

COUNCIL

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON 19 SEPTEMBER 2019**

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

Councillors Atkinson, Bennett, Blackburne, Bradshaw, Brennan, Brodie - Browne, Brough, Byrom, Carr, Carragher, Cluskey, Dawson, Dodd, Dowd, Doyle, Dutton, Evans, Fairclough, Grace, Halsall, Hardy, Howard, Irving, Jones, Keith, John Kelly, John Joseph Kelly, Killen, Lewis, Marshall, McCann, McKinley, Moncur, Murphy, Brenda O'Brien, Michael O'Brien, O'Hanlon, Pugh, Pullin, Roche, Roscoe, Sathiy, John Sayers, Yvonne Sayers, Shaw, Thomas, Anne Thompson, Lynne Thompson, Tweed, Veidman, Waterfield and Sir Ron Watson

39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cummins, Friel, Gannon, Hands, Lappin, McGinnity, Maher, Morris, Myers, Pitt, Spencer and Webster.

40. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

41. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Council Meetings held on 18 July 2019 be approved as a correct record.

42. MAYOR'S COMMUNICATIONS

Visit to Gdansk

The Mayor reported on her recent visit to Gdansk with the Chief Executive and a delegation from Y-Kids from 31st Aug-2nd September. The visit was based around the commemorations of the start of World War 2 at Gdansk.

Southport Flower Show

The Mayor reported on her recent engagement to the Southport Flower Show, she highlighted that the event was extremely well attended and it was her pleasure to meet the organisers of this great event for Sefton.

Mayors Charity Nights

The Mayor gave Members advance notification that she had organised two Charity Nights, the first being a Motown Night on Friday 15 November at the Venue, Maghull Town Hall and the second a Burns Night on 25 January 2020 in Bootle Town Hall. The Mayor requested that Members who would like to purchase tickets should contact either herself or Shaun Pimblett the Civic and Mayoral Officer.

43. MATTERS RAISED BY THE PUBLIC

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

44. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

1. Question submitted by Councillor Irving to the Cabinet Member for Health and Wellbeing (Councillor Moncur)
2. Question submitted by Councillor Roscoe to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
3. Question submitted by Councillor Watson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
4. Question submitted by Councillor Watson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
5. Question submitted by Councillor Watson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
6. Question submitted by Councillor Watson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
7. Question submitted by Councillor Watson to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)
8. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
9. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)

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10. Question submitted by Councillor Watson to the to the Leader of the Council (Councillor Maher)
11. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
12. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
13. Question submitted by Councillor Watson to the to the Leader of the Council (Councillor Maher)
14. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
15. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
16. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
17. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
18. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
19. Question submitted by Councillor Watson to the Leader of the Council (Councillor Maher)
20. Question submitted by Councillor Brough to the Cabinet Member for Health and Wellbeing (Councillor Moncur)
21. Question submitted by Councillor Watson to the Cabinet Member for Communities and Housing (Councillor Hardy)
22. Question submitted by Councillor Dawson to the Cabinet Member for Regulatory, Compliance and Corporate Services (Councillor Lappin)
23. Question submitted by Councillor Dawson to the Cabinet Member for Adult Social Care (Councillor Cummins)
24. Question submitted by Councillor Dawson to the Leader of the Council (Councillor Maher)
25. Question submitted by Councillor Dawson to the Leader of the Council (Councillor Maher)

together with the responses given. Supplementary questions to questions 1, 2, 3, 4, 5, 6, 7, 20 and 21 were responded to by the Cabinet Members for Regeneration and Skills, Health and Wellbeing and Communities and Housing.

45. REVENUE AND CAPITAL BUDGET UPDATE - TREASURY MANAGEMENT OUTTURN 2018/19

The Council considered the report of the Head of Corporate Resources that detailed the treasury management activities undertaken to 31 March 2019. The report indicated that the Cabinet and Audit and Governance Committee had also considered the report.

