

COUNCIL

**MEETING HELD AT THE GOLDEN MILLER SUITE, AINTREE
RACECOURSE
ON THURSDAY 3RD MARCH, 2022**

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

Councillors Atkinson, Bennett, Blackburne, Bradshaw, Brodie - Browne, Brough, Byrom, Carlin, Carr, Cluskey, Corcoran, Cummins, Dodd, Dowd, Doyle, Dutton, Evans, Fairclough, Friel, Grace, Halsall, Hansen, Hardy, Howard, Irving, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Lewis, Ian Maher, Chris Maher, McKinley, Moncur, Murphy, Myers, O'Brien, Page, Prendergast, Pugh, Riley, Robinson, Roche, Roscoe, Sathiy, John Sayers, Yvonne Sayers, Shaw, Spencer, Thomas, Anne Thompson, Lynne Thompson, Tweed, Veidman, Waterfield and Webster

93. WELCOME

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

Furthermore, 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 Director of Public Health had advised that:

- There still remained a high rate of infection in Sefton at circa 400/100,000 and over 1000 still contracting Covid in the last 7 days
- There were approximately 129 Council and School staff absent from work because they had Covid
- Cases were slowly coming down, but we were not yet at a level where we could drop the protective measures that helped to prevent the spread of the virus
- Thankfully our vaccines were protecting us from severe Covid-19 disease. However, even vaccinated individuals could catch and transmit Covid-19.

The Mayor appreciated that there had been some criticism about meetings being held at Aintree, but again we 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 also 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.

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.

94. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brennan, D'Albuquerque, Jones, McGinnity, Morris and Sir Ron Watson.

95. DECLARATIONS OF INTEREST

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

96. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council meeting held on 20 January 2022 be approved as a correct record.

97. MAYOR'S COMMUNICATIONS

Death of Lord Ronnie Fearn of Southport OBE

The Mayor reported with great sadness on the loss of former Councillor and Member of Parliament for Southport Lord Ronnie Fearn OBE, who passed away on 24 January 2022; and that on behalf of the Council she had attended Lord Fearn's funeral at St Simon and St Jude with All Souls Church, Old Park Lane, on Friday 18 February 2022.

The Mayor advised that Lord Fearn had a long and distinguished local and parliamentary political career which included:

- Membership of the Southport County Borough Council, representing Craven Ward, from 1963 to 1974
- Membership of Sefton Council, representing Norward Ward, from 1974 to 2016
- Membership of Merseyside County Council, representing Craven-Sussex-Talbot Ward, from 1974 to 1984
- Member of Parliament for Southport from 1987 to 1992 and from 1997 to 2001

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- Member of the House of Lords from 2001 to 2018

and that in the 1985 Birthday Honours, Ronnie Fearn was appointed an Officer of the Order of the British Empire (OBE).

The Mayor concluded that outside of politics, Lord Fearn was involved in numerous local organisations, none more so than the All Souls Dramatic Club where he maintained a lifelong involvement in amateur dramatics.

Councillors Pugh, Brough and Maher paid tribute to Lord Fearn.

The Council then observed a one-minute silence as a mark of respect for Lord Fearn.

Merchant Taylor's Boys School Council Debate

The Mayor advised that on Friday 11 February she welcomed a group of pupils from Merchant Taylor's Boys School to take part in a mock Council Debate titled 'The House would prevent MPs from holding any other paid employment'. The pupils represented their school brilliantly and had some solid for and against arguments on the subject. The Mayor concluded that if any Members would like to take this opportunity to invite some of their local schools in their wards for similar debates that she would be more than happy to accommodate them.

St. Giles Church, Aintree

The Mayor advised that she visited St Giles Church, Aintree on Wednesday 23 February 2022 to present an award to the Church for being the first Church in Sefton to be awarded breastfeeding friendly status.

Birkdale Food Pantry

The Mayor reported that she was invited by Compassion Acts Birkdale to the Birkdale Food Pantry on Tuesday 1 March 2022, to officially open the Pantry at Birkdale Methodist Church.

Mayor of Sefton's Gala Charity Ball 2022

The Mayor indicated that as Members may have been aware on their arrival at the meeting, tickets were now available from her office for her Charity Ball that would be held on Saturday 26 March at the Bliss Hotel, Southport. The Mayor's charities this year were the Plaza Cinema, Sefton Children's Trust and Home Start (Southport & Formby). The Mayor commended the charities as worthwhile causes to their communities and indicated that Members could help the charities by attending her Ball. The Mayor advised that there would be some fantastic entertainment at the Ball, along with a raffle, auction and tombola; and that tickets were £50.00 and could be obtained by emailing her office mayorsoffice@sefton.gov.uk to purchase them. Currently 182 tickets had been sold and ideally the Mayor was hoping to reach a target of 200.

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.

Ukraine

The Mayor reported that it had now been a week since Russian forces invaded Ukraine, which had resulted in the largest conventional warfare operation in Europe since World War II; and that it had led to lives lost, families broken and displaced, and the heartbreak of a nation, indeed the world.

The Mayor advised that on 22 February 2022 she attended The Western Approaches Museum in Liverpool for the opening of the Arctic Convoys, a Shared History exhibition. The Arctic Convoys were Merchant Navy ships that were escorted by Royal Navy, Canadian Royal Navy and US Navy and Air cover that transported millions of tons of supplies and munitions from the UK to Arkhangelsk and Murmansk in the Soviet Union through the Arctic waters to aid their defence of the Eastern Front from 1941 to 1945 during the second World War. This operation saved many civilian lives from starvation, cold and Nazi attack and was a vital part of the fight against Nazi Germany. The Mayor indicated that she had spoken with 3 of the veterans who were there to open the exhibition; that they had told her of the friendship and unbreakable bond that they had with their Russian comrades; stated that they worked together with the Russia troops to ensure cargo got to the people; and that without this union WW2 may well have had a very different outcome. The Mayor concluded that their stories showed that the Russian people were our friends, that they were good people, they they were not their leader, that we must remember our history during this time, and live in the hope that the unbreakable bond and friendship that veterans spoke to her about could shine a light through this dark time.

