

COUNCIL

**MEETING HELD AT THE GOLDEN MILLER SUITE, AINTREE
RACECOURSE
ON 20 JANUARY 2022**

PRESENT: The Mayor, Councillor Carragher (in the Chair)
Councillors Atkinson, Bradshaw, Brough, Cummins,
Dowd, Doyle, Dutton, Evans, Fairclough, Grace,
Hardy, Howard, Irving, Lappin, Ian Maher, Moncur,
Myers, Prendergast, Pugh, Robinson, Roscoe,
John Sayers, Shaw and Veidman

79. WELCOME

The Mayor welcomed Members, Officers and Members of the Public to the Council Meeting at Aintree Racecourse.

The Mayor advised that following discussions with the Director of Public Health it was considered that the current scale of Covid-19 infection in Sefton justified the need to meet in a larger, easier to distance venue such as Aintree Racecourse.

Many Councillors had also expressed concern about their own personal safety and this had contributed to the decision to hold the meeting at Aintree Racecourse. The Mayor stated that the Director of Public Health had advised her that:

- There still remained a high rate of infection in Sefton at circa 1,000/100,000 and over 2500 still contracting Covid in the last 7 days
- There were approximately 250 Council and School staff absent from work because they had Covid. This dramatic increase in rates had been driven by the spread of the highly infectious Omicron variant; and that Omicron was now the dominant strain of Covid-19
- Thankfully our vaccines were protecting us from severe Covid-19 disease. However, even vaccinated individuals could catch and transmit Covid-19; and the scale of infections meant that we were still sadly seeing admissions to hospital.

The Mayor continued that she appreciated that there had been some criticism about meetings being held at Aintree, but again the Council would be utilising Government funding for Covid-19 to pay for the room hire. On balance it was believed that we were protecting Councillors, staff and supporting the NHS and our communities by limiting the risks of spreading Covid-19 and she hoped that this decision was understood.

The Mayor indicated that in the usual way she would be obliged if Members would observe social distancing measures and should any Member or officer need to move away from their designated area she

kindly requested that a face covering was worn; and that if a Member wished to speak could they please indicate in the normal way and a member of staff would bring a microphone to them.

Finally, the Mayor advised that hand sanitizers were provided for use by attendees; and that she hoped that all attendees had taken a lateral flow test prior to their attendance at the Council Meeting and which had produced a negative result.

80. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bennett, Blackburne, Brodie-Browne, Burns, Byrom, Carlin, Carr, Cluskey, Corcoran, D'Albuquerque, Dodd, Friel, Halsall, Hansen, Jones, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lewis, Christine Maher, McGinnity, McKinley, Morris, Murphy, O'Brien, Page, Riley, Roche, Sathiy, Yvonne Sayers, Spencer, Thomas, Anne Thompson, Lynne Thompson, Tweed, Waterfield, Sir Ron Watson, Webster and Wilson.

The above Members had submitted their apologies for absence to reduce the number of Members at the Council meeting for safety reasons associated with the recent local increase in Covid-19 cases. A significantly reduced number of Council Members were therefore present at the meeting whilst maintaining political proportionality and quoracy rules.

81. DECLARATIONS OF INTEREST

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

82. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Council meeting held on 18 November 2021 be approved as a correct record.

83. MAYOR'S COMMUNICATIONS

Mayor of Sefton's Gala Charity Ball 2022

The Mayor reported that as Members may have seen on arrival this evening, tickets were now available from her office for her Charity Ball to be held on Saturday 26 March at the Bliss Hotel, Southport. The Mayor indicated that her charities this year were the Plaza Cinema, Sefton Children's Trust and Home Start (Southport & Formby); that she was sure Members could all agree they were worthwhile causes to their communities; and that Members could all help the charities by attending her Ball. The Mayor concluded that there would be some fantastic entertainment, along with a raffle, auction and tombola; and that tickets

cost £50.00 and could be obtained by emailing her my office at mayorsoffice@sefton.gov.uk to purchase them.

