK Independence	484
Mike McGrady	Conservative Party	238
Andrew John Tonkiss	Liberal Democrats	228
Marion Wykes	Green Party	201
	Spoilt Ballot Papers	18
	Total Votes	2,715
	Electorate	10,171
	% Turnout	26.69%

NETHERTON AND ORRELL WARD

Susan Eileen Bradshaw	Labour Party	1,670
Pat Gaskell	UK Independence Party	255
Maureen Grainger	Green Party	240
Andrew Joseph Burgess	Conservative Party	131
	Spoilt Ballot Papers	14
	Total Votes	2,310
	Electorate	9,696
	% Turnout	23.82%

NORWOOD WARD

Greg Steven Myers	Labour Party	1,239
Carran Janet Waterfield	Labour Party	1,233
Peter Blake	Liberal Democrats	928
David Ian Newman	Liberal Democrats	831
Michael James Shaw	Conservative Party	460
Peter Noel Gregson	UK Independence Party	416
Gordon Ferguson	UK Independence Party	413
David Andrew McIntosh	Green Party	342
Sinclair Thomas	Conservative Party	333
	Spoilt Ballot Papers	15
	Total Votes	6,210
	Ballot Paper Verification Figure	3,105
	Electorate	10,495
	% Turnout	29.59%

2 Councillors were elected following the resignation of Bill Welsh in March 2019

PARK WARD

John Sayers	Labour Party	1,300
John Gerrard Short		666
Kenneth Hughes	Conservative Party	413
Roy Greason	Green Party	270
Shehnaz Somjee	Liberal Democrats	169
	Spoilt Ballot Papers	33
	Total Votes	2,851
	Electorate	9,808
	% Turnout	29.07%

RAVENMEOLS WARD

Maria Bennett	Formby Residents Action Group	1,341
Catie Page	Labour Party	1,324
Siobhan Mulrooney	Conservative Party	402
Stephen Hennessy	UK Independence Party	181
Michael Walsh	Green Party	175
Mark Senior	Liberal Democrats	144
	Spoilt Ballot Papers	10
	Total Votes	3,577
	Electorate	9,622
	% Turnout	37.18%

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ST OSWALD WARD

Paula Spencer	Labour Party	1,351
Shaun William Smyth	Green Party	147
Helen Angela Rankin	Conservative Party	143
Paul Young	Liberal Democrats	93
Kim Bryan	Socialist Labour Party	79
	Spoilt Ballot Papers	22
	Total Votes	1,835
	Electorate	8,453
	% Turnout	21.71%

SUDELL WARD

Patrick Anthony McKinley	Labour Party	1,393
Michael O'Hanlon		653
Thomas Hughes	Conservative Party	347
Stuart David Mason	Liberal Democrats	216
Denis Malkin	UK Independence Party	200
Carla Fox	Green Party	150
	Spoilt Ballot Papers	13
	Total Votes	2,972
	Electorate	10,194
	% Turnout	29.15%

VICTORIA WARD

Leslie Thomas Byrom	Labour Party	1,675
Hannah Jane Gee	Liberal Democrats	1,003
Andrew Roy Donegan	Green Party	427
Paul Martyn Barber	Conservative Party	351
	Spoilt Ballot Papers	45
	Total Votes	3,501
	Electorate	10,846
	% Turnout	32.28%

Margaret Carney
Returning Officer

Report to:	Council	Date of Meeting:	Thursday 16 May 2019
Subject:	Proper Officer Functions		
Report of:	Head of Corporate Resources	Wards Affected:	(All Wards);
Portfolio:	Regulation, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To report a proposal that the statutory duties in relation to Electoral Administration and of the Returning Officer in relation to Parliamentary, Local, Parish, European Elections and Referenda be attached to the post of the Chief Executive, Dwayne Johnson with effect from 1 June 2019.

Recommendation:

That the Council be recommended to approve the proposal that the Electoral Registration Officer Functions for the registration of Parliamentary and Local Government Electors and Returning Officer Functions for Parliamentary, Local, Parish, European Elections and Referenda under all relevant legislation, be attached to the post of the Chief Executive, Dwayne Johnson and the current post holder be appointed to act as the Proper Officer for all related functions and relevant legislation with effect from 1 June 2019.

Reasons for the Recommendation(s):

It is a Statutory requirement for the Council to have an Officer appointed as the Returning Officer for the Borough in order that any Election or Referenda is legal.

The Council has recently appointed Dwayne Johnson to the post of Chief Executive.

Alternative Options Considered and Rejected: (including any Risk Implications)

There are no alternative options.

What will it cost and how will it be financed?

(A) Revenue Costs

The position of Returning Officer is remunerated. The fees for Parliamentary, European Elections and Referenda are set by the relevant legislation at the time, and the fee in terms of the local elections is set in accordance with a fees and charges order approved by the Council. Fees paid to the Returning Officer for local elections are met from the

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revenue budget which exists for elections, and fees for other elections are reimbursed by the relevant government body.

(B) Capital Costs

Not applicable

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): Details of financial implications are given in the section above.
Legal Implications: The appointment as proper officer under the Representation of the People Act 1983 and European Parliamentary Act 2002 requires the approval of Full Council under the Council's Constitution. The Council must have a Monitoring Officer and Proper Officer.
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: It is a Statutory requirement for the Council to have an Officer appointed as the Returning Officer for the Borough in order that any Election or Referenda is legal. Ensuring that any Election is carried out legally protects the Community at large.
Facilitate confident and resilient communities: N/A
Commission, broker and provide core services: N/A
Place – leadership and influencer: N/A
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener: N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5620/19.) and the Chief Legal and Democratic Officer (LD.4744/19) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

None

Implementation Date for the Decision

From 1 June 2019.

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Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

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1. Introduction/Background

There are a number of statutory officers involved in the delivery of electoral services.

In England, every district council is required to appoint “an officer of the council to be The Electoral Registration Officer for any constituency or part of a constituency situated in the local authority area (Section 8(2), Representation of the People Act 1983)

Every district council in England shall appoint an officer of the council to be the Returning Officer for the elections of councillors of the district and for the election of any parish councillors in its area (Section 35(1), Representation of the People Act 1983 and Section 35(2), Representation of the People Act 1983).

Once appointed, the Returning Officer will have a number of subtly different designations dependent upon the type of election as follows:

UK Parliamentary Election **Acting Returning Officer**

- Section 28(1), Representation of the People Act 1983

Police and Crime Commissioner Election **Local Returning Officer**

- Section 54(5), Police Reform and Social Responsibility Act 2011

Combined Authority Mayoral Election **Local Returning Officer**

- Article 5, Combined Authorities (Mayoral Elections) Order 2017

European Parliamentary Election **Local Returning Officer**

- Section 6(5A) European Parliamentary Elections Act 2002

The Returning Officer for district council elections is also responsible as Counting Officer for the administration of any referendum required under the Local Government Act 2000 (as amended) relating to the executive governance of the authority (Regulation 9, Local Authorities (Conduct of Referendums) (England) Regulations 2012)

The Returning Officer for district council or London borough elections is responsible as Counting Officer for the administration of any referendum required under the Town and Country Planning Act 1990 (as amended) relating to neighbourhood planning (Regulation 9, Neighbourhood Planning (Referendums) Regulations 2012)