The Council then observed a one-minute silence to reflect on the freedoms we had in our own lives and the peace that we lived in; and to offer its thoughts to the people of Ukraine in the hope for a peaceful, safe end to the conflict and for a return to normal life for them, their children and their families.

98. MATTERS RAISED BY THE PUBLIC

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

99. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

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

- (1) Councillor Sir Ron Watson to the Leader of the Council (Councillor Maher)
- (2) Councillor Sir Ron Watson to the Cabinet Member – Education (Councillor Roscoe)
- (3) Councillor Sir Ron Watson to the Cabinet Member - Communities and Housing (Councillor Hardy)
- (4) Councillor Sir Ron Watson to the Cabinet Member – Planning and Building Control (Councillor Veidman)
- (5) Councillor Sir Ron Watson to the Cabinet Member - Communities and Housing (Councillor Hardy)

together with the responses given. Due to the absence of Councillor Sir Ron Watson at the meeting no supplementary questions were raised.

100. ANNUAL REVIEW OF ASSET MANAGEMENT STRATEGY AND ASSET DISPOSAL POLICY

Further to Minute No. 104 of the meeting of the Cabinet held on 10 February 2022 the Council considered the report of the Executive Director of Corporate Resources and Customer Services advising that the Asset Management Strategy and Asset Disposal Policy set out the vision and aspirations for the effective management of the Council's corporate asset portfolio and the role it played in supporting and shaping the Council's agenda for the 2030 vision; that aside from its staff the Council's next biggest resource was its land and property and therefore, it was vital that this resource was managed and used effectively and efficiently to ensure that the Council derived maximum benefit from its assets in support of its strategic aims and priorities; that the Asset Management Strategy and Asset Disposal Policy would provide a framework for the planning, prioritisation, management and funding of the Council's asset base and that this was a statutory document that the Council was required to have in place and would be reviewed on an annual basis.

The Asset Management Strategy and Asset Disposal Policy were attached as appendices to the report.

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

RESOLVED: That the updated

- (1) Asset Management Strategy be approved; and

- (2) Asset Disposal Policy be approved.

101. PRUDENTIAL INDICATORS 2022/23

Further to Minute No. 105 of the meeting of the Cabinet held on 10 February 2022 the Council considered the report of the Executive Director of Corporate Resources and Customer Services which explained that the CIPFA Prudential Code for Capital Finance in Local Authorities was introduced following the Local Government Act 2003; and detailed measures / limits / parameters (Prudential Indicators) that were required to be set each financial year; and that the approval of these limits would provide a benchmark to measure actual performance against, to help ensure that the Council complied with relevant legislation, was acting prudently and that its capital expenditure proposals were affordable.

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

RESOLVED: That

- (1) the Prudential Indicators, as detailed in the report, be approved as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- (2) it be noted that the relevant Prudential Indicators will be revised as required and that any changes will be brought to Cabinet and then to Council for approval;
- (3) it be noted that the estimates of capital expenditure may change as grant allocations are received; and
- (4) authority be delegated to the Executive Director for Corporate Resources and Customer Services in conjunction with the Cabinet Member – Regulatory, Compliance and Corporate Services to manage the Authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report.

102. TREASURY MANAGEMENT POLICY AND STRATEGY 2022/23

Further to Minute No. 106 of the meeting of the Cabinet held on 10 February 2022 the Council considered the report of the Executive Director of Corporate Resources and Customer Services that set out the following proposed policy and strategy documents:

- a) Treasury Management Policy (Annex A);
- b) Treasury Management Strategy (Annex B); and
- c) Minimum Revenue Provision Policy Statement (Annex C)

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

RESOLVED: That

- (1) the Treasury Management Policy Document for 2022/23 be approved;
- (2) the Treasury Management Strategy Document for 2022/23 be approved; and
- (3) the Minimum Revenue Provision Policy Statement 2022/23 be approved.

103. CAPITAL STRATEGY 2022/23 TO 2026/27

Further to Minute No. 107 of the meeting of the Cabinet held on 10 February 2022 the Council considered the report of the Executive Director of Corporate Resources and Customer Services that advised that the Capital Strategy set out the long-term context in which capital expenditure, borrowing and investment decisions were made and considered the impact of these decisions on the priorities within the Council's Core Purpose and Framework for Change Programme and the promises made in the 2030 Vision for Sefton; that at the heart of the Capital Strategy was the Council's core objective to continue to deliver financial sustainability; and that as such a flexible capital investment programme was more important than ever as a method to stimulate and enable economic growth and strategic investment, ensuring best use of existing assets and of generating future income streams to pay for and deliver day to day services.

Attached as Appendix 1 to the report was the Capital Strategy 2022/23 to 2026/27

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

RESOLVED:

That the Capital Strategy 2022/23 to 2026/27 be approved.

104. ROBUSTNESS OF THE 2022/23 BUDGET ESTIMATES AND THE ADEQUACY OF RESERVES – LOCAL GOVERNMENT ACT 2003 - SECTION 25

Further to Minute No. 108 of the meeting of the Cabinet held on 10 February 2022 the Council considered the report of the Executive Director of Corporate Resources and Customer Services that advised that to comply with statute, the Chief Financial Officer was required to report to Council prior to the approval of the budget and the setting of the Council Tax, to give assurance that the budget was robust and that there were adequate reserves and balances.

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

RESOLVED: That

- (1) it be noted that the Local Government Act 2003, (section 25 as amended) requires the Chief Financial Officer to report formally the issues of an opinion as to the robustness of the estimates made and the tax setting calculations; and the adequacy of the proposed financial reserves; and
- (2) the Council be recommended to have regard to the matters raised in this report during the final stages of determining the budget for 2022/23.

105. REVENUE AND CAPITAL BUDGET PLAN 2022/23 – 2024/25 AND COUNCIL TAX 2022/23

Further to Minute No. 109 of the meeting of the Cabinet held on 10 February 2022 the Council considered the report of the Chief Executive and Executive Director of Corporate Resources and Customer Services that provided:

- An assessment of the Council's current financial position and approach to the 2022/23 Budget Plan and preparation for the additional two-year budget period 2023/24 to 2024/25.
- An update on the Government's announcement of resources that are available to the Council for 2022/23.
- The Council's current financial position and the assumptions built into the Medium-Term Financial Plan.
- The proposed Budget for 2022/23; and
- The proposed Capital Programme for 2022/23.