Mayor of Sefton's Christmas Toy Appeal

The Mayor indicated that once again, the Christmas Toy Appeal was a huge success; that the generosity of Sefton residents never ceased to amaze her; and that this year an unprecedented amount of gifts and toys had been donated. The Mayor concluded by taking the opportunity to thank everyone who donated to the appeal to make sure that no Sefton child went without a gift at Christmas. The Mayor paid special thanks to Tracy McKeating, Team Manager Locality South, for her hard work, dedication and organisational skills to ensure that the Christmas Toy Appeal was a success.

Mayor's Lottery

The Mayor reported that at each Council meeting she took the opportunity to remind members to sign up for the Mayor's Lottery; that the Lottery cost £2 per month to enter and would be deducted directly from Members' allowances; and that half of the proceeds from the lottery would go to her Charity Fund.

Altcar Training Camp

The Mayor reported that she attended a passing out parade at the Altcar Training Camp, Hightown on 27 November 2021.

Golf Event

The Mayor thanked Councillor Paul Tweed and Councillor Brough for organising the Mayor's Challenge Golf Tournament at Royal Birkdale Golf Club on 9 December 2021. The event was a great success and raised £550 for the Mayor's Charity Fund.

Holocaust Memorial Service

The Mayor reported that 27 January 2022 marks the annual Holocaust Memorial Day; the international day to remember the millions of people murdered during the Holocaust and in genocides that followed. The Mayor advised that a Holocaust Memorial service would be held at Christ Church, Lord Street Southport on Sunday, 30 January 2022 commencing at 1.30 p.m. and urged Councillors and members of the public to attend the event.

84. MATTERS RAISED BY THE PUBLIC

The Mayor reported that a public petition had been received containing 752 signatures in relation to Stop the 5G Rollout in Sefton. The terms of the petition stated:

“We the undersigned petition the council to Protect people's health by halting the installation of 5G antennas throughout the borough of Sefton

In a press release on 9 September 2021, the government announced that £4 million of public funds will be used to help mobile phone companies work together with local councils to use “curbside infrastructure”, such as lampposts and bus shelters, for 5G network equipment.

If Sefton Council takes part in this project, there will soon be 5G wireless antennas on lampposts throughout Sefton, beaming unprecedented levels of hazardous electromagnetic radiation (EMR) into our homes, workplaces and schools.

Shockingly, the industry has not produced a single study to show that 5G technology is safe. No risk assessment has been carried out on its effects on humans, wildlife or the environment. On the other hand, evidence from thousands of peer-reviewed studies already points to possible harms from existing sources of radiation, such as WiFi, 3G and 4G. Experts warn that the addition of 5G to the mix could have very serious and damaging consequences for human health.

EMR was classified as a possible human carcinogen in 2011 by the World Health Organisation International Agency for Research on Cancer. Since then, evidence of increased cancer risks has been strengthened by further human and animal studies.

Cancer rates have skyrocketed in recent years. The vast majority of people in Sefton, and indeed across the UK, will have an affected family member or friend...or will be a cancer sufferer or survivor themselves. Who knows to what extent existing radiation is driving the increase? Who knows how many more people could develop cancer as a result of 5G?

Other proven effects of EMR include damage to the reproductive system, learning and memory deficits, and neurological disorders.

Children are at greater risk of harm from EMR, because their brain tissues are more absorbent, their skulls are thinner, and they are physically smaller. Why then are 5G masts being erected near schools across the UK, including Sefton?

The 5G rollout is being challenged on the grounds of safety by scientists and lawyers across the world, including a legal team headed by Michael Mansfield QC here in the UK. In August 2021 in the USA, Robert F. Kennedy Jnr's Children's Health Defense and the Environmental Health Trust successfully sued the Federal Communications Commission for failing to ensure that its guidelines adequately protect against harmful effects of exposure to EMR.