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

RESOLVED:

That the Revenue and Capital Update, Treasury Management Outturn 2018/19 be noted.

46. REVENUE AND CAPITAL BUDGET UPDATE 2019/20 - REVISED CAPITAL ALLOCATIONS

The Council considered the report of the Head of Corporate Resources that detailed additional and revised capital allocations to the 2019/20 Capital Programme, as set out in the report.

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

RESOLVED: That:

- (1) the additional and revised transport allocations as set out in paragraph 2.1 to the report, be approved;
- (2) the additional Better Care Fund (BCF) grant allocation, as set out in paragraph 3.1 to the report, be approved;
- (3) the additional Special Educational Needs and Disabilities (SEND) allocations, as set out in paragraph 4.3 to the report, be approved;
and
- (4) the Town Centre Commission Fund grant, once final approval of grant had been confirmed by Liverpool City Region Combined Authority, be included in the capital programme, as set out in paragraph 4.3 to the report, be approved;

**47. LOCAL GOVERNMENT ACT 1972 – SECTION 85 -
ATTENDANCE AT MEETINGS**

The Council considered the report of the Head of Corporate Resources which requested the Council to approve and authorise the absence of Councillor Paula Spencer from attendance at Council and Committee Meetings pursuant to Section 85 of the Local Government Act 1972.

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

RESOLVED: That:

- (1) the current absence from all Council and Committee Meetings of Councillor Paula Spencer due to ill-health be authorised and approved for the period until the scheduled meeting of the Council to take place on 27 February 2020, pursuant to Section 85 of the Local Government Act 1972; and
- (2) the Council sends its best wishes to Councillor Spencer for a speedy recovery.

48. MEMBERSHIP OF COMMITTEES 2019/20

The Labour Group requested that Councillor Spencer be replaced with Councillor Cluskey on the Overview and Scrutiny Committee (Children's Services and Safeguarding).

RESOLVED:

That the change to the membership of the Overview and Scrutiny Committee (Children's Services and Safeguarding) as set out above be approved.

**49. MATTERS DEALT WITH IN ACCORDANCE WITH RULE 29
(SPECIAL URGENCY) AND RULE 46 (WAIVING CALL-IN) OF
THE ACCESS TO INFORMATION PROCEDURE RULES OF THE
CONSTITUTION**

The Council considered the report of the Leader of the Council setting out the details of an urgent matter dealt with in accordance with Rule 29 and Rule 46 of the Access to Information Procedure Rules of the Council Constitution.

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

RESOLVED:

That the report be noted.

50. MOTION SUBMITTED BY COUNCILLOR PUGH - BREXIT

It was moved by Councillor Pugh, seconded by Councillor Lewis:

Brexit

Given:

(a)	the proroguing of parliament and the reduction in parliamentary time available for the scrutiny of government plans for exiting the European Union; and
(b)	the service concerns and uncertainties illustrated in Council reports and in the reports of partner organisations

This Council agrees to issue an urgent invitation to Mr Damien Moore, Southport MP and PPS to Michael Gove to a stakeholder meeting prior to the exit date to clarify the implications for the wider community and answer questions submitted on the specifics of government policy.

Following debate, on a show of hands, the Mayor declared that the **Motion was lost** by 43 votes to 11.

51. MOTION SUBMITTED BY COUNCILLOR HALSALL - NJC PAY TO COUNCIL

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

NJC PAY TO COUNCIL STAFF

A fully funded, proper pay rise for council and school workers.

This council notes:

- Since 2010 councils across the country have endured central government funding cuts of an average of 50%.
- Between 2010 and 2020, councils will have lost 60p out of every £1 they receive from central government.
- The 2019 Local Government Association (LGA) survey of council finances found that 1 in 3 councils fear they will run out of funding to provide even their statutory, legal duties by 2022/23. This number rises to almost two thirds of councils by 2024/2025 or later.
- The LGA estimates councils will face a funding gap of £8 billion by 2025.
- Faced with these cuts from central government, the local government workforce has endured years of pay restraint with the majority of pay points losing 22 per cent of their value since 2009/10.