The report set out the financial strategy of the Council and the national and local financial context within which it is operating; indicated that the Council had a statutory requirement to remain financially sustainable and to balance its budget every year; and that the Council's Framework for Change Programme was a comprehensive and ambitious programme that sought to support the delivery of the Council's core purpose. As would be expected with a programme of this size and complexity that spanned a number of financial years, the detailed proposals had been and would continue to be the subject of change as they were developed and ultimately implemented.

The following appendices were attached to the report:

- Appendix A Individual School Budgets 2022/23
- Appendix B Draft Council Budget Summary 2022/23
- Appendix C Capital Programme 2022/23 – 2024/25

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

That in respect of:

- (A) the Budget 2022/23 and Medium-Term Financial Plan from 2023/24 to 2024/25:
- (1) the update of the Medium-Term Financial Plan for the period 2022/23 to 2024/25 be noted;
 - (2) the Revenue Budget for 2022/23 be approved and officers be authorised to undertake all of the necessary actions to implement the budget changes and proposals as detailed within the report;
 - (3) the continuation of the Framework for Change 2020 Programme (as described in Section 3 of the report) and the agreement to the commencement of all appropriate activity as detailed, including for example, consultation with employees and engagement with partners and contractual changes as the programme develops be approved;
 - (4) it be noted that officers will comply with agreed HR policies and procedures including relevant consultation with Trade Unions and that reports will be submitted to the Cabinet Member - (Regulatory, Compliance and Corporate Services) as required;
 - (5) the Schools' Forum decisions on the Dedicated Schools Grant and Individual School Budgets, as detailed in Section 11 of the report be noted;
 - (6) the allocation of specific grants as detailed in the report, including a fully funded supplementary revenue estimate of up to £3.030m for the Leeds Family Valued Programme across 2021/22 to 2023/24 (Section 12 of the report) be approved; and
 - (7) subject to the recommendations above the overall Council Tax resolution for 2022/23 including Police, Fire, Mayoral and Parish Precepts be approved;
- (B) the Capital Programme 2022/23 to 2024/25:
- (1) the full list of projects in Appendix C of the report be approved for inclusion within the Capital Programme; and
 - (2) a supplementary capital estimate of £29,378 for 2021/22, funded from earmarked reserves (Paragraph 16.2 of the report) be approved; and
- (C) the Procurement of External Audit Services approval be granted for

the Council to procure external audit services through the Public Sector Audit Appointments body for the period 2023/24 to 2027/28 (Section 17 of the report).

Councillors Pugh, Brough, Irving and Ian Maher each gave a statement expressing the views of their political groups on the content of the report and the budget proposals.

Following debate on the report, an **amendment** was moved by Councillor Brough, seconded by Councillor Prendergast:

That the budget proposals set out in the report be amended by the addition of the following words:

PARKS, OPEN SPACES AND RECREATIONAL FACILITIES

Recognising that as the pandemic comes to an end there will be an increased importance and demand for Council owned parks, open spaces and recreational facilities.

The Council allocates an additional £639,000, in 2022/23 only, to fund additional investment in Council owned parks, open spaces and recreational facilities, to be funded from the Earmarked Reserve created from additional New Homes Bonus receipts in 2022/23 (as referred to in paragraph 6.13).

In addition, it has previously been reported that elements of the scheme to introduce cycle lanes in Southport involved the removal of pay and display bays, and there would likely be a net loss of parking income as a result of the scheme. However, quantifying this was always going to be difficult as it is likely that some users will use other pay and display bays and Council car parks. It should however be noted that the bays in question generated £137,000 in income in 2019/20.

It is therefore proposed that, as soon as is feasible, the Council reintroduce pay and display car parking spaces previously impacted by the introduction of cycle lanes in Southport. Officers will analyse the net financial impact this measure would have on the Council's overall car parking receipts in 2022/23 compared to the current budget, acknowledging the volatility that has been experienced in this budget in the last two years. Any additional net income will also be reinvested in Council owned parks, open spaces and recreational facilities.

Following debate and in accordance with Rule 97 of Chapter 4 in the Constitution, the voting on the Amendment was recorded and the Members of the Council present at the time, voted as follows:

FOR THE AMENDMENT: Councillors Brodie - Browne, Brough, Dodd, Dutton, Evans, Lewis, Prendergast, Pugh, Riley, Sathiy, Shaw and Lynne Thompson.

AGAINST THE AMENDMENT: Councillors Atkinson, Bennett, Blackburne, Bradshaw, Burns, Byrom, Carlin, Carr, Cluskey, Corcoran, Cummins, Dowd, Doyle, Fairclough, Friel, Grace, Halsall, Hansen, Hardy, Howard, Irving, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Chris Maher, Ian Maher, McKinley, Moncur, Murphy, Myers, O'Brien, Page, Robinson, Roche, Roscoe, John Sayers, Yvonne Sayers, Spencer, Thomas, Anne Thompson, Tweed, Veidman, Waterfield and the Mayor.

The Mayor declared that the Amendment was lost by 12 votes to 46.

Following the vote on the amendment, a further **amendment** was moved by Councillor Pugh, seconded by Councillor Shaw:

That the budget proposals set out in the report be amended by the addition of the following words:

ROAD SAFETY MEASURES

Recognising

- (1) that there are a significant number of locations within the Borough that would benefit from new or enhanced road safety measures; and
- (2) that external funding for implementing road safety measures is not sufficient to cover all of these locations

The Council allocates an additional £200,000, in 2022/23 only, to fund additional road safety measures in locations across the Borough, to be funded from the Earmarked Reserve created from additional New Homes Bonus receipts in 2022/23 (as referred to in paragraph 6.13).