Is a faster internet connection worth the potential serious harm that 5G could cause to people's health? Have any of us ever been asked whether we think the risks are worth taking?

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As residents of Sefton, we demand an immediate halt to the 5G rollout across Sefton, to allow for thorough and comprehensive health and safety investigations and risk assessments to be carried out.

References:

Government press release (09/09/2021): 'Street lamps and bus shelters to help boost 5G roll out in £4 million trial'

<https://www.gov.uk/government/news/street-lamps-and-bus-shelters-to-help-boost-5g-roll-out-in-4-million-trial>

World Health Organisation International Agency for Research on Cancer (2011): 'IARC classifies radiofrequency electromagnetic fields as possibly carcinogenic to humans', Press Release No 208

https://www.iarc.who.int/wp-content/uploads/2018/07/pr208_E.pdf

Lloyd Morgan, L et al (2014): 'Why children absorb more microwave radiation than adults: The consequences', Journal of Microscopy and Ultrastructure

<https://www.sciencedirect.com/science/article/pii/S2213879X14000583>

Legal case challenging the UK Government over its failure to take notice of the health risks and public concerns relating to 5G.

<https://actionagainst5g.org/>

Legal case against 5G in USA: Environmental Health Trust, et al, Petitioners, v Federal Communications Commission and United States of America, Respondents

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)."

In accordance with the Council's Constitution, the Lead Petitioner was advised of her right to make representations to the Council, not lasting more than 5 minutes. Ms. Allman addressed the Council for 5 minutes.

The Cabinet Member for Planning and Building Control, Councillor Veidman responded to the petition and made the following points:

Planning Services took the lead on telecoms proposals in terms of regulation, which was essentially making decisions on the acceptability of proposed schemes that required formal planning approval. However, most telecoms proposals either fell within the remit of "permitted development" and did not require planning approval, or presented very limited opportunity to prevent prior approval schemes, which must be assessed in very tight timescales. For this reason, they were delegated to the Chief Planning Officer.

Regarding health concerns and the planning process health concerns with new electronic communication systems was not new, and whilst there was a view from some parts of the community that felt they presented a danger to health, the Government had maintained a consistent line on such matters, which was that the International Commission Guidelines on non-

ionising radiation protection did not support the view that such equipment was a danger to health.

In respect of Planning Policy, planning decisions must be based on planning policy, and the documents the Council used in this respect were the Local Plan (2017) and the National Planning Policy Framework (NPPF). The latter is most recent of the two, with the last update in 2021, and its content were a significant material consideration in the planning process. Telecom masts/equipment etc were addressed in Section 10 “Supporting High Quality Communication” in paras 114 to 118. The key messages are:

- Councils should support next generation mobile technology (such as 5G)
- Councils should not impose a ban on new electronic communication development
- Councils must determine planning applications on planning grounds only; and
- Councils should not seek to set health safeguards different from the International Commission Guidelines for public exposure.

Members then debated the petition.

Thereafter, it was moved by Councillor Veidman, seconded by Councillor Ian Maher and

RESOLVED: That:

- (1) the Chief Planning Officer be requested to write to Government to request that they issue clearer guidance to telecoms operators and providers to ensure that they carry out adequate consultation with communities on proposals and seek to ensure that they share apparatus wherever possible, design schemes so as to make them less intrusive and avoid concentrations of equipment;
- (2) the Director of Public Health be requested to review the published information on the health effects of 5G technology and provide a report on the health risks associated with such technology; and
- (3) Ms. Joanne Allman, the lead petitioner, be thanked for submitting and presenting the petition to the Council.

85. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Mayor indicated that as she had mentioned earlier, for safety reasons associated with the recent local increase in Covid-19 cases, there was a reduced number of Members in attendance at this meeting of the Council whilst still maintaining political proportionality and quoracy rules; and stated that following consultation with Party Group leaders it had been agreed that due to the reduction in the numbers of Members present that

no questions would be submitted by Members to this meeting of the Council.

