

COUNCIL

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON THURSDAY 16TH DECEMBER, 2010**

PRESENT: The Mayor (Councillor M Fearn) (in the Chair)
The Deputy Mayor (Councillor Cummins) (Vice Chair)

Councillors Barber, Blackburn, Booth, Bradshaw, Brady, Brennan, Brodie - Browne, Byrom, Carr, K. Cluskey, L. Cluskey, Cuthbertson, Dodd, Doran, Dorgan, M. Dowd, P. Dowd, Dutton, Fairclough, Lord Fearn, Fenton, Friel, Gibson, Glover, Griffiths, Gustafson, Hands, Hardy, Hill, Hough, Howe, Hubbard, Ibbs, Jones, Kelly, Larkin, Maher, C Mainey, McGinnity, McGuire, Mclvor, Moncur, Papworth, Parry, Pearson, Porter, Preece, B Rimmer, D Rimmer, Robertson, Shaw, Sumner, Tattersall, Tonkiss, Tweed, Veidman, Sir Ron Watson, Weavers and Webster

46. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Byrne, Kerrigan, Mahon, S. Mainey and Preston.

47. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Member	Minute	Reason	Action
Councillor Brady	58 - Transformation Programme and Further Options	Personal - He is the Council's representative on the Local Government Association Coastal Issues Special Interest Group which is affected by Option CE19a in the revised Appendix E of the report	Took part in the consideration of the Item and voted thereon

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Councillor Brennan	58 - Transformation Programme and Further Options	Personal - He is a Non-Executive Director of Sefton New Directions which is referred to in the proposals in Appendix A and he is employed by Sefton Council for Voluntary Service which is affected by Option CM26 in Appendix G of the report	Took part in the consideration of the Item and voted thereon
Councillor Brodie-Browne	58 - Transformation Programme and Further Options	Personal - His employer will be affected by proposals in Appendix A of the report and he is a Member of the Local Government Association General Assembly which is affected by Option CE19a in the revised Appendix E of the report	Took part in the consideration of the Item and voted thereon
Councillor Carr	58 - Transformation Programme and Further Options	Personal - He is a Member of the Unite Union which is affected by proposals in the report	Took part in the consideration of the Item and voted thereon

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Councillor Cummins	58 - Transformation Programme and Further Options	Personal - His employer is referred to in the proposals relating to Social Care commissioned services in Appendix A and he is also a Non-Executive Director of NHS Sefton. As the Deputy Mayor, he is affected by the Option CE2 in the revised Appendix E of the report	Took part in the consideration of the Item and voted thereon
Councillor M. Fearn (The Mayor)	58 - Transformation Programme and Further Options	Personal - As the Mayor she is affected by the proposals in Option CE2 in the revised Appendix E of the report	Took part in the consideration of the Item and voted thereon
Councillor Friel	58 - Transformation Programme and Further Options	Personal - He is a Member of the GMB Union which is affected by proposals in the report	Took part in the consideration of the Item and voted thereon

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Councillor Hardy	58 - Transformation Programme and Further Options	Personal - Her family receive grant aid from Option CS9 in Appendix E and her mother is employed by the Council's Catering Service which is affected by Options CM2 and CM13 in Appendix F of the report	Took part in the consideration of the Item and voted thereon
Councillor Maher	58 - Transformation Programme and Further Options	Personal - He is a Governor of Springwell Park School which is affected by Option CS9 in the revised Appendix E and his wife is employed by the Council's Catering Service which is affected by Options CM2 and CM13 in Appendix F of the report	Took part in the consideration of the Item and voted thereon
Councillor McGinnity	58 - Transformation Programme and Further Options	Personal - He is a Member of the Unite Union which is affected by proposals in the report	Took part in the consideration of the Item and voted thereon

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Councillor Moncur	58 - Transformation Programme and Further Options	Personal - He is the Council's representative on the Local Government Association Urban Commission which is affected by Option CE19a in the revised Appendix E of the report	Took part in the consideration of the Item and voted thereon
Councillor Parry	58 - Transformation Programme and Further Options	Personal - She is a Non-Executive Director of Sefton New Directions which is referred to in the proposals in Appendix A of the report	Took part in the consideration of the Item and voted thereon
Councillor B. Rimmer	58 - Transformation Programme and Further Options	Personal - He is the Council's representative on the Local Government Association Urban Commission which is affected by Option CE19a in the revised Appendix E of the report	Took part in the consideration of the Item and voted thereon
Councillor D. Rimmer	58 - Transformation Programme and Further Options	Personal - He is a Non-Executive Director of Sefton New Directions which is referred to in the proposals in Appendix A of the report	Took part in the consideration of the Item and voted thereon