Following debate and in accordance with Rule 97 of Chapter 4 in the Constitution, the voting on the Further Amendment was recorded and the Members of the Council present at the time, voted as follows:

FOR THE FURTHER AMENDMENT: Councillors Brodie - Browne, Brough, Dodd, Dutton, Evans, Lewis, Prendergast, Pugh, Riley, Sathiy, Shaw and Lynne Thompson.

AGAINST THE FURTHER AMENDMENT: Councillors Atkinson, Bennett, Blackburne, Bradshaw, Burns, Byrom, Carlin, Cluskey, Corcoran, Cummins, Dowd, Doyle, Fairclough, Friel, Grace, Halsall, Hansen, Hardy, Howard, Irving, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Chris Maher, Ian Maher, McKinley, Moncur, Murphy, Myers, O'Brien, Page, Robinson, Roche, Roscoe, John Sayers, Yvonne Sayers, Spencer, Thomas, Anne Thompson, Tweed, Veidman, Waterfield, Webster and the Mayor.

The Mayor declared that the Further Amendment was lost by 12 votes to 46.

Following the vote on the further amendment, a Third **amendment** was moved by Councillor Pugh, seconded by Councillor Shaw:

That the budget proposals set out in the report be amended by the addition of the following words:

REPLACEMENT PLAY EQUIPMENT

Recognising

- (1) the additional investment included in the draft revenue budget for 2022/23 and future years for the replacement of play equipment across the Borough (£200,000); and
- (2) that this may not be sufficient to replace all damaged play equipment during 2022/23

The Council allocates an additional £50,000, in 2022/23 only, to fund the replacement of additional play equipment to ensure as many items of damaged equipment can be replaced in the next 12 months, to be funded from the Earmarked Reserve created from additional New Homes Bonus receipts in 2022/23 (as referred to in paragraph 6.13).

Following debate and in accordance with Rule 97 of Chapter 4 in the Constitution, the voting on the Third Amendment was recorded and the Members of the Council present at the time, voted as follows:

FOR THE THIRD AMENDMENT: Councillors Brodie - Browne, Brough, Dodd, Dutton, Evans, Lewis, Prendergast, Pugh, Riley, Sathiy, Shaw and Lynne Thompson.

AGAINST THE THIRD AMENDMENT: Councillors Atkinson, Bennett, Blackburne, Bradshaw, Burns, Byrom, Carlin, Carr, Cluskey, Corcoran, Cummins, Dowd, Doyle, Fairclough, Friel, Grace, Halsall, Hansen, Hardy, Howard, Irving, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Chris Maher, Ian Maher, McKinley, Moncur, Murphy, Myers, O'Brien, Page, Robinson, Roche, Roscoe, John Sayers, Yvonne Sayers, Spencer, Thomas, Anne Thompson, Tweed, Veidman, Waterfield, Webster and the Mayor

The Mayor declared that the Third Amendment was lost by 12 votes to 47.

Following the vote on the third amendment, a Fourth **amendment** was moved by Councillor Pugh, seconded by Councillor Lewis:

That the budget proposals set out in the report be amended by the addition of the following words:

GULLY CLEANSING

Recognising

- (1) the increasing risks of flooding caused by Climate Change; and
- (2) that in excess of 95% of the borough's gullies are only cleared once a year

The Council allocates an additional £50,000, in 2022/23 only, to fund additional gully cleansing in areas that have proved particularly susceptible to surface flooding, to be funded from the Earmarked Reserve created from additional New Homes Bonus receipts in 2022/23 (as referred to in paragraph 6.13).

Following debate and in accordance with Rule 97 of Chapter 4 in the Constitution, the voting on the Fourth Amendment was recorded and the Members of the Council present at the time, voted as follows:

FOR THE FOURTH AMENDMENT: Councillors Brodie - Browne, Brough, Dodd, Dutton, Evans, Lewis, Prendergast, Pugh, Riley, Sathiy, Shaw and Lynne Thompson.

AGAINST THE FOURTH AMENDMENT: Councillors Atkinson, Blackburne, Bradshaw, Burns, Byrom, Carlin, Carr, Cluskey, Corcoran, Cummins, Dowd, Doyle, Fairclough, Friel, Grace, Halsall, Hansen, Hardy, Howard, Irving, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Chris Maher, Ian Maher, McKinley, Moncur, Murphy, Myers, O'Brien, Page, Robinson, Roche, Roscoe, John Sayers, Yvonne Sayers, Spencer, Thomas, Anne Thompson, Tweed, Veidman, Waterfield, Webster and the Mayor

The Mayor declared that the Fourth Amendment was lost by 12 votes to 46.

Following further debate and in accordance with Rule 97 of Chapter 4 in the Constitution, the voting on the Motion was recorded and the Members of the Council present at the time, voted as follows:

FOR THE MOTION Councillors Atkinson, Blackburne, Bradshaw, Burns, Byrom, Carlin, Corcoran, Cummins, Dowd, Doyle, Fairclough, Friel, Grace, Halsall, Hansen, Hardy, Howard, John Kelly, John Joseph Kelly, Sonya Kelly, Killen, Lappin, Chris Maher, Ian Maher, McKinley, Moncur, Murphy, Myers, O'Brien, Page, Robinson, Roche, Roscoe, John Sayers, Yvonne Sayers, Spencer, Thomas, Anne Thompson, Tweed, Veidman, Waterfield, Webster and the Mayor

AGAINST THE MOTION Councillors Bennett, Brodie - Browne, Brough, Carr, Dodd, Dutton, Evans, Irving, Lewis, Prendergast, Pugh, Riley, Sathiy, Shaw and Lynne Thompson.