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- At the same time as seeing their pay reduce in real terms, workers experience ever increasing workloads and persistent job insecurity. Across the UK, an estimated 876,000 jobs have been lost in local government since June 2010 - a reduction of 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector.
- There has been a disproportionate impact on women, with women making up more than three quarters of the local government workforce.

This council believes:

- Our workers are public service heroes. They keep our communities clean, care for those in need, and keep our towns and cities running.
- Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.
- Government funding has been cut to the extent that a proper pay rise could result in a reduction in local government services.
- The Government needs to take responsibility and fully fund increases in pay; it should not put the burden on local authorities whose funding has been cut to the bone.

This council resolves to:

- Support the pay claim submitted by Unite, GMB and UNISON on behalf of council and school workers for a £10 per hour minimum wage and a 10% uplift across all other pay points in 2020/21.
- Call on the Local Government Association to make urgent representations to central government to fund the National Joint Council (NJC) pay claim.
- Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government.
- Meet with local NJC union representatives to convey support for the pay claim.
- Ensure that all Sefton employees are provided with details of how to join a trade union as part of the induction process and that existing employees are reminded of the option, opportunity and benefits that being a member of a trade union can bring.

Following debate, on a show of hands, the Mayor declared that the **Motion was carried** by 39 votes to 4 with 11 abstentions and it was

RESOLVED: That:

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- The LGA estimates councils will face a funding gap of £8 billion by 2025.
- Faced with these cuts from central government, the local government workforce has endured years of pay restraint with the majority of pay points losing 22 per cent of their value since 2009/10.
- At the same time as seeing their pay reduce in real terms, workers experience ever increasing workloads and persistent job insecurity. Across the UK, an estimated 876,000 jobs have been lost in local government since June 2010 - a reduction of 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector.
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- Meet with local NJC union representatives to convey support for the pay claim.
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**52. MOTION SUBMITTED BY COUNCILLOR BYROM -
MERSEYSIDE FIRE AND RESCUE AUTHORITY**

It was moved by Councillor Byrom, seconded by Councillor Grace and following the debate it was unanimously

RESOLVED:

Merseyside Fire and Rescue Authority

This Council: -

1. Recognises and applauds Merseyside Fire and Rescue Authority (MFRA) following its very strong performance in the recent Inspection carried out by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS).

The Inspectorate assesses Merseyside Fire and Rescue Authority as GOOD when considering: -

- How effective they are in keeping people safe from fire and other risks
- How efficient they are in keeping people safe from fire and other risks
- How well they look after their people

but notably, OUTSTANDING in the areas of preventing fires and national resilience - the only Service in the Country to receive 2 Outstanding assessments for its work.

2. Notes that this is the highest 'performance' in the Country, from the first two rounds of inspection.
3. Congratulates the Chief Fire Officer for his leadership and his team for their hard work and tenacity, notably the Fire Fighters; Fire Prevention teams; Protection Officers; Support Services and the representative bodies, who along with the members of the MFRA have achieved this recognition.
4. Agrees that the political decision to support a model which only utilises professional full time firefighters; to partner with the Home Office as lead authority for national resilience; to maintain a 10 minute response standard (5 min 40 sec average attendance time);

to resource to demand; to increase the number of Fire Engines; to improve the diversity of the workforce; to invest in up to date fit for purpose Community Fire and Rescue Stations; whilst giving home fire prevention very high priority; has contributed to the result and findings of the inspectorate.

5. Believes that the results would have been even better if the Government had maintained the proper level of funding for MFRA, who have suffered some of the largest cuts to Government grant in the country, but have tenaciously hung on to full time firefighters whilst maintaining an emphasis on community fire prevention, in order to help keep Merseyside safe.