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Councillor Shaw	58 - Transformation Programme and Further Options	Personal - His son is employed by the Council's Library Service which is affected by Option SCL7a in the revised Appendix E, Options SCL14a and SCL14b in Appendix F, and Options SCL7b, SCL8a and SCL13 in Appendix H of the report. He is also a Member of various Local Government Association bodies which are affected by Option CE19a in the revised Appendix E of the report	Took part in the consideration of the Item and voted thereon
Councillor Veidman	58 - Transformation Programme and Further Options	Personal - His employer is affected by proposals in Appendix A of the report	Took part in the consideration of the Item and voted thereon

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Councillor Sir Ron Watson	52 - Standards Committee Annual Report 2009/10 and	Personal - He is a Board Member of Standards for England which is referred to in the report.	Took part in the consideration of the Items and voted thereon
	58 - Transformation Programme and Further Options	He is a Member of various Local Government Association bodies which are affected by Option CE19a in the revised Appendix E of the report	
Councillor Weavers	58 - Transformation Programme and Further Options	Personal - He is affected by the proposals relating to the Youth Offending Team referred to in Appendix A of the report	Took part in the consideration of the Item and voted thereon
Margaret Carney, Chief Executive	58 - Transformation Programme and Further Options	Personal - She is a Non-Executive Director of Sefton New Directions which is referred to in the proposals in Appendix A of the report	Took no part in the discussions on this Item

48. MINUTES

RESOLVED:

That the Minutes of the Council Meeting held on 21 October 2010 be approved as a correct record.

49. MAYOR'S COMMUNICATIONS

Death of Mr. Vincent Platt

The Mayor reported on the sad death on 15 November 2010 of a former Member of this Council, Mr. Vincent Platt. Vincent originally represented Formby No. 16 Ward, which became Ravenmeols Ward, as Councillor from 1976 to 1996. He was re-elected in May 2000 and served Ravenmeols Ward until his retirement in May 2010. He will be especially remembered for his contribution to the Children's Services and his role as the Cabinet Member - Health and Social Care.

The Mayor and many others attended Vincent's funeral on Tuesday, 23 November 2010.

Councillor Parry paid tribute to Vincent Platt.

Death of Former Mayoress Mrs. Audrey White

The Mayor also reported on the sad death of ex-Mayoress Mrs. Audrey White on 8 December 2010 (her 90th birthday). Audrey had accompanied her husband, former Councillor Ernest White, on many of their engagements carried out during their term of office as Mayor and Mayoress during 1980/81.

Audrey's funeral would take place in Reading next Wednesday, 22 December 2010, but the family intend to hold a Memorial Service in Southport some time in January 2011. Details of this service would be disseminated as soon as they are known.

Councillor Glover paid tribute to Audrey White.

The Council then stood in silence for one minute as a mark of respect for Vincent Platt and Audrey White.

PUBLIC SESSION

50. MATTERS RAISED BY THE PUBLIC

The Mayor reported that members of the public had not submitted any petitions or questions.

COUNCIL BUSINESS SESSION

51. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

The Council considered a written question from Councillor Papworth to the Cabinet Member - Regeneration relating to the proposed redevelopment in Crosby, a written question from Councillor Shaw to the Cabinet Member - Leisure and Tourism relating to the Registration Service and a written

question from Councillor Tonkiss to the Cabinet Member - Technical Services relating to parking in Crosby Village. One supplementary question was put and responded to.

52. STANDARDS COMMITTEE ANNUAL REPORT 2009 -10

The Council considered the Annual Report of the Standards Committee for 2009/10 and Mr. Neil Edwards, the Independent Chair of the Committee outlined the contents of the report.

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

RESOLVED:

That the report be noted.

53. SEFTON CITY LEARNING CENTRES - CAPITAL REDEVELOPMENT FUNDING

Further to Minute No. 163 of the Cabinet Meeting held on 16 December 2010, the Council considered the report of the Strategic Director - Children, Schools and Families seeking approval to the implementation of a scheme in which a range of innovative ICT equipment would be purchased and used to support schools in transforming teaching and learning across all national curriculum stages, which would be funded from the Capital Redevelopment Grant Allocation for 2010/11.

It was moved by Councillor Robertson, seconded by Councillor Blackburn and

RESOLVED:

That approval be given to the inclusion of the scheme in the Children, Schools and Families Capital Programme 2010/11, to be funded entirely from specific resources.