The Mayor declared that the Motion was carried by 43 votes to 15 and it was

RESOLVED: That

- (A) In respect of the Budget 2022/23 and Medium-Term Financial Plan from 2023/24 to 2024/25:
- (1) the update of the Medium-Term Financial Plan for the period 2022/23 to 2024/25 be noted;
 - (2) the Revenue Budget for 2022/23 be approved and officers be authorised to undertake all of the necessary actions to implement the budget changes and proposals as detailed within the report;
 - (3) the continuation of the Framework for Change 2020 Programme (as described in Section 3 of the report) and the agreement to the commencement of all appropriate activity as detailed, including for example, consultation with employees and engagement with partners and contractual changes as the programme develops be approved;
 - (4) it be noted that officers will comply with agreed HR policies and procedures including relevant consultation with Trade Unions and that reports will be submitted to the Cabinet Member - (Regulatory, Compliance and Corporate Services) as required;
 - (5) the Schools' Forum decisions on the Dedicated Schools Grant and Individual School Budgets, as detailed in Section 11 of the report be noted;
 - (6) the allocation of specific grants as detailed in the report, including a fully funded supplementary revenue estimate of up to £3.030m for the Leeds Family Valued Programme across 2021/22 to 2023/24 (Section 12 of the report) be approved;
 - (7) subject to the recommendations above the overall Council Tax resolution for 2022/23 including Police, Fire, Mayoral and Parish Precepts be approved;
 - (8) It be noted that at its meeting on 20th January 2022, the Council calculated the following amounts for the year 2022/2023 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 1992 (as amended):
 - (a) 84,170.40 Band D equivalent properties, for the whole area [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended]; and

- (b) for dwellings in those parts of its area to which a Parish precept relates as shown in the table below:

Parish	Council Tax Base (Band D Equivalent Properties)
Aintree Village	2,029.60
Formby	9,071.90
Hightown	859.30
Ince Blundell	165.90
Little Altcar	336.60
Lydiate	2,085.20
Maghull	6,798.90
Melling	1,092.00
Sefton	278.20
Thornton	777.00

- (9) the Council Tax requirement for the Council's own purposes for 2022/2023 (excluding Parish Precepts) is £148,626,409;
- (10) the following amounts be calculated by the Council for the year 2022/2023 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:

(a)	£652,948,941	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b)	-£502,941,005	Being the aggregate amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£150,007,936	Being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (item R in the formula in Section 31B of the Act).
(d)	£1,782.19	Being the amount at 3(c) above (item R), divided by the amount at 1(a) above (item T), calculated by the Council, in accordance with Section 31E of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts).
(e)	£1,381,527	Being the aggregate amount of all special items (Parish Precepts) referred to in Section 34(1) of the Act.
(f)	£1,765.78	Being the amount at 3(d) above, less the amount given by dividing the amount at 3(e) above by the amount at 1(a) above (item T), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.

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(g)	<p>The amounts below, being the amounts given by adding to the amount at 3(f) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council in accordance with Section 34(3) of the Act as basic amounts of its Council Tax for the year for dwellings in those parts of its area to which special items relate.</p>									
	<u>Parish</u>								£	
	Aintree Village								1,844.86	
	Formby								1,777.28	
	Hightown								1,794.87	
	Ince Blundell								1,781.24	
	Little Altcar								1,777.28	
	Lydiate								1,859.15	
	Maghull								1,887.99	
	Melling								1,802.09	
	Sefton								1,808.91	
	Thornton								1,776.08	
(h)	<p>The amounts below being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.</p>									
		Property Valuation Band								
	Proportion of Band D	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9	
		£	£	£	£	£	£	£	£	
	<u>Parish</u>									
	Aintree Village	1,229.91	1,434.89	1,639.88	1,844.86	2,254.83	2,664.80	3,074.77	3,689.72	
	Formby	1,184.85	1,382.33	1,579.80	1,777.28	2,172.23	2,567.18	2,962.13	3,554.56	
	Hightown	1,196.58	1,396.01	1,595.44	1,794.87	2,193.73	2,592.59	2,991.45	3,589.74	
	Ince Blundell	1,187.49	1,385.41	1,583.32	1,781.24	2,177.07	2,572.90	2,968.73	3,562.48	
	Little Altcar	1,184.85	1,382.33	1,579.80	1,777.28	2,172.23	2,567.18	2,962.13	3,554.56	
	Lydiate	1,239.43	1,446.01	1,652.58	1,859.15	2,272.29	2,685.44	3,098.58	3,718.30	
	Maghull	1,258.66	1,468.44	1,678.21	1,887.99	2,307.54	2,727.10	3,146.65	3,775.98	
	Melling	1,201.39	1,401.63	1,601.86	1,802.09	2,202.55	2,603.02	3,003.48	3,604.18	
	Sefton	1,205.94	1,406.93	1,607.92	1,808.91	2,210.89	2,612.87	3,014.85	3,617.82	
	Thornton	1,184.05	1,381.40	1,578.74	1,776.08	2,170.76	2,565.45	2,960.13	3,552.16	

COUNCIL- THURSDAY 3RD MARCH, 2022

	<u>All Other Parts of the Council's Area</u>	1,177.19	1,373.38	1,569.58	1,765.78	2,158.18	2,550.57	2,942.97	3,531.56

- (11) Note that for the year 2022/2023 the major precepting authorities have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Proportion of Band D	Property Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
<u>Precepting Authority</u>								
Merseyside Fire & Rescue Authority	55.74	65.03	74.32	83.61	102.19	120.77	139.35	167.22
Merseyside Police and Crime Commissioner	157.98	184.31	210.64	236.97	289.63	342.29	394.95	473.94
Liverpool City Region Combined Authority	12.67	14.78	16.89	19.00	23.22	27.44	31.67	38.00

- (12) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2022/2023 for each part of its area and for each of the categories of dwellings:

Proportion of Band D	Property Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
<u>Parish</u>								
Aintree Village	1,456.30	1,699.01	1,941.73	2,184.44	2,669.87	3,155.30	3,640.74	4,368.88
Formby	1,411.24	1,646.45	1,881.65	2,116.86	2,587.27	3,057.68	3,528.10	4,233.72
Hightown	1,422.97	1,660.13	1,897.29	2,134.45	2,608.77	3,083.09	3,557.42	4,268.90
Ince Blundell	1,413.88	1,649.53	1,885.17	2,120.82	2,592.11	3,063.40	3,534.70	4,241.64
Little Altcar	1,411.24	1,646.45	1,881.65	2,116.86	2,587.27	3,057.68	3,528.10	4,233.72
Lydiate	1,465.82	1,710.13	1,954.43	2,198.73	2,687.33	3,175.94	3,664.55	4,397.46
Maghull	1,485.05	1,732.56	1,980.06	2,227.57	2,722.58	3,217.60	3,712.62	4,455.14