53. MOTION SUBMITTED BY COUNCILLOR CARRAGHER - DOG POOP - A PUBLIC HAZARD

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

RESOLVED:

Dog Poop - A Public Health Hazard

This Council notes:

1. Dog poop is a problem we deal with on a daily basis. But is it dangerous?
2. Pet waste is a dangerous pollutant in the same category as toxic chemicals and oil.
3. Unscooped poop is carried by overland water flow or is washed into drains, ending up in faraway streams, rivers and ground water.
4. Pet waste can spread parasites including hookworms, ringworms, tapeworms and Salmonella. When infected dog poop comes into contact with your lawn, the poop will eventually "disappear", but the parasite eggs can linger for years! When a human or animal comes into contact with that soil through everyday activities like walking barefoot, gardening or playing, they risk infection from those eggs ... even years after the poop is gone.
5. Pet waste is teeming with E. Coli and other harmful bacteria including faecal coliform bacteria, which causes serious kidney disorders, intestinal illness, cramps and diarrhoea in humans. (There are 23 million faecal coliform bacteria in a single gram of pet waste!)
6. Dog poop often contains roundworm larvae, which cause blindness. If a human ingests a roundworm larva, it can migrate through the body causing disease to the brain, lungs, kidneys, liver, heart or eyes. So, when people (especially children and or pregnant women) touch soil, dog toys or anything that has been in contact with dog faeces and then touch their mouths, they can become infected.

The Council Believes: -

1. Dog poop on our streets is a constant complaint that we receive from residents.
2. As a Council we are actively promoting the correct disposal of pet poop by the installation of bins in parks, public space protection orders and dog wardens.
3. The majority of Sefton dog owners are responsible owners and dispose of their doggy deposits in the correct manner.
4. However, the owners who do not clean up after their pooches may not be aware of the dangers they are creating for our children, pregnant women and vulnerable citizens.

I call upon this Council to support this motion and resolve that we:

1. Engage with schools, colleges, GP surgeries, pharmacies, community groups and voluntary organisations to create an educational programme of the dangers of undisposed of pet poop.
2. Work with Public Health to create a public campaign throughout Sefton to stamp out this behaviour.
3. Highlight the environmental damage, dog poop and also doggy wipes cause our community.
4. Finally, given the dangers this causes to humans, the courts should impose the maximum fines at all times.

Dog poop doesn't just "wash away" or disappear.
So, if you're not disposing of your dog's waste, you're putting
yourself, your family,
your dog, your community, your environment and your water supply
at risk.

NO EXCUSE, CLEAN UP THE POOP!

**54. MOTION SUBMITTED BY COUNCILLOR BROUGH -
QUESTIONS ON NOTICE AT FULL COUNCIL**

It was moved by Councillor Brough, seconded by Councillor Sir Ron Watson CBE:

Questions on Notice at Full Council

That the Council's Constitution be amended so that if a Member of the Council asks a question(s) at Full Council to a Member of the Executive and that Member is unable to attend the Council Meeting, the Leader or Deputy Leader of the Council should reply on their behalf.

Following debate, on a show of hands, the Mayor declared that the **Motion was lost** by 33 votes to 19.

**55. MOTION SUBMITTED BY COUNCILLOR SIR RON WATSON
CBE - DEMOCRATIC CHANGES TO COUNCIL PROCEDURES
AND CONSTITUTION**

It was moved by Councillor Sir Ron Watson CBE, seconded by Councillor Brough:

Democratic Changes to Council Procedures and Constitution

Council Procedures Public Involvement

Many Members of the Council are becoming increasingly concerned at what they consider to be a Democratic Deficit in the workings of the Council and believe that now is the appropriate time to bring forward suggestions as to how this can be addressed.

The Council Meetings

There is a significant gap between Council Meetings where this year there was a Full Council Meeting on 25 April with the Council not meeting again until 18 July.

There was an Adjourned Council Meeting reconvened for 16 May to agree the administration for the year but no questions or no Notice of Motion was allowed.

The latter two issues should be incorporated in the future into this meeting and recommendations brought forward as to how such a long gap can be avoided in the future.