54. STRATEGIC ASSET MANAGEMENT PROPERTY INTERVENTION FUND

Further to Minute No. 150 of the Cabinet meeting held on 25 November 2010, the Council considered the report of the Strategic Director - Communities on proposals for the inclusion of a Strategic Asset Management Property Intervention provision within the Capital Programme to be funded from the proceeds of asset disposals, to address ongoing Property Management issues.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne and

RESOLVED: That

- (1) approval be given to the establishment of a £500,000 Strategic Asset Management Property Intervention provision within the Capital Programme to be funded and maintained from capital receipts derived from asset disposals; and
- (2) approval be given to the amendment of Part 3 of the Council Constitution (Responsibility for Functions) in order to give the management responsibility for the Strategic Asset Management Property Intervention provision to the Strategic Director - Communities, in conjunction with the Head of Corporate Finance and ICT.

55. FLOOD RISK MANAGEMENT

Further to Minute No. 152 of the Cabinet Meeting held on 25 November 2010, the Council considered the report of the Environmental and Technical Services Director on the progress made on applications for grant aid funding from the Environment Agency for Flood Risk Management Schemes.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne and

RESOLVED:

That approval be given to the following schemes being included in the Capital Programme, to be fully funded from ring-fenced Environment Agency grant and a revenue contribution from within the Council's existing Land Drainage Works Budget:

(i)	Claremont Avenue, Maghull Land Drainage investigation	£ 35,000
(ii)	Thornton and Lunt Land Drainage Investigation	£ 39,000
(iii)	Dobbs Gutter Flood Alleviation Study	£ 41,000
(iv)	Surface Water Management Plan	£120,000(including £20,000 Revenue contribution)

56. PROTOCOL FOR LIFTING THE MORATORIUM ON THE SITING OF MOBILE PHONE MASTS ON COUNCIL LAND

Further to Minute No. 135 of the Cabinet Meeting held on 28 October 2010 the Council considered the report of the Environmental and Technical Services Director on the implications of amending the draft protocol to govern the lifting of the current moratorium on the siting of telephone transmission masts on Council owned land by including the Area Committees in the site selection and consultation process and by delegating to the relevant Area Committee the decision to authorise the use of Council land for the siting of telephone transmission masts.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

It was moved by Councillor Robertson, seconded by Councillor Brodie-Browne and

RESOLVED: That

- (1) the revised protocol be noted; and
- (2) approval be given to the amendment of Part 3 of the Council Constitution (Responsibility for Functions) by the inclusion of the following text:

"AREA COMMITTEES - Specific Delegations

Environmental and Technical Services

Determination of applications for permission to site mobile phone masts on Council owned land within the Wards covered by the Area Committee, in accordance with the Council's protocol."

57. DRAFT REVISED STATEMENT OF LICENSING POLICY - LICENSING ACT 2003

Further to Minute No. 35 of the Meeting of the Licensing and Regulatory Committee held on 25 October 2010, the Council considered the report of the Environmental and Technical Services Director on the revised Statement of Licensing Policy.

The report indicated that under the Licensing Act 2003, all Licensing Authorities were required to prepare and publish a 'Statement of Principles' for exercising their functions under the Act every three years, the current Policy having come into force on 7 January 2008 and consultation on the Council's current Licensing Policy Statement had taken place between 28 June 2010 and 19 September 2010.

A copy of the latest revised Licensing Policy Statement was attached at Annex 1 and details of the consultation exercise were attached at Annex 2 to the report.

It was moved by Councillor McGuire, seconded by Councillor D. Rimmer and

RESOLVED:

That the revised Statement of Licensing Policy as set out in Annex 1 of the report be approved, to come into force on 7 January 2011.

58. TRANSFORMATION PROGRAMME AND FURTHER OPTIONS

Further to Minute No. 162 of the Cabinet Meeting held on 16 December 2010, the Council considered the report of the Chief Executive which provided an update on the Transformation Programme and set out recommendations on the relative priority of Council services in the light of the forecast savings required, following the Government's Comprehensive Spending Review. This prioritisation informs the identification of budget savings options which were set out in the report to reduce the 2011/12 - 2013/14 budget gap.

An extract of Minute No. 162 of the Cabinet meeting held on 16 December 2010 was circulated at the meeting together with the revised recommendations to Council and a revised Appendix E (Tactical Savings Options).

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

Mr. Glen Williams, Branch Secretary of Unison addressed the Council on the trade union perspective on the Transformation Programme and the Budget Position generally.