COUNCIL- THURSDAY 3RD MARCH, 2022

Melling	1,427.78	1,665.75	1,903.71	2,141.67	2,617.59	3,093.52	3,569.45	4,283.34
Sefton	1,432.33	1,671.05	1,909.77	2,148.49	2,625.93	3,103.37	3,580.82	4,296.98
Thornton	1,410.44	1,645.52	1,880.59	2,115.66	2,585.80	3,055.95	3,526.10	4,231.32
<u>All Other Parts of the Council's Area</u>	1,403.58	1,637.50	1,871.43	2,105.36	2,573.22	3,041.07	3,508.94	4,210.72

- (13) the Council's basic amount of Council Tax for 2022/2023 is not deemed to be excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992; and
- (B) In respect of the Capital Programme 2022/23 to 2024/25:
- (1) the full list of projects in Appendix C of the report be approved for inclusion within the Capital Programme; and
 - (2) a supplementary capital estimate of £29,378 for 2021/22, funded from earmarked reserves (Paragraph 16.2 of the report) be approved; and
- (C) the Procurement of External Audit Services approval be granted for the Council to procure external audit services through the Public Sector Audit Appointments body for the period 2023/24 to 2027/28 (Section 17 of the report).

106. ADJOURNMENT OF MEETING

The Meeting adjourned at 9.05 p.m. for a comfort break for a period of 15 minutes.

107. ADOPTION OF THE FLOOD AND COASTAL EROSION RISK MANAGEMENT STRATEGY AND BUSINESS PLAN

Further to Minute No. 98 of the meeting of the Cabinet held on 3 February 2022 the Council considered the report of the Head of Operational In-House Services that advised that the Flood and Water Management Act (FWMA) 2010 established Sefton Council as a Lead Local Flood Authority (LLFA) making it responsible for the management of local flood risk; that under Section 9 of the FWMA, a LLFA had a duty to develop, maintain, apply and monitor a Local Flood Risk Management Strategy; and that the previous strategy expired at the end of 2021 and the new strategy, once approved, would be in place from 2022 to 2030.

The report also advised that the strategy was also supported by a Business Plan which set out the actions the Council would undertake as LLFA over the next 12 months and would be reviewed and updated on an annual basis, whilst also forming the basis for the FCERM team's annual report to the Overview and Scrutiny Committee (Regeneration and Skills).

A copy of the Final Draft Sefton's Local Flood and Coastal Erosion Risk Management Strategy 2022-2030; and the Final Draft Sefton's Local Flood and Coastal Erosion Risk Management Business Plan 2022 were attached to the report.

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

RESOLVED:

That the Local Flood and Coastal Erosion Risk Management Strategy and supporting Business Plan be approved.

108. MEMBERSHIP OF COMMITTEES 2021/22

No changes to memberships of Committees were made.

109. MOTION SUBMITTED BY COUNCILLOR IRVING - TREE PRESERVATION ORDERS - REMOVAL OF TREES FOR FINANCIAL GAIN

It was moved by Councillor Irving, seconded by Councillor Bennett:

In May 2021 Sefton Council amended the constitution for dealing with applications for works under Tree Preservation Orders or for tree works in Conservation Areas. This means that all applications are excluded from the Planning Committee irrespective of any member's written request. We agree up to a point with this ruling, however, when an application is received which could be considered as a reason for financial gain, we believe that for transparency any such application should be considered by the Planning Committee at the request of the ward councillor.

This anomaly was highlighted recently when a Planning Application was received from a Golf Club in Formby requesting to remove eleven healthy mature trees all with tree preservation orders. This was to make one of the fair-ways longer on the course by forty yards. The applicant claimed it would create a new championship tee for members and visitors to enjoy. In light of the current concern over climate change and the detrimental effect that the removal of so many mature trees would have on the environment we believe such applications that appear to be for financial gain to be inappropriate. We believe that the application should have been heard by the Planning Committee in order for them to make the ultimate decision as it was obvious that the application was for financial reasons. I therefore ask this council to support this motion,

Council Resolution:

That Planning Applications received for the removal of Trees, which have tree preservation orders on them for financial gain should be heard by a Planning Committee if requested by the Ward Councillor.

Following a debate on the **Motion** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **Motion was lost** by 43 votes to 3 with 6 abstentions.

110. MOTION SUBMITTED BY COUNCILLOR IAN MAHER - MERSEYSIDE FIRE AND RESCUE SERVICE

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

This Council puts on record its thanks and congratulations to the Merseyside Fire and Rescue Authority and all the dedicated staff of the service for, yet again, achieving the highest national marking, being awarded three levels of outstanding, from HM Inspector of Fire and Rescue Services.

In the face of Government financial cuts and indifference, they have kept Merseyside, and Sefton in particular, safer than any other part of the Country.

An **amendment** was moved by Councillor Prendergast, seconded by Councillor Brough that the Motion be amended by the deletion of the words:

“In the face of Government Financial Cuts and indifference”

Following a debate on the **amendment** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **amendment was lost** by 52 votes to 4.

Following a debate on the **Motion** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **Motion was carried** by 52 votes to 0 with 4 abstentions and it was

RESOLVED: That

This Council puts on record its thanks and congratulations to the Merseyside Fire and Rescue Authority and all the dedicated staff of the service for, yet again, achieving the highest national marking, being awarded three levels of outstanding, from HM Inspector of Fire and Rescue Services.

In the face of Government financial cuts and indifference, they have kept Merseyside, and Sefton in particular, safer than any other part of the Country.