Questions at the Full Council Meetings

Sefton should now adopt the policy that applies in many Councils whereby Councillors can ask questions of the Leader and Cabinet Members without notice at Full Council Meetings.

The period for this section should not exceed 30 minutes.

The Cabinet System

The experience of Members indicates that these meetings are very perfunctory and on average last between 5 and 10 minutes.

Members of the Council have confirmed however that Cabinet Members meet in private for up to 3 hours and take the decisions at this time.

A system that allows 10 minutes for Elected Members, the public and the press and media to attend when set against 3 hours for the same agenda discussed in private is clearly not Democratic.

The Membership of the Cabinet should include on an Ex Officio basis the Leaders of any Political Party with a Membership of more than 5 Councillors and they should be entitled to all the papers.

These Ex Officio Members would have the right to speak at the Cabinet but would not have a vote.

Overview and Scrutiny Committees

The policy of the current administration only to allow Members of their Party to act as Chair is clearly against the spirit of the O and S function.

Sefton should therefore follow the example of many other majority-controlled Councils and ensure that to bring about an enhanced and more independent role of O and S, the Chairmanship should be allocated on a proportionate basis to Members of the other Parties.

The Overview and Scrutiny Committee Members as a matter of course should have access to 'Exempt' reports on which Cabinet Members have subsequently made a decision.

Elected Member Database

Sefton has many Members with a wide range of experience in all areas. Councils should maintain a database of this valuable experience and use it as one of the criteria when appointing Members to Non-Political Outside Bodies who ask for the Council to be represented on their Boards and Committees.

Commercial Confidentiality

There remains very great concern over many aspects of certain decisions that are taken in secret using the above as the reason.

The Council should seek Legal advice to set up a Special Body based on the criteria adopted on a National Basis by the Privy Council in order that all Leading Members from all Parties are aware of the background to any decision made.

This should stress that the information given is to be held confidential and some consideration as to sanctions for those who deliberately break this criteria should be involved.

Training

The complex nature of some of the commercial transactions being entered into does mean that there is a need for training of Elected Members in an area that they will not be particularly familiar with and there are currently few Member who have a financial background that would enable them to claim to be in a position to make valued judgements on financial commitments that may be controversial.

As a consequence, the Council will embark upon a Structed Training Programme starting with Cabinet to enhance their knowledge in this critical area.

Press and Media

There should be no public announcements on policy issues taken in advance of Elected Members being informed except in most extreme cases.

The Council now acknowledges that issuing press statements when Elected Members are subsequently asked to comment by the Press/Media but on which they have no knowledge is counter-productive.

Public Involvement and Consultation

The decision by the Council to introduce 'Community Chats' has clearly proved not to be a success.

The Council should, therefore, have the maturity to admit that a serious mistake was made in abolishing the Southport Area Committee which provided a well understood Forum enabling the public to raise matters both individually and collectively, receive updates from other bodies such as the Police, benefit from presentations by other organisations and be able to see directly the Decision-Making Process involving Councillors at the Meeting.

Southport Town Council

The decision not to allow a very preliminary start on a Consultation process to ascertain whether or not there was a public support for the formation in due course of a Town Council has not been well received. The Leader of the Council has conceded that Parish and Town Councils work well throughout the rest of Sefton but will offer no explanation as to why he has had his Members vote against what is no more than a preliminary investigation with no commitment.

The decision needs to be reversed and Sefton should now prepare the appropriate administrative process to start the consultation process with the public.

In accordance with Rule 79 of Chapter 4 (The Full Council) of the Constitution a Procedural Motion was moved by Councillor Pugh, seconded by Councillor Lewis:

"That the Motion be referred to the Audit and Governance Committee for it to consider the points raised in the Motion".

Following debate, on a show of hands, the Mayor declared the **Procedural Motion was lost** by 35 votes to 17.

Thereafter, on a show of hands, the Mayor declared the **Motion was lost** by 34 votes to 5 with 10 abstentions.