It was then moved by Councillor Robertson, seconded by Councillor Brodie-Browne:

That:

1. the progress to date on the Transformation Programme be noted;
2. the assessment of critical, frontline and regulatory services as defined in Appendices A, B and C of the report be approved;
3. the associated savings set out in Appendix D of the report be approved;
4. the tactical savings options as set out in the revised Appendix E of the report be approved;
5. the changes to the Medium Term Financial Plan be approved as set out in the report and it be noted from the illustrative assumption that corporate and departmental management and admin can be reduced by 25%;
6. officers be authorised to commence a consultation process with employees and Trade Unions with a view to reaching an agreement on the Terms and Conditions issues outlined in paragraph 4.4 of the report, including the issue of relevant statutory and contractual notifications, if appropriate to achieve change;

7. the Council meeting scheduled for Thursday, 13 January 2011 in Southport Town Hall be postponed until Thursday, 27 January 2011 to allow time for political groups to consider the prioritisation of 'other services'.
8. the savings options set out in Appendix F of the report to achieve savings of £2.4m be approved;
9. the savings options (external funding review) set out in Appendix G of the report be approved;
10. the savings options (tactical savings Table A) set out in Appendix H of the report, be approved; and
11. the savings options (tactical savings Table B) identified in Appendix H of the report, be approved.

An **amendment** was then moved by Councillor Maher and seconded by Councillor Moncur that the motion be amended by the addition of the following text at the end of Resolution (4):

Subject to the deletion of the saving option CS9 (Cease School Clothing Grant)

The requisite number of Members having then signified their wish that the voting on the amendment should be recorded in accordance with Rule 18.4 of the Council and Committee Procedure Rules, the voting was duly recorded and the Members of the Council present at the time, voted as follows:

FOR THE AMENDMENT:

Councillors Bradshaw, Brady, Brennan, Byrom, Carr, K. Cluskey, L. Cluskey, Cummins, M. Dowd, P. Dowd, Fairclough, Friel, Gustafson, Hardy, Kelly, Maher, McGinnity, Moncur, Tweed, Veidman and Webster.

AGAINST THE AMENDMENT:

Councillors Barber, Blackburn, Booth, Brodie-Browne, Cuthbertson, Dodd, Doran, Dorgan, Dutton, Mrs. M. Fearn, Lord Fearn, Fenton, Gibson, Glover, Griffiths, Hands, Hill, Hough, Howe, Hubbard, Ibbs, Jones, Larkin, C. Mainey, McGuire, McIvor, Papworth, Parry, Pearson, Porter, Preece, B. Rimmer, D. Rimmer, Robertson, Shaw, Sumner, Tattersall, Tonkiss, Sir Ron Watson and Weavers

The amendment was **lost** by 40 votes to 21

A further **amendment** was then moved by Councillor Moncur and seconded by Councillor Maher that the motion be amended by the addition of the following text at the end of Resolution (10):

Subject to the deletion of the saving option CS5 (Post 16 Transport)

On a show of hands, the amendment was **lost** by 40 votes to 21

A further **amendment** was then moved by Councillor Hardy and seconded by Councillor Friel that the motion be amended by the addition of the following text at the end of Resolution (9):

Subject to the deletion of the saving options CM17a (Cease Neighbourhood Cleansing) and CM49 (Cease Cleansing – Linacre Bridge Team)

On a show of hands, the amendment was **lost** by 40 votes to 21

A further **amendment** was then moved by Councillor Brennan and seconded by Councillor K. Cluskey that the motion be amended by the addition of the following text at the end of Resolution (8):

Subject to the deletion of the saving option SCL1c (Arts and Cultural Services)

On a show of hands, the amendment was **lost** by 40 votes to 21

A further **amendment** was then moved by Councillor Friel and seconded by Councillor McGinnity that the motion be amended by the addition of the following text at the end of Resolution (4):

Subject to the deletion of the saving option CM37 (Cease funding for Opportunities Shop); and

the addition of the following text at the end of Resolution (9):

Subject to the deletion of the saving option CM44 (Cease Good Neighbour Skips)

On a show of hands, the amendment was **lost** by 40 votes to 21

A further **amendment** was then moved by Councillor McGinnity and seconded by Councillor Carr that the motion be amended by the addition of the following text at the end of Resolution (9):

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Subject to the deletion of the saving options CM48a (Cease Cleansing – Fly Tipping/Graffiti) and CM51a (Cease Cleansing – Arterial Routes)

On a show of hands, the amendment was **lost** by 40 votes to 21

A further **amendment** was then moved by Councillor Gustafson and seconded by Councillor Friel that the motion be amended by the addition of the following text at the end of Resolution (9):

Subject to the deletion of the saving option SCL18 (Free and Active)

On a show of hands, the amendment was **lost** by 40 votes to 21

A further **amendment** was then moved by Councillor Byrom and seconded by Councillor Moncur that the motion be amended by the addition of the following text at the end of Resolution (4):

Subject to the deletion of the saving option CE19a (Cease membership of Local Government Association)

On a show of hands, the amendment was **lost** by 38 votes to 21 with 2 abstentions

Following a period of debate, it was moved by Councillor Parry, seconded by Councillor Porter and

RESOLVED:

That the meeting be adjourned for a period of ten minutes to enable Councillor Porter to seek legal advice from the Acting Head of Corporate Legal Services (Monitoring Officer).