111. MOTION SUBMITTED BY COUNCILLOR THOMAS - POLICY OF MANDATORY DISABILITY PAY GAP REPORTING

It was moved by Councillor Thomas, seconded by Councillor Halsall and after a debate it was unanimously:

RESOLVED: That

Council notes:

1. the Trade Union Congress (TUC) has declared 31 October 2021 to be Disability Pay Gap Day. The TUC used data from the Office of National Statistics Labour Force Survey to show disabled workers effectively work for free for the last 60 days (around 8 and a half weeks) of the year and stop getting paid on 1 November. The study found that the pay gap for disabled workers was £3,800 per year with median hourly pay for a disabled worker £11.55, whilst for non-disabled workers it was £13.45. This shows a Disability Pay Gap of 16.5%. Disabled women face a bigger gap being paid on average 36% (£3.68 an hour, or around £6,700 a year) less than non-disabled men.
2. factors contributing to low pay are that disabled workers are over-represented in lower paid jobs like caring, leisure and other services and sales and customer services, and under-represented in senior and managerial roles. Disabled workers have an increased likelihood of being in part time work, which is generally paid less than full-time jobs. Some disabled people leave education earlier than non-disabled people, but even when disabled workers have the same or equivalent skill set as a non-disabled person they are still paid less.
3. the TUC has asked government to make disability pay gap reporting mandatory for all employers with more than 50 employees, with a duty to produce targeted action plans identifying the stops they will take to address any gaps.

This Council believes:

1. disabled workers should have equal parity with non-disabled workers and the disability pay gap must be reduced as far as possible; and
2. the TUC are right to ask central government to make mandatory disability pay gap reporting mandatory and that Sefton Council should set a good example by reporting on any disability pay gap and produce targeted action plans to address identified gaps.

Council, therefore, is asked to:

- (a) request the Chief Executive of Sefton Council to commence disability pay gap reporting and to produce targeted action plans identifying the steps to be taken to address any gaps that may be identified as soon as possible, whilst recognising that the Council is a Disability Confident Employer and provides support for disabled employees through providing reasonable adjustments and Occupational Health support where necessary. The issues around

reporting, support and the overall agenda should be taken to the Council's Corporate Equalities Group; and

- (b) write to the Liverpool City Region Combined Authority Metro Mayor asking that the rest of the Liverpool City Region Authorities be encouraged to implement a policy of disability pay gap reporting.

112. MOTION SUBMITTED BY COUNCILLOR PUGH - OUTCOME OF LEVELLING UP BIDS

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

That this Council expresses its regret and bewilderment at the outcome of the Levelling up bids for Bootle and Crosby.

An **amendment** was moved by Councillor Ian Maher, seconded by Councillor Fairclough that the Motion be amended by the addition of the following words:

"This Council further expresses its concern that our Borough is somehow placed in Category 3 for levelling up bids. It would appear that this Government do not recognise or understand the issues the Borough is facing. As per the Cabinet decision at its meeting of 6 January 2022, we continue to promote to government departments the importance of such funding opportunities to areas of Sefton that have not yet had any such support and to continue to challenge Government's categorisation of Sefton for levelling up funding at the foresaid lowest level of priority.

As such, this Council calls on the Secretary of State to review our prioritisation for levelling up and invites the Secretary of State to visit Sefton in order to enable him to gain a greater understanding of the issues that we face".

Following a debate on the **amendment** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **amendment was carried** by 56 votes to 0 and on the **Substantive Motion** it was carried by 56 votes to 0 and it was:

RESOLVED: That

This Council expresses its regret and bewilderment at the outcome of the Levelling up bids for Bootle and Crosby.

This Council further expresses its concern that our Borough is somehow placed in Category 3 for levelling up bids. It would appear that this Government do not recognise or understand the issues the Borough is facing. As per the Cabinet decision at its meeting of 6 January 2022, we continue to promote to government departments the importance of such funding opportunities to areas of Sefton that have not yet had any such support and to continue to challenge Government's categorisation of Sefton for levelling up funding at the foresaid lowest level of priority.

As such, this Council calls on the Secretary of State to review our prioritisation for levelling up and invites the Secretary of State to visit Sefton in order to enable him to gain a greater understanding of the issues that we face.

113. MOTION SUBMITTED BY COUNCILLOR HARDY - ELECTIONS BILL

It was moved by Councillor Hardy, seconded by Councillor Moncur:

That:

Sefton Council recognises the importance of ensuring that elections are fair and accessible for all voters.

Sefton Council notes that the Elections Bill is set to bring in major changes to national elections, including the introduction of compulsory photographic ID to vote.

Council believes that this change will act a barrier to people voting and increase inequality in the electoral process.

Council notes with concern that currently 3.5 million people in the UK do not have any form of expensive photographic ID.

Council notes that these changes are estimated to cost the taxpayer £180 million and will create unnecessary bureaucracy to Councils.

Council believes that at a time when voter turnout is declining, we should be doing all we can to make it easier not harder for people to vote.

Sefton Council doesn't want to see people being turned away at the ballot box because of these changes and resolves to support the #HandsOffOurVote campaign by:

- (1) writing to Rt Hon Michael Gove MP, Secretary of State for Levelling Up, Housing and Communities to highlight our opposition to these changes; and
- (2) writing to Sefton's local MPs asking them to raise these concerns in Parliament.

An **amendment** was moved by Councillor Pugh, seconded by Councillor Evans that the Motion be amended by the addition of the following words:

"Sefton Council applauds the support shown for a fairer and more proportional voting system by Peter Dowd (Member of Parliament for Bootle)"

after the word "voters" and before the words "Sefton Council notes" in the first sentence of the Motion.

Following a debate on the **amendment** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **amendment was lost** by 51 votes to 6.

Following a debate on the **Motion** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **Motion was carried** by 53 votes to 4 and it was and it was:

RESOLVED: That

Sefton Council recognises the importance of ensuring that elections are fair and accessible for all voters.

Sefton Council notes that the Elections Bill is set to bring in major changes to national elections, including the introduction of compulsory photographic ID to vote.

Council believes that this change will act a barrier to people voting and increase inequality in the electoral process.

Council notes with concern that currently 3.5 million people in the UK do not have any form of expensive photographic ID.

Council notes that these changes are estimated to cost the taxpayer £180 million and will create unnecessary bureaucracy to Councils.

Council believes that at a time when voter turnout is declining, we should be doing all we can to make it easier not harder for people to vote.