86. HIGH NEEDS FUNDING ALLOCATIONS

Further to Minute No. 75 of the meeting of the Cabinet held on 2 December 2021 the Council considered the report of the Executive Director of Children's Social Care and Education in relation to High Needs Funding Allocations. The report set out that Sefton High Needs Block - Dedicated Schools Grant (DSG) funding closed with a financial deficit of £8.2m at the end of 2020/21 and that it was estimated to overspend by more than £1.8m in 2021/22 increasing the overall deficit to more than £10m at the end of 2021/22

The report detailed that the Government had changed the financial rules regarding the treatment of any financial deficit on the HN (DSG) Block in 2020/21 making it no longer possible for the Council to offset any DSG deficit against Council Reserves and so reducing the financial risk to the Council's current Medium Term Financial Plan. The report stated that, the continued increase in demand for High Needs support and the anticipated increase to the deficit on the HN Block over the next few years was still of serious concern as there was no clarity from the Government over how future / accumulated DSG deficits would be resolved.

The report further set out that the current funding model within the council that was used to support High Needs placements had not been reviewed and placement costs had not been uplifted since 2013/14. The financial forecasts for the 5 in-house Special Schools indicated that they will all face significant financial hardship over the next three years unless the existing funding values were increased. This would lead to Special Schools having to make significant financial savings in spending commitments reducing the number of places they could provide for children with SEND which in turn would mean more reliance in expensive Out of Borough placements for children increasing the cost pressures facing the High Needs Block further.

The report set out that through the current High Needs review, a key feature was to develop a new funding model for HN placements that was transparent, right-sized Special School budgets and provided stability for in-house placements. The new funding model had been produced in order that it could address the key actions required within the review however the cost of implementing the new funding model would increase the projected High Needs Block deficit by up to £2m per annum.

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

RESOLVED: That

- (1) the current / projected High Needs Block DSG deficit position be noted;

- (2) the uplift in funding to Special Schools and other SEND Resource Bases in Sefton and the impact that this will have on the forecast deficit on the HN Block in the medium term be approved;
- (3) the Executive Director of Children's Social Care and Education be requested to submit a report to the Cabinet meeting to be held on 3 February 2022 on the future high needs funding allocation and the latest advice on funding methodology and the treatment of deficits held by Councils;
- (4) the Executive Director of Children's Social Care and Education be requested to submit quarterly reports to Cabinet and Council as required on the latest position with regards to the high needs budget and the development of further provision within the Borough; and
- (5) following engagement with the relevant Government Departments that a financial plan be developed to mitigate against the risk exposure currently faced and that this be agreed with the Councils External Auditor.

87. COUNCIL TAX REDUCTION SCHEME, COUNCIL TAX BASE 2022/23

Further to Minute No. 89 of the meeting of the Cabinet held on 6 January 2022 the Council considered the report of the Executive Director of Corporate Resources and Customer Services that provided details of the review of the local Council Tax Reduction Scheme for 2021/22 and recommending that there was no change to the scheme for 2022/23 for working age claimants; and that provided an updated Council Tax Base for Sefton Council and each Parish area for 2022/23.

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

RESOLVED: That

- (1) the contents of the review of the Council Tax Reduction Scheme for the current financial year, 2021/22 be noted;
- (2) that no changes be made to the existing Scheme for working age claimants for 2022/23; and
- (3) the relevant 2022/23 Council Tax Base for Sefton Council and each Parish Area as set out in Annex A to the report be approved.

88. SUSTAINABLE WARMTH FUNDING 2022-2023

Further to Minute No 86 of the meeting of the Cabinet held on 6 January 2022 the Council considered the report of the Executive Director of

Corporate Resources and Customer Services advising that as part of a competitive bidding process co-ordinated through the Combined Authority, Sefton Council had been awarded £3,374,297 of grant funding to retrofit 307 poorly insulated homes for low income Sefton residents; and that the funding had come from the Department of Business Energy and Industrial Strategy (BEIS) as part of the government's post Covid-19 response and supporting the UK Net Zero Carbon by 2050 target.