Following the adjournment, the meeting resumed and the Mayor requested the Members of the Public present to refrain from disrupting the meeting or she would request that the Public be excluded from the meeting.

Following further debate, an **amendment** was then moved by Councillor Robertson and seconded by Councillor Brodie - Browne that the motion be amended by the addition of the following text at the end of Resolution (4):

Subject to the deletion of the saving option SCL7a (Libraries - Closures), to allow the option to be postponed pending the outcome of the review of the Library Service and the lease for the Mobile Library vehicle be extended for twelve months.

On a show of hands, the amendment was **carried** by 40 votes to 21.

Following further debate, the requisite number of Members having signified their wish that the voting on the Substantive Motion should be recorded in accordance with Rule 18.4 of the Council and Committee Procedure Rules, the voting was duly recorded and the Members of the Council present at the time, voted as follows:

FOR THE SUBSTANTIVE MOTION:

Councillors Barber, Blackburn, Booth, Brodie-Browne, Cuthbertson, Dodd, Doran, Dorgan, Dutton, Mrs. M. Fearn, Lord Fearn, Fenton, Gibson, Glover, Griffiths, Hands, Hill, Hough, Howe, Hubbard, Ibbs, Jones, Larkin, C. Mainey, McGuire, McIvor, Papworth, Parry, Pearson, Porter, Preece, B. Rimmer, D. Rimmer, Robertson, Shaw, Sumner, Tattersall, Tonkiss, Sir Ron Watson and Weavers.

AGAINST THE SUBSTANTIVE MOTION:

Councillors Bradshaw, Brady, Brennan, Byrom, Carr, K. Cluskey, L. Cluskey, Cummins, M. Dowd, P. Dowd, Fairclough, Friel, Gustafson, Hardy, Kelly, Maher, McGinnity, Moncur, Tweed, Veidman and Webster.

The Substantive Motion was **carried** by 40 votes to 21 and it was

RESOLVED: That

1. the progress to date on the Transformation Programme be noted;
2. the assessment of critical, frontline and regulatory services as defined in Appendices A, B and C of the report be approved;
3. the associated savings set out in Appendix D of the report be approved;
4. the tactical savings options as set out in the revised Appendix E of the report be approved subject to the deletion of the saving option SCL7a (Libraries - Closures), to allow the option to be postponed pending the outcome of the review of the Library Service and the lease for the Mobile Library vehicle be extended for twelve months;
5. the changes to the Medium Term Financial Plan be approved as set out in the report and it be noted from the illustrative assumption that corporate and departmental management and admin. can be reduced by 25%;
6. officers be authorised to commence a consultation process with employees and Trade Unions with a view to reaching an agreement on the Terms and Conditions issues outlined in paragraph 4.4 of the report, including the issue of relevant statutory and contractual notifications, if appropriate to achieve change;

7. the Council meeting scheduled for Thursday, 13 January 2011 in Southport Town Hall be postponed until Thursday, 27 January 2011 to allow time for political groups to consider the prioritisation of 'other services'.
8. the savings options set out in Appendix F of the report to achieve savings of £2.4m be approved;
9. the savings options (external funding review) set out in Appendix G of the report be approved;
10. the savings options (tactical savings Table A) set out in Appendix H of the report, be approved; and
11. the savings options (tactical savings Table B) set out in Appendix H of the report, be approved.

(In accordance with Rule 18.5 of the Council and Committee Procedure Rules, the following Councillors requested that their votes against Resolutions (3) to (6) and (8) to (11) above be recorded, namely:

Councillors Bradshaw, Brady, Brennan, Byrom, Carr, K. Cluskey, L. Cluskey, Cummins, M. Dowd, P. Dowd, Fairclough, Friel, Gustafson, Hardy, Kelly, Maher, McGinnity, Moncur, Tweed, Veidman and Webster.

59. MEMBERSHIP OF COMMITTEES 2010/11

There were no changes made to the membership of Committees.