Sefton Council doesn't want to see people being turned away at the ballot box because of these changes and resolves to support the #HandsOffOurVote campaign by:

- (1) writing to Rt Hon Michael Gove MP, Secretary of State for Levelling Up, Housing and Communities to highlight our opposition to these changes; and
- (2) writing to Sefton's local MPs asking them to raise these concerns in Parliament.

114. MOTION SUBMITTED BY COUNCILLOR ROSCOE - THE REAL TRUTH LEGACY PROJECT AND HILLSBOROUGH DAY

It was moved by Councillor Roscoe, seconded by Councillor Friel and after a debate it was unanimously:

RESOLVED: That

Sefton Council commends survivors and the families of the ninety-seven fans who lost their lives as a result of the Hillsborough disaster for their three-decade campaign for justice.

Council also notes that Kevin Sampson's recent drama for ITV, *Anne* - considered a masterpiece by many - has highlighted once again the fact that, despite the ninety-seven having been unlawfully killed, to date no individuals or organisations have been held accountable for their deaths.

Council further notes that the impact of the campaign of lies, smears and propaganda orchestrated by South Yorkshire Police in 1989 and promoted by willing politicians and media continues to this day, with far too many members of the public even now parroting discredited lies about the behaviour of Liverpool fans in attendance at Hillsborough on 15 April 1989.

It is not surprising to Council that many families of the ninety-seven and Hillsborough survivors have expressed despair at this continuation of lies about Hillsborough.

Sefton Council therefore undertakes to support the 'Real Truth Legacy Project' led by Ian Byrne in conjunction with many Hillsborough families and survivors. This is a campaign which seeks to ensure that current and future generations learn the truth about Hillsborough, and to ensure that schoolchildren in Liverpool City Region initially have access to a definitive account of the disaster and the subsequent cover-up.

Council hereby notes its support for a key element of The Real Truth Legacy Project which is to have education about Hillsborough added to the National Curriculum, including a dedicated "Hillsborough Day" in the Liverpool City Region, to take place on the nearest Friday to the anniversary of the tragedy on 15 April each year.

The Hillsborough Day would see every Liverpool City Region primary and secondary school taking part in a special assembly to mark the anniversary and to learn more about the disaster, the cover-up and the fight for justice through dedicated teaching resource packs made available to every school in the city region by local education leads.

For the sake of past and future generations, this is something Sefton Council feels it must get behind and calls on all Councils in the Liverpool City Region and beyond to add their support to the Real Truth Legacy Project.

115. MOTION SUBMITTED BY COUNCILLOR WILSON - A FAIR DEAL FOR LYDIATE, MAGHULL AND AINTREE - RETURN THE DOUBLE RATING REBATE TO THE TOWN AND PARISH COUNCILS

The Mayor reported that she had received notice that due to the non-attendance of Councillor Wilson, the proposer of the Motion, the Motion would be considered at the next meeting of the Council.

116. MOTION SUBMITTED BY COUNCILLOR CARR - WORKER'S RIGHTS - LICENSED PRIVATE HIRE OPERATOR UBER

It was moved by Councillor Carr, seconded by Councillor Evans:

That:

We bring this motion to Council to highlight the recent Supreme Court ruling identifying workers' rights within the gig economy brought by the GMB union against the licensed private hire operator UBER. We recognise and accept the ruling that drivers operating on this and similar operating platforms can be said to hold worker rights. As such it is the responsibility of operators who engage drivers as workers to ensure they provide written terms which reference the entitlement to social protections including the national minimum wage, holiday pay, sick pay and national insurance, PAYE and right to a pension contribution, to those drivers who fall in to the category of workers. These rights should be enforced by way of attaching requirements as a condition of the Operators' Licence granted under S.55 of the Local Government and Miscellaneous Provisions Act 1976.

The condition would simply require relevant operators to ensure all drivers who fall in to the category of a worker are aware of their legal rights as a worker.

This Supreme Court judgement has shown once again that trade unions are a force for good in society. We congratulate GMB on bringing the case on behalf of its members and call on all workers in Sefton to join a union.

An **amendment** was moved by Councillor John Kelly, seconded by Councillor Waterfield that the Motion be amended by:

(1) the deletion of the words:

“We bring this motion to Council to highlight the recent Supreme Court ruling identifying workers' rights within the gig economy brought by the GMB union against the licensed private hire operator UBER. We recognise and accept the ruling that drivers operating on this and similar operating platforms can be said to hold worker rights. As such”

at the beginning of the Motion;

(2) the addition of the words:

“without these workers needing to take legal proceedings).”

after the words “category of workers” and before the words “These rights should” in the first paragraph of the Motion;

(3) the addition of the following paragraph after the second paragraph of the Motion:

“The Council's Hackney Carriage, Private Hire and Omnibus Licensing Scheme Handbook is currently being reviewed and this motion will be considered during the consultation process before a

final decision by the Licensing and Regulatory Committee is made later in 2022”; and

(4) The deletion of the words:

“This Supreme Court judgement has shown once again that trade unions are a force for good in society. We congratulate GMB on bringing the case on behalf of its members and call on all workers in Sefton to join a union.”

Following a debate on the **Amendment** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **Amendment was carried** by 43 votes to 9 with 4 abstentions and on the **Substantive Motion it was carried** by 43 votes to 3 with 10 abstentions and it was:

RESOLVED: That

It is the responsibility of operators who engage drivers as workers to ensure they provide written terms which reference the entitlement to social protections including the national minimum wage, holiday pay, sick pay, and national insurance, PAYE and right to a pension contribution, (to those drivers who fall into the category of ‘workers’ without these workers needing to take legal proceedings). These rights should be enforced by way of attaching requirements as a condition of the Operators’ Licence granted under S.55 of the Local Government and Miscellaneous Provisions Act 1976.

The condition could require relevant operators to ensure all drivers who fall into the category of a ‘worker’ are aware of their legal rights as a worker.

The Council’s Hackney Carriage, Private Hire and Omnibus Licensing Scheme Handbook is currently being reviewed and this motion will be considered during the consultation process before a final decision by the Licensing and Regulatory Committee is made later in 2022.