The report also sought approval to accept this funding to ensure that Sefton could benefit from almost £3.4 million, 100% grant funding. Spending this funding was time critical to ensure residents received the benefits and that no proportion of the funding was returned due to slippage in delivery. The programme was due to be delivered between January 2022 and 31 March 2023.

Due to the level of the grant funding, authority to accept the funding as well as secure permission to procure and award works was required from Council.

The funding was a continuation of the Green Homes Grant (GHG) Local Delivery Scheme (LAD) phase 2 but had been renamed as Sustainable Warmth.

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

RESOLVED:

That a supplementary capital estimate of £2.89m fully funded by grant funding in respect of the Sustainable Warmth initiative be approved.

89. PAY POLICY 2022 - 2023

Further to Minute No. 8 of the meeting of the Pay and Grading Committee of 12 January 2022 the Council considered the report of the Executive Director of Corporate Resources and Customer Services that recommended a Pay Policy for the Council as required by the Localism Act 2011.

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

RESOLVED: That

- (1) the proposed Pay Policy as contained un the report be approved;
- (2) that any changes to the Pay Policy required due to legislation be delegated to the Pay and Grading Committee; and
- (3) if future proposals in respect of exit pay cap legislation or special severance payments contain discretions then these be considered

by the Pay and Grading Committee to provide a recommendation for submission to Full Council.

90. CABINET MEMBER PORTFOLIOS

The Council considered the report of the Executive Director of Corporate Resources and Customer Services that detailed a review of Cabinet Member responsibilities that had been undertaken to ensure it reflected current practice within the Council and to ensure the Constitution was accurate.

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

RESOLVED:

That the revised terms of reference for Cabinet Member portfolios as detailed in the report be noted and the Constitution be amended accordingly.

91. PROGRAMME OF MEETINGS – 2022/23 MUNICIPAL YEAR

Further to Minute No. 77 of the meeting of the Cabinet held on 2 December 2021 the Council considered the report of the Chief Legal and Democratic Officer that sought approval of the Programme of Meetings for the 2022/23 Municipal Year.

It was moved by Councillor Ian 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 2022/23 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 2022/23 as set out in Annexes A and D of the report be noted.

92. MEMBERSHIP OF COMMITTEES 2021/22

Planning Committee

The Mayor stated that at the last Council meeting she reported that Councillor Pugh had resigned his seat and Membership on the Planning Committee and that no other member from the Liberal Democrat and Progressive Alliance Group wished to take his place; and that she had

further reported that at this meeting of the Council she would seek nominations from other Groups to appoint to the vacant position on the Planning Committee.

The Mayor indicated that she had been advised that Councillors Anne Thompson and Bennett had sought appointment to the Planning Committee.

In accordance with Rule 98 of Chapter 4 of the Constitution (Full Council) a vote was taken when there appeared:

For Councillor Anne Thompson	• 21
For Councillor Bennett	• 4

and it was

RESOLVED:

That Councillor Anne Thompson be appointed as a member of the Planning Committee

Consequent upon the appointment of Councillor Anne Thompson as a member of the Planning Committee the Mayor reported that she had been advised by the Labour Group Whip of the following changes to the membership of the Planning Committee

- Councillor Murphy to be the Substitute Member for Councillor Anne Thompson
- Councillor Halsall to be the Substitute Member for Councillor Corcoran

RESOLVED:

That the changes to the Planning Committee as detailed above be approved.

Overview and Scrutiny Committee (Adult Social Care and Health)

The Mayor also reported that she had been advised that Mr. Roger Hutchings had resigned as a Healthwatch representative on the Overview and Scrutiny Committee (Adult Social Care and Health); and that Healthwatch Sefton wished to nominate Diane Blair as his replacement.

RESOLVED:

That Diane Blair be appointed as the Healthwatch Sefton representative on the Overview and Scrutiny Committee (Adult Social Care